

The Initial Collateral Consequences of Pretrial Detention: Employment, Residential Stability, and Family Relationships

Study Design and Data Collection

- Trained staff from the New York City Criminal Justice Agency's (CJA), [Outreach Center](#) conducted **phone interviews with 1,529 individuals** arrested and charged with felonies or misdemeanors and lesser charges in NYC between July 2019 and March 2021.
- These interviews explored how participants' employment situation, residential stability, and family relationships changed since their arrest, and whether pretrial detention was associated with these outcomes.
- On average, **respondents were interviewed about 15 days after release** from Central Booking (for those who were released at arraignment) or pretrial detention (for those who were held).
- New York State's bail reform, which went into effect in 2020, reduced the number of individuals detained pretrial. As a result, the **proportion of participants who were held following their most recent arrest was 7.4% (n=113)** of the study sample.
- The **average length of pretrial detention prior to release was 9 days**. Thirty-one respondents (27.4%) were detained for only up to one day, 37 respondents (32.7%) were detained for 2 to 4 days, 25 respondents (22.1%) were detained for 5 to 6 days, and 20 respondents (17.7%) were detained for a week or longer. **All detained participants were held because they could not make bail.**

Key Findings

- Individuals' justice-involvement is negatively associated with their employment, financial, and residential stability, as well as their family relationships.
- Pretrial detention predicts job issues, loss of employment, and becoming homeless. Nearly a quarter of participants reported that they missed at least one important family event due to their arrest or pretrial detention.

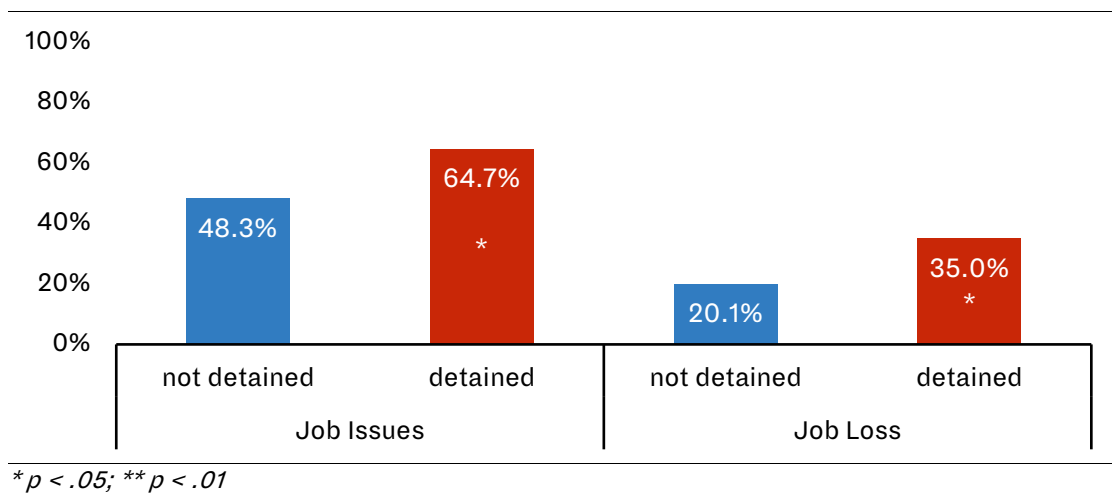
Justice Involvement and Employment Stability

- **Half of individuals who were employed at the time of arrest (n=1,031) reported that their justice involvement created issues at their job (n=510)**. The most common issue was missing shifts (35%), followed by being fired/laid off (27%), and suspended (17%). About 8% of employed respondents worked fewer hours, 6% lost clients or had lower income, and 4.3% lost work responsibilities or were demoted because of their justice involvement.
- **Twenty percent of respondents who held the same job at the time of arrest and at the time of the survey interview (n=775) reported that their work conditions had gotten worse**

(*n*=156), while less than one percent of participants reported that their work conditions had gotten better since their arrest (*n*=6).

- **Over one in five participants who were employed at the time of arrest (*n*=1,031) were no longer employed when they were interviewed (*n*=219), and only one in twenty participants who were not employed at the time of arrest (*n*=498) had gained employment by the time they answered the survey (*n*=25).**
- Individuals who were held pretrial had a 65% likelihood of experiencing issues at their job compared to a 48% likelihood for non-detained individuals (Figure 1). **Detained individuals were 34% more likely to report that they had job issues than their non-detained counterparts.**
- Detained individuals had a 35% likelihood of becoming unemployed since their arrest compared to a 20% likelihood for non-detained individuals (Figure 1). **Participants who were detained pretrial were 74% more likely to become unemployed than non-detained participants.**

Figure 1: Likelihood of Having Job Issues and Likelihood of Becoming Unemployed by Detention Status



Justice Involvement and Residential Stability

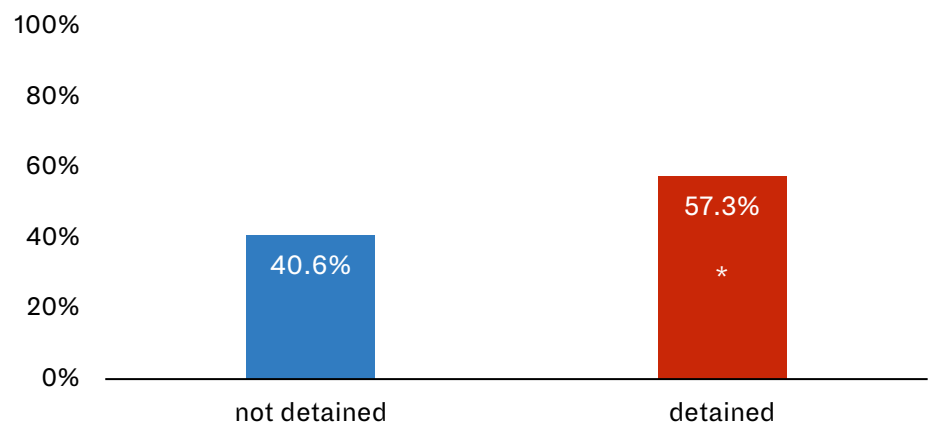
- Residential stability decreased following individuals' arrest. Thirty percent of respondents either had issues paying rent or utilities or were under threat of being evicted or rejected from their home in the 12 months prior to their arrest (*n*=454) compared to 27% of respondents who had such housing issues since their arrest (*n*=410). While slightly fewer individuals experienced housing stability issues post-arrest compared to pre-arrest, it is important to note that the pre-arrest period individuals were asked about was one year whereas the post-arrest period was on average only 16 days.
- Individuals who experienced such housing issues in the year prior to their arrest were significantly more likely to also experience housing issues since their arrest. Specifically, about half of respondents who experienced housing issues before arrest also experienced housing issues since their arrest (*n*=230), compared to only 17% of respondents who did not have housing issues prior to arrest (*n*=180).

- **Almost 13% of participants experienced homelessness at some point between 12 months prior to their arrest and the survey interview (n=197).** Of those participants who were homeless when they completed the survey interview (n=127), 69% were already homeless when they were arrested (n=88), and 31% *became* homeless after their arrest (n=39).
- Participants who were not detained had a 2.3% likelihood of losing their home whereas those who were held pretrial had almost a 12% likelihood of becoming homeless (Figure 2). **Pretrial detention is associated with a 420% increased likelihood of becoming homeless.** This relationship is significant at the .05 level.

Justice Involvement and Family Relationships

- The proportion of respondents who were in a relationship significantly decreased between their arrest and the survey interview. **Almost half of participants were married or in a romantic relationship when they were arrested (48%; n=737) but only 38% had a spouse or partner at the time of the survey (n=574).**
- Just under half of respondents (48%) reported that their family relationships stayed overall the same since their arrest, 15% had better relationships with their family since their arrest, and almost 30% reported that their relationship with their family had gotten worse. About 22% of participants reported that they missed at least one important family event due to their justice involvement.
- **Detained individuals had a 57% likelihood of being inhibited in their ability to provide for their children due to their justice involvement compared to a 41% likelihood for non-detained individuals** (Figure 2). Detained participants were 41% more likely to report that their justice involvement had a negative impact on their ability to provide for their children.

Figure 2: Likelihood of Justice Involvement having a Negative Impact on Parents' Ability to Care for their Children by Detention Status



* $p < .05$; ** $p < .01$

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