
Learning from Crisis

Remote Justice in Criminal Courts

By Michael Rempel, Melissa Morgan, Sherene Crawford, and Jethro Antoine

 Center
for
Court
Innovation

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Center for Court Innovation
520 Eighth Avenue, 18th Floor
New York, New York 10018
646.386.3100 fax 212.397.0985
www.courtinnovation.org

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Executive Summary

Precipitated by the COVID-19 pandemic, courts nationwide transitioned from in-person to video court appearances in early 2020, while service providers began delivering mandated treatment, services, and supervision remotely. With justice systems now entering a post-COVID future, we considered which remote practices might be worth sustaining in criminal matters, and what steps might advance fairness and equity in their implementation.

General Considerations

Remote operations risk inflicting significant [harms](#). When conducting hearings remotely, judges lose access to the non-verbal cues that research has shown can build empathy with people facing charges; as a result, past research has linked remote appearances to [higher bail](#). Remote proceedings may also be more difficult for people to comprehend and afford fewer opportunities for confidential attorney-client interaction. Unequal access to phones and computers may intensify inequities based on socioeconomic background.

There are sizable advantages as well. Remote operations allow people released before trial to attend court or social services without missing work, finding childcare, or paying for transportation. People do not have to [sit in court for hours](#) waiting to see the judge.

Ten Key Lessons

The following lessons draw from the national literature and the experiences of court stakeholders in **New York City**, including service providers, prosecutors, defense attorneys, and victim service providers. Given limited hard evidence to date, we recommend rigorous evaluations of any effort to institutionalize remote practices beyond the pandemic.

1. Consider ways to maintain the procedural justice benefits of remote court. In New York City, remote appearances have tended to take place at a preset time, avoiding long and frustrating waits in the courtroom. Remote appearances also avert the oftentimes dehumanizing experience, [especially for Black and Brown people](#) facing charges and their families, of going through security or entering a courtroom with court officers present.

2. Ensure equity by addressing barriers to remote participation. Key barriers can include: (a) **Technology**: Lack of access to phones or computers, especially among indigent or homeless people; and (b) **Special Needs**: Difficulty following remote proceedings for people requiring interpretation or with developmental disabilities or behavioral health needs.

3. Mitigate adverse unintended consequences impacting courtroom communication. Court systems will need to issue clear guidelines compensating for key

procedural limitations: (a) inability to conference at the bench; (b) difficulty facilitating private attorney-client interaction (potentially leading people to incriminate themselves); and (c) inability of some court users to manage background noise or distractions in their homes.

4. Reinstitute in-person arraignments. Pretrial detention can have lifetime repercussions for people’s employment, earnings, family ties, and health. Combined with above-noted evidence that video arraignments result in higher bail, arraignments should be in-person.

5. Institute uniform procedures, set by state or local court administrators. Our inquiry pointed to wide variability from courtroom to courtroom in procedures such as advance notice regarding the date, time, and format of court appearances; timely distribution of web links; and opportunities for clients to receive an interpreter. These matters can have serious ramifications if people facing charges or their attorneys inadvertently miss court dates or misunderstand judicial decisions. More uniform procedures can promote fairness.

6. Help people gain accurate information about the status of their case. In New York City, both people facing charges and complainants faced sizable obstacles getting basic information about the status of their case and the format and timing of the next appearance. Court administrators sustaining remote operations will have to reassess customer service, perhaps establishing a hotline fielded by well-trained staff and distributing handouts to people charged at arraignment and to victim service agencies to share with complainants.

7. Adopt a flexible approach to warrants. Inevitably, technology barriers or confusion regarding log-on protocols or appointment times will prevent people from attending all court dates, leading to unjust warrants. Court administrators should advise judges to excuse non-attendance where feasible or stay warrants to allow time for attorneys to reach their clients.

8. For cases ordered to supervision or services, consider sustaining remote compliance reporting. Interviews conducted for this brief support replacing in-person oral updates from service providers with virtual “pre-court” case conferences to discuss noncompliance or special needs of certain participants—as happened during the pandemic.

9. Sustain remote supervision and services, but not across-the-board. We found that New York City’s supervised release program could replicate key elements of client engagement in the remote format. [Prior research](#) also points to advantages of people attending court-ordered individual counseling from home rather than having to travel to an office. But we found that group sessions do not work as well, with participants often turning cameras off and tending to be less “present” than in court-ordered groups held in-person.

10. Promote equity by distributing phones with video capability. During the pandemic, cell phone distribution became commonplace in the city’s alternative-to-incarceration programs. Post-COVID, phone distribution can limit the discrimination that would result if people experiencing homelessness or others without phones must travel to mandated services, while others can realize the benefits of attending remotely.

Learning from Crisis

Remote Justice in Criminal Courts

Precipitated by the COVID-19 pandemic, courts nationwide transitioned from in-person to video court appearances in early 2020, while service providers began delivering mandated treatment, services, and supervision remotely. It amounted to an unprecedented experiment in the large-scale delivery of court operations at a distance. With justice systems now entering a post-COVID future, we considered which remote practices might be worth sustaining in criminal matters, and what steps help to advance fairness and equity in their implementation. For this purpose, we interviewed and received written input from Center for Court Innovation staff at seven court-based programs in New York City,¹ interviewed prosecution, defense, and victim services stakeholders;² and reviewed the national literature. Our conclusions and recommendations are necessarily preliminary, and we recommend rigorous evaluations of any effort to institutionalize remote practices beyond the pandemic.

Key Pros and Cons of Remote Court Operations

Remote operations risk inflicting significant [harms](#) that recommend caution before committing to a permanent transition.³ They include a loss of the non-verbal cues that research has shown can build trust and empathy when people can make eye contact with the judge and interact in-person; a limited ability for pretrial service providers to aid judges' decision-making through on-the-record guidance; and often severe barriers to participation, communication, and comprehension among court users, complainants, and witnesses, who may lack necessary technology or require interpretation into a language other than English.

Some of these harms, such as the inherent limitations of in-person interaction, may be difficult to overcome. On the other hand, it is important to acknowledge that current remote systems were created quickly and during a period of acute crisis. As courts shift to a post-COVID world, there are opportunities to improve implementation by learning lessons from the emergency of the past year and a half and creating truly sustainable systems.

Remote operations also offer clear advantages. People do not have to miss work, find childcare, or pay for transportation while traveling to and from court or court-ordered social services or supervision. Closely related, people can avoid the possibility of [sitting in court for hours](#) waiting to see the judge, frequently culminating in court appearances that last only for a few minutes and have no meaningful effect in advancing the case.⁴

However, many of the most essential advantages of remote court accrue only to people released during the pretrial period. This sub-population comprised our focus throughout this

paper, whose lessons cannot be generalized to people held in pretrial detention. While people held pretrial should generally be able to see the judge in-person, to the extent that local jails are unable to consistently produce people in court—as is [currently the case](#) in New York City—video-conferencing must then be available to avoid unnecessary delays in a case.⁵

New York City as a Case Study

To gain insight into whether and how to sustain remote operations, we examined New York City’s experience during the pandemic. In 2020, the city arraigned almost 90,000 cases, of which over 75,000 required subsequent court dates before reaching a disposition. New York City was among the country’s largest court systems to execute the transition to remote operations. As in many other jurisdictions, the pandemic required transitioning virtually overnight, while maintaining the complex balance of keeping the system moving and responding to a public health crisis.

Video Arraignments

New York’s City’s criminal courts transitioned to video arraignments on March 17, 2020. People facing charges were present at the courthouse but arraigned via a video link to a holding area. Defense attorneys could use a separate video link to speak privately with their clients beforehand. Although not set up initially, by mid-July the court system established a third video link for resource coordinators from the city’s supervised release program to answer judges’ questions about release conditions. This third link also allowed the resource coordinators to conduct a brief video orientation immediately after arraignment with anyone ordered to the program. By late September 2020, the court system also provided a video link for the city’s pretrial services agency, which conducts pre-arraignment interviews and uses a validated assessment to assess people’s [likelihood of court attendance](#).⁶

Post-Arraignment Court Appearances

Post-arraignment appearances also went remote at the outset of the pandemic. Over the period that followed, the use of in-person as opposed to remote appearances after arraignment varied, mainly based on the COVID-19 case rate. Specific procedures also somewhat varied across each of the city’s five boroughs (as will be discussed below). In general, the court attempted to notify people before each of their post-arraignment appearances whether it would be remote or in-person.

Remote Social Service Provision

The city’s social service providers transitioned to remote operations as well. For instance, pretrial supervised release program check-ins continued at the [same frequency](#) as pre-pandemic,⁷ but whereas check-ins had been divided between in-person and phone, they all

moved to phone (or an equivalent remote technology). Treatment providers running diversion or alternative sentencing programs offered comparable individual and group sessions as during normal operations—adopting tools such as Zoom or Facebook for group sessions, while in some cases relying on the phone for individual counseling or where clients lacked access to a computer. Traditional community service became unfeasible. Providers at the Center for Court Innovation (CCI), for example, replaced it with remote community building and civic engagement-focused sessions inviting participants to reflect on how they might become more civically engaged and give back to their community in the future.

Lessons Learned

We are unaware of completed scientific research rigorously testing the effects and comparative efficacy of the remote posture in criminal courts. Given limited information to date, some have [advised caution](#) before permanently shifting to remote court practices,⁸ while others have proposed that our experience gained during the pandemic [creates opportunities](#) to apply modern technology in novel ways to improve courts' performance.⁹

Because the potential advantages of remote appearances accrue largely to people released before trial, none of our lessons apply to people held in pretrial detention, who should therefore continue to be offered the opportunity to see the judge and meet privately with their attorney in-person—*except if production bottlenecks arise in the jails that could mean in-person appearances might be unfeasible for people detained.*

Pending further research, we offer the following **ten propositions** regarding the potential to sustain remote practices in jurisdictions nationwide.

1. Consider ways to maintain the procedural justice benefits of remote court appearances, while addressing their shortcomings.

The initial arraignment appearance notwithstanding, remote court can offer [procedural justice](#) benefits,¹⁰ especially in stages such as discovery and motion practice, where critical determinations such as bail decisions or final case dispositions are less likely to occur. By participating in post-arraignment court appearances from their homes (or other convenient locations), individuals can avoid going through security magnetometers or entering a physical courtroom—an inherently stressful experience that, for many, can be intimidating and traumatizing. And, as [recent reports](#) specific to the New York context document, Black and Brown court users and staff often encounter disrespectful and overtly racist behavior by many court officers.¹¹

The remote posture offers other fairness advantages as well. Video court appearances generally take place at a preset time, a stark contrast to the long waiting times commonly experienced in-person. In a typical New York City criminal court, people facing charges are

instructed to arrive at 9:30 in the morning without knowing when their case will be heard, waiting for up to several hours or an entire day. Facing this onerous time commitment, individuals must take the day off from work and often find childcare or coverage for other caretaking responsibilities. Transportation to and from court can also be time-consuming and expensive, especially when people must travel long distances (e.g., from transit deserts found especially in the outer perimeter of the city). Finally, after long waits people often are frustrated by the all-too-common scenario of appearing before the judge for a few minutes, without seeing meaningful progress in the adjudication process.

Recent [research](#) at the Manhattan Criminal Court confirmed that prolonged waiting times were a leading factor undermining the courts' legitimacy from the perspective of court users.¹² (Comparable waiting is common in New York City's family courts, as well.)

Time-Certain Remote Appearances in Manhattan

At the Center for Court Innovation's alternative-to-incarceration program known as Manhattan Justice Opportunities, remote appearances for a compliance update are significantly less rushed than in-person appearances had been previously. While in-person appearances might last an average of 2-3 minutes, remote appointments afforded each participant a prescheduled and "time-certain" 15-30-minute slot before the judge. The remote posture appeared to simultaneously reduce waiting, while extending the time and focus of all players during the critical moments when the court appearance occurs. (Sustaining this improvement may pose a greater challenge in the long haul, once courts begin calendaring more appearances as the COVID-19 crisis subsides; but to the extent feasible, spacing out and affording greater time for appearances is a practice worth pursuing.)

2. Ensure equity by addressing barriers to remote participation.

If unaddressed, a series of technology, special needs, and logistical barriers could disproportionately impact some people's capacity to participate in remote court appearances.

a. Address technology disparities rooted in socioeconomic inequity. To benefit from remote technology, people must possess it. Many court-involved people lack access to phones, computers, and stable internet connections, a particular obstacle for those experiencing poverty or homelessness. To facilitate staying connected without the ability to meet in person, many New York City service providers have been distributing cell phones with monthly pay-as-you-go plans during the pandemic. Appearances should remain in-person when technology barriers exist, absent special arrangements such as permanent cell phone distribution to people meeting select criteria or, as a more ambitious example, coordinating with homeless shelters or supportive housing providers to help people participate who otherwise could not. For example, during the pandemic, the Newark

Community Solutions program introduced a virtual court pilot to bring computers with video capability into shelters, enabling people experiencing homelessness to make court dates virtually and, in some instances, resolve cases that were several years old.

Even when people gain access to computers, there may be disparities in their familiarity with the medium, potentially putting indigent people at a continued disadvantage. Judges and court players may also need to be prepared for the possibility that not all court users will be able to effectively control the lighting, sound, or activities taking place in the background of the video camera—as contrasted with the in-person environment, which features the same courtroom for everyone.

b. Consider developmental disabilities and other special needs. Some people may be engaged more effectively in-person, including people with developmental disabilities, other behavioral health needs, or people who would benefit from an interpreter by their side. On the other hand, it is no less plausible that in other cases, individuals with disabilities or special needs may prefer the option not to travel to court or may experience greater comfort participating remotely. *Courts should consider post-COVID-19 sustainability plans that allow people and their attorneys the flexibility to request either in-person or remote appearances, depending on which is preferred.*

c. Mitigate logistical barriers and variable practices concerning clarity of time, place, and web access. To ensure attendance, courts should provide people facing charges with ample notice of the date and time of their appearance, whether it will be remote or in-person, and the web link if remote.

Court-based service providers at the Center for Court Innovation reported that during the pandemic, the court often informed participants on the date of the appearance whether it would be in-person or remote or switched a previously announced format with minimal advance notice. Another variable practice was that some of the city’s courtrooms sent out calendars one week in advance, helping defense attorneys work with their clients to ensure a mutually agreeable time to appear together, while other courtrooms did not.

Some courtrooms engaged in the efficient practice of using the same web link every day—a practice we suggest making uniform—while other courtrooms generated changing links (at times emailed to the wrong attorney or simply difficult to locate amidst numerous other emails). Besides the advantages to the attorneys, resource coordinators from service provider agencies also benefitted from a consistent, shared link by gaining reliable daily access to court proceedings in which their input may be necessary.

d. Institute time-certain appearances. A key advantage of remote court appearances derives from having a set time slot or time range when the court appearance will occur, allowing individuals and their lawyers to go about their usual activities at other times of the day. Stakeholders we consulted, however, indicated that time-certain scheduling was not

uniformly implemented. Any plan for sustaining remote appearances post-pandemic should include a centralized state court mandate (in states where the existence of a unified court system make this feasible) and protocols for a time-certain approach.

3. Mitigate adverse unintended consequences of the remote format impacting courtroom communication and behavioral expectations.

Court systems will need to issue clear guidelines compensating for key communication limitations: (a) inability to conference at the bench; (b) difficulty facilitating private attorney-client interaction (potentially leading people to incriminate themselves); and (c) inability of some court users to manage background noise or distractions in their homes.

a. Address barriers to normal legal procedures and attorney-client communication. Some important communication opportunities and procedures in the physical courtroom are unavailable in a remote setting. For example, legal parties are unable to conference at the bench, and people facing charges may be unable, or less able, to speak privately with their attorney and may be more prone to incriminate themselves on-the-record without an attorney standing next to them to provide guidance. A practical solution would be to establish guidelines for how legal parties may communicate with the court and a means for defense attorneys or their client to have private communication—for instance in a remote breakout room, as some courts have implemented. It is noteworthy, however, that some stakeholders whose input informed this policy brief cited the lack of traditional bench conferences in the remote posture as a boon to transparency—fostering a court culture in which all parties, including individuals facing charges or civil litigants for that matter, can hear and understand more of what happens during the appearance.

b. Distribute behavioral expectations. Across the country, people have gone “casual” in their Zoom meetings. If courts wish for individuals facing charges (or attorneys or other staff) to uphold certain standards for dress, environment (e.g., private space with limited noise), and behavior (e.g., no smoking on camera), these should be spelled out. At the same time, judges and other court staff should be trained to recognize that it may not always be possible for people to meet these expectations. For example, someone may not have access to professional clothing or a private space to take a call while at home or work. Problems like background noise may be unavoidable.

4. Reinstitute in-person arraignments as soon as possible.

We urge court administrators nationwide (as is already underway in New York City) to return to an in-person setting for arraignments or initial bond hearings where bail decisions are made that impact whether people can be at liberty during the pretrial period. A previous [review of the literature](#) found that when they are not in-person, bail decisions are *less* favorable to the individual facing charges—and these disadvantages apply disproportionately to those who speak a different primary language than English.¹³ A [groundbreaking study](#) of

data from eight years before and eight years after Cook County, Illinois transitioned to closed circuit television for most of its felony bail hearings rigorously demonstrated that bail amounts significantly increased in this format.¹⁴

5. Institute uniform procedures, set by state and local court administrators.

Despite following a similar approach at a high level, our inquiry pointed to numerous variations in specific protocols across the New York City's five boroughs and individual courtrooms within boroughs. Variations have included the degree of advance notice individuals received regarding the date, time, and format of their court appearance; protocols for distributing web links and calendaring cases; whether a time-certain appearance is offered or if lawyers and their clients are asked to remain in a virtual waiting room for long periods of time; the availability for attorneys to speak with their clients through an interpreter; the judge and court staff's training and capacity to figure out the remote technology; whether pretrial conferences run by the judge's court attorney between appearances are implemented at key junctures to discuss evidentiary issues; and how frequently court-wide stakeholder meetings are held to troubleshoot issues. These disparities across courtrooms may perhaps have been an inevitable byproduct of shifting an enormous, often under-resourced court system to remote practices amidst a public health emergency. With the benefit of experience and greater breathing room, it is time to course-correct and increase equal justice and efficiency by making procedures more uniform.

In addition, in recognition of the many procedural and technology hurdles that must be overcome, court administrators should insist on regular stakeholder meetings in each courthouse to review remote court implementation barriers and devise suitable remedies.

To aid coordination, states with unified court systems should consider designating a statewide director of remote operations (and/or regional directors, such as for large jurisdictions like New York City). The individual(s) in this role should not only set clear and consistent policies reflecting best practices and a paramount interest in justice for people with pending matters before the court—but should rigorously avoid insular decision-making and, instead, genuinely incorporate ongoing stakeholder input.¹⁵

6. Help people gain accurate information about the status of their case.

We received feedback from New York City stakeholders that during the pandemic, people were routinely unable to gain answers to basic questions about the status of their case or the date, time, or format of the next court appearance. Victims seeking information had the same experience as the formal parties, with attempts to use existing court phone lines generally not yielding tangible assistance. Given the many potential barriers to attending remote court (see above), as well as the possibility that court appearances may switch from remote to in-person or vice versa near the appearance date, court administrators seeking to sustain remote operations might establish new protocols for providing up to date information in a timely manner. Possible remedies could include a one-stop helpline with extended hours (whose

phone number is included in all court date reminders) or a standard handout given to individuals at arraignment and to victim service agencies to share with complainants.

7. Prioritize fairness by adopting a flexible approach to the issuance of warrants.

Where post-arraignment remote appearances continue, courts should seek to minimize warrants for failure to appear, absent evidence someone willfully intended to skip court. Technology-related or other barriers, or basic confusion about log-on protocols and appointment times, will at times prevent people from attending remote appearances. Responding with a warrant may precipitate potentially precarious interactions with law enforcement, besides which warrants remain on the individual's permanent record and can expose them to a greater likelihood of pretrial detention on current or future cases.

Especially in instances of a late change in the date or type of appearance, we suggest that judges and prosecutors consider such circumstances when determining whether to order a warrant and, when ordered, suggest staying warrants for a sufficient period to assure defense attorneys ample time to reach their clients. Especially when there has been limited advance notice of an appearance, the best option is simply to excuse non-appearances to avert unjustly saddling people with warrants on their records as well as to limit the inefficiency of issuing them for people who can be expected to clear them up in short order.

8. For cases ordered to supervision or services, consider sustaining remote compliance reporting, while selectively adding pre-court case conferences.

In many courtrooms, program staff are traditionally expected to deliver oral updates regarding eligibility or suitability for alternative-to-incarceration programs or, for people already enrolled, regarding their compliance. In interviews for this brief, service providers at multiple court-based programs reported that when they are not physically present, it is more difficult to offer these updates during a formal court appearance. However, our staff also cited examples of innovations that allowed remote updates to function well.

At the Brooklyn Mental Health Court, for example, at the outset of the pandemic, the court team began holding a case conference with all parties just prior to a formal court appearance. Similarly, at the Red Hook Community Justice Center, stakeholders have been regularly meeting via Zoom to discuss upcoming cases, troubleshoot issues, and develop new policies and practices collaboratively. These virtual "pre-court" conferences have made remote court operations more efficient and have enhanced communication between all parties. Moreover, either with or without remote court, greater use of case conferences prior to formal compliance monitoring appearances is a best practice worth regularly instituting.

9. Sustain remote supervision and services, but not across-the-board.

At the Center for Court Innovation, remote programming during the pandemic has been prolific, extending to individual counseling, employment services, restorative justice circles, and a vast array of group curricula, from mental health wellness to driver accountability to a range of other educational groups. Although made necessary by the pandemic, it bears emphasizing that beyond [established telehealth practices](#) for individual counseling,¹⁶ and a [budding literature](#) on remote treatment for drug and mental health disorders,¹⁷ the therapeutic efficacy of remote programming is largely unknown.

For now, we offer a few high-level considerations—intended to be suggestive, but by no means based in science.

a. Supervision. When the primary focus is *supervision* rather than *treatment* for people’s needs—as in pretrial supervised release, for example—remote engagement may be especially effective. New York City’s pretrial supervised release program was able to sustain a largely identical approach to supervision check-ins after the remote transition. Whether on phone or video, case managers ask participants about their health; provide counseling or crisis intervention; refer people to ancillary (remote) mental health, employment, or other services; remind them of court obligations, and reiterate the consequences of missed check-ins or court absences—i.e., all the things they would have done in-person.

b. Individual counseling. Many rural jurisdictions made the transition to telehealth years ago. Often, it is easier for individual counseling clients to attend sessions from their homes than having to travel to an office. Telehealth [retention rates](#) tend to be higher than in-person.¹⁸ Especially for clients with employment or childcare obligations, the advantages of sustaining remote engagement are self-evident. There are also exceptions: In our inquiry, some service providers noted that in-person work affords them a much richer and complete interaction with participants, particularly those with severe needs.

c. Group sessions. The group format may be distinctly *unconducive* to reliable remote participation. Adding to above-noted general barriers, our clinical staff reported that group participants frequently turn their cameras off, a practice that precludes being “present” and potentially provides an “out” from genuine participation.

10. Promote equity by universally distributing phones with video capability to all individuals who lack one—and clearly explaining how to use them.

During the pandemic, cell phone distribution became commonplace across New York City’s alternative-to-incarceration programs. Post-COVID, funders will have to continue supporting such distribution to limit the inequity when people experiencing homelessness or others lacking phone must attend court-mandated sessions in-person, while those without these obstacles can participate remotely. There may still be individuals who have difficulty with

the technology and, therefore, will have to report in-person, but where the only barrier is someone's current lack of a videophone, it should be remedied.

Endnotes

¹ The Center for Court Innovation runs a wide range of court-based programs in the New York City criminal courts, each providing a mixture of alternatives to incarceration, early diversion programs, pretrial supervision, victim services, and voluntary services in partnership with local social service providers and justice stakeholders. The programs whose staff experiences and perspectives are included in this report are Bronx Community Solutions, Brooklyn Justice Initiatives, Brooklyn Mental Health Court, Manhattan Justice Opportunities, Midtown Community Court, Red Hook Community Justice Center, and Staten Island Justice Center. In addition, staff from our Newark (New Jersey) Community Solutions program, as well as from our upstate office in Syracuse, New York, contributed to our findings. We also elicited perspectives from stakeholders at the Legal Aid Society, Manhattan District Attorney's Office, Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV), New York Legal Assistance Group (NYLAG), Queens Legal Services, Safe Horizon, and Sanctuary for Families.

² We note that the current project did not include interviews with people facing charges, whose perspective might generate new lessons or qualify those contained therein.

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¹³ Vavonese, L. B. (2020), Op Cit.

¹⁴ Diamond, S. S., Bowman, L. E., Wong, M., & Patton, M. M. (2010). "Efficiency and Cost: The Impact of Videoconferenced Hearings on Bail Decisions." *Journal of Criminal Law and Criminology* 100: 3: 869-902. Available at: <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7365&context=jclc>.

¹⁵ There is also a need for central administrative action to improve conditions for in-person court appearances. Center for Court Innovation social services staff reported that prior to the pandemic, courtrooms and holding areas were routinely crowded and unsanitary. During the pandemic, people viewable within the courtroom during video arraignments often appeared not to be wearing a mask and to be in excessively close physical proximity to each other. While we have recommended that in-person arraignments should recommence, it is important for court administrators to set health and safety guidelines and establish sufficient monitoring to ensure that court personnel are complying. Social services personnel and other court partners returning to court under an in-person format must not be expected to send their staff to an unhealthy environment.

¹⁶ Otis, K., Schachar, A., & Arnold, A. (2017). *Teleservices: Happening Now!* New York, NY: Center for Court Innovation. Available at: <https://www.courtinnovation.org/sites/default/files/documents/Teleservices.pdf>.

¹⁷ Ashford, R. D., Bergman, B. G., Kelly, J. F., & Curtis, B. (2020). "Systematic Review: Digital Recovery Support Services Used to Support Substance Use Disorder Recovery." *Human Behavior and Emerging Technology* 2: 18-32. Available at: <https://onlinelibrary.wiley.com/doi/epdf/10.1002/hbe2.148>.

¹⁸ Senz, K. (2020). "Telemedicine for Drug Addiction Treatment: A Research Roundup and 5 Reporting Tips." *The Journalist's Resource: Informing the News*. Available at: <https://journalistsresource.org/health/telemedicine-opioid-alcohol-addiction/>.