

The Early Release 6A Program Documented Results: Six Month Update (September 22, 2020)

On March 18, 2020, an individual held at the Rikers Island jail complex tested positive for COVID-19. One month later, the Board of Correction reported more than 1,200 confirmed cases in New York City jails, including 362 people held in custody and 848 Department of Correction or Correctional Health Services staff. In response to this crisis, the Mayor's Office asked the city's three supervised release providers to provide daily remote supervision and services to individuals released early from a jail sentence under the Early Release 6A Program.¹ Initial results from the program were published in April; this document provides a six-month update.

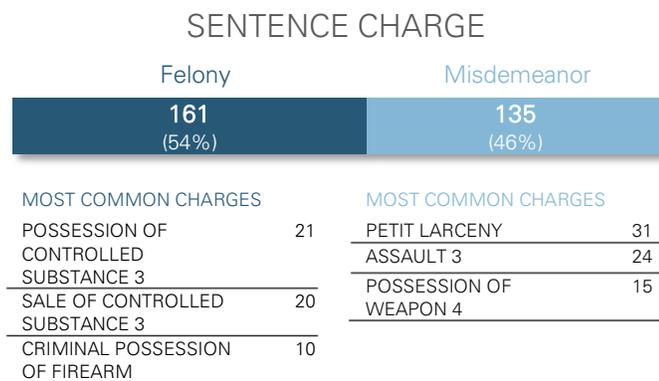


A Humane Response to COVID-19

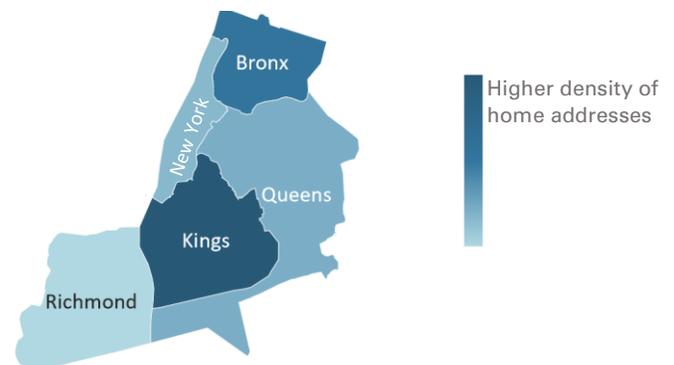
From March 22 to April 22, New York City reduced the number of people potentially exposed to COVID-19 while incarcerated on a city jail sentence (of one year or less) from 553 to 125, a reduction of more than 75%; the Early Release 6A Program is largely responsible for that decline.

In the first month following the start of the program on March 22, **about 300 individuals** were released into supervision from high-risk conditions in New York City's jails—reducing health risks while also prioritizing public safety. There have not been any further releases into the program; however, the disproportionate impact of COVID-19 on our jails remains: after six months, more than 1,600 staff have now tested positive, and on September 22, 248 of 4,307 people detained in city jails tested positive for the virus.

Who Was Released to the Program?



COUNTY OF RESIDENCE



*NOTE: COUNTY OF RESIDENCE IS NOT AVAILABLE FOR 15 INDIVIDUALS; 23 ADDRESSES OUTSIDE OF NEW YORK CITY ARE EXCLUDED.

Program Model

The Mayor's Office of Criminal Justice and the Department of Correction spearheaded the development of the 6A Program model in collaboration with the Center for Court Innovation, the New York City Criminal Justice Agency, and CASES. The model integrates rigorous supervision with individualized services and support.

Daily Supervision: Individuals must attend a remote check-in every day, weekends included. Check-ins include: a wellness check; counseling; reminders related to state COVID-19 directives; information on available housing, income, and food assistance; and connections to other remote services.

¹ Article 6-A of the State Correction Law gives the Department of Correction the authority to release individuals before the end of their sentences. "Early Release Program" and "6A Program" are often used interchangeably.

Outreach: In the event of a missed check-in, case managers respond immediately to re-establish contact. This includes outreach to family members, community contacts, and sending letters and text reminders reiterating program requirements.

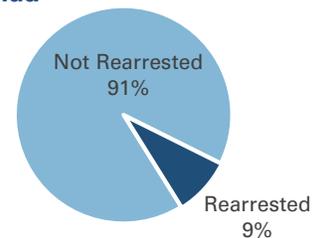
Accountability: Daily reports are sent to the Department of Correction (DOC) on any participant re-arrested or otherwise noncompliant. Providers also send certified letters to participants and their attorneys flagging missed check-ins. DOC may revoke and return noncompliant participants to jail.

Results to Date

Compliance: Over the program’s first six months, approximately **20,250 successful remote check-ins were completed**. As of September 22 (six months after release), only 29 of the 296 released individuals remained under early release supervision. Among the participants who completed their sentences, **78% were in-compliance with required daily supervision check-ins at the point of discharge from the program.**²

One month following release, when 246 people were still under active supervision, **92% were in-compliance with required daily supervision check-ins**.

Public Safety: At the end of the program’s first month, only 2% of participants had been re-arrested. As expected, over time, that rate increased. **After six months, 26 participants—9% of all those enrolled—had been re-arrested**³ for an incident while under supervision. A total of **15 participants (5%) were re-arrested on a felony charge** (one of which the District Attorney declined to prosecute); and **only 2 (less than 1%) were re-arrested on a violent felony charge**. Among participants initially convicted of a felony, only **4%** were re-arrested—a modestly lower re-arrest rate compared to those initially convicted of a misdemeanor.



Re-Incarceration: Only **13 participants** had their release revoked and were returned to jail before their sentence end date.

Response to Needs: To date, providers have given participants **more than 400 referrals** to community-based supportive services. Participants’ greatest needs have been in the areas of benefits, employment, and housing—just over 40% flagged for housing needs on the assessment conducted at intake. To help ensure daily engagement, nearly **170 phones** were allocated to participants without reliable phone access.

Why Has the Program Been Effective?

The program is modeled on the **Supervised Release Program**, an initiative of the Mayor’s Office of Criminal Justice, launched in 2009 as an alternative to bail. Operating in collaboration with the state court system, a recent [evaluation](#) found the program reduced the use of bail (and resulting pretrial detention) by 44% across the Bronx, Brooklyn, and Queens, and by 64% in Manhattan, without any increase in re-arrest rates.

From March 2016, when the program expanded citywide, through mid-March 2020, **almost 20,000 cases have been sent to Supervised Release. The overall court appearance rate is 95%**, with 87% of participants never missing a single pretrial court date. **Only 8% of participants were re-arrested for a new felony while on pretrial supervision**, and the program contributed to significant declines in the city’s jail population.

For more information, contact Tia Pooler (poolert@courtinnovation.org) or Camille Wada (wadac@courtinnovation.org) at the Center for Court Innovation (courtinnovation.org)

² The population *not* in compliance at discharge (22%) contains the 13 individuals re-incarcerated before their original sentence end date (see “Re-Incarceration”); however, re-incarceration is not the standard response to program noncompliance. Noncompliance with daily check-in requirements is defined as two or more consecutive days without contact. Case managers employ persistent efforts to reengage participants who are not in full compliance (see “Outreach”), but if efforts are not successful before the participant’s sentence end date, an out-of-compliance status is assigned at discharge.

³ Eight of these individuals were only given a desk appearance ticket and have not yet been arraigned in court; these cases could still be declined for prosecution or otherwise diverted from the court process.