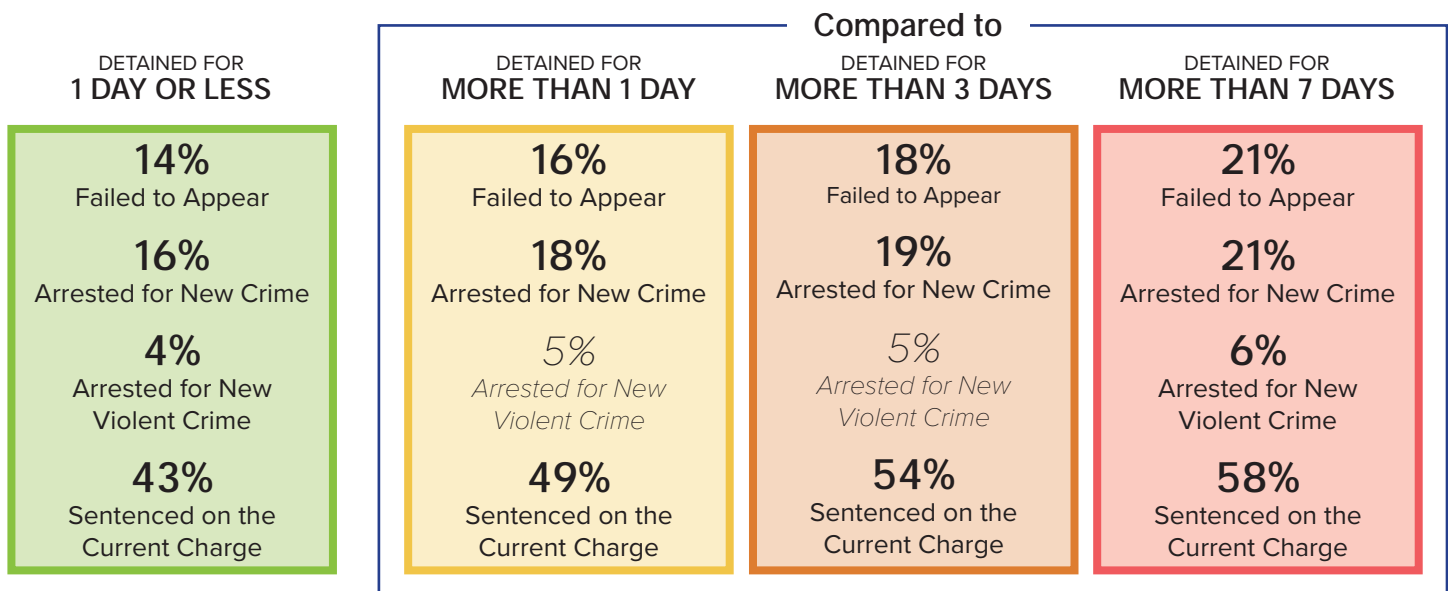


The Benefits of Early Release from Pretrial Detention

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Summary of Findings: Defendants detained in jail for fewer days had better legal outcomes than those detained for more days during pretrial.

RTI International is the independent research partner for Arnold Ventures’ Advancing Pretrial Policy and Research (APPR) initiative. This research brief summarizes the results of a study evaluating the effects of different durations of time spent in pretrial detention on the rates of missing a court appearance (commonly known as “failure to appear”), being arrested for a new criminal offense, being arrested for a new violent criminal offense, and being sentenced on the current charge. The study sample includes 31,740 criminal defendants who were booked into jail across three counties in the United States. The analyses estimated the effects of pretrial detention on the outcomes by comparing individuals detained for 1 calendar day or less to individuals with similar criminal histories, offense types, offense levels, number of charges, and demographic characteristics who were detained for more than 1, 3, and 7 calendar days.¹



The study results illustrated that people detained in jail for fewer days had better legal outcomes than those detained for more days during pretrial. People held for one day or less had the best legal outcomes. The bold text in the figure identifies statistically significant differences between the defendants detained for more than 1, 3, or 7 days and defendants detained for 1 day or less. Compared to similarly matched defendants who were detained for more 7 days, those who were detained for 1 day or less experienced a 33% reduction in failure to appear, a 20% reduction in new criminal arrests, a 33% reduction in new violent criminal arrests, and a 28% reduction in the rate of sentencing and conviction. Overall, these findings highlight that the use of shorter periods of pretrial detention might help reduce the rate of negative legal outcomes.

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¹ The risk factors associated with pretrial detention and the outcomes (e.g., criminal histories, offense types, offense levels, number of charges, and demographic characteristics), were used to 1) minimize the differences in risk between the individuals detained for 1 calendar day or less and individuals detained for more than 1, 3, and 7 calendar days, and 2) as statistical controls when predicting failure to appear, new criminal arrest, new violent criminal arrest, and sentenced on the current charge.

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The differences between individuals detained for 1 calendar day or less and individuals detained for more than 1, 3, and 7 calendar days were minimized by weighting the analyses using the criminal history, offense type, offense level, number of charges, and demographic characteristics of each person. For individuals detained for 1 calendar day or less, the observations associated with more risky individuals were upweighted while the observations associated with less risky people were down weighted. For individuals detained for more than 1, 3, and 7 calendar days the observations associated with less risky individuals were upweighted while the observations associated with more risky individuals were down weighted. This weighting process is important because it balances the risk of the individuals across both groups, creating a fairer comparison between individuals detained for less versus more time. In addition to minimizing the risk differences between these groups, the analyses controlled for the criminal history, offense type, offense level, number of charges, and demographic characteristics of each person to limit the influence of any remaining differences these groups.