Project Reset

An Evaluation of a Pre-Arraignment Diversion Program in New York City

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Center
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Court
Innovation

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Executive Summary

For decades, criminal justice policy-makers have been looking toward alternatives to traditional case processing to improve public safety, deliver proportionate and just responses to crime, and reduce court caseloads. Pre-arraignment diversion is one such way to redirect cases. Diversion can mitigate the lasting consequences of prosecution and a criminal record for defendants, and can reduce the strain on criminal justice systems. Studies show that at least some diversion programs reduce future criminal activity.

Sponsored by the Manhattan District Attorney's Office and supported by the New York Police Department, Project Reset is a pre-arraignment diversion program in New York City. The program seeks to provide a new response to low-level offending that is proportionate, effective, and humane. Further, the program expands the array of options beyond the traditional binary of prosecution or nothing. Drawing on procedural justice tenets[1] and set within the larger context of a national and citywide push for incarceration reduction and smart crime prevention, Project Reset aspires to provide a meaningful way to reduce the footprint of the criminal justice system without sacrificing public safety. The Independent Commission on NYC Criminal Justice and Incarceration Reform, in its 2017 report, a More Just NYC, specifically mentioned Project Reset as a promising diversion model (Independent Commission 2017). Project Reset is one of many reforms recently implemented by the Manhattan District Attorney's Office. These reforms aim to improve the criminal justice process and to implement measures that seek to reduce the burden the criminal justice system places on people of color (Manhattan District Attorney's Office 2018).

This study evaluates the impact of the initial expansion of Project Reset. To understand the impact of Project Reset and inform future programming, this study compares case outcomes and recidivism among participants to those of a matched comparison group of similar defendants who did not participate in the program. To provide further context, this study also analyzes program data and participant feedback as collected through an exit survey.

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[1] The tenets of procedural justice are respect, voice, understanding, neutrality, and helpfulness. See, *infra*, p. 2.

The Program Model

Project Reset provides the justice system with a proportionate response to low-level offending. Project Reset offers participants the opportunity to avoid the collateral consequences of a criminal record, a warrant, and potentially even jail, while holding participants accountable through meaningful interventions. The program requires each participant to complete two sessions of select programming. The Manhattan District Attorney's Office declines to prosecute the cases of individuals who successfully complete both programming sessions. The original arrest is sealed, the case is never docketed, and the person never has to appear in court.

Project Reset started in March 2015, serving 16- and 17-year-olds arrested in two New York City neighborhoods: Harlem, Manhattan, and Brownsville, Brooklyn. At the time, the age of criminal responsibility in New York State was 16, and 16- and 17-year-olds were processed in the adult criminal court system.[2] In July 2016, Project Reset expanded to serve 16- and 17-year-olds arrested everywhere in Manhattan. Project Reset was expanded again in early 2018 to include individuals of *all* ages arrested in Manhattan.

The 2016 Manhattan-wide expansion of Project Reset is the subject of the current study. At the time of the study, Project Reset was eligible to those meeting the following criteria:

- **Age:** Eligibility was limited to 16- and 17-year-olds.
- **Arrest charge:** Select low-level, non-violent charges were eligible, such as petit larceny, criminal possession of marijuana, and trespassing.[3]
- **Criminal history:** Only individuals with no prior adult criminal record and no pending cases were eligible for the program.

Major Findings

Overall, this study revealed positive program impacts for Project Reset participants. Results also suggest reductions in recidivism, improved case outcomes, and positive participant perceptions. Project Reset participants had fewer re-arrests and new convictions and longer

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[2] Recently, legislation was enacted to raise the age of criminal responsibility to 18, beginning in October 1, 2018 for 16-year-olds and October 1, 2019 for 17-year-olds, often referred to as Raise the Age legislation (NYS FY 2018 Enacted Budget 2017).
[3] A full list of eligible offenses is included as Appendix A.

times to re-arrest and conviction. Though many findings did not reach statistical significance, 18 measures of comparison were assessed, and Project Reset participants fared better than the comparison group on 17 of those 18 measures (see Table 4.2). Future research is encouraged to understand causality.

- **Conviction:** Project Reset participants were significantly less likely than comparison defendants to be convicted on a new arrest at one year (2% vs. 8%) following the initial arrest. Program participants spent significantly more time without a new conviction as well (272 days vs. 197 days).

- **Re-Arrest:** Re-arrest outcomes were lower for program participants than the comparison group (after one year, 14% for participants and 17% for comparison); however, the difference in likelihood of any new arrest is not statistically significant. Project Reset participants were less likely to have a new violent felony arrest (0% vs. 2%) and had fewer new arrests than those in the comparison group. Thus, the program may slightly reduce recidivism and poses no increased risk to public safety.

- **Case Processing:** Project Reset cases were resolved significantly more quickly than cases disposed through traditional methods (71 vs. 257 days). Almost all Project Reset participants (95%) avoided ever having to attend court.

- **Criminal Records:** The majority of both Project Reset participants and defendants in the matched comparison group ultimately avoided a criminal record. However, Project Reset participants accomplished this through an up-front program and the district attorney declining to prosecute the case. Without the participant ever appearing in court, the original arrest is sealed, the case is never filed, and there is no criminal court record of the case. Most comparison defendants (93%) had their case dismissed after a six-month adjournment in contemplation of dismissal (ACD). During the adjournment period of an ACD, the case is searchable in criminal background checks, and there is exposure to possible future re-arrest which could counteract the dismissal.

- **Program Completion:** Nearly all participants completed the two sessions of interventions (98%). In a justice system grounded in the idea that heavy-handed reactions are necessary to ensure compliance, the high completion rate

demonstrates that a light-touch intervention can still offer accountability (see, e.g., Subramanian 2015).

- **Participant Experiences:** Participants expressed positive perceptions of Project Reset: the majority felt they had made the right decision by entering the program (97%) and would recommend the program to others (96%). Some went further to suggest program expansion throughout the city or replication on a national scale.

- **Reflection, Accountability, and Opportunities for Self-Improvement:** According to program participants, Project Reset interventions offered an open and safe environment in which they could reflect on their experiences. Participants reported valuing the activities that gave them an opportunity to think about themselves and their actions—before, during, and since their arrests.

  Participants also reported that Project Reset equipped them to move forward on a new path. Specifically, they reported that the sessions gave them new skills to help them cope with challenging situations, and an understanding of how their actions affect others in their communities.

- **Procedural Justice:** Participants alluded to the program's implementation of procedural justice tenets. Participants reported that the program provided them with voice, through opportunities to share their stories, and treated them with respect, as staff were patient and willing to listen.

- **Perceptions of Criminal Justice Agencies:** Participants felt respected by agency players, such as the police and defense attorneys. For example, three quarters of participants who completed an exit survey reported they were treated well by the police, and nearly two-thirds had positive perceptions of defense attorneys. As participants avoided court, most did not have any direct experience with prosecutors or judges.

Moving Forward

Project Reset has recently expanded to serve adults throughout Manhattan, making the findings of this study particularly informative for ongoing program implementation. Further, adaptations of Project Reset—for example, a pilot in select precincts in the Bronx—might also apply these findings to their programs. Research can also be conducted to evaluate related diversion initiatives as the Manhattan District Attorney's Office declines to prosecute

additional types of cases, such as turnstile jumping, unlicensed general vending, and marijuana possession (Manhattan District Attorney's Office 2018).

These findings may also be used to inform programming in family court as 16- and 17-year-old arrestees begin to be processed there rather than in criminal court, upon implementation of Raise the Age legislation. Future research should explore whether the results presented here extend to program expansion and replication efforts.

Chapter 1
Introduction

In 2016, there were 235,589 misdemeanor arraignments in New York City. This represents a continuation of a general decline from a high of 320,867 arraignments in 2009—a drop of more than 25 percent (Office of the Chief Clerk of New York City Criminal Court 2010 and 2017).[4] Prosecutors, defense agencies, and criminal justice policy-makers continue to look toward alternatives to traditional prosecution to improve public safety, deliver proportionate and just responses to crime, and reduce court caseloads and associated costs. Diversion programs are one such way to reduce the strain on criminal justice systems and mitigate the lasting consequences of prosecution and a criminal record for defendants (National Association of Pretrial Services Agencies 2010). Additionally, there is evidence that tailored interventions could reduce future criminal justice involvement and improve defendants' access to social services, as summarized below.

Diversion can take place at various points in the case process. In police-led diversion, a case is diverted at the point of arrest—*before* a case is forwarded to the prosecutor's office or the court (Tallon, Labriola, and Spadafore 2017). Prosecutor-led diversion can take place either pre-filing or post-filing. In pre-filing diversion, law enforcement forwards the case to the prosecutor, but the prosecutor declines to file the charges with the court if diversion requirements are met. In post-filing diversion, the prosecutor files the case with the court and the defendant may have some court appearances. Once the defendant enters the diversion program—usually in partnership with the court—adjudication is suspended, and for those defendants who successfully complete diversion requirements, charges are generally dismissed (Rempel, Labriola, Hunt, Davis, Reich, and Cherney 2017).

Pre-trial diversion programs date back to the late 1960s, with over 200 diversion programs operating nationwide by 1977 (Feeley 1983). Recent studies have mixed findings (e.g., Broner, Mayarl, and Landsberg 2005; Cowell, Broner, and Dupont 2004; Mire, Forsyth, and Hanser 2007; George et al. 2016). Juvenile diversion programs have historically been studied to a greater extent than adult programs; unfortunately, many studies were published before

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[4] Arraignments include misdemeanor and infraction/violation charges; felony-level charges are not included.

1990 and reflect outdated practices (Petrosino et al. 2010) or are methodologically problematic. However, two more recent evaluations of juvenile diversion programs—one in Miami (Dembo et al. 2008) and one in Wayne County, Michigan (Hodges, Martin, Smith, and Cooper 2011)—found that the programs reduced recidivism outcomes over a 12-month period.

Most recently, the Center for Court Innovation conducted a study of sixteen high-volume adult diversion programs in large jurisdictions across the United States, including impact evaluations of five programs (Rempel, Labriola, Hunt, Davis, Reich, Cherney 2017). The results of the impact evaluation showed a reduced likelihood of conviction across programs and a reduced likelihood of re-arrest in four of the programs.

In New York City, the Manhattan District Attorney's Office has recently invested in pre-arraignment diversion programs in an attempt to remove low-level cases from the criminal justice system, with a particular focus on young people. In 2016, there were 2,312 misdemeanor and violation prosecutions of 16-and 17-year-olds, and by 2017, 16- and 17-year old misdemeanor and violation prosecutions declined to 1,384 (Manhattan District Attorney's Office 2018). Further, a study of prosecutorial practices in Manhattan proposed diversion as a way to reduce existing racial disparities in the criminal justice system. The study found no noticeable racial or ethnic differences at prosecutorial case screening, but found that black and Latinx defendants were more likely than white defendants to be detained at arraignment, receive a custodial sentence offer in plea bargaining, and be incarcerated. The study also found that the cases of black and Latinx defendants were more likely to be eventually dismissed, suggesting that earlier pre-screening and diversion by the prosecutor could reduce unnecessary pre-trial detention and associated racial disparities (Kutateladze and Andiloro 2014).

Current Study

The current study seeks to evaluate Project Reset, a novel prosecutor-led diversion program in New York City. Originally sponsored by the New York Police Department, Project Reset is a cross-agency collaboration involving the Center for Court Innovation; Manhattan District Attorney's Office; Kings County District Attorney's Office; New York City Police Department; Legal Aid Society; Brooklyn Defender Services; New York County Defender Services; and Neighborhood Defender Service of Harlem.

Project Reset is a pre-filing, early diversion program for individuals who have been arrested for specific misdemeanor charges and who meet specific eligibility criteria (outlined in

Chapter 2). If eligible, defendants participate in an intervention led by staff based at the Midtown Community Court or the Harlem Community Justice Center, operating projects of the Center for Court Innovation.

Upon successful completion of Project Reset programming, the Manhattan District Attorney's Office declines to prosecute the case. The original arrest is sealed and the case is never docketed (charges are never filed in court). The person never has to appear in court. Thus, a decline to prosecute is arguably a better outcome for the defendant than formal court processing, even if the court disposition is favorable. However, there is no penalty for not completing Project Reset; court proceeds in the same manner as would have occurred before Project Reset was launched.

Project Reset seeks to incorporate aspects of procedural justice into case processing. As identified by practitioners and researchers (e.g., Farley, Jensen, & Rempel 2014; Malangone 2017; Tyler 1990), key tenets of procedural justice include:

- **Voice:** Individuals should have an opportunity tell their side of the story.
- **Understanding:** Individuals should understand processes, their rights, and what requirements are expected of them.
- **Respect:** Individuals should be treated with respect and dignity throughout their experiences in the criminal justice system.
- **Neutrality:** Individuals should perceive criminal justice processes as unbiased.
- **Helpfulness:** Interventions should respond to the personal situation of the individual, and the individual should perceive players as being helpful.

Project Reset launched as a pilot program in the Harlem neighborhood of Manhattan, and Brownsville, Brooklyn, in February 2015. The initial launch was limited to 16- and 17-year-olds, who in New York State have their cases processed in adult criminal court.[5] With funding support of the Manhattan District Attorney's Office, Project Reset expanded in July 2016 to serve eligible 16- and 17-year-olds arrested throughout the entire borough of

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[5] At the time of launch, New York was one of only two states in the country that set the adult age of criminal responsibility at 16. Since then, legislation was signed to raise the age of criminal responsibility to 18 years of age, beginning October 1, 2018 for 16-year-olds and October 1, 2019 for 17-year-olds (NYS FY 2018 Enacted Budget 2017).

Manhattan. In 2018, Project Reset further expanded eligibility to include all adults arrested in Manhattan regardless of age, with minor adjustments to the program.

The present study evaluates the 2016 borough-wide Manhattan expansion of Project Reset for 16- and 17-year-olds. To understand impacts and inform ongoing operations, this study compares recidivism and case outcomes for Project Reset participants from July 2016 to April 2017 (243 participants), to those of a matched comparison group. Additionally, a feedback survey was given to 234 individuals who completed Project Reset between October 2016 and May 2018. These survey responses are analyzed to provide deeper insight into participant perceptions of the program.

Specifically, the current study seeks to answer the following research questions:

1. **Impact on Recidivism:** Does the program reduce subsequent arrests or convictions? Does Project Reset jeopardize public safety? Specifically, does the program change re-arrest rates for any crime, felony crime, or violent crime?
2. **Impact on Criminal Convictions:** Does Project Reset reduce criminal convictions and permanent criminal records for participants?
3. **Participant Profile:** How many 16- and 17-year-olds participated in Project Reset during the study period? What are the characteristics of Project Reset participants?
4. **Programming Offered and Compliance:** What types of interventions do participants complete as part of the program? Do participants comply with program requirements?
5. **Program Perceptions:** What do participants report motivates them to take part in Project Reset? Are the program components and requirements made clear to participants? What are the perceptions of program effectiveness or value? Are there any facilitators or barriers to participation, or participant recommendations for Project Reset?
6. **Procedural Justice:** Does Project Reset adhere to tenets of procedural justice? Does their experience in Project Reset change participants' impressions of the criminal justice system?
7. **Policy Implications:** Given that the Project Reset takes place within the current criminal court structure, do the findings have implications for future policy changes?

Project Reset

Project Reset aims to offer a novel response to crime by allowing the police and prosecutors to pursue proportionate, community-based sanctions for low-level offending behavior. Additionally, Project Reset seeks to keep participants out of jail and avoid the lasting collateral consequences of a criminal record, while holding them accountable through meaningful interventions. This chapter describes the program, the case process, and participant characteristics.

Program Eligibility

Individuals arrested for select non-violent misdemeanor charges, with no prior adult criminal arrests and no pending cases, are eligible for Project Reset. See Appendix A for a complete list of charges eligible for Project Reset. The program is only offered to individuals who are arrested and issued a Desk Appearance Ticket, which is an order to appear in criminal court at a later date and can be issued in lieu of a custodial arrest in certain circumstances and at the discretion of the arresting officer.[6] At the time of the study, Project Reset was only available to individuals who were 16- or 17-years-old at the time of arrest. Last, as program eligibility excludes prior adult criminal arrests, an individual can only participate in Project Reset once.

Of the 19 charges eligible for Project Reset, ten charges were found to make up the instant cases in this study. The most common charge was petit larceny (53%) followed by marijuana possession (20%). See Table 2.2.

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[6] Desk Appearance Tickets are issued according to criteria and charge exclusions set out in the Criminal Procedure Law, and according to additional NYPD policies. For example, the defendants' identification must be verified, they cannot have an active warrant, and they cannot have violated an Order of Protection. Criminal history may also affect the decision to issue a Desk Appearance Ticket. For more information about statutory and NYPD policy guidelines regarding Desk Appearance Tickets, see, e.g., "The Past, Present, and Possible Future of Desk Appearance Tickets in New York City" (Phillips 2014).

Table 2.1. Project Reset Eligibility Criteria

Eligibility Category	Eligibility Description
Desk Appearance Ticket	Only arrests where a Desk Appearance Ticket is issued are eligible for Project Reset.
Arrest Charge	Arrest charge must be one of 19 pre-determined misdemeanor charges. A full list of eligible charges can be found in Appendix A.
Criminal History	The individual must not have any prior criminal arrests, and must have no pending cases anywhere in New York City.
Age	Arrest must occur when the individual is 16- or 17-years-old.

Table 2.2. Top Arrest Charge for Project Reset Participants

New York State Penal Code	Charge Description	N=243
155.25	Petit larceny	53%
221.10	Criminal possession of marijuana in 5th degree	20%
140.10	Criminal trespass in 3rd degree	11%
140.15	Criminal trespass in 2nd degree	8%
165.15	Theft of services	4%
165.16	Unauthorized sale of certain transportation devices	2%
145.00	Criminal mischief in 4th degree	1%
145.60	Making graffiti	1%
220.03	Possession of controlled substances in 7th degree	1%
165.40	Criminal possession of stolen property in 5th degree	< 1%

Case Process

The Project Reset case flow is presented visually in Appendix B. At the point of arrest, the arresting officer informs the arrestee that they may be eligible for Project Reset and explains the program. Almost one-third of Project Reset arrests occurred in the Midtown South precinct; one-quarter of cases (26%) were arrested in Upper Manhattan.[7] Figure 1 illustrates arrest geography of participants.

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[7] Upper Manhattan includes precincts 23, 25, 26, 28, 30, 32, 33, and 34.

Figure 1. Precinct of Arrest for Project Reset Participants, with Percentage of Arrests Occurring in Precinct

Pct 34, 3%

Pct 33, 2%

Pct 30, 3%

Pct 32, 4%

Pct 26, <1%

Pct 28, 3%

Pct 25, 5%

Pct 23, 7%

Pct 24, 3%

Pct 19, 9%

Pct 20, 4%

Midtown North (Pct 18), 4%

Pct 17, 2%

Midtown South (Pct 14), 31%

Pct 10, 3%

Pct 13, 5%

Pct 6, 2%

Pct 9, 5%

Pct 5, 1%

Pct 7, 5%

Pct 1, 2%

Percentage of Arrests Occurring in Precinct

- Over 25%
- 15-25%
- 10-14%
- 6-9%
- 1-5%
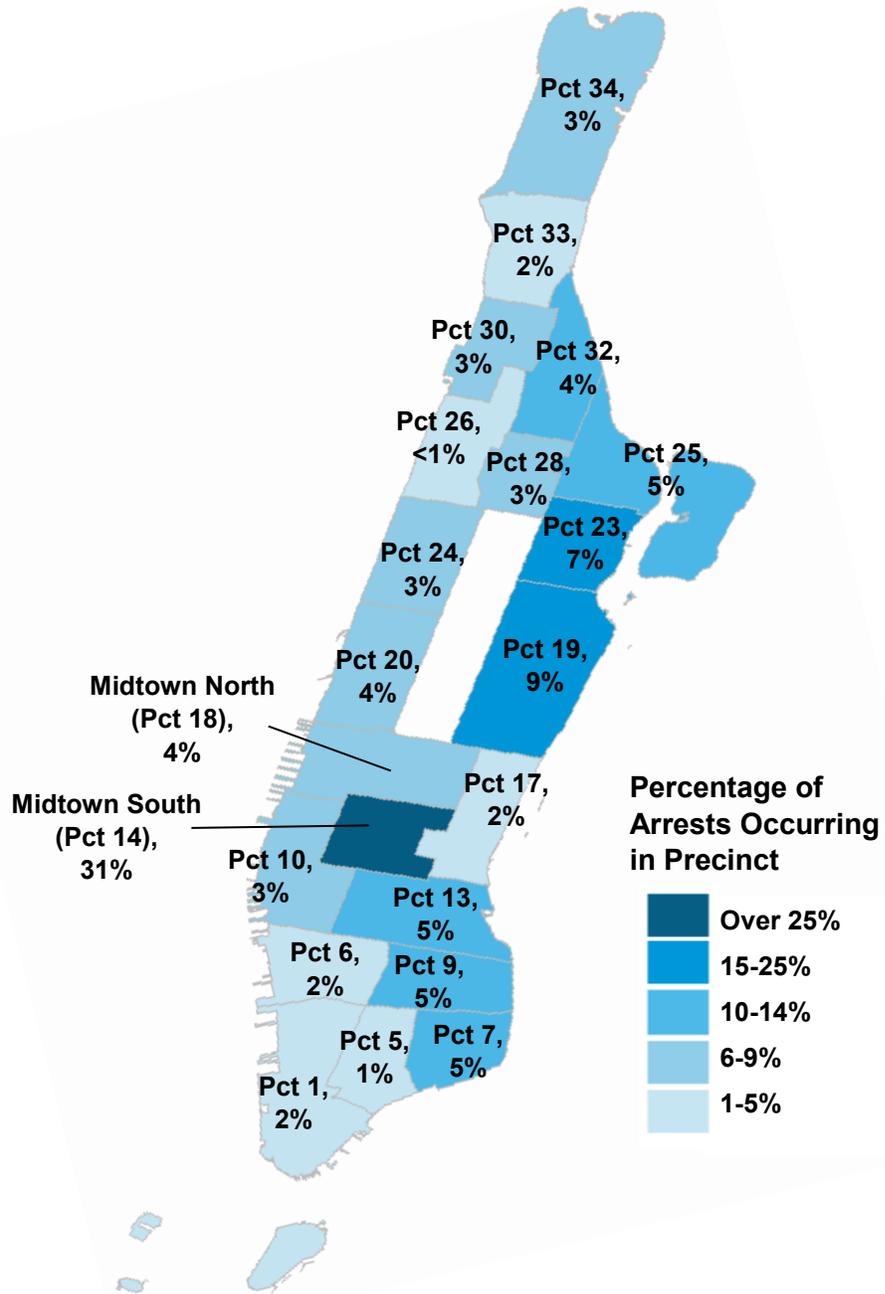
Potentially eligible cases are forwarded to the prosecutor's office, which reviews the case to confirm program eligibility and then notifies the defense bar of eligible cases. The defense agency then contacts the defendant to assess interest in the program and provide legal advice, if requested.[8] As presented in Table 2.3, almost all cases (99%) are handled by public defenders.

Table 2.3. Defense Representation

Defense Organization	N=243
Legal Aid Society	79%
New York County Defender Service	12%
Neighborhood Defender Service	8%
Other Assigned Counsel (18B)[1]	<1%
Private	1%

[1] In New York County, the 18B Assigned Counsel Plan provides defense in cases in which there is a conflict prohibiting other institutional providers from representing the defendant.

If the defense attorney is able to contact the eligible defendant and the individual decides to participate, Project Reset staff contacts the defendant to explain the program once more and schedule an intake session. If the defense attorney is unable to reach the defendant after an allotted period of time, program staff conduct follow-up outreach to determine whether the defendant would like to participate and to schedule the intake, if interested.

Project Reset requires participants to complete two interventions from the options listed below. During intake, which occurs either in-person or by phone, participants are assessed for placement into appropriate interventions. Based on the assessment results, staff schedule the participants for programming, which may be different interventions or two of the same intervention (e.g., two individual counseling sessions). The interventions offered through Project Reset are specifically designed to be age-appropriate (i.e., participants are placed with other participants of the same age), and to provide a peer-supported structure. Interventions include:

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[8] Although Project Reset begins before filing—the point in New York at which a defendant has a right to legal representation—the program model allows defendants the opportunity to confer with an attorney regarding their case and the impact of participating in the program.

- **Individual counseling sessions:** Participant meets with a social worker for a one-on-one session during which the social worker can provide personalized support and voluntary referrals to other services based on the goals and needs of the participant.
- **Group sessions:** Participant attends psychoeducational programming in a small group with other Project Reset peers. Group curricula focus on topics such as community, self-awareness, peer pressure, family dynamics, interpersonal skills, and self-expression. Activities include talking to peers in pairs ("pair-shares") and individual writing exercises through which participants can reflect on their actions and experiences, and develop personal goals. Group programming options have since expanded to include arts-based programming (see, *infra*, p. 35).
- **Community service:** Participant completes local, meaningful service projects under the supervision of Project Reset staff and/or partner agencies. Projects include assisting in community restoration (e.g., litter removal, painting), or participating in community restitution projects (e.g., cleaning parks, planting trees).
- **Letter/essay:** Participant writes an essay or letter of reflection.
- **Youth court:** Participant attends a hearing in front of a panel of trained peers who determine an appropriate, restorative response to the alleged offense.[9] If the participant is assigned to attend youth court as the first Project Reset intervention, the second intervention is determined by the youth court jury and can be any of the aforementioned interventions.

Table 2.4. Interventions Assigned to Project Reset Participants

Intervention	N=243
Session 1	
Individual Counseling Session	74%
Youth Court	18%
Group Session	10%
Community Service	1%
Session 2	
Individual Counseling Session	44%
Group Session	39%
Letter/Essay	10%
Community Service	3%

[9] For information about youth court programming generally, see, e.g., "Teen Youth Court: Literature Review" published by the U.S. Office of Juvenile Justice and Delinquency Prevention (Development Services Group, Inc. 2010).

Youth Court Jury	<1%

Programming generally takes place at Midtown Community Court or Harlem Community Justice Center. Additionally, during the study period, some programming occurred at one of the Center's satellite offices in lower Manhattan. During programming, participants can also be connected to community organizations for additional voluntary services (for example, a voluntary referral to an employment or education organization). These voluntary referrals can be requested by the participant or offered at the discretion of the program staff.

Project Reset had a high completion rate, with nearly all (98%) participants completing the requisite two sessions of programming. If the defendant does not successfully complete both program sessions, the Manhattan District Attorney's Office drafts the criminal court complaint, and the defendant must appear in court on their Desk Appearance Ticket date. Additionally, it is possible for a Project Reset participant to successfully complete the program sessions but still be required to appear in court. This would happen if an incident occurs between program completion and the assigned court due date (e.g., re-arrest after program sessions are completed but before the court date). However, there is no penalty for not completing Project Reset; court proceeds in the same manner as would have occurred before Project Reset was launched.

Following successful completion of the scheduled interventions, the Manhattan District Attorney's Office declines to prosecute the case. Without the participant ever having to appear in court, the case is never filed and the arrest is sealed[10]. Arguably, a decline to prosecute is a better outcome for a defendant than appearing in court, even compared to an adjournment in contemplation of dismissal (ACD). An ACD is a common disposition for cases with low-level charges and is generally considered favorable.

In New York State, an ACD is a preliminary disposition whereby a case is adjourned for a period of time and is then dismissed as long as the person has had no subsequent arrests during the adjournment period. A typical ACD is adjourned for six months and thus, considered open and pending. During this time, the case is searchable on a person's record including criminal background checks which can affect employment, housing, higher

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[10] A record of the arrest can be searchable in limited circumstances. For more information, see, "Your New York State Rap Sheet A Guide to Getting, Understanding & Correcting Your Criminal Record" published by the Legal Action Center (2013).

education, and other benefit applications. Further, the case is not fully resolved until adjournment; if an individual is re-arrested during that time, a re-arrest could counteract the dismissal.

Characteristics of Project Reset Participants

Table 2.5 presents participant demographic and other background characteristics as reported to staff during intake. Of the 243 participants, over half of participants identified as male (55%), and over 70% as Black or Hispanic/Latinx (33% or 40%, respectively). Given their age, most participants had not achieved a high school diploma or equivalence (95%) and were currently enrolled in an education program (97%). One-fifth were employed.

Although all Project Reset arrests occurred in Manhattan, participants reported home addresses throughout all five boroughs of New York City, as well as other parts of New York State (2%) and other states (8%). Just under half of participants (45%) lived in Manhattan. Participants from other states came from New Jersey, Delaware, Pennsylvania, and Florida. See Figure 3.

Table 2.5. Project Reset Participant Background Characteristics

	N	243 [1]
Demographics		
Age [2]		
16-years-old		52%
17-years-old		48%
Gender		
Male		55%
Female		45%
Other [3]		1%
Race and Ethnicity		
Hispanic/Latinx		40%
Black		33%
White		13%
Asian		6%
Multi-racial		6%
Other		1%
Education & Employment		
Current Education or Employment Activity		
Currently in school or education program		97%
Currently employed		20%
Highest Grade Completed		
Less than high school (7th or 8th grade)		6%
9th grade		14%
10th grade		40%
11th grade		35%
12th grade, no diploma		3%
High School Diploma/Equivalent or Higher		2%
Residence		
Within New York City		
Bronx		23%
Brooklyn		13%
Manhattan		45%
Queens		7%
Staten Island		2%
Outside of New York City		
New York State		2%
Out of State		8%

[1] Three participants were missing baseline information on education, employment, and zip code.
[2] Age is as of date of arrest. By intake, 9 participants were age 18.
[3] Options include "gender non-conforming," "transfemale," and "transmale."

Figure 3. Zip Codes of Project Reset Participants Residing in New York City

Zip code reported as home residence by at least one Project Reset participant
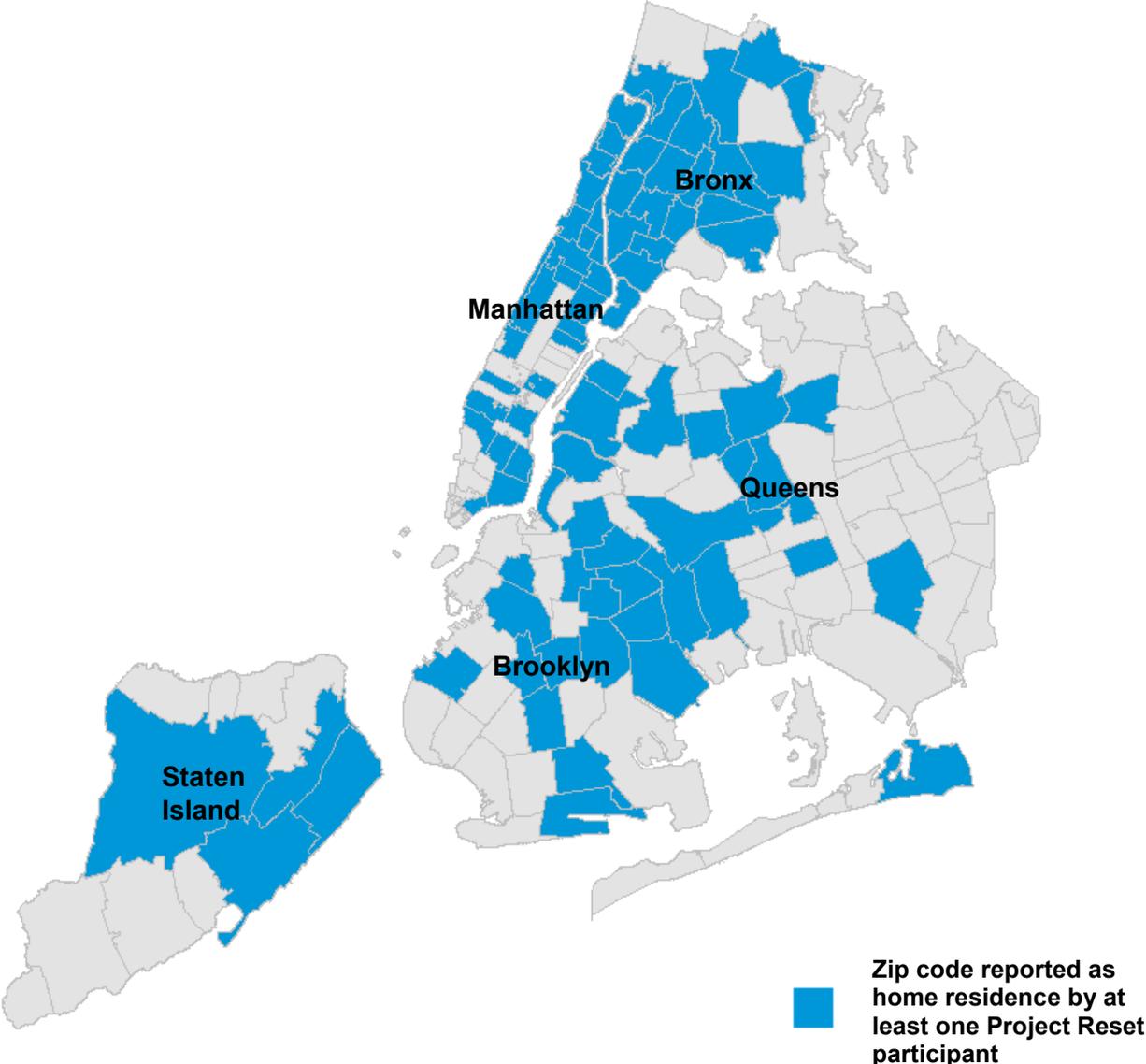
Research Design & Methodology

This chapter describes the components and design of this current mixed methods evaluation. The evaluation examined case and recidivism outcomes for Project Reset participants who were part of the expansion from July 2016 through April 2017. For the impact study, these cases were compared to similar 16- and 17-year-olds who were arrested and given a Desk Appearance Ticket in 2013 and 2014, prior to Project Reset's inception in 2015.

Perceptions of the program were assessed using a survey of program graduates. The survey was administered from October 2016 to May 2018. Results of the survey analysis help to contextualize the impact findings.

Design and Data Sources

Administrative Data

Data on Project Reset participants was obtained through the program's case management system and spreadsheets used to update partner agencies on participant status. To identify a potential comparison pool, the New York State Office of Court Administration[11] provided data for Desk Appearance Ticket arraignments in Manhattan from 2013 and 2014. The data file included case-level demographic, charge, disposition, and sentence information. The comparison pool was restricted to only those cases that would have been potentially eligible for Project Reset. Specifically, the comparison pool was limited to those defendants who were ages 16 or 17 at the time they were arrested, had no prior arrests, and were charged with one of the offenses eligible for Project Reset (see Appendix A).

The combined dataset, including program participants and potential comparison cases, was submitted to the New York State Division of Criminal Justice Services (DCJS) for official criminal records to be used for the recidivism analyses. Person-based New York State Identification (NYSID) numbers were provided for the comparison sample and, where available, for Project Reset participants. Last name, first name, and date of birth were also

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[11] The Office of Court Administration is the administrative arm of the New York State Unified Court System.

provided for Project Reset participants as whenever a criminal case is sealed, new cases appear under a new NYSID, therefore reducing the accuracy of NYSID-based case matching. Once matched, DCJS returned the full criminal history file without any individual identifiers. Cleaning, coding, manipulation, and analysis of the de-identified file was conducted after receipt from DCJS.

Survey

The participant feedback survey was designed by program staff, with input from researchers regarding framing of some questions. Program staff also sought feedback from relevant stakeholders (e.g., NYPD, the Manhattan District Attorney's Office), in order to, where possible, collect information that could be of interest to those agencies. The survey's two primary goals were to solicit programmatic feedback, and to understand the experiences of Project Reset participants.

The survey could be completed in under five minutes and consisted of seven sets of multiple-choice questions and two open-ended questions. Survey topics included motivation to participate in Project Reset; experience in and attitudes about Project Reset; interactions with Project Reset staff and stakeholders related to Project Reset; and attitudes towards criminal justice system players, such as police and prosecutors (see Appendix F for the survey instrument).

Program graduates were invited to complete the survey.[12] Participants were told, verbally, that the survey was voluntary and that their responses or decision of whether or not to complete the survey would not impact their case in any way. They were also informed that their individual responses would not be shared with any third party, such as the police, the court, or the prosecutor. The private nature of the survey was also printed at the top of the survey as a written reminder.

Surveys were collected in both English and Spanish. Respondents received no compensation for their participation in the survey.

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[12] In an ideal situation, surveys would have been administered to all eligible individuals rather than just to program graduates. However, logistical realities required survey administration after the second day of programming. Due to the high completion rate of Project Reset (98%), this limit should not bias the survey sample against individuals who did not *complete* programming, but results may not be representative of all *eligible* individuals.

For the purposes of this study, use of the survey data was approved by the Center's Institutional Review Board as secondary analysis of existing data. Names were collected with the survey; however, all identifying information was removed from survey responses prior to analysis.

Analytic Plan

Administrative Data

Project Reset participants from July 2016 to April 2017 were compared to a sample of defendants meeting the Project Reset eligibility criteria with Desk Appearance Ticket return dates (i.e. arraignment date) during the two years prior to program implementation, from February 2013 to December 2014.[13]

As described above, 16- and 17-year-olds charged with select misdemeanor offenses and no prior adult criminal justice involvement are potentially eligible for Project Reset. A small number of defendants (four) who did not technically meet program eligibility criteria (e.g., they had prior adult criminal arrests) were admitted to the program on a case-by-case basis at the discretion of the Manhattan District Attorney's Office. These participants were excluded from the impact analyses.

Though a range of charges are eligible, the actual cases that entered the program include a smaller subset of the full list of eligible charges presented in Appendix A. Accordingly, potential comparison cases that did not fall into the actual charge list were excluded before matching. A similar approach was used for precinct of arrest where comparison cases arrested in precincts outside of Project Reset arrest precincts where excluded, as research suggests there may be differences in arrest practices by precinct (Warner et al. 2016).

After initial steps were taken to limit and adjust the potential comparison pool, propensity score matching was used to reduce observable sample differences between the treatment group and the comparison group. Propensity score matching is considered a strong methodological alternative when random assignment is not possible (Rosenbaum and Rubin 1983; Rubin 1973). The approach takes specific background characteristics—in this instance,

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[13] The initial Project Reset pilot phase began in January 2015 and lasted through June 2016; cases with arraignment dates during this period were, therefore, excluded from the potential comparison pool.

demographic characteristics and arrest charge—and creates a single summary measure (i.e., the propensity score). This summary measure is a single number from 0 to 1 assigned to each case, representing the probability that the case falls into one of the two groups—in this study, Project Reset as opposed to the comparison sample. Once propensity scores are assigned, pairs of cases with similar or identical scores are matched, resulting in final samples that are comparable in their distribution of background characteristics.

Prior to matching, there were no significant differences between the groups on demographic variables (gender, age, race and ethnicity). However, the initial arrest charges of the groups did differ significantly. Project Reset participants were more likely to be charged with petit larceny (N.Y. Penal Law § 155.25) or marijuana possession (N.Y. Penal Law § 221.10). Those in the comparison pool were more likely to be charged with theft of services (N.Y. Penal Law § 165.15).[14] This difference is likely explained by the higher proportion of arrests by NYPD Transit Bureau officers included in the comparison pool (see Appendix C).

Sample size permitted a three-to-one matching strategy, with each Project Reset case matched to three potential comparison cases. After employing the matching strategy using nearest-neighbor matching without replacement, no significant differences remained between the two groups. Table 3.1 presents baseline characteristics before and after matching.

Having achieved statistically matched samples, bivariate statistics were conducted to compare case dispositions, sentences, and re-arrests between the two groups using chi-square tests for multiple category outcomes, and t-tests for dichotomous or continuous outcomes. For recidivism analyses, six-month and one-year outcomes were computed, and Kaplan-Meier survival analyses were conducted.

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[14] Theft of services (N.Y. Penal Law § 165.15) is the charge of obtaining railroad, subway, bus, air, taxi or any other public transportation service without payment. In New York City, this charge is most commonly used for defendants who are accused of jumping the turnstile to avoid payment for subway service.

Table 3.1. Comparison of Baseline Sample Differences: Original v. Adjusted Samples

	Unadjusted		Adjusted	
	Project Reset	Comparison	Project Reset	Comparison
N	239	1566	239	717
Demographics				
Average Age	16.47	16.51	16.47	16.50
Male	55%	58%	55%	53%
Race & Ethnicity				
Hispanic/Latinx	43%	43%	43%	41%
Black	35%	37%	35%	40%
White	15%	13%	15%	12%
Asian/Indian	7%	7%	7%	6%
Unknown/Missing	1%	1%	1%	1%
Instant Case				
Top Arrest Charge		***		
Petit Larceny	52%	41%	52%	47%
Criminal Possession of Marijuana, 5th Degree	23%	18%	23%	22%
Criminal Trespass, 3rd Degree	8%	8%	8%	10%
Criminal Trespass, 2nd Degree	7%	6%	7%	8%
Theft of Services	6%	23%	6%	11%
Controlled Substances, 7th Degree	1%	2%	1%	2%
Criminal Possession of Stolen Property, 5th Degree	1%	1%	1%	0%
Criminal Mischief, 3rd Degree	1%	1%	1%	0%
Making Graffiti	1%	0%	1%	0%
Top Charge Severity		***		
A Misdemeanor	63%	74%	63%	68%
B Misdemeanor	37%	26%	37%	32%
Top Charge Type		+		
Drug	25%	20%	25%	23%
Property	75%	80%	75%	77%
Arrest Precinct[1]		***		

+ p<.10 * p<.05 **p<.01 ***p<.001

[1] Detailed breakdown of arrest precincts is presented in Appendix C.

Survey

The survey was designed to gauge participant perceptions of Project Reset, including perceptions of interactions with various stakeholders, such as the police, defense attorney, and Project Reset staff. Most survey questions were statements where the participant selected one of a set of scaled responses. These scaled questions were recoded into binary responses for analysis: agree/disagree, yes/no, good/bad.

The survey instrument included two open-ended questions. The first of these asked participants to share their thoughts about Project Reset. The second asked participants to explain their feelings about interactions with the police and/or their defense attorney.

Reponses to the open-ended questions were coded using a grounded theory approach and were first analyzed using open coding. The codes were analyzed using axial coding, and the responses were then recoded using selective coding. Throughout the analysis process, codes were reorganized in multiple iterations with the intention of most accurately describing participant perceptions, including how those perceptions interact. Upon reorganization and refinement of the codes, some excerpts were recoded.

Project Reset Impact

This chapter details the findings of the impact evaluation of Project Reset. First, case outcomes are examined, including final disposition and sentence, as well as time to case resolution. These are followed by program impacts on recidivism, including re-arrest and re-conviction over six-month and one-year periods.

Case Outcomes

Case Resolution

The majority of Project Reset participants (95%) avoided appearing in court, with the Manhattan District Attorney's Office declining to prosecute the case.

Table 4.1. Project Reset Impacts on Case Outcomes

	Project Reset	Comparison
N	239	717
Case Disposition	***	
Declined to Prosecute	95.4%	0.0%
Dismissed	1.7%	0.7%
Dismissed, ACD	2.1%	93.4%
Convicted	0.4%	3.8%
ACD Active	0.4%	2.1%
Case Processing		
Average Days to Case Resolution	71***	257
Sentence (if Convicted)	**(N=1)**	**(N=29)**
Convicted, Awaiting Sentence	100.0%	8.1%
Conditional Discharge	-	54.1%
Time Served	-	35.1%
Fine	-	2.7%

* p<.05 **p<.01 ***p<.001

Of those who were required to appear in court—either due to noncompletion of Project Reset sessions or a new arrest between programming completion and the Desk Appearance Ticket date—1.7% were dismissed outright and an additional 2.1% were dismissed after an adjournment in contemplation of dismissal (ACD). Most comparison cases (93%) were dismissed after receiving an ACD. In both samples, only a small subset of defendants was convicted and sentenced.

Case Processing Time

Official data indicates the arrest date as the date of disposition for cases that the district attorney declines to prosecute. In order to more accurately account for the time commitment required by Project Reset, we calculated case processing time as the period between arrest and the return date included on the Desk Appearance Ticket. While most of the Project Reset participants do not need to appear in court for their Desk Appearance Ticket date, the fact remains that the case stays open during this time—that is, although the Manhattan District Attorney's Office has not filed charges, the office maintains the ability to move forward with prosecution, and the participant must not be re-arrested before the Desk Appearance Ticket date. Moreover, this calculation closely resembles the case processing calculations applied to cases granted an ACD—where, similarly, any new offense within the six-month window might trigger a revised disposition and sentence.

Based on this strategy for calculating time to case resolution, the average number of days from arrest to case resolution for Project Reset participants was just over two months (71 days), significantly shorter than the 257 days to case resolution for comparison group cases.

Recidivism Outcomes

As presented in Table 4.2, 18 measures of comparison were assessed and Project Reset participants fared better than the comparison group on 17 of those 18 measures, although many of these differences did not reach statistical significance. Both the Project Reset participants and the comparison group had low rates of recidivism overall (9% vs. 12% after six months, and 14% vs 17% after one year), compared to the boroughwide average for adults of whom 31% were re-arrested within one year.[15] Though the likelihood of any re-arrest was lower for the Project Reset group than the comparison group, this finding was not statistically significant. However, on average the number of re-arrests for participants of Project Reset was lower at the six-month follow-up period than for the comparison group. Felony re-arrests were also lower for the Project Reset group, but again, rare for both groups. At the end of one-year, Project Reset participants remained lower in the percent re-arrested and the average number of re-arrests, but these differences were not statistically significant.

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[15] Information obtained using the New York City Mayor's Office of Criminal Justice's Data Analytic Recidivism Tool, available at https://www1.nyc.gov/site/criminaljustice/data-analytics/analytic-tools.page.

Although re-arrest rates were similar between the groups, Project Reset participants were less likely to be convicted on a new charge—and had *fewer* convictions on re-arrests—than those in the comparison group at both six months and one year (1% vs 6% after six months, and 2% vs 8% after one year).[16] While the overall magnitude of these differences is small, they do reach statistical significance.

Table 4.2. Project Reset Impacts on Recidivism

	Project Reset	Comparison
N	239	717
Re-Arrest		
Six Months		
Any Re-Arrest	9.2%	12.4%
Mean Number of Re-Arrests	0.10*	0.16
Any Felony Re-Arrest	1.7%	3.4%
Any Violent Felony Re-Arrest	0%***	1.7%
One Year		
Any Re-Arrest	13.8%	17.3%
Mean Number of Re-Arrests	0.22	0.29
Any Felony Re-Arrest	5.4%	6.1%
Any Violent Felony Re-Arrest	2.5%	2.4%
Mean Time to Re-Arrest	174 days	148 days
New Conviction		
Six Months		
Any New Conviction	.8%**	5.6%
Mean Number of New Convictions	0.01**	0.06
Any New Felony Conviction	0%	0.4%
Any New Violent Felony Conviction	0%	0.3%
One Year		
Any New Conviction	2.1%**	7.7%
Mean Number of New Convictions	0.03**	0.09
Any New Felony Conviction	0%	0.6%
Any New Violent Felony Conviction	0%	0.4%
Mean Time to New Conviction	272* days	197 days

* p<.05 **p<.01 ***p<.001

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[16] Because of the potentially long case processing time for final disposition, especially if an ACD is implemented, disposition dates for conviction were restricted to one year as to not bias the sample against the comparison group.

Kaplan-Meier survival analyses were conducted to compare the timing of re-arrests and conviction on new arrests between the groups (Figure 4, Appendices D and E). Thirty-three Project Reset participants (14%) were re-arrested within one year; the average time to re-arrest was 174 days (approximately six months). The average time to re-arrest for the comparison group was 148 days (approximately five months). This difference was not statistically significant.

Figure 4. Survival Curve for Re-Conviction
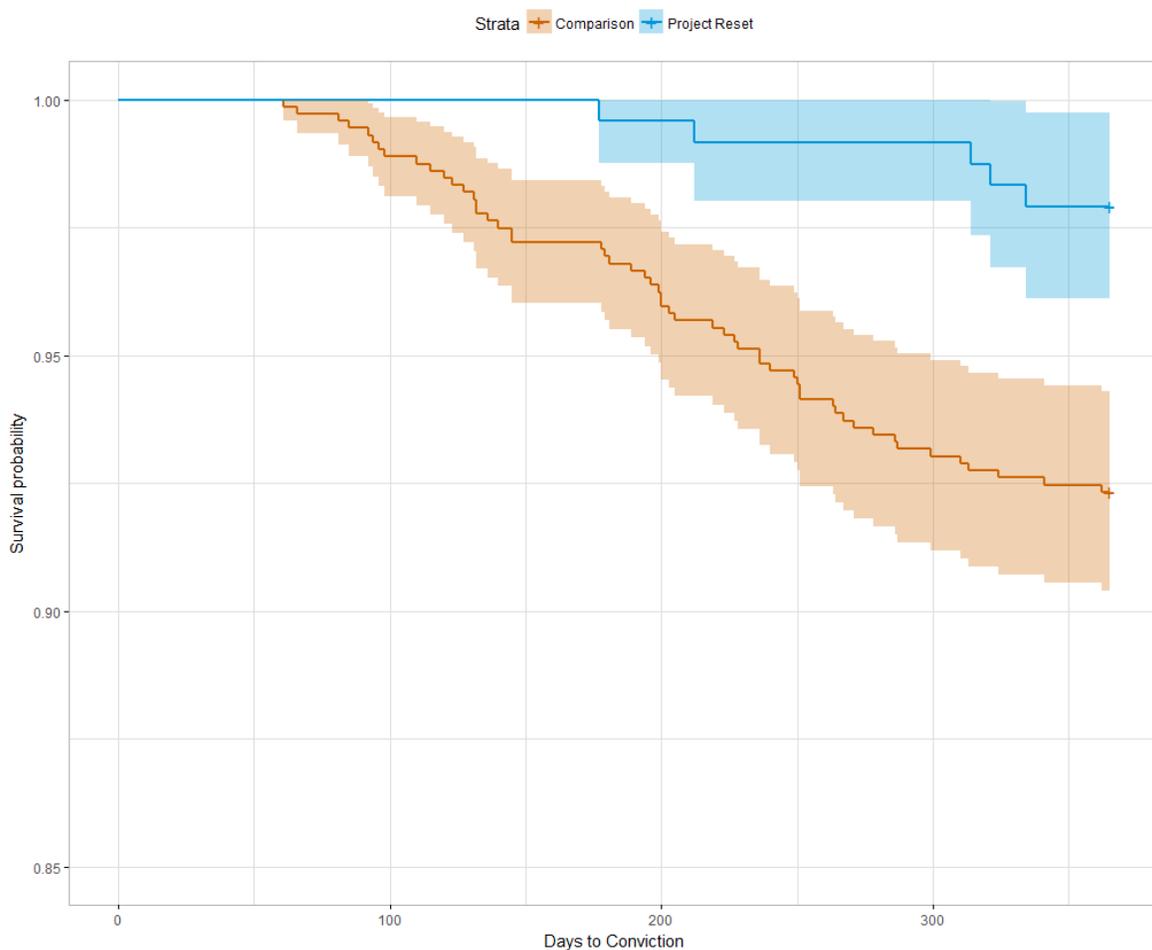
Project Reset participants averaged significantly more time to a new conviction (or re-conviction for cases that were convicted on the index charge) than the comparison—272 versus 197 days, respectively. The log-rank test for the survival curve was statistically significant. The full array of survival curves is presented in Appendices D and E.

Chapter 5
Participant Perceptions

Upon program completion, Project Reset participants were given the opportunity to share their opinions about the program through a survey. The survey asked questions about participants' experiences—from their initial arrest to program completion—as well as their general thoughts on the criminal justice system.

The following analysis draws on surveys from 234 Project Reset participants who completed programming between October 2016 and May 2018.[17] These participants are not necessarily those included in the impact analyses presented in the previous chapter.

Topics culled from the survey responses include perceptions of Project Reset (for example, responses to the curriculum), motivations to participate, and perceptions of and experiences with select stakeholders. Further, while the survey was not specifically designed to capture procedural justice elements, some thematic concepts arose organically and are woven throughout the findings presented. Specifically, voice, understanding, and respect emerged as important themes.

Perceptions of Project Reset

In large measure, participants were satisfied with Project Reset. As shown below, nearly all respondents would recommend Project Reset to someone in a similar position and felt they made the "right decision" by participating in Project Reset.

When asked to provide feedback about Project Reset—including opportunities to make the program better—respondents had very positive things to say about the program, saying that it "couldn't have been better" and was "just perfect." One respondent called Project Reset a "miracle" and another said, "I liked Project Reset, literally everything about it."

Some participants were so pleased with their experiences that they recommended the program be expanded. One participant wrote "I would love to see [Project Reset] grow because it helped me a lot." Respondents said, "it needs to be around the city" or even

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[17] Some quotes have been lightly edited for grammar and clarity.

"everywhere in America." Others suggested "reach[ing] out to more people" because "people need to know about this program."

Although the feedback was positive, not all participants had a positive experience in the program. Four percent would not recommend Project Reset to someone in a similar position, and two percent do not feel they made the right decision by participating in Project Reset. One participant described the program as a "waste of time."

Further analysis reveals great appreciation for many aspects of Project Reset, themes that are explored in the following sections. First, participants spoke highly of the Project Reset environment, created in part by the supportive staff and the peer-based interventions. They also reacted positively to the opportunities that Project Reset gave them to think and reflect on their actions, and the impetus to improve themselves in the future.

96% Would recommend Project Reset to a teen in a similar position

97% Felt they made the right decision by participating in Project Reset

97% Had "good" or "great" interactions with Project Reset staff

Program Environment

Project Reset participant respondents repeatedly praised Project Reset staff: "The staff are very nice," "my social worker was the best," and "I was treated very well and appreciated everyone I worked with." Respondents also noted that Project Reset staff created a "safe," "nonjudgmental," and "open" environment. Responses relating to staff also alluded to procedural justice themes of voice ("they'll hear you out") and respect ("everyone was nice and respectful").

The positive environment was also enriched by the peer-based approach: "The peer-on-peer structure was less intimidating." One respondent suggested that the peer network motivated positive changes: "You talk with people your age and they get where you're coming from and

help you to do better." Participants reported that it was important to share their experiences with people like them: "I liked meeting new people in the same situation as me," and "it was a refreshing experience meeting people with the same mindset." One wrote that Project Reset is a "good way to bring teens together to talk."

Looking Back: Reflection and Accountability

As described in Chapter 2, many of the group sessions involved activities where the participants reflected on their experiences; this reflection proved to be an integral part of Project Reset for many participants. They were glad for the opportunity to think about and reflect upon their lives generally, and their experiences during and since their arrests. The reflection also presented the opportunity for participants to tell their stories, alluding to the procedural justice tenet of voice. One respondent said, "my voice was heard… I feel very grateful to have been part of this." Research suggests that justice-involved youth are not often allowed to share their stories, so the fact that these participants are given the opportunity to be heard may be particularly empowering and important to their development (American Psychological Association 2002).

The reflection exercises also provided an opportunity to think about being arrested. Some reported that the arrest was "intimidating" or "scary" and so "it was nice to be able to talk about the situation that happened." Others saw Project Reset as an "outlet to release negativity," "space to think," or a place to "get in touch with your inner self."

The reflection activities in the groups also allowed some participants to express remorse for and accept responsibility for their actions.[18] They referred to themselves as teens who "made a dumb mistake," "committed a crime but feel bad," or "made a bad choice." The program helped them understand that their actions had potentially wide-reaching impacts: "Project Reset is a good way to get kids/teens a better understanding of how the community is affected by things teens do." One felt that Project Reset offered a chance to "make up for what I did."

Looking Ahead: Path to Self-Improvement

When given the opportunity to reflect, participants reported that they were motivated to change their perspectives and hoped to make better decisions in the future. Based on open-

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[18] Project Reset is a pre-arraignment program, and all participants are therefore presumed innocent; no potential expression of guilt was shared with any court-based party.

ended responses, participants felt that Project Reset may be a catalyst for future self-improvement.

Many described Project Reset as a "second chance." Some respondents were worried about how a criminal record would affect their access to higher education and future employment, and were grateful that Project Reset allowed them to avoid a criminal record: "I feel like it helped me a lot because of my future and how jobs and colleges view me." Participants also indicated learning specific skills: "it taught me new ideas such as mindfulness." Other respondents' future plans were less concrete, but they still appreciated that they "gain[ed] a new perspective." One simply stated, "this program changed me."

> **"I feel like whoever made this program was a genius at giving people second chances and giving people the push they need."**

Participants reported wanting to take advantage of the "clean slate" and to "turn [their lives] around." Their desires to improve themselves stemmed from both internal motivations, "I talked about my goal," and from their understanding of their place in the world: "we talked about our future and better ways of living and helping your community."

Motivation to Participate

Project Reset is a diversion program that provides an alternative to traditional court processing; therefore, it is important to know if participants understand the differences between traditional court processing and Project Reset, and why participants choose to enter the program.

As depicted in the case flow (Appendix B), potential participants learn about Project Reset at up to three points prior to taking part in the program: first, from the police at arrest; second, from a defense attorney over the phone; and third, from program staff. By explaining the program at points in the process, the case flow attempts to ensure participants' understanding of procedures, requirements, and expectations.

To evaluate this understanding, the survey asked participants to reflect on how well the program was explained by police and defense attorneys, and if they understood that Project Reset was "different from traditional case processing" overall. Participants reported that the

police explained the program well 38% of the time and that the defense attorney explained the program well 57% of the time. Some write-in responses indicate that participants wished for a better explanation of the process, with feedback including, "information on the peer review process could be more transparent" and "the first session was a bit confusing."

However, when asked to evaluate their overall understanding of the program, participants agreed that they understood how Project Reset is different from traditional case processing (97%). One respondent wrote that Project Reset is a "very unique way of handling the situation." Another recognized the effort that goes into running a program like Project Reset: "I really appreciate the fact that you took the time to do this for us."

The primary reason participants opted to participate in Project Reset was to avoid a criminal record (76%).[19] This finding is underlined by open-ended responses described previously: given the age of participants and that a criminal record can have a negative impact on access to employment and higher education, many participants were acutely aware of the opportunity to avoid a criminal record. One respondent wrote about being grateful, "for colleges especially."

Proportionality

Project Reset seeks to offer a proportionate response to low-level offenses. Because all Project Reset charges are low-level and non-violent, the intervention should likewise be low-burden and low-intensity.

Survey responses support the theory that Project Reset is viewed by participants as a proportionate justice system response: the second most common reason for choosing to participate in Project Reset was that it "seemed easier and faster than going to court" (26% of respondents), and around one-eighth (12%) of participants opted into Project Reset because they "don't feel they deserve punishment for what [they] did." One respondent wrote "I did something I shouldn't have, but I don't deserve to go to court, this was a great alternative." Another wrote that Project Reset is "far more constructive than just fining/arresting offenders without ensuring they understand the error of their ways." Taken together, it seems that participants understand that their actions are low-level, and therefore deserve a low-level

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[19] Participants were asked to select, from a list of possible options, "the main reason you decided to do Project Reset." While they were encouraged to choose only one option, some indicated more than one reason. See Appendix G for full array of responses.

response. One wrote that Project Reset is "really good opportunity for 16-17-year-olds that did not do anything too serious."

Experiences with and Perceptions of Criminal Justice Agencies

Although participants spend the bulk of their Project Reset time in staff-led programming, the program is a multi-agency partnership. From the initial police arrest, to the subsequent phone call with a defense attorney, to the prosecutorial decision to decline the case, many important criminal justice agencies make up a participant's Project Reset experience. Therefore, the survey also inquired into the perceptions of and experiences with other key players.

Responses indicate that Project Reset participants had the most interaction with police officers and defense attorneys, as most participants would not interact with the Manhattan District Attorney's Office or a judge because their case would be declined before filing and before the court appearance. Because respondents had the most to say about police and defense attorneys, perceptions of these parties are presented in detail. Perceptions of the District Attorney, judge, and other players are briefly presented in Appendix G, Table G1.[20]

Police

Overall, Project Reset participants reported positive interactions with the police during their arresting events. Three-quarters (75%) of respondents indicate that they were treated well by police during the arrest, while 18% were not treated well.[21]

Open-ended responses provide additional insight into these interactions. Several respondents mentioned feeling "respected" by police—again drawing on tenets of procedural justice.

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[20] Although participants are, by definition, first-time offenders and have limited personal experience with the adult criminal justice system, the precipitating arrest may not be a participant's first overall experience with the justice system. In fact, at least 39% of respondents had a close friend or family member with prior justice involvement. Therefore, overall perceptions of criminal justice agencies may be influenced by other justice system interactions, and not solely the experience in Project Reset.

[21] Includes respondents who report that they were treated "well" or "very well" by police; or "badly" or "very badly." Other responses were neutral. Respondents who skipped this question were not included in this analysis (n=3).

Others indicated that the police offered them food or water; a few noted that their arresting officer "comforted" or "reassured" them. Some officers shared their own experiences as young adults: "My police officer was super nice and comforted me telling me that this happened to her when she was a teen too so I shouldn't feel too bad." Others reported that the officer checked in, "ask[ing] every 10-15 minutes if we were okay and good" or "letting me know the time." These interactions may have a positive effect on overall perceptions of police, with one respondent reporting, "there are nice officers and that is reassuring as a black woman."

Others reported mixed experiences with different officers during the same arresting event: "the police were nice to me… well one of them" and "some cops were talking to me as if I'm dumb, but the one who took me understood that I wasn't trying to oppose what was going on."

On the other end of the spectrum, some respondents reported negative interactions with the police. Some reported verbal interactions, such as being called a "criminal" and "being judged quickly."

One reported a negative encounter around gender insensitivity:

> *The police mocked the fact that I present androgynously, they joked about whether I am a girl or a boy, laughed, and told the female officer to pat me down. When I had a panic attack an officer yelled 'What are you hiding?' at me.*

Others reported that events escalated into more adversarial encounters, including some physical interactions: "When the police told me to put my hands up and to get on the floor, I complied, but they pushed me onto the floor while I was in the middle of doing it myself." Another respondent indicated wanting to call a family member but not being able to: "The officer never let me call my mom after I told him several times that I was 17 and my mom didn't know where I was."

Defense Attorney

Project Reset participants were also given an opportunity to speak with a defense attorney before participating in the program. However, only 59% of survey respondents indicated how

they were treated by their defense attorney.[22] Among respondents who reported that they spoke to a defense attorney, nearly all (98%) reported that the attorney treated them well. However, some wanted to speak to the attorney sooner: "the defense attorney was nice but she took some time to reach out to me."

When asked to elaborate on what the attorney did to treat them well, respondents appeared to prioritize being treated with kindness and respect. Comments include: "my defense attorney was very kind and understanding," "my attorney made me feel confident in my case and comfortable throughout the process," and "[my attorney] treated me with respect."

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[22] Similar to this finding, programmatic data suggests approximately 55% of participants are contacted by the defense attorneys.

Chapter 6
Discussion

Project Reset aims to provide a proportionate, meaningful, and humane response to defendants given a Desk Appearance Ticket for a first-time arrest on a low-level misdemeanor charge in New York City. This study evaluated a pilot of the program, which served 16- and 17-year-olds processed in the adult criminal justice system on their first arrest. This chapter discusses the major findings of the study, highlights study strengths and limitations, and discusses future operational and research agendas.

Discussion of Major Findings
Case Outcomes

In conducting a quantitative impact evaluation with a matched comparison sample, Project Reset demonstrated positive findings for participants. For those that completed programming, their cases were declined to prosecute (i.e., no charges were filed in court) allowing the Project Reset participant to avoid court entirely—and avoid the possibility of an adult criminal court record.

Our analysis showed that the majority of comparison cases were ultimately dismissed, which is also a favorable outcome when compared to a conviction. However, the dismissal occurred after an adjournment in contemplation of dismissal (ACD) which requires a period of six months without re-arrest in order for the case to be dismissed. Additionally, during this time, the case is searchable on a person's record including criminal background checks which can affect employment, housing, higher education, and other benefit applications. Given that participants expressed gratitude about the impact the program has on potential employment and educational opportunities ("I feel like it helped me a lot because of my future and how jobs and colleges view me"), this aspect of the program was viewed as particularly beneficial. Arguably, the two sessions (totaling approximately four hours) of Project Reset programming are less onerous and more meaningful than a six-month ACD. Additionally, because the case is resolved with no court appearance, Project Reset allows participants not to have to miss school or work in order to attend court.

Case resolution time among Project Reset participants was also shorter than among the comparison group. For Project Reset participants, the outcome of their initial arrest was finalized in approximately two months, compared to the comparison group who had to wait over eight months for the initial case outcome to be finalized.

Recidivism

Project Reset participants compared favorably to the comparison group on 17 of 18 measures of recidivism examined. Re-arrest outcomes for both groups were low, lending support to expansion of diversion options for this population as there is low risk to public safety. Overall, there were few significant differences in re-arrests between the samples. However, Project Reset participants did statistically fare better in some instances. They were less likely to have a new violent felony re-arrest and had fewer new arrests than those in the comparison group.

Project Reset participants were also less likely to be convicted on a new arrest within both six months and one year of their initial arrest. Project Reset participants had not only fewer convictions but also longer times from the initial arrest to any recidivism event.

We postulate that even though comparison cases receive ACDs and dismissals, upon re-arrest the prior court appearance record appears as a potential pattern to the court, increasing the chance of a future conviction. In contrast, a participant of Project Reset is truly able to reset their first offense, not only avoiding collateral consequences for the instant arrest but for future criminal justice system involvement as well.

Procedural Justice

Survey findings highlight the importance of procedural justice tenets. Project Reset gives participants voice by offering an opportunity to share their stories and by employing staff who are patient, kind, and willing to listen. Participants also felt respected by Project Reset staff, and often by other program players like the police or defense attorneys. Lastly, program protocols were designed to create multiple opportunities for potential participants to understand the program, case processing, and/or their rights.

Meaningful and Proportionate Interventions

During the evaluation period, a total of 243 individuals participated in Project Reset, with 98% completing the two-session programming. In a justice system grounded in the idea that heavy-handed reactions are necessary to ensure compliance, the high completion rate demonstrates that a light-touch intervention can offer accountability without the need for additional punitive responses (Subramanian 2015). Based on survey findings, feedback suggests that participants enjoyed the Project Reset curriculum and found the interventions to be meaningful. Participants expressed gratitude for being able to participate in the program: "shout out to the officer that put me in this."

Responses indicate that Project Reset created an open and safe environment. The activities in the group and individual sessions allowed participants to think about themselves and their experiences.

The reflection exercises prompted participants to make plans to improve themselves in the future. Project Reset also equipped them to move forward on a new path. Participants report that the curriculum gave them new skills (e.g., mindfulness) to help them cope with challenging situations, fresh perspectives, and an understanding of how their actions affect others in their communities.

Racial Justice, Gender Justice, and Community

The overall positive impact of Project Reset becomes more important upon consideration of who the program serves: over half of participants were male, the majority were black or Hispanic/Latinx, and 45% lived in the borough of Manhattan. In the context of overrepresentation of young men of color in the justice system (Liberman and Fontaine 2015), Project Reset's participant-proclaimed "second chance" gives these overrepresented and often-marginalized participants the opportunity to stay out of the criminal justice system.

Given this context, there is also an opportunity for Project Reset to not only improve criminal case outcomes, but also to improve interactions with, and therefore perceptions of, criminal justice players. Participants are aware of the climate in which Project Reset operates—that is, one stratified by factors like race, gender, and power. For example, one participant reflected on her experience as a woman of color ("there are nice officers and that is reassuring as a black woman") and another on being belittled by system players because of gender expression ("[they] mocked the fact that I present androgynously, they joked about whether I am a girl or a boy").[23] The former quote demonstrates the power of positive interactions in changing individual perceptions. This highlights the potential for Project Reset to improve relationships between the criminal justice system and the community. The latter quote indicates that work still needs to be done to ensure that all participants are treated with respect. Project Reset presents a unique opportunity for stakeholders to work together to improve the experiences of all people in the criminal justice system – regardless of their backgrounds.

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[23] See *supra*, p. 30.

Additionally, although Project Reset participants hail from across New York City, the fact that nearly half are arrested in and received programming in the community where they live (Manhattan) is an important aspect of restorative programming. By tying themes of community harm and healing into curricular discussions, Project Reset capitalizes on a community-based approach as a response to wrongdoing.

Future research should take care to specifically study the racial, gender, and community-based contexts, impacts, and implications of Project Reset for specific subpopulations. Research could look in particular at race, gender and gender expression, sexual orientation, disability status, and religious background. Future research could also examine the interplay between community conceptions and program success.

Further Expansion Efforts

Since the study period, Project Reset has added an arts-based group as an intervention, in collaboration with a local visual artist. Anecdotal feedback to this programming has been positive, and the program has since been expanded. The group session now incorporates an array of unique and creative forms of expression, including visual art, cooking classes, mixed media projects, and lyrical and musical production activities.

In 2018, Project Reset expanded to include all adults over the age of 18 arrested in Manhattan, with minor modifications regarding eligibility and program model. Eligibility is still limited to certain misdemeanor arrest charges and for individuals with no prior arrests. The expanded program requires participation in a one-time session facilitated by experienced social workers, and offers connections to voluntary resources.

Additionally, a diversion program similar to Project Reset has launched in three precincts in Bronx County, New York, with an anticipated expansion borough-wide in the near future. The Bronx program is available to adults of all ages processed through the criminal court, who are arrested for the same set of eligible charges as in Manhattan. The intervention in the Bronx program uses a restorative discussion-based approach, which brings together participants with community volunteers in restorative circles. The Bronx program also offers connections to voluntary community-based services.

Study Limitations

One study limitation is the lack of a process evaluation, which would more comprehensively document the operations of Project Reset. This limits our ability to fully contextualize

findings, especially in understanding who is eligible for and ultimately participates in Project Reset. For example, because eligibility is dependent on the actions of multiple agency partners at multiple decision points, additional screening criteria may be used by some partners. Contrastingly, cases that do not meet program eligibility criteria may also be allowed entrance into the program, as data indicated (e.g., some participants had prior adult criminal arrests). A process evaluation may have enabled us to further explore whether ineligible cases entered the program systematically or by happenstance, and whether potentially eligible cases are excluded.

With regards to our impact analysis, one threat to internal validity is the use of a historical comparison group drawn from the years preceding Project Reset implementation. However, program expansion prohibited a contemporaneous sample from within the same jurisdiction, and a randomized controlled trial was deemed infeasible; therefore, it is possible that non-contemporaneous control bias was introduced. For example, the criminal justice practices in New York City—specifically in the police department or the Manhattan District Attorney's Office—may have changed in unmeasured ways that influence arrests and case outcomes between the period from which the comparison pool was drawn (2013-2014) and the Project Reset time-period (2016-2017).

Additionally, as available data on background characteristics for the current study was limited, we were unable to account for potential psychosocial differences between the Project Reset program group and the comparison group in our propensity score model, including potential factors such as education, employment, housing stability, and family support.

Next, we were unable to quantify the mechanisms at play that produced the differences between Project Reset participants and the comparison group. As mentioned previously, the collateral consequences of a criminal record could be the driver, especially for subsequent convictions. However, other possible factors include an increase in procedural justice, the lack of exposure to court, or the impact of Project Reset's restorative programming. Because Project Reset, by design, addresses multiple factors, we were unable to design a model to understand the unique contributions and possible interactions of the multiple variables.

Moreover, new arrests and convictions were rare among both samples. This meant sample sizes were too small to analyze differences in subgroups' outcomes, such as differences between the programming options, those that complete the program compared to those who do not, or participants with different demographic backgrounds (e.g., male and female).

The qualitative component of this study was limited to a short survey of program completers. As such, the survey did not capture the viewpoints of those who decline to participate and those who fail to complete Project Reset. In addition, respondents reported on anticipated changes in behavior precipitated by their participation; however, there was no way to determine whether the optimism with which they view future behavior was realized.

The surveys were also limited to the perceptions of participants. However, Project Reset staff, the Manhattan District Attorney's Office, the New York Police Department, defense attorneys, and other stakeholders may have been able to offer invaluable feedback on the efficacy and value of a low-risk diversion program, and on the implementation of Project Reset. Future research should seek to solicit these opinions.

Finally, one stated goal of Project Reset is to reduce costs. This study did not include a cost analysis.

Strengths

The Project Reset program and this evaluation come at a providential time in New York State criminal justice reform history. The public discourse has, in large measure, moved away from more punitive responses to crime and toward greater use of community-based interventions. This evaluation of Project Reset shows, indeed, that public safety can be ensured without heavy-handed punitive responses.

Further, at the time of this study, New York was one of only two states in the country that set the adult age of criminal responsibility at 16. Legislation was since enacted to raise the age of criminal responsibility to 18 (NYS FY 2018 Enacted Budget 2017). This legislation is in effect for 16-year-olds as of October 2018 and will be for 17-year-olds in October 2019, when misdemeanor cases for these age groups will originate in family court rather than adult criminal court (Raise the Age 2017). The implications from this report can further strengthen the argument that not prosecuting such cases in adult criminal court poses minimal risks to public safety. The findings can also help set an agenda for similar program models in family court. Further, as the full expansion of Project Reset to adults over the age of 18 and the Bronx program continue, findings can be applied to those programs and similar research should be conducted to see if results extend to other contexts.

As an evaluation of a new early diversion program in Manhattan, this study is a first look at a novel program, providing answers to important questions of case outcomes, recidivism, and program perceptions. The study adds to the literature on pre-trial diversion, aiming to

improve both outcomes for justice-involved individuals and the criminal justice process. Additional questions are raised for future research, including cost analysis and robust process evaluation to better understand program processes. Last, future studies should attempt to statistically or methodologically isolate the populations who benefit the most from such diversion interventions, and the mechanisms by which Project Reset and similar diversion programs can improve outcomes.

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Appendix A
Project Reset Eligible Charges

Charge Description	Penal Law Code
Criminal trespass, 3rd degree	140.10
Criminal trespass, 2nd degree	140.15
Criminal mischief, 4th degree	145.00
Criminal tampering, 3rd degree	145.14
Reckless endangerment of property	145.25
Making graffiti	145.60
Possession of graffiti instruments	145.65
Petit larceny	155.25
Unauthorized use of vehicle, 3rd degree	165.05
Theft of services	165.15
Unauthorized sale of certain transportation devices	165.16
Criminal possession of stolen property, 5th degree	165.40
Controlled substances, 7th degree	220.03
Drug paraphernalia, 2nd degree	220.50
Criminal possession of marijuana, 5th degree	221.10
Criminal possession of marijuana, 4th degree	221.15
Promoting gambling, 2nd degree	225.05
Unlawful assembly	240.10
Falsely reporting an incident	240.50

Appendix B
Project Reset Case Flow

Early Diversion Case Flow
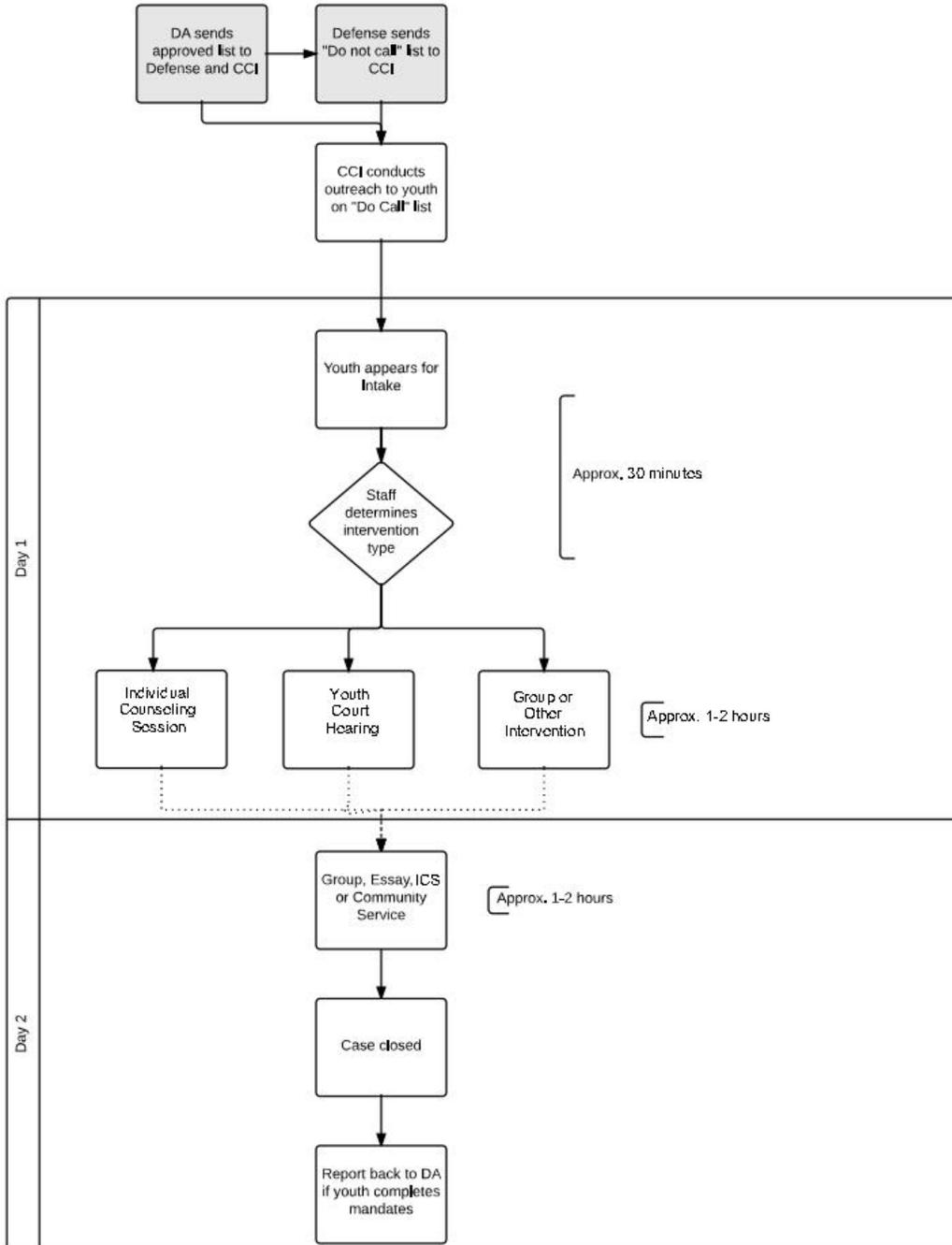
Appendix C
Baseline Characteristics: Arrest Precinct – Project Reset Sample and Eligible Comparison Group, Unadjusted and Adjusted

Sample	Unadjusted		Adjusted	
	Project Reset	Comparison	Project Reset	Comparison
N	239	1566	239	717
Arrest Precinct	***			
Precinct 1	1.7%	5.8%	1.7%	1.0%
Precinct 5	1.30%	6.60%	1.30%	0.70%
Precinct 6	1.70%	1.10%	1.70%	1.50%
Precinct 7	2.50%	2.90%	2.50%	2.40%
Precinct 9	1.30%	3.00%	1.30%	1.80%
Precinct 10	0.8%	0.8%	0.8%	1.0%
Precinct 13	4.2%	4.1%	4.2%	3.5%
Midtown South (14)	31.0%	18.1%	31.0%	38.8%
Precinct 17	1.3%	0.6%	1.3%	1.1%
Midtown North (18)	3.8%	4.6%	3.8%	2.2%
Precinct 19	8.4%	2.2%	8.4%	4.7%
Precinct 20	3.8%	2.6%	3.8%	2.9%
Precinct 23	0.8%	2.4%	0.8%	0.6%
Precinct 24	3.3%	1.8%	3.3%	2.4%
Precinct 25	3.8%	2.6%	3.8%	4.0%
Precinct 26	0.4%	1.5%	0.4%	1.1%
Precinct 28	1.7%	2.8%	1.7%	1.3%
Precinct 30	3.3%	2.4%	3.3%	3.1%
Precinct 32	1.7%	3.1%	1.7%	2.5%
Precinct 33	1.7%	3.0%	1.7%	1.1%
Precinct 34	2.5%	5.4%	2.5%	3.3%
Police Service Area 4	7.9%	2.9%	7.9%	6.4%
Police Service Area 5	6.3%	3.7%	6.3%	6.8%
Police Service Area 6	2.5%	1.7%	2.5%	2.9%
NYS Park Police	0.4%	0.0%	0.4%	0.0%
Transit Bureau Headquarters	2.1%	14.4%	2.1%	2.8%

+p<.10,* p<.05, ** p<.01, ***p<.001

Appendix D
Survival Curve for Re-Arrest

Strata — Comparison — Project Reset

p = 0.19
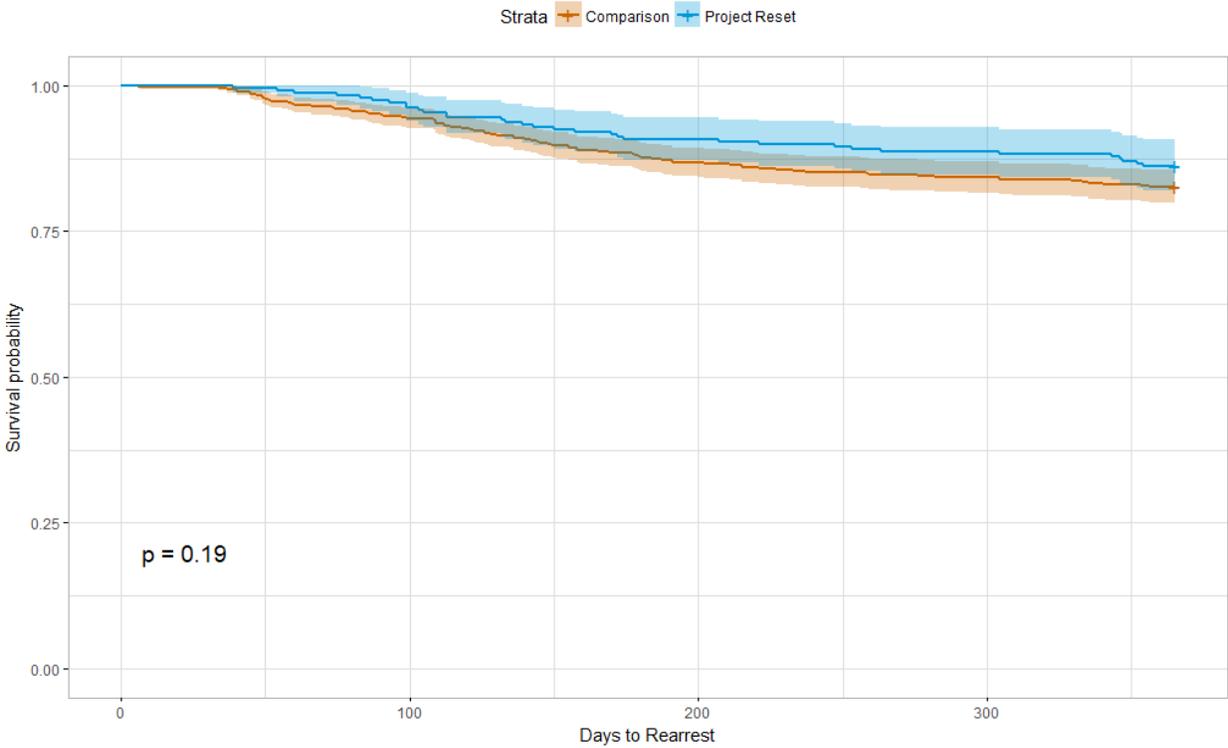
Number at risk

Strata	0	100	200	300
Comparison	717	677	623	604
Project Reset	239	230	217	212

Days to Rearrest
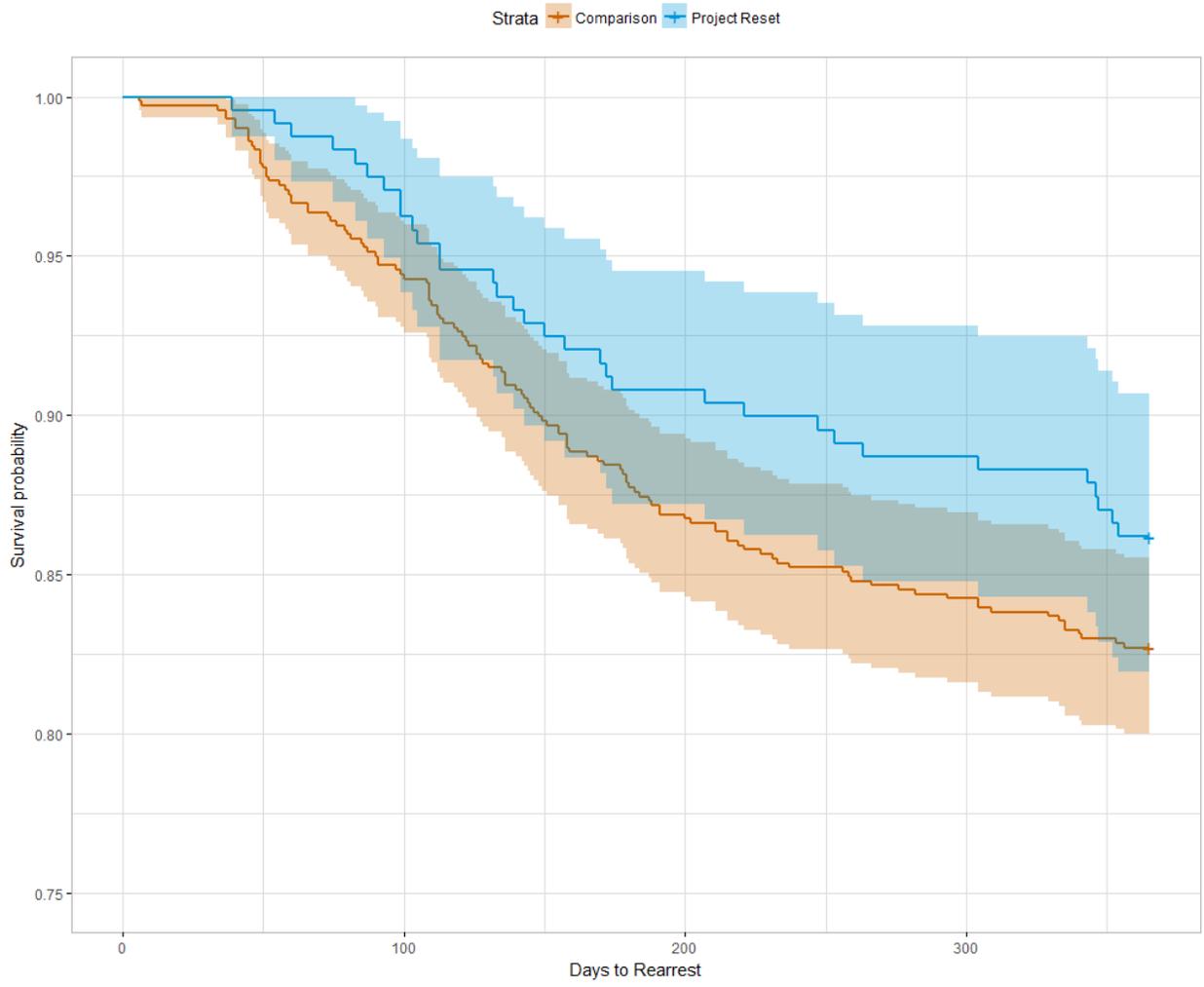
Appendix E
Survival Curve for Re-Conviction
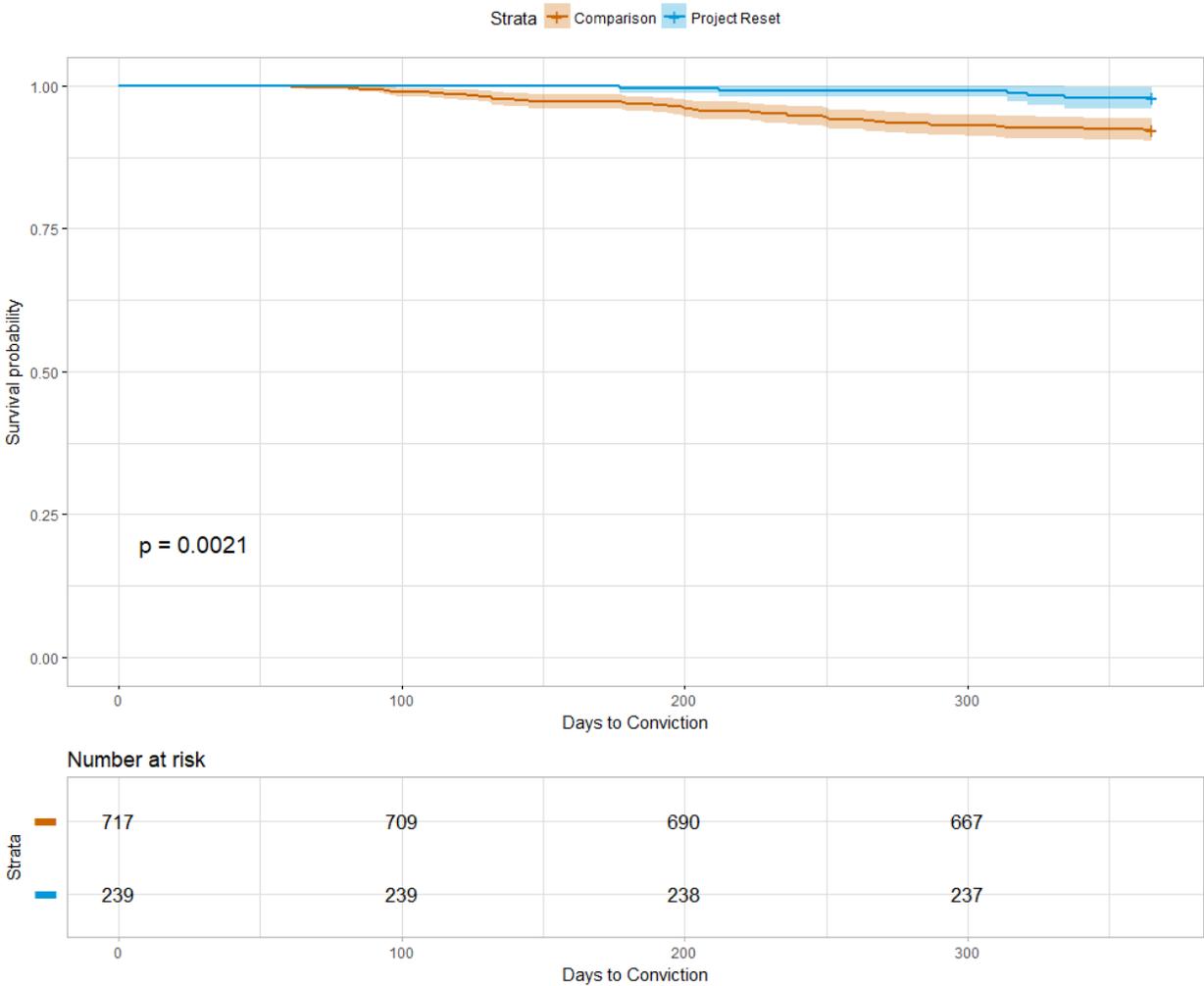
Appendix F
Survey Instrument

Name: _____   Date: _____

Congratulations on finishing Project Reset! We want to hear how you felt about it so we can make the program better. We need your ideas to do that!

We will ask about your dealings with the police and your defense attorney. We will also ask how you feel about the justice system in general.

*Thank you for being honest! Your responses and your name **will not be shared** with police, your defense attorney, the district attorney/prosecutor, or the court. We may use your responses in a report about Project Reset, but we will not include your name.*

1. **What is the main reason you decided to do Project Reset?**
   - ☐ I wanted to avoid a criminal record.
   - ☐ It seemed easier and faster than going to court.
   - ☐ I don't think I deserved punishment for what I did.
   - ☐ Other, please explain: _____

2. **What did you do for the two days of Project Reset (pick any that apply)?**
   - ☐ Youth court
   - ☐ One-on-one session with Reset staff
   - ☐ Community service
   - ☐ Group class or workshop
   - ☐ Essay or letter
   - ☐ Other: _____

3. **How much do you agree or disagree with the following statements?**

	☹ Strongly Disagree	Disagree	Agree	☺ Strongly Agree
It was easy to get to Project Reset.	☐	☐	☐	☐
I would recommend Project Reset to a teen who is in a similar position as me.	☐	☐	☐	☐
I made the right decision by doing Project Reset.	☐	☐	☐	☐
I understand that Project Reset is different from how cases are normally handled.	☐	☐	☐	☐

4. **Now that you've finished Project Reset, how do you feel about the police and/or the district attorney/prosecutor?**

☐A lot worse than before ☐Worse than before ☐About the same ☐Better than before ☐A lot better than before

5. **What did you think about Project Reset? Feel free to tell us how Project Reset could be better.**

6. **Please tell us about your dealings with the police/NYPD and your defense attorney.**

	☹ Very badly	Badly	Well	☺ Very well	I don't know/ Does not apply
How were treated by the police during your arrest?	☐	☐	☐	☐	☐
How well did the police officer(s) explain Project Reset?	☐	☐	☐	☐	☐
How were treated by your defense attorney?	☐	☐	☐	☐	☐
How well did your defense attorney explain Project Reset?	☐	☐	☐	☐	☐

7. **Please explain anything that happened with the police and/or your defense attorney to make you feel good or bad about your dealings with them.**

8. In general, how do you feel about the following people or systems?

	☹ Terrible	Not good	Good	☺ Great!	I don't know/ Does not apply
Project Reset staff	☐	☐	☐	☐	☐
Police/NYPD	☐	☐	☐	☐	☐
Defense attorneys	☐	☐	☐	☐	☐
District Attorney/ Prosecutor	☐	☐	☐	☐	☐
Judges	☐	☐	☐	☐	☐
The court system	☐	☐	☐	☐	☐
The justice system	☐	☐	☐	☐	☐

9. Do you have any close family or friends who have been arrested, convicted, or served jail or prison time?

☐ Yes   ☐ No   ☐ Don't know/Prefer not to answer

10. Would you be interested in being interviewed about Project Reset? If yes, please write your <u>phone number and/or email address</u> so we can contact you.

_____

11. Would your parent(s) or guardian(s) be interested in being interviewed about Project Reset? If yes, please write a <u>name and phone number and/or email address</u> so we can contact them.

_____

Thank you!

Appendix G
Selected Survey Findings

Table G1. Reason for Opting into Project Reset

Reason for opting into Project Reset	Percent
	N
I wanted to avoid a criminal record.	76.1%
It seemed easier and faster than going to court	26.1%
I don't think I deserved punishment for what I did.	12.0%

*Participants were encouraged to choose only one option but could choose more than one.

Figure G1. Overall Perceptions of Criminal Justice System Players

Figure G1. Overall Perceptions of Criminal Justice System Players