Community Supervision as a Jail Reduction Strategy

Key Findings from an Impact Evaluation of the NYC Early Release Program

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Abstract

At the outset of the COVID-19 pandemic in 2020, the Early Release Program saw the release of almost 300 people serving jail sentences in New York City into community-based supervision and services. The program, operated by local NYC nonprofit agencies, involved daily (remote) supervision check-ins along with services to meet people's needs. Researchers from the Center for Justice Innovation conducted a quantitative analysis examining the program's impact on recidivism. Results from the two-year outcome analysis indicate that releasing sentenced individuals early via the Early Release Program had no impact on recidivism. In other words, there was no increased risk to public safety, while the program served to reduce the disproportionate health and safety risks faced by those held in Rikers, particularly during the COVID-19 pandemic.

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Introduction and Project Background

In March 2020, amidst a surging COVID-19 pandemic, New York City authorized the early release of nearly 300 individuals from life-threatening conditions in the Rikers Island jail complex to complete the remainder of their jail sentences in the community. Their sentences were completed under the remote supervision of three local non-profit agencies, which had established partnerships with the city as experienced pretrial service providers.[1] Relying on an existing legal mechanism of early work release under Article 6-A of the state Correction Law, this emergency response became known as the Early Release Program.

Along with other public health measures taken to safely reduce the number of people in the New York City jail system at the height of the COVID-19 pandemic, the Early Release Program contributed to historic declines in the citywide jail population. Falling to 3,800 for the first time in nearly 75 years, the NYC jail population shrank by 30% in just one month after program implementation—including a larger 54% reduction in the number of people serving jail sentences of one year or less. [2]

Early Release Program Model

The Early Release Program model integrated rigorous community supervision with individualized case management and supportive services through the following major elements:

- **Daily Supervision:** Case managers and social workers from local non-profit agencies conducted daily remote supervision check-ins until sentence completion.
- **Response to Needs:** Based on individual needs, participants were connected to community-based providers that could assist with housing, employment, food security, and other supportive services.
- **Outreach:** In the event of a missed check-in, case managers immediately initiated outreach to family members and community contacts to reestablish contact with program participants as quickly as possible.
- **Accountability:** The non-profit supervision agencies notified the NYC Department of Correction (DOC) of noncompliance with daily supervision and of any new arrest, which could result in the revocation of community supervision and return to jail.

The Early Release Program model and implementation process are more thoroughly documented in an earlier Center for Justice Innovation companion report.[3] That report includes findings from an in-depth assessment of the program's strengths and limitations according to first-hand accounts based on interviews with former Early Release Program participants and program and policy staff.

Research Questions

Researchers from the Center for Justice Innovation conducted a quantitative program evaluation designed to estimate the impact of the Early Release Program on recidivism in New York City.

Researchers sought to answer the following research questions:

1. **Recidivism:** What was the Early Release Program's impact on recidivism in comparison to similarly situated and sentenced individuals who did not participate?
2. **Participant Profile:** What were the demographic, charge, and sentence characteristics of the Early Release Program participant population?
3. **Program Compliance and Completion:** How well did participants comply with the program's daily supervision requirements and what was the prevalence of successful completion?
4. **Policy Implications:** How can study findings inform New York City's larger jail reduction strategy?

Data and Methodology

Data Sources and Key Measures

Data collected by the three non-profit agencies responsible for operating the Early Release Program were provided to researchers and used to describe participant engagement, compliance, and program completion outcomes for the Early Release Program population (n=296).

Official criminal records data containing complete criminal history information through May 15, 2022 was provided by the New York State Division of Criminal Justice Services (DCJS) for both Early Release Program participants (treatment group), and for all misdemeanor and felony convictions with jail sentences from January 1, 2018, through May 15, 2021. Person-based New York State Identification (NYSID) numbers were submitted to DCJS for all 296 Early Release Program participants. Before removing all identifiers, DCJS created a binary indicator variable to designate treatment group records in the full criminal history data file. The resulting de-identified criminal records data was used to construct a comparison sample and conduct the recidivism analysis.

Sampling Frame and Analytic Methods

The study population was restricted to all adult criminal cases disposed and sentenced to jail in New York City between January 2018 and April 2020. Individuals under 18 years of age at the time of sentencing were excluded.

Treatment Sample

The full treatment sample consisted of 296 individuals released into the Early Release Program in late March 2020—the timeframe when the COVID-19-era releases into the program took place. A very small number of Early Release Program participants were excluded from the recidivism analysis due to a missing or invalid state identifier, instant case disposition, or sentencing information in the DCJS data file (n=3).

Comparison Sample

The comparison pool was restricted to cases sentenced to jail in 2018; only those with charges that existed among Early Release participant cases were included.

Statistical Matching

After taking these initial steps to limit and adjust the comparison pool, we assessed mean differences and variance ratios for potential covariates in the full, unmatched sample (n=6,225), revealing significant imbalance with regards to disposition charge, length of jail sentence, and criminal history variables (see **Appendices 1 and 2**).

Prior to matching, Early Release Program participants had a significantly higher proportion of felony charges, longer jail sentences, and less extensive criminal

records than potential comparison cases. The Early Release Program group was also slightly younger and included more Hispanic individuals than the unmatched comparison pool.

To reduce observable sample differences between the Early Release Program (treatment; n=293) and comparison (n=5,932) groups, one-to-one nearest neighbor propensity score matching without replacement was implemented. Demographics (age group, gender, race, and ethnicity); top disposition charge (severity, classification, and category); length of jail sentence; and criminal history variables were included in the logistic regression model used to estimate propensity scores.

After matching, absolute mean differences for all covariates fell within the the conservative 0.1 threshold, indicating a statistically balanced sample (see **Appendix 2**).

The final sample used in the recidivism analysis included 293 Early Release Program participants sentenced to jail between January 2019 and March 2020, and 293 matched comparison individuals sentenced to jail in 2018. T-tests and chi-squared tests were conducted to compare the distribution of all continuous and categorical variables. **Appendix 1** describes the baseline characteristics of both groups before and after matching.

Researchers computed bivariate statistics to compare two-year re-arrest, felony re-arrest, and violent felony re-arrest outcomes, and conducted Kaplan-Meier survival analyses to estimate differences in timing of re-arrest between Early Release Program participants and the matched comparison group.

The analytic design of this evaluation allows us to point to the association (or lack thereof) between assignment to the Early Release Program and recidivism; however, we did not implement a strict causal design. Propensity score matching techniques can only balance the Early Release Program and comparison sample on observable characteristics, including criminal history, charges, sentence details, and demographics. We cannot rule out unobservable variations that might have led New York City officials to release some individuals as opposed to others into the program whose known characteristics appear identical in the available data. Because we were unable to duplicate actual program assignment procedures when finalizing the comparison group, certain unmeasurable sample differences may remain (see **Limitations** section).

Results

Results from the two-year recidivism analysis indicate that releasing detained individuals from jail early via the Early Release Program had no impact on recidivism. In other words, there was no increased risk to public safety (as measured through re-arrest), while prior research indicates the program served to reduce the disproportionate health and safety risks faced by those held in Rikers, particularly during the COVID-19 pandemic.[4] A summary of all two-year recidivism outcomes is presented in **Appendix 3**.

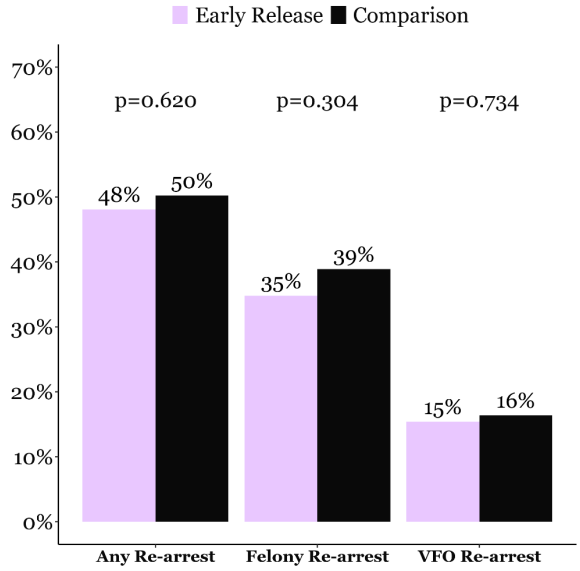
Recidivism Outcomes

There were no significant differences in the two-year re-arrest, felony re-arrest, or violent felony re-arrest rates between the Early Release Program and comparison groups (see **Figure 1**).[5] Although statistically negligible, slightly fewer Early Release Program participants were re-arrested overall (48% vs. 50%), for a felony offense (35% vs. 39%), and for a violent felony offense (15% vs. 16%).

Similarly, the total number of re-arrests was slightly lower among the Early Release group than the comparison group, but the difference (393 vs. 495 total re-arrests) was not significant. On average, individuals in both groups were re-arrested between one and two times during the two-year follow-up period.

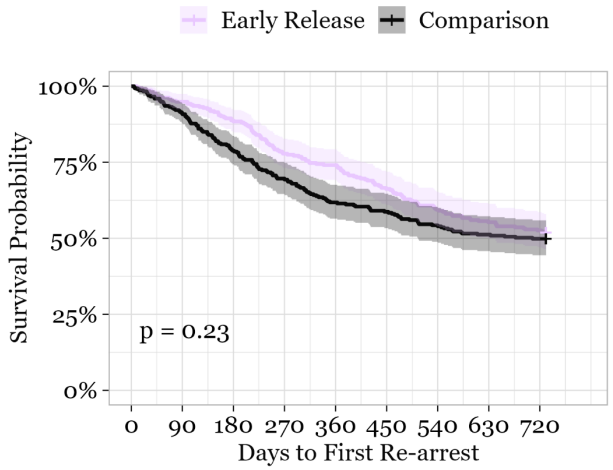
Among those re-arrested, individuals in the comparison group were re-arrested significantly sooner on average (249.7 days) than Early Release participants (330.6 days; $p < 0.001$). However, the average number of days to first felony re-arrest and first violent felony re-arrest did not differ significantly between the two groups.

Figure 1. Two-year Re-arrest Rates



While the average time to first re-arrest was significantly longer for Early Release participants, survival probability at the end of the two-year period was statistically similar between the two groups (**Figure 2**; log-rank test, p=0.23).

Figure 2. Days to First Re-arrest Survival Curve



Participant Profile

Early Release Program participants were mostly black (54%), non-Hispanic (63%), male (93%), and less than 50 years old at sentencing (85%).

More than half (54%) of the Early Release participants were serving a felony jail sentence at the time of release into the program, and approximately 44% were charged with a class A misdemeanor charge, the most common being petit larceny (27%), followed by non-aggravated assault and related offenses (21%).

Nearly all felony charges were nonviolent (96%), with only six participants (making up 2% of the Early Release population) released on a violent felony offense. There were no class A felonies released to the program.

Controlled Substances Offenses, the most common charge category overall (28%), accounted for approximately 42% of all felony charges in the Early Release population.

Program Compliance and Completion

Approximately 90% of the 296 program participants completed intake (10% never made contact), and nearly all (94%) stayed in the community and out of jail for the remainder of their sentence.[6] Thirteen participants were returned to custody prior to sentence completion (one had no contact with the program), and sadly, there were four participant deaths.[7] On average, participants spent around 95 days in the Early Release Program.

Among those participants who completed intake (n=268), the vast majority (88%) were in compliance with daily supervision check-in requirements at the point of sentence completion and discharge from the program (see **Appendix 4**).

Limitations

This study found no association between the Early Release Program and recidivism; yet as discussed above, our use of propensity score matching did not constitute a strict causal design. The primary limitation to the impact analysis was the use of a historical comparison sample drawn from cases disposed in 2018. Non-contemporaneous control bias may have been introduced by unmeasured differences in criminal justice practices and policies, as well as the effects of COVID-19, associated with the different time periods from which the treatment (Early Release Program) and comparison samples were drawn.

Another limitation relates to how re-arrests were counted in the recidivism analysis. Ideally, the standard tracking period for detecting a new arrest would begin *after* an individual was confirmed to be released from jail. However, the actual jail discharge date was only known for Early Release participants. Unfortunately, the DCJS data file from which the comparison sample was drawn only included sentencing date and total length of the sentence imposed by the court, which may differ from the actual amount of jail time served. Therefore, to minimize potential bias, researchers calculated the two-year follow-up period from the sentencing date (not the date of release from jail) for both groups. Still, it is possible that the two groups were not "at risk" for re-arrest for an equivalent amount of time, and unfortunately, any potential difference between the groups is unmeasurable and, therefore, could not be statistically adjusted.

Again, the propensity score model was limited to available criminal records data, which did not account for potential psychosocial differences between the Early Release Program and comparison samples. Therefore, researchers were not able to control for known criminogenic risk factors or any other unobservable characteristics, for example, related to education, employment, substance use, and housing stability.

Conclusions

In New York City, a once-again increasing jail population needs to be addressed—critically, for the planned closure of Rikers Island in 2027 and a transition to significantly smaller borough-based facilities. At the outset of COVID-19, there were approximately 550 city sentenced individuals in New York City's jails, dropping to under 100 at the peak of the pandemic in the summer of 2020, but rising steadily again over the years back to approximately 550 as of December 2024.[8] More acutely, from 2022 to 2024, at least 33 people died in the custody of New York City jails, amid widespread reports of inhumane conditions at the facilities.[9] The Early Release Program offers a vital and humane alternative to short-term incarceration sentences.

The study findings presented here point to a safe and effective jail reduction strategy with potential policy implications for longer-term decarceration efforts. Building on qualitative findings from our earlier companion study,[10] the impact analysis serves to strengthen researchers' key conclusion: where the political will exists, the Early Release Program can be implemented in jurisdictions as needed to reduce jail populations—in response to humanitarian, budgetary, or emergency health issues—without increasing recidivism. And high program completion rates (**Appendix 4**) demonstrate the potential for lighter touch, community-based, post-sentencing jail alternatives to offer effective accountability.

Appendices

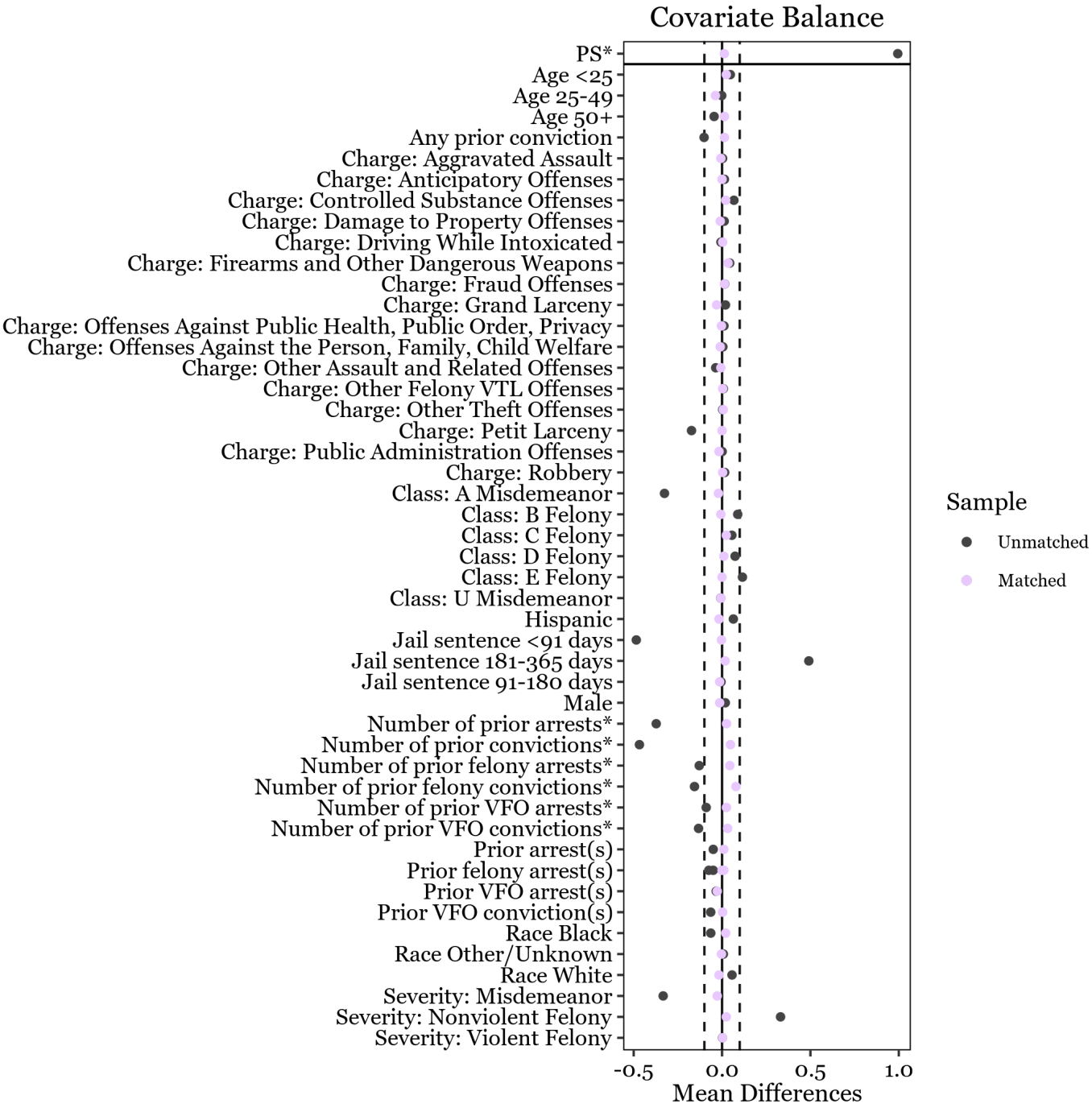
Appendix 1. Descriptive Characteristics in Unmatched vs. Matched Samples

	Unmatched			Matched		
	Early Release (N=293)	**Comparison** (N=5,932)	**p-val[1]**	**Early Release** (N=293)	**Comparison** (N=293)	**p-val[1]**
Demographics						
Age at Disposition (years)			0.036			0.629
24 and under	21%	16%		21%	18%	
25-49	64%	64%		64%	68%	
50+	15%	20%		15%	14%	
Male	93%	91%	0.332	93%	94%	0.615
Hispanic	38%	31%	0.025	38%	39%	0.734
Race			0.089			0.877
White	54%	60%		54%	52%	
Black	43%	37%		43%	45%	
Other/Unknown	3%	3%		3%	4%	
Case Characteristics						
Charge Severity			<0.001			0.784
Misdemeanor or Lesser	46%	79%		46%	48%	
Nonviolent Felony	52%	19%		52%	50%	
Violent Felony	2%	2%		2%	2%	
Charge Classification			<0.001			0.852
Unclassified Misdemeanor	2%	3%		2%	3%	
A Misdemeanor	44%	76%		44%	46%	
E Felony	19%	8%		19%	19%	
D Felony	15%	8%		15%	14%	
C Felony	7%	2%		7%	5%	
B Felony	12%	3%		12%	13%	
Charge Category			<0.001			0.919
Aggravated Assault	3%	3%		3%	4%	
Anticipatory Offenses	2%	1%		2%	2%	
Controlled Substance Offenses	28%	21%		28%	26%	
Damage to Property Offenses	8%	7%		8%	9%	
Driving While Intoxicated	2%	3%		2%	2%	
Firearms/Dangerous Weapons	10%	6%		10%	7%	
Fraud Offenses	5%	3%		5%	3%	
Grand Larceny	4%	2%		4%	7%	
Offenses Against Public Health, Public Order, Privacy	1%	0%		1%	2%	

	Unmatched			Matched		
	Early Release (N=293)	**Comparison** (N=5,932)	**p-val[1]**	**Early Release** (N=293)	**Comparison** (N=293)	**p-val[1]**
Offenses Against Person, Family, Child Welfare	2%	2%		2%	3%	
Other Assault/Related Offenses	11%	14%		11%	11%	
Other Felony VTL Offenses	2%	1%		2%	1%	
Other Theft Offenses	4%	3%		4%	3%	
Petit Larceny	12%	29%		12%	12%	
Public Administration Offenses	3%	3%		3%	4%	
Robbery	3%	2%		3%	3%	
Jail Sentence Length			<0.001			0.761
90 days or less	6%	54%		6%	6%	
91-180 days	5%	6%		5%	6%	
181-365 days	89%	40%		89%	87%	
Criminal History						
Prior Arrest	92%	97%	<0.001	92%	91%	0.769
Mean (SD)	16 (17)	22 (21)	<0.001	16 (17)	16 (17)	0.759
Prior Felony Arrest	86%	91%	0.004	86%	85%	0.813
Mean (SD)	7 (7)	8 (7)	0.032	7 (7)	6 (6)	0.567
Prior VFO Arrest(s)	65%	68%	0.261	65%	68%	0.540
Mean (SD)	2 (2)	2 (3)	0.137	2 (2)	2 (2)	0.758
Prior Conviction	82%	92%	<0.001	82%	80%	0.753
Mean (SD)	9 (11)	15 (17)	<0.001	9 (11)	9 (12)	0.568
Prior Felony Conviction	54%	61%	0.012	54%	54%	>0.999
Mean (SD)	1 (2)	2 (2)	0.010	1 (2)	1 (2)	0.316
Prior VFO Conviction	25%	32%	0.025	25%	25%	>0.999
Mean (SD)	0 (1)	0 (1)	0.028	0 (1)	0 (1)	0.705

[1]*Pearson's Chi-squared test; Welch Two Sample t-test*

Appendix 2. Covariate Balance Before and After Matching



*Standardized mean difference

Appendix 3. Two-Year Recidivism Outcomes

Outcome	Early Release N = 293	Comparison N = 293	p-val[1]
Any Re-arrest	48.1% (n=141)	50.2% (n=147)	0.620
Number of re-arrests			0.346
Total	393	495	
Mean (SD)	1.3 (2.3)	1.7 (3.3)	
Days to first re-arrest	330.6 (187.2)	249.7 (172.0)	**<0.001**
Felony Re-arrest	34.8% (n=102)	38.9% (n=114)	0.304
Number of felony re-arrests			0.407
Total	220	232	
Mean (SD)	0.8 (1.4)	0.8 (1.6)	
Days to first felony re-arrest	346.6 (188.6)	315.0 (182.7)	0.206
VFO Re-arrest	15.4% (n=45)	16.4% (n=48)	0.734
Number of VFO re-arrests			0.739
Total	63	66	
Mean (SD)	0.2 (0.6)	0.2 (0.6)	
Days to first VFO re-arrest	397.6 (191.3)	354.3 (162.3)	0.219

[1]*Pearson's Chi-squared test; Wilcoxon rank-sum test*

Appendix 4. Early Release Program Completion and Compliance

Program Outcome	Total Released (N=296)	Completed Intake (N=268)
Completed Intake	90.5%	100%
Never Made Contact	9.5%	0%
Program Completion Status		
Completed Sentence in Community	94.3%	94.0%
Returned to Jail	4.4%	4.5%
Death	1.4%	1.5%
Compliance Status at Discharge*		
In Compliance	79.8%	88.3%
Out of Compliance	20.2%	11.7%
Average Time in Program at Discharge	88 days	95 days

**Excludes participants administratively discharged prior to sentence completion due to death (n=4).*

Endnotes

[1] The three non-profits were CASES, the Center for Justice Innovation, and the New York City Criminal Justice Agency.

[2] Rempel, M. (2020). COVID-19 and the New York City Jail Population. New York, NY: Center for Justice Innovation.

[3] Martinez, A., Weill, J., Villegas, L., Wada, C., Rempel, M., & Pooler, T. (2022). The Will to Decarcerate: COVID-19 and NYC's Early Release Program. New York, NY: Center for Justice Innovation.

[4] Martinez, A. (2022), Op Cit.

[5] Jail days are a key covariate, as they inversely represent the time at risk of rearrest after detention. To check the robustness of results, researchers also ran the regression model including jail days—the most imbalanced covariate of the unadjusted sample— as a continuous variable, on top of the propensity scores; results were unchanged.

[6] The term "participant(s)" is used throughout this report to refer to the whole population of indiviuals released to the Early Release Program—whether or not they completed intake or engaged with the program.

[7] Participants who died during the follow-up period were not censored in the survival analysis as death outcomes were not available for the comparison sample.

[8] Data Collaborative for Justice. New York City Jail Population Tracker.

[9] McCann, S. & Bryant, E. (2025). First Confirmed Jail Death of 2025 Brings New York City's Total to 34 Under Mayor Adams.

[10] Martinez, A. (2022), Op Cit.