



Pretrial Intervention: The Effect on Recidivism in the United States

Rayhan D. Garlasco

Ramapo College of New Jersey, Mahwah, NJ, 07430

Pretrial Intervention Programs (PTI): “post-arrest, pre-arraignment program which diverts eligible accused criminal offenders into short-term, community-based programs and supervision and supportive services” (Lucker & Osti, 1997, p. 3)

Participation and Completion Results in:

- Prevention of lengthy trial and possible incarceration
- Expungement of their criminal record
- Rehabilitative services that assist with personal issues
 - Drug Addiction, Unemployment, etc.
- Dropping of all Charges
- Avoids Loss of professional licenses
- Removes the individual from cycle of recidivism

NJ Programs set multiple requirements:

- 18 years or older at the time of crime
- No past convictions
- Not previously diverted under PTI
- Not charged with petty crimes
- Should be NJ resident but nonresidents can apply
- Not charged with felony or other high level crimes

PTI federal programs established in 1960s by Lyndon B. Johnson Presidency to reform Criminal Justice System and promote rehabilitation

PTI emerges in multiple state-run programs in 1970s

- NJ Supreme Court passes R. 3:28
 - Established Guidelines for the PTI process in NJ
 - PTI programs need SC approval to begin operation
 - R. 3:28 is updated in the following years to:
 - streamline the PTI process
 - Protect rights of participants
 - Serve participants with ability to be rehabilitated

Are PTI programs effective at Reducing Recidivism and providing other benefits to our Criminal Justice System?

PTI Today: 290 program across 45 states

PTI Programs Effects and Benefits

- Savings in time and resources for CJS
- Reduction in Recidivism among participants
- Provides stable employment for participants

Lucker and Osti (1997): El Paso County PTI:

- 2 study groups: PTI group and probation group
 - 10 years study with 4,000 participants
 - 70% of PTI group did not reoffend
 - 63% of Probation Group did not reoffend
 - PTI saves the County \$1.6 million per year
 - Costs \$580 per case but PTI self funded
 - Could save the U.S \$300 million per year

Newark Defendants' Employment Project (N.D.E.P.) Hudson County PTI program (Zaloom, 1974)

- Newark PTI – 760 participants – 5% recidivism
- Hudson PTI – 540 participants – 8.5% recidivism

Peterson (1973): Dade County Pretrial Intervention Project

- 797 participants in the study with follow up interview 3-6 months after program completion
- 32% had Full time job before the program, 58% had gotten full time job after the program

NASPA – 2007 Study on 67 programs:

- 84% of programs had completion rates of 70%
- 23 programs recorded recidivism rates:
 - 5% for new felonies, 12% for misdemeanors

Conclusions

- PTI is effective at reducing recidivism, saving time and resources for Justice system, and providing lasting and stable employment for successful participants
- PTI's effects have a multilayered benefit
 - 1.) Participants of PTI have a brighter life
 - 2.) Society has reduced crime and new members of society that are contributing to the economy and overall success
 - 3.) CJS has more time and resources to spend on cases dealing with far more dangerous offenders charged with very serious crimes
- PTI programs require more support and exposure from media and public because they have the ability to assist in solving the recidivism issue in the United States while also relieving the CJS of thousands of cases
- Majority of Programs need support in funding
 - For Example: NASPA Survey found:
 - Median Budget for 62 programs - \$159,000
 - 8% of programs - \$1 million budget
- Increase in funding and resources will allow more PTI programs to take on more participants while also spending more resources on collecting data regarding recidivism rates for successful participants which would only further support the academia on subject of PTI and its effects on recidivism along with its ability to save costs in the criminal justice system