


THE IMPOSITION OF PRETRIAL CONDITIONS ON RELEASED FEDERAL DEFENDANTS

The Overuse of Conditions Without Providing Any Measurable Benefits

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In the federal system, defendants placed on pretrial release may have multiple conditions imposed on them which are aimed at ensuring court appearances and maintaining public safety. In general, little is known about the number of conditions imposed on released federal defendants, the extent to which conditions are associated with pretrial risk, and the potential of these conditions to maximize court appearances and minimize pretrial crime. This study seeks to address these issues by examining the imposition of pretrial conditions on 223,260 released federal defendants. The results show that defendants received an average of about nine conditions and that the association between conditions and a defendant's pretrial risk classification was relatively modest. The results also show conditions having no significant relationship with reductions in the likelihood of pretrial crime or missed court appearances; however, the probability of being revoked increases with the number of conditions imposed.

Keywords: risk assessment; criminal justice system; recidivism; assessment; decision-making

When a person is arrested and charged with a criminal offense, judicial officials must determine whether that person (that is, the defendant) should be released back into the community or detained pretrial (American Bar Association, 2007). The decision to release or detain a defendant represents a crucial point within the criminal justice process (Carr, 2017). Defendants facing pretrial incarceration are beset with numerous adverse consequences, including the curtailment of their personal liberties and increases in their

AUTHORS' NOTE: *The authors would like to thank Amaryllis Austin, Trent Cornish, Sara Valdez Hoffer, Christopher Lowenkamp, and Vanessa Starr for their helpful suggestions and comments. Special thanks to Ellen Fielding and Suzelle Fiedler for their careful editorial reviews. Correspondence concerning this article should be addressed to Thomas H. Cohen, Probation and Pretrial Services Office, Administrative Office of the U.S. Courts, One Columbus Circle, NE, Washington, DC 20544; e-mail: thomas_cohen@ao.uscourts.gov.*

CRIMINAL JUSTICE AND BEHAVIOR, 2023, Vol. 50, No. 12, December 2023, 1852–1873.

DOI: 10.1177/00938548231206829

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likelihood of conviction and incarceration (Dobbie et al., 2018; Gupta et al., 2016; Heaton et al., 2017; Lowenkamp et al., 2013).

While the pretrial release decision and its repercussions represent a topic of crucial interest, relatively less attention has been expended on the circumstances in which defendants are released pretrial (Bechtel et al., 2017; Levin, 2007; Mamalian, 2011). Specifically, defendants placed on pretrial release can be subjected to a multitude of restriction, monitoring, and treatment conditions which are ostensibly imposed to maximize court appearances and minimize pretrial crime (Clarke, 1988). While some research has focused on the types of conditions imposed (e.g., location monitoring, substance abuse testing, substance abuse treatment, and so on; see Bechtel et al. (2017) and Mamalian (2011)), there has been relatively little research examining the number of conditions placed on released defendants and the association between the quantity of conditions and a defendant's proclivity for engaging in pretrial misconduct.

The lack of research on this issue represents an important knowledge gap to address because the quantity of conditions could serve as an indirect measure of supervision intensity. That is, released defendants with more conditions could potentially be subjected to greater levels of pretrial supervision than defendants with fewer conditions. Research on the efficacy of supervision intensity, however, has shown increased levels of supervision scrutiny having no association with improvements in community safety but higher correlations with technical violations (Grattet & Lin, 2016; Hyatt & Barnes, 2017; Petersilia & Turner, 1990).

This study seeks to further enhance our understanding of the role of supervision intensity by examining this issue at the pretrial stage through the application of pretrial conditions. Specifically, it takes advantage of an administrative dataset of persons placed on release in the U.S. federal system and examines the extent to which the number of conditions is associated with pretrial risk and the potential of these conditions to maximize court appearances and minimize pretrial crime. We chose to focus on the federal courts because findings from this research could have important implications on judicial release decisions and pretrial supervision at the federal level and perhaps even have applications for state courts.

OVERVIEW OF LITERATURE ON PRETRIAL CONDITIONS

Before examining conditions in the federal pretrial system, it is important to cover what we know generally about pretrial conditions. Nearly all the extant literature focuses on the types rather than number of conditions placed on released defendants. In general, the literature suggests that many conditions are applied in a blanket-like fashion and are often imposed without consideration of a defendant's risk of pretrial failure or criminogenic needs (Bechtel et al., 2017). Moreover, there has been relatively little empirical research on the efficacy of these pretrial conditions, and what research exists shows that many have not worked as intended (Bechtel et al., 2017; Mamalian, 2011; VanNostrand et al., 2011; VanNostrand & Keebler, 2009).

Among the various types of pretrial conditions, perhaps the most common involve monitoring or treatment interventions. Substance abuse testing and location monitoring encompass some of the most frequent forms of monitoring conditions (Mahoney et al., 2001; Pretrial Justice Institute, 2009, 2012; VanNostrand et al., 2011; VanNostrand & Keebler, 2009). Substance abuse testing has become a particularly commonplace tool to gauge whether defendants are engaged in drug abuse while on pretrial release (Pretrial Justice Institute, 2009, 2012; VanNostrand et al., 2011). Conversely, location monitoring involving

the use of global positioning system (GPS) or radio frequency methods has witnessed increased utilization as a mechanism for reducing jail overcrowding and ensuring that released defendants comply with certain specified release conditions (Bechtel et al., 2017; Cadigan, 1991; Coopriider & Kerby, 1990). In addition to these monitoring programs, some pretrial conditions attempt to treat defendants for substance abuse, mental health problems, or sex offender issues (Mahoney et al., 2001; VanNostrand & Keebler, 2009). Existing research, however, has failed to generate conclusive evidence that these pretrial monitoring or treatment programs reduce the likelihood of missed court appearances or pretrial crime (Bechtel et al., 2017; Cadigan, 1991; Maxfield & Baumer, 1992; Pretrial Justice Institute, 2009; VanNostrand et al., 2011; VanNostrand & Keebler, 2009; Visser, 1992). Moreover, there is some evidence that the placement of these conditions on lower risk defendants is associated with an increase in the likelihood of pretrial failure (VanNostrand & Keebler, 2009).

Another commonly utilized pretrial condition involves the placement of released defendants on some form of pretrial supervision program (VanNostrand et al., 2011). Pretrial supervision can encompass a range of interventions and management strategies including “face-to-face contacts, home contacts, telephone contacts, collateral contacts, court date reminders, and criminal history checks” (VanNostrand et al., 2011: 29). Unfortunately, there exists no standard or uniform understanding of what baseline practices and strategies should be incorporated into pretrial supervision programs. This lack of uniformity has created significant obstacles to the empirical evaluation of these programs and the few empirical studies that have attempted to assess their efficacy have generally not found them to be associated with reductions in court skips or pretrial crime (Bechtel et al., 2017; Mamalian, 2011; VanNostrand et al., 2011).

It is also important to acknowledge that the imposition of financial bail conditions (e.g., deposit bond, surety bond, and property bond) constitutes another form of restrictive conditions placed on defendants. Several studies have found that the more restrictive bond types (e.g., financial bonds) are associated with lower rates of failure to appear (FTA; Cohen & Reaves, 2007; Helland & Tabarrok, 2004). A recently published meta-analysis of pretrial interventions, moreover, highlighted the fact that most studies examining the issue of financial bail and pretrial failure show a reduction in FTA, but not in pretrial crime, occurring for those defendants placed on financial release (Bechtel et al., 2017).

As previously mentioned, there have been few, if any, efforts to examine the quantity of release conditions imposed as an indirect measure of supervision intensity and the relationship between the number of conditions and pretrial violations. While there’s a dearth of literature on this issue, there exist several studies assessing the association between intensive supervision programs (ISPs) and rearrest/technical violation outcomes for persons on probation or parole (Grattet & Lin, 2016; Hyatt & Barnes, 2017; Petersilia & Turner, 1990). In general, these studies found that groups receiving ISPs had similar rearrest patterns, but higher rates of technical violations compared to their regularly supervised counterparts (Petersilia & Turner, 1990). Researchers focusing on this issue concluded that these programs seemed more geared toward monitoring whether supervisees met their program’s specified conditions rather than alleviating criminogenic needs (Petersilia & Turner, 1990). While the federal pretrial system does not maintain a specific ISP, judicial discretion to assign numerous conditions could create a situation akin to that of intensive supervision.

CONDITIONS IN THE FEDERAL PRETRIAL SYSTEM

The authority of judicial officials to assign conditions on released federal defendants has been shaped by various legal reforms enacted over a period spanning several decades (Austin, 2017; VanNostrand & Keebler, 2009). Starting with the Bail Reform Act of 1966, a presumption in favor of releasing defendants under the least-restrictive conditions was established (Austin, 2017). Legal reforms aimed at enhancing the judge's ability to obtain verifiable information that could be used to assess the likelihood of pretrial success and the conditions that could be imposed continued during the 1970s and 1980s (Austin, 2017; Government Accountability Office, 1978). Specifically, the Pretrial Services Act of 1982 mandated that federal pretrial services or probation officers engage in the collection, verification, and reporting to judicial officers of all pertinent information on defendants charged with federal offenses before the release decision and that they recommend appropriate conditions of release in the bail report (Lowenkamp & Whetzel, 2009; VanNostrand & Keebler, 2009).

The officer's authority to investigate a defendant's background and recommend conditions of release was further expanded by the Bail Reform Act of 1984 (hereafter, the 1984 Act). This act required federal officers and judicial officials to consider a defendant's dangerousness or threat to community safety, in addition to flight risk, when making pretrial release decisions (Cadigan et al., 2012; Goldkamp, 1985; Lowenkamp & Whetzel, 2009; VanNostrand & Keebler, 2009). Importantly, the 1984 Act provided federal officers with the capacity to recommend in the bail report specific pretrial conditions that judicial officers have authority to impose.

CONDITIONS IN THE FEDERAL SYSTEM AND THEIR ASSOCIATION WITH PRETRIAL RISK ASSESSMENT

While there have been several empirical efforts to examine conditions in the federal system, probably one of the most important and groundbreaking research efforts aimed at investigating the imposition of pretrial conditions on federal defendants occurred over 10 years ago when the Office of Federal Detention Trustee (OFDT; see VanNostrand & Keebler, 2009) initiated a study whose purpose was to assist in the design and development of an actuarial risk tool that could be used to inform federal pretrial release and detention decisions (Cadigan et al., 2012; Lowenkamp & Whetzel, 2009; VanNostrand & Keebler, 2009). In addition to developing a risk assessment framework, the study provided an empirical analysis of the imposition of several, but not all, pretrial conditions under the alternatives to detention (ATD) framework.¹

The OFDT study's novelty regarding conditions involved its categorization of 172,515 released defendants into one of five risk groupings based on various risk criteria (e.g., criminal history, age, employment status, etc.) available in the federal case management system and its subsequent examination of how the ATD conditions correlated with both pretrial risk and failure—defined to include a combination of either missed court appearances and/or rearrests for new criminal offenses (VanNostrand & Keebler, 2009). The study found that defendants deemed higher risk by the study's classification scheme were more likely to receive ATD conditions than their lower risk counterparts. In regards to pretrial violation activity, VanNostrand and Keebler (2009) found that lower risk defendants with ATD conditions manifested higher failure rates compared to their lower risk counterparts without ATD conditions.

While the OFDT study provided important insights into the application of pretrial conditions and risk, it did not explore the total number of conditions imposed and the association between the quantity of conditions and the individual types of pretrial violations outcomes (e.g., rearrests, FTAs, and revocations). In addition, the OFDT study did not have actual officer-generated risk assessments in which to categorize defendants. Since the OFDT study, the federal system has developed and implemented a pretrial risk assessment tool (hereafter the PTRAs). With the advent of the PTRAs, we can for the first time assess the extent this instrument serves as a basis in which to impose conditions. The potential relationship between conditions and PTRAs risk scores will be particularly interesting to explore as federal judges typically do not see the defendant's PTRAs risk classifications. Federal pretrial officers, however, do calculate the PTRAs risk assessments and recommend conditions so, in theory, conditions and pretrial risk as scored by the PTRAs might be related.

PRESENT STUDY

We seek to enhance the work begun by OFDT by exploring how pretrial conditions are being imposed on released federal defendants and whether these conditions are associated with reductions in pretrial crime, missed court appearances, and revocations. The initial part of this research is mostly descriptive and focuses on detailing in what way courts impose conditions on released federal defendants. The following issues form the main components of this research:

1. On average, how many pretrial conditions are imposed on released defendants?
2. To what extent are the average number of pretrial conditions imposed on defendants associated with pretrial risk as assessed by the federal pretrial risk assessment instrument (e.g., PTRAs)?
3. What other factors, including the most serious offense charges and demographic characteristics, are correlated with the number of pretrial conditions imposed on released defendants?

The second part of this research delves into whether the number of conditions imposed are associated with reductions in pretrial violation activity. Pretrial violations encompass several outcomes that are examined separately, including rearrests for crimes committed while on pretrial release, missed court appearances, and release revocations resulting from either technical violations or new crimes. This component of this study examines:

1. Whether the overall number of pretrial conditions imposed is associated with reductions, increases, or no changes in the probability of rearrest, FTA, or revocation occurring while on release, and
2. Whether the relationship between the number of conditions and pretrial violation outcomes is moderated by the defendant's PTRAs risk levels.

METHOD

SAMPLE

The sample used to examine the imposition of pretrial conditions on released defendants was drawn from an administrative dataset maintained by the Administrative Office of the U.S. Courts that included a population of 768,533 persons whose cases were opened

in the 94 federal district courts between fiscal years 2012 through 2020.² It should be noted that this initial population included all defendants with pretrial intakes, regardless of whether they were released or detained pretrial. Defendants were deemed eligible for this study if they (1) were released pretrial so that we could examine the conditions imposed as part of the release decision and track the relationship between release conditions and violation outcomes (n lost = 542,457 defendants) and (2) had an actual or imputed PTRAs assessment³ for the purpose of assessing the relationship between pretrial risk and conditions (n lost = 2,816 defendants). The use of these criteria yielded a pool of 223,260 defendants that could be used to evaluate the imposition of pretrial conditions on released federal defendants.

We combined multiple years of pretrial data because several key variables of interest, including the average number of conditions imposed and the dependent variables, have remained relatively stable during this time. In addition, the outcomes of interest including rearrests, FTAs, and revocations occur relatively infrequently (see Table 1). Hence taking advantage of a large dataset can produce more stable and reliable statistical models. Finally, using such a large datafile allows for an examination of subgroups such as defendants in the highest risk categories where sample sizes are smaller (see Table 1).

Table 1 provides a descriptive overview of defendants in the study sample. Among the population examined, 6% were rearrested for new crimes, 2% missed their court appearances, and 9% were revoked from pretrial release. About two fifths of the study population (39%) comprised non-Hispanic White individuals, while Black individuals (26%) and Hispanic individuals of any race (28%) accounted for similar portions of defendants. Males accounted for 72% of the study population, and the average defendant age was about 38 years ($SD = 13.1$). The offense types that accounted for the largest portion of defendants involved property, drug, and weapons/firearms offenses. About 57% of defendants were classified as PTRAs ones and twos, 26% were grouped into the PTRAs three category, and the remaining 16% were PTRAs fours or fives. Table 1 also provides information on the percentage of defendants recommended for release by pretrial officers (84%) and the average number of monthly contacts officers made with the defendant (i.e., personal contacts) or collateral sources.

MEASURES

Pretrial Conditions

To empirically investigate the issue of pretrial conditions in the federal system, it is initially important to define the term pretrial condition. According to 18 U.S.C. §3142, pretrial officers are instructed to recommend and judges to assign the least-restrictive conditions that will reasonably assure the appearance of the person as required and the safety of any other person and the community. By statute, some conditions are mandated for all released federal defendants regardless of their propensity to miss their court appearances or commit crimes while on pretrial release. These include proscriptions against violating any federal, state, or local laws, cooperating in the collection of DNA samples, reporting any address changes, and appearing for all scheduled court appearances. Because these conditions are required for all defendants, we omitted them from our analysis. Moreover, it is important to note that the conditions examined were restricted to those imposed before or at the time of pretrial release. We removed conditions imposed after the release decision because they are typically assigned in response to defendants violating their release terms or being rearrested for new crimes.

TABLE 1: Descriptive Statistics of Federal Defendants in Study Sample

Variables	% (n)	M (SD)
Dependent variables		
Rearrest any offense	6.4 (14,266)	
Failure to appear	2.4 (5,432)	
Pretrial revocation	9.0 (20,007)	
Race		
White, not Hispanic	38.8 (83,657)	
Black, not Hispanic	26.3 (56,657)	
Hispanic, any race	27.7 (59,748)	
Other race/ ^a	7.3 (15,724)	
Male	72.3 (161,339)	
Most serious offense charge		
Property	34.3 (75,253)	
Drugs	34.0 (74,564)	
Weapons/Firearms	8.9 (19,555)	
Immigration	6.6 (14,383)	
Sex offense	4.5 (9,965)	
Violence	4.5 (9,916)	
Public order	4.4 (9,732)	
Other/technical	2.0 (4,425)	
Escape/obstruction	0.8 (1,710)	
PTRA risk categories		
One	30.4 (67,773)	
Two	27.0 (60,175)	
Three	26.3 (58,805)	
Four	12.8 (28,548)	
Five	3.6 (7,959)	
Recommended by officers for release	84.1 (209,567)	
Age	(223,260)	37.8 (13.1)
Monthly personal contacts	(201,442)	2.9 (3.3)
Monthly collateral contacts	(201,442)	1.3 (2.6)
Number of defendants	(223,260)	

Note. Independent variables also include fiscal years of case activation and time on release (not shown). *SD* = standard deviation; PTRA = pretrial risk assessment instrument.

^aOther race includes Asians, Pacific Islanders, Native Americans, Alaska Natives, and other nonidentified races.

This study primarily involves examining conditions that can be recommended and imposed at the discretion of pretrial officers and judicial officials before or at the time of release. These conditions generally are directed at restricting the defendant's overall freedoms (e.g., travel restrictions, substance restrictions, and weapons restrictions), monitoring the defendant's behavior (e.g., substance abuse testing, electronic monitoring), treating the defendant, or mandating the payment of financial bail (e.g., deposit bail, surety bail). Since the study's focus is on using the number of conditions assigned as a proxy for supervision intensity, we omit further discussion of the types of conditions imposed.⁴

We constructed the conditions variable by summing the individual conditions imposed on each released defendant. Because pretrial conditions were imposed on nearly all (92%) of the released defendants, defendants with zero conditions were included in this analysis. On average, defendants received nine conditions and the number of conditions range from 0 to 28 per released defendant.

Pretrial Risk (PTRA) and Other Independent Variables

We assessed pretrial risk through the defendant's PTRA risk score. For this study, we used the five PTRA risk categories to measure the risk of pretrial failure. The PTRA is an actuarial risk assessment instrument used by federal officers to gauge a defendant's likelihood of failing to make court appearances, engaging in pretrial crime, or having a revocation while on pretrial release.⁵ Administration of the PTRA occurs prior to the initial hearing and during the intake process. The instrument's algorithm assesses pretrial risk by having officers score defendants on their criminal history (e.g., prior felony convictions and previous FTAs), instant conviction offense, age, educational attainment, employment status, residential ownership, substance abuse problems, and citizenship status. The scores generated from the PTRA range from 0 to 15 and are used to place defendants into one of the five following risk categories: PTRA one (scores 0–4), PTRA two (scores 5–6), PTRA three (scores 7–8), PTRA four (scores 9–10), or PTRA five (scores 11 or above; Lowenkamp & Whetzel, 2009).

Implemented in November 2009, the PTRA has nearly universal usage rates for federal defendants and has been shown to be a valid predictor of various forms of pretrial misconduct (Cohen & Lowenkamp, 2019). In the PTRA revalidation study, which assessed the tool's capacity to predict pretrial recidivism for a sample of 85,369 released defendants, the PTRA produced area under curve receiver operating characteristics (AUC-ROC) in the .67 to .73 range. For specific outcomes, the PTRA AUC-ROC scores were .67 for FTA, .68 for any rearrests, .69 for violent rearrests, .68 for combined rearrest/FTA, and .73 for pretrial revocations (Cohen & Lowenkamp, 2019). These scores mean that the PTRA provides "good" to "excellent" predictive capacities for these specific types of pretrial violations (Desmarais & Singh, 2013) and hence can be used as a risk classification measure for this study. The PTRA's capacity to classify defendants into one of five risk categories by their probability of failure is crucial, because it allows us to gauge whether conditions are or are not being imposed according to a defendant's propensity to fail while on pretrial release.

Other Independent Variables

In addition to the PTRA risk classification, the defendant's sex, age in years, time on release in months, race/ethnicity, most serious offense charges, pretrial officer release recommendations, fiscal year of case activation, number of monthly personal contacts, and number of monthly collateral contacts were used as additional covariates in the current analysis. With the exception of age, time on release, and number of personal and collateral contacts, which are continuous variables, the remaining factors are captured using dummy (0/1) variable coding.

Outcome Measures

For the section of this study that examines the association between pretrial conditions and violation outcomes, we assessed whether the number of conditions positively or negatively correlated with several types of pretrial violation activity, including rearrests for new offenses, FTAs, or pretrial revocations. Pretrial revocations involve the removal of a defendant on pretrial release because of rearrests for new criminal activity or technical violations of release conditions, while FTAs imply the failure to report to court for a designated hearing. Both

violation outcomes were extracted from the federal courts internal case management database. Conversely, rearrests for new criminal activity were obtained from the National Crime Information Center and Access to Law Enforcement System and are defined to include arrests for either a felony or misdemeanor offenses between the time of pretrial release and case closure (Baber, 2010).

ANALYTICAL PLAN

We examined the imposition of pretrial conditions and assessed the relationship between the number of conditions and pretrial violation outcomes through several stages. First, we examined the extent to which the numbers of conditions imposed are associated with pretrial risk as assessed by the PTRA and also examined the relationship between the number of conditions and other factors, including most serious offense charge and defendant demographic characteristics. A combination of statistical tests, including analyses of variance (ANOVAs) and effect size statistics (i.e., omega squared), were applied for this component of the analysis. Second, we employed multivariate logistic regression to examine the relationship between the number of conditions and pretrial violation outcomes.

RESULTS

EXAMINING THE IMPOSITION OF PRETRIAL CONDITIONS ON RELEASED DEFENDANTS

Details about the average number of pretrial conditions imposed and the relationship between the number of conditions and defendant risk levels are explored in Table 2. Overall, released defendants received an average of about nine conditions. The average number of conditions manifested a medium effect size association with the PTRA risk categories ($F[4, 223,255] = 5,136.6; p < .001; \omega^2 = .084$); however, defendants on the lower end of the PTRA risk continuum still received an average of seven conditions for PTRA ones or nine conditions for PTRA twos. There were relatively negligible differences in the average number of conditions imposed on defendants classified in the PTRA three, four, or five risk categories; defendants in these risk groups received an average of about 10 to 11 conditions.

There was a stronger association between the average number of conditions and the most serious offense charges with effect sizes in the large range ($F[8, 219,494] = 4,877.3; p < .001; \omega^2 = .151$). Among the most serious offense charges, the average number of conditions ranged from 5 for defendants charged with public-order offenses to 14 for defendants charged with sex offenses, with an average of about 10 conditions being assigned to defendants charged with drugs, weapon/firearms, or immigration offenses. By demographic categories, the effect sizes were small for race/ethnicity ($\omega^2 = .017$) and trivial for sex ($\omega^2 = .004$). Interestingly, the average number of conditions assigned to Black defendants (8.9) and non-Hispanic White defendants (8.7) was nearly identical.

ASSESSING THE ASSOCIATION BETWEEN PRETRIAL CONDITIONS AND VIOLATION OUTCOMES

The remainder of this study focuses on the extent to which the number of pretrial conditions are correlated with reductions, no changes, or increases in the odds of released defendants being arrested for pretrial crime, failing to make court appearances, or having their release terms revoked. When assessing whether the number of pretrial conditions is

TABLE 2: Average Number of Pretrial Conditions Imposed on Released Federal Defendants by Selected Covariates

Covariates	<i>n</i>	<i>M (SD)</i>
All defendants	223,260	9.1 (4.7)
PTRA category		
One	67,773	7.2 (4.9)
Two	60,175	9.0 (4.7)
Three	58,805	10.3 (4.2)
Four	28,548	10.7 (4.0)
Five	7,959	10.7 (3.9)
Significance $F[4, 223,255] = 5136.6; p < .001; \omega^2 = .084$		
Most serious offense charge		
Sex offense	9,965	13.5 (4.7)
Drugs	74,564	10.4 (4.2)
Weapons/firearms	19,555	10.2 (4.0)
Immigration	14,383	9.9 (4.3)
Violence	9,916	9.4 (5.0)
Escape/obstruction	1,710	8.2 (4.7)
Property	75,253	7.5 (4.4)
Other/technical	4,425	6.5 (4.9)
Public order	9,732	4.8 (4.8)
Significance $F[8, 219,494] = 4877.3; p < .001; \omega^2 = .151$		
Race		
Hispanic, any race	59,748	10.2 (4.4)
Black, not Hispanic	56,657	8.9 (4.3)
White, not Hispanic	83,657	8.7 (4.9)
Other race	15,724	8.7 (4.6)
Significance $F[3, 215,782] = 1274.6; p < .001; \omega^2 = .017$		
Gender		
Male	161,339	9.3 (4.7)
Female	61,741	8.6 (4.7)
Significance $F[1, 223,078] = 905.8; p < .001; \omega^2 = .004$		

Note. Includes defendants with zero conditions. *SD* = standard deviation; PTRA = pretrial risk assessment instrument.

correlated with pretrial violation outcomes and the form of this potential relationship, it is necessary to statistically account for other key factors associated with pretrial violation activity. The statistical method used to affect these controls and to identify interaction effects is multivariate logistic regression. Logistic regression is a commonly applied statistical technique employed when assessing the relationship between several independent factors and a dichotomous dependent variable of interest (Hilbe, 2009).

The logistic regression models applied in this study encompass several factors, including the primary independent variable of interest (i.e., number of pretrial conditions) and several additional covariates, including the defendant's PTRA risk classification, age, sex, race/ethnicity, time on release, most serious offense charges, officer release recommendations, fiscal year of case activation, number of monthly personal contacts, and number of monthly collateral contacts. As previously mentioned, the dependent variables include the following dichotomous outcomes: pretrial arrest, FTA, and revocation. Moreover, an interaction term involving the number of conditions and PTRA risk scores was included to assess whether

the form of the relationship or slope between conditions and violation activity was moderated by the defendant's risk levels. Last, as these data encompassed a national sample of released defendants in 94 federal judicial districts, we clustered the standard errors at the district level to account for the nested nature of these data and the potential nonindependence of the standard errors (Hilbe, 2009).

As the study's main focus involves an assessment of how conditions relate to violation activity and the potential for pretrial risk—as measured by the PTRA—to moderate these relationships, we display only those statistics (i.e., odds ratios, standard errors, confidence intervals) in Table 3, illustrating the association between pretrial misconduct and the primary independent variables of interest (i.e., number of conditions, PTRA risk categories, interaction term of number of conditions and PTRA risk categories). The results reported in Model 1 omit the interaction term, while the results of Model 2 include interaction effects. Statistical information for the other covariates included in these models (e.g., age, sex, race/ethnicity, time on release, most serious offense charges, office release recommendations, fiscal year of case activation, number of monthly personal contacts, and number of monthly collateral contacts) are omitted from the table for purposes of brevity but included in Appendices A to C for reference purposes. In terms of how the independent variables of interest are coded in the models, the number of conditions is a continuous variable with values of 0 through 20 or more, while the PTRA variable includes five risk categories and is treated as a continuous covariate for interpretability purposes with the interaction term. We also provide AUC-ROC scores which ranged from .72 to .75, indicating that the models achieved good to excellent performance in terms of predicting rearrest, FTA, and revocations (Desmarais & Singh, 2013; Rice & Harris, 2005). Last, given that even negligible differences can test at the standard .05 level because of the large sample sizes analyzed (that is, over 180,000 defendants), we used a more conservative alpha level of .001 to denote statistical significance.

Initially, we explicated the relationship between the number of conditions and pretrial crime. Generally, results show a relatively flat slope between the number of conditions and the odds of pretrial arrest (see Model 1). Stated differently, the addition of any conditions to a defendant's release term has no bearing on their arrest odds ($OR = 1.01$; $p = .07$). Basically, these results demonstrate that conditions have relatively negligible associations with a defendant's odds of being rearrested and that other factors including the PTRA risk score, most serious offense charges, time on release, monthly contacts, and so on are more important in terms of explaining a defendant's odds of committing pretrial crime. The results change, however, when an interaction term is included in the regression model (see Model 2). Specifically, the interaction term is significant ($OR = .98$; $p < .001$) evidencing differentiations in the regression slopes of conditions and pretrial crime across the five PTRA risk categories.

We generate predicted probabilities of pretrial arrest to illustrate the relationship between the number of conditions and a defendant's predicted arrest probability for each of the five PTRA risk categories (see Figure 1a). These graphs display the predicted probabilities of failure for each PTRA category while holding constant all the covariates in the models. Among defendants classified in the PTRA three, four, or five risk categories, the form or slope of the relationship between the number of conditions and arrest probabilities is relatively flat, indicating no association between conditions and pretrial crime for these defendants. While the probability of pretrial arrest does decline for defendants with PTRA five

TABLE 3: Logistic Regression Models Testing the Relationship Between the Number of Pretrial Conditions and Pretrial Violations

Model variables	Model 1				Model 2			
	OR	Robust (SE)	99.9% CI		OR	Robust (SE)	99.9% CI	
			Lower	Upper			Lower	Upper
Pretrial rearrest for any offense								
Number of conditions	1.01	0.01	0.99	1.04	1.08*	0.01	1.05	1.13
PTRA risk category	1.70*	0.03	1.60	1.80	2.17*	0.07	1.96	2.40
Number of conditions*PTRA risk category	—	—	—	—	0.98*	0.00	0.97	0.99
(Constant)	0.02				0.01			
Model chi-square	3,556.3				4,297.0			
McFadden <i>R</i> -square	0.08				0.08			
AUC score	0.72				0.72			
Failure to appear								
Number of conditions	0.99	0.01	0.95	1.04	1.05	0.02	0.99	1.12
PTRA risk category	1.62*	0.04	1.49	1.77	1.99*	0.09	1.72	2.30
Number of conditions*PTRA risk category	—	—	—	—	0.98*	0.00	0.97	0.99
(Constant)	0.01				0.00			
Model chi-square	2,295.8				3,236.6			
McFadden <i>R</i> -square	0.06				0.06			
AUC score	0.73				0.72			
Pretrial revocation								
Number of conditions	1.07*	0.01	1.03	1.11	1.12*	0.02	1.07	1.18
PTRA risk category	1.64*	0.03	1.54	1.77	1.99*	0.08	1.73	2.28
Number of conditions*PTRA risk category	—	—	—	—	0.98*	0.00	0.97	0.99
(Constant)	0.03				0.02			
Model chi-square	6,145.3				5,412.0			
McFadden <i>R</i> -square	0.10				0.10			
AUC score	0.75				0.75			

Note. All models include 183,111 (82% of total sample) of defendants on pretrial release. In addition to PTRA controls, models control for defendants' age, gender, race/ethnicity, time on release, most serious offense charges, officer release recommendations, fiscal year of case activation, and number of monthly personal and collateral contacts. For more information about these variables, see Appendices A to C. Standard errors clustered at the district level. CI = confidence interval; PTRA = pretrial risk assessment instrument; OR = odds ratio; AUC = area under curve.

* $p < .001$.

risk classifications, the downward slope is not statistically significant ($p = .18$). Defendants in the PTRA one and two risk categories, however, manifested a positive and significant ($p < .001$) slope between the number of conditions and pretrial crime. In other words, for the lowest risk defendants, an increase in the number of conditions imposed was associated with an increase in the probability of being arrested while on release.

Next, we explore the shape of the relationship between the number of conditions and the odds of FTA (see Figure 1b). Overall, the form or slope of the relationship between the number of conditions and missed court appearances was relatively flat ($OR = .99$; $p = .62$), though the interaction term was significant ($OR = .98$; $p < .001$), indicating disparate regression slopes across the PTRA risk levels. These results also demonstrate that conditions have relatively negligible associations with the odds of FTA in lieu of other factors including the PTRA risk score, time on release, monthly contacts, and so on. When the predicted probabilities between the likelihood of FTA and pretrial conditions across the five PTRA risk levels were examined, results showed relatively flat lines, meaning that more conditions were not associated with a reduction or increase in the likelihood of FTA for defendants in any of the PTRA categories.

The final component of the current analysis focuses on the form of the relationship between the number of conditions and the odds of pretrial revocation. In general, the number of conditions manifests a positive and significant relationship with the odds of pretrial revocation ($OR = 1.1$; $p < .001$), although the interaction term is significant, which again demonstrates different regression slopes for each PTRA risk category. The association between the number of conditions and the predicted probabilities of being revoked across the PTRA risk categories is shown in Figure 1c. In findings unlike the arrest and FTA analysis, the probability of pretrial revocation assumes a positive and somewhat curvilinear slope with the number of conditions for all PTRA risk categories. Stated differently, the decision to add more pretrial conditions is associated with an increase in the likelihood of revocation while on release, and this pattern holds irrespective of a defendant's PTRA risk classification and net of various covariates placed in the revocation model.

DISCUSSION

This study sought to illuminate an important but somewhat neglected area of pretrial research: that is, the imposition of conditions on released defendants as a proxy for supervision intensity. Of particular importance was our effort to assess whether conditions are assigned according to a defendant's risk characteristics and to explore whether conditions are associated with reductions in court skips and pretrial crime. In general, the results suggest that federal defendants are being over conditioned when placed on pretrial release. This may be because almost all released defendants (92%) received some condition and on average released defendants received about nine conditions. Moreover, conditions were only modestly correlated with the PTRA risk classification categories, with the average number of conditions varying from a low of seven for PTRA ones to about an equal number (10–11) imposed on PTRA threes, fours, and fives.

Most importantly, we examined whether the imposition of pretrial conditions was associated with reductions in the probability of defendants violating their pretrial release status through rearrests, missed court appearances, or revocations. Our analysis showed that the addition of any number of conditions was not correlated with significant decreases in the probability of pretrial crime or court skips across the PTRA risk levels. In fact, when the models were generated without interaction terms, results showed the number of conditions having negligible relationships with either pretrial rearrests or FTAs. The models, however, do demonstrate that the association between conditions and rearrests was moderated by pretrial risk as measured by the PTRA. Specifically, defendants on the lower end of the PTRA risk continuum (e.g., PTRA ones and twos) with more conditions were more likely to garner an arrest

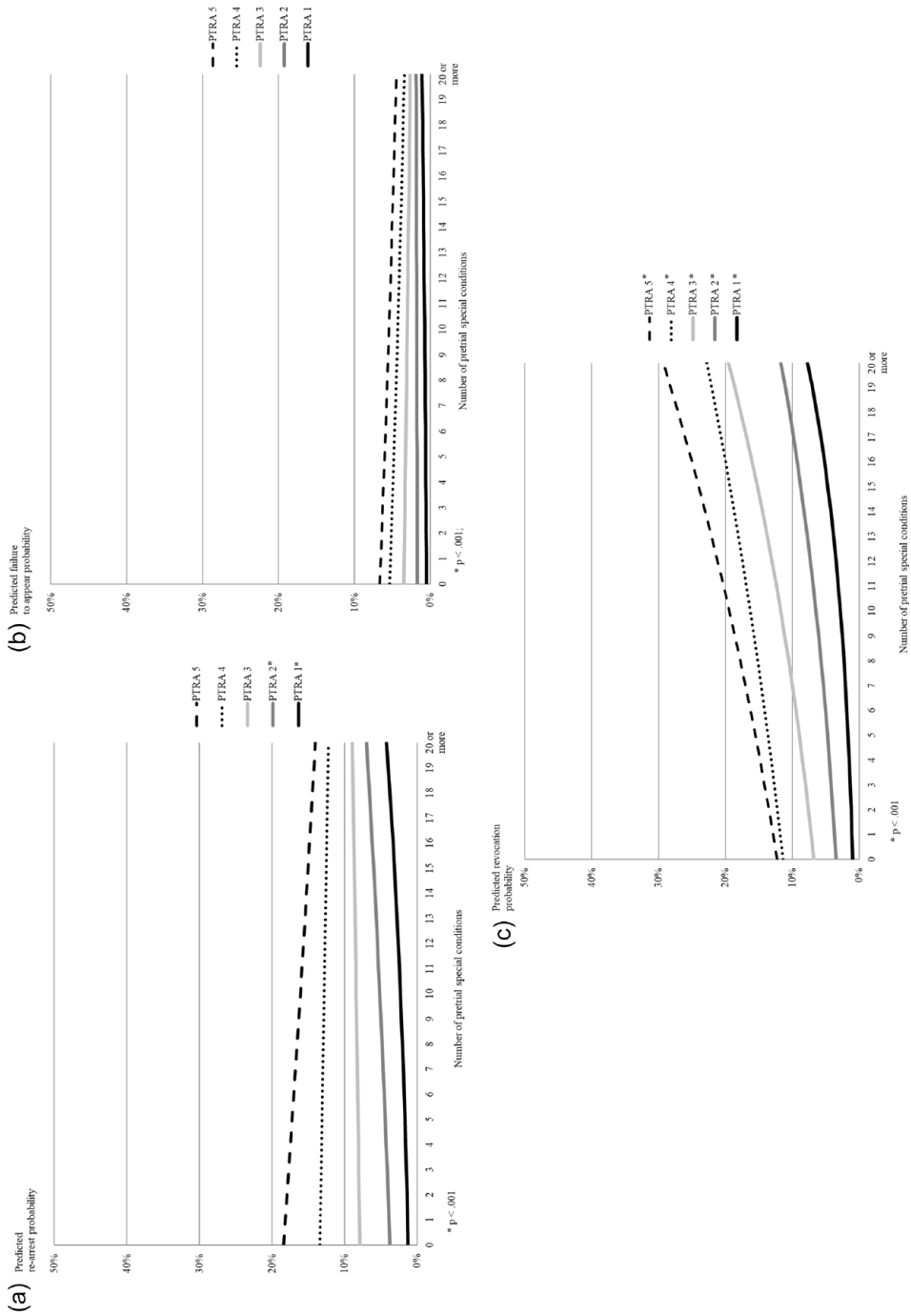


Figure 1: (a) Relationship Between Number of Pretrial Special Conditions and Predicted Re-Arrest Probability for Released Federal Defendants. (b) Relationship Between Number of Pretrial Special Conditions and Predicted Failure to Appear Probability for Released Federal Defendants. (c) Relationship Between Number of Pretrial Special Conditions and Predicted Revocation Probability for Released Federal Defendants

Note. PTRAs = pretrial risk assessment instrument.

than their lower risk counterparts with fewer conditions. Conversely, defendants placed in the PTRAs moderate or high-risk categories (e.g., PTRAs threes, fours, or fives) with more conditions manifested arrest probabilities similar to their higher risk counterparts with fewer conditions. Last, unlike violations involving pretrial arrests or FTAs, we found that the probability of being revoked manifested an upward trajectory corresponding to increases in the number of conditions, and this pattern held for all risk levels.

The fact that the current research suggests that too many conditions are placed on released federal defendants and that conditions are only modestly correlated with pretrial risk constitute key findings that are generally consistent with the relatively few studies exploring this component of the pretrial process. Specifically, prior research has shown that judicial officials will be tempted to and ultimately assign an excess of conditions regardless of criminogenic risks in situations where judicial officials have discretion to impose different types of conditions (Bechtel et al., 2017). The OFDT study, for example, which focused on a narrower band of conditions involving ATD in the federal system, showed conditions being imposed on the majority of released defendants (72%); moreover, nearly all defendants with risk classifications in the mid (84%) to high ranges (96%) received ATD conditions (VanNostrand & Keebler, 2009).

Another area of alignment with prior studies involves the finding that conditions are not associated with decreases in pretrial violation activity. Previous research has shown that conditions have only some bearing on a defendant's proclivity to violate their terms of pretrial release (Bechtel et al., 2017; VanNostrand & Keebler, 2009). For example, in research involving meta-analyses and summaries of pretrial interventions, relatively few interventions (apart from court notification programs) were associated with reductions in pretrial violation activity (Bechtel et al., 2017). Moreover, this study's findings of lower risk defendants with more conditions having higher arrest probabilities than their lower risk counterparts with fewer conditions parallels prior federal research which showed higher success rates for the lowest risk defendants without ATD conditions compared to the success rates for the lowest risk defendants with ATD conditions (VanNostrand & Keebler, 2009).

POLICY IMPLICATIONS OF STUDY

The study's findings do have policy implications for the way federal officers recommend and judges use conditions as a mechanism for intensive supervision. Specifically, prior research has shown that the use of intensive supervision for persons on probation or parole had no bearing on their rearrest behavior, but that persons on this form of supervision were more likely to have revocations for technical violations (Grattet & Lin, 2016; Hyatt & Barnes, 2017; Petersilia & Turner, 1990). Assuming that the quantity of conditions can serve as a proxy for supervision intensity, this research aligns with and furthers the ISP literature by bringing the pretrial phase of criminal case processing into this form of research. It does so by demonstrating that defendants with more conditions (i.e., higher levels of supervision) were generally no more or less likely to be rearrested or FTA than defendants with fewer conditions but had higher rates of revocations.

These findings should have a bearing on the underlying assumptions judges and officers apply when assigning conditions. Similar to the ISP context, officers might recommend, and judges might impose, more conditions based on the rationale that greater levels of supervision scrutiny should provide officers with the capacity to assess whether defendants

are about to engage in new criminal activity (Petersilia & Turner, 1990). Under this logic, technical violations could provide a signal that defendants are in the process of committing new crimes which could be blocked by a revocation. If these assumptions were correct, the assignment of more conditions should be associated with reductions in rearrest or FTA behavior, which is not the case.

If anything, assigning more conditions creates a situation in which officers focus their efforts on detecting infractions of these conditions and removing noncomplying defendants from pretrial release through revocations (Tonry & Lynch, 1996; Turner et al., 1992). Assuming that defendants with fewer conditions had similar forms of misbehavior compared to defendants with many conditions (Petersilia & Turner, 1990), the assignment of more conditions simply creates a situation in which defendants might lose the benefits inherent in being released by having their release status revoked for no other reason than that they are being watched more closely. In other words, more intense scrutiny rather than actual misconduct creates the context for the loss of freedom. Once revoked, the released defendant faces all the adverse consequences associated with pretrial detention including loss of liberties, fewer opportunities for rehabilitation, and increased probabilities of receiving a conviction or incarceration sentence (Dobbie et al., 2018; Gupta et al., 2016; Heaton et al., 2017).

Findings from this research also have implications for the risk principle which advocates spending time and resources on persons in the highest risk categories and that over supervising low-risk persons can lead to deleterious outcomes (Andrews & Bonta, 2017). The current research showing lower-risk defendants (e.g., PTRAs ones and twos) with higher numbers of conditions garnering new criminal arrests at elevated rates compared to their counterparts with fewer conditions aligns with this research (Lowenkamp et al., 2006).

In fact, this research supports the proposition that pretrial officers and judges might, through the overuse of conditions, be inadvertently engaging in both “front-end” and “back-end” net-widening (Padgett et al., 2006; Tonry & Lynch, 1996). As defined by Tonry and Lynch (1996), front-end net-widening entails the use of enhanced penalties (e.g., intermediate sanctions) for persons who would not otherwise receive incarceration sentences, while back-end net-widening implies an increased likelihood that technical violations due to enhanced surveillance will result in incarceration sentences (Padgett et al., 2006).

Both forms of net-widening seem applicable to the current research. The front-end net-widening occurs through the application of conditions to the lowest-risk defendants. Instead of the lowest-risk defendants (e.g., PTRAs ones and twos) being given few conditions these defendants, while manifesting release rates of 60% or higher (see VanNostrand & Keebler, 2009), receive a multitude of conditions. Conversely, defendants placed in the moderate to high-risk categories (e.g., PTRAs threes, fours, and fives) have release rates of 50% or lower; however, they receive conditions at levels similar to that of the lowest-risk defendants. Rather than placing so many conditions on the lowest-risk defendants who will most likely be released and remain violation free while on release, court officials might consider releasing these defendants with few, if any, conditions and applying conditions as an alternative to detention for defendants in the moderate to high-risk categories (VanNostrand & Keebler, 2009).

The back-end net-widening aspect of this research involves findings showing an increased likelihood of revocation being associated with the assignment of more conditions. In other words, conditions can provide a mechanism for greater surveillance and scrutiny and the more conditions applied, the greater the likelihood that a defendant will be revoked simply

because they are being watched and cannot meet all the conditions imposed. The goals of assigning conditions, in effect, are altered from being ostensibly focused on reducing court skips and pretrial crime to increasing the likelihood of punishment by elevating the prospects of revocation. Judges and officers seeking to minimize this form of net-widening should consider the fact that placing too many conditions on defendants ultimately creates an environment for additional punishment rather than rehabilitation.

LIMITATIONS AND DIRECTIONS FOR FUTURE RESEARCH

There are several limitations in this study that should be noted. First, it is important to acknowledge that the McFadden *R*-squares for all the logistic regression models are on the lower end (e.g., .06–.10) of the spectrum indicating poor model fit. While the models utilize relevant covariates that could potentially be associated with pretrial failure, it is possible that factors currently not measured in the federal pretrial case management system could, if captured and incorporated into the models, enhance the model's overall fit and potentially influence these results. Another issue involves the fact that the relationship between the number of conditions and the pretrial outcomes measured could be mediated by the most serious offense charges. Although we control for crime types, we do not explore whether conditions are mediated by offense charges and the indirect and direct effects of conditions and offense types on the outcome variables. Subsequent research might consider incorporating mediation approaches.

In addition to these limitations, there are areas of future research. Admittedly, while we know about the number of conditions being imposed on released federal defendants, we do not know the particulars of how these conditions are executed. In other words, this study provides a “black box” analysis of pretrial conditions in that we can identify the quantity of conditions assigned to defendants; however, we are unable to assess the intricacies of how these conditions are applied (Goldkamp & White, 2006). Future research could assess exactly how these conditions are being implemented for released defendants. Moreover, while we detailed the number of conditions imposed and examined the relationship between the number of conditions and various pretrial outcomes, we did not explore the types of conditions courts assign (e.g., drug testing, location monitoring, etc.) and the association among the specific condition types and pretrial violation activity. While prior research has investigated these issues at the federal level (see VanNostrand & Keebler, 2009), future research should consider updating this topic with more recent data and perhaps using statistical techniques such as propensity score matching. Last, it is important to acknowledge that this research is generalizable only to defendants placed on pretrial release in the federal system. Subsequent efforts should attempt to replicate this research in state courts, where most criminal cases are processed (Gibson et al., 2022).

CONCLUSION

This study sought to investigate the circumstances in which conditions are imposed on released defendants and the relationship between conditions and pretrial violation activity. Overall, we found that conditions are being imposed on almost all released defendants, that the number of conditions are modestly correlated with pretrial risk, and that conditions generally had no significant relationship with reductions in the likelihood of pretrial crime

or missed court appearances for most released federal defendants. However, the findings do show that conditions are associated with higher rates of pretrial failure (i.e., rearrests) for defendants designated low risk by the PTRAs as well as enhanced levels of revocations irrespective of risk. These findings suggest that conditions have for pretrial officers and judicial officials become a proxy for intensive surveillance and that their application, rather than reducing violative behavior involving pretrial crime and court skips, simply becomes a mechanism for revoking defendants from pretrial release. It is our hope that judicial officials and pretrial officers consider assigning conditions strategically with the aim of directing these conditions as an alternative to pretrial detention for defendants scoring on the higher end of the PTRAs risk classification spectrum, while applying conditions sparingly to defendants in the lower-risk categories.

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APPENDIX A Logistic Regression—Pretrial Rearrest

Model variables	OR	Robust (SE)	<i>P</i> value	99.9% CI	
				Lower	Upper
Number of conditions	1.01	0.01	.065	0.99	1.04
PTRA risk category	1.70	0.03	.000	1.60	1.80
Time on pretrial release (in months)	1.02	0.00	.000	1.02	1.03
Age (in years)	0.99	0.00	.000	0.98	1.00
Female	0.78	0.02	.000	0.72	0.84
Race (non-Hispanic White reference)					
Black, non-Hispanic	1.16	0.04	.000	1.02	1.31
Hispanic, any race	0.69	0.06	.000	0.53	0.91
Other or not classifiable race	0.55	0.04	.000	0.44	0.69
Most serious arrest charge (drugs reference)					
Escape obstruction	1.45	0.17	.001	1.00	2.11
Firearms	1.30	0.05	.000	1.16	1.46
Immigration	1.14	0.09	.081	0.89	1.48
Property	1.48	0.08	.000	1.23	1.78
Public order	1.20	0.21	.278	0.69	2.11
Sex offense	1.02	0.11	.886	0.72	1.44
Violence	1.14	0.07	.034	0.93	1.38
Other	1.15	0.13	.219	0.79	1.66
Pretrial officer recommends release	0.96	0.04	.409	0.83	1.12
Open fiscal year (2012 reference)					
2013	1.06	0.04	.109	0.94	1.18
2014	1.05	0.04	.247	0.92	1.20
2015	0.95	0.04	.144	0.84	1.07
2016	0.83	0.04	.000	0.71	0.97
2017	0.78	0.04	.000	0.65	0.93
2018	0.75	0.05	.000	0.61	0.92
2019	0.70	0.05	.000	0.57	0.87
2020	0.68	0.04	.000	0.55	0.83
Number of personal contacts (monthly)	0.93	0.01	.000	0.90	0.97
Number of collateral contacts (monthly)	1.06	0.01	.000	1.03	1.09
Constant	0.02	0.00	.000	0.01	0.03

Note. Standard errors clustered at the district level. CI = confidence interval; PTRAs = pretrial risk assessment instrument; OR = odds ratio.

APPENDIX B Logistic Regression—Failure to Appear

Model variables	OR	Robust (SE)	P value	99.9% CI	
				Lower	Upper
Number of conditions	0.99	0.01	.619	0.95	1.04
PTRA risk category	1.62	0.04	.000	1.49	1.77
Time on pretrial release (in months)	1.01	0.00	.000	1.00	1.02
Age (in years)	1.00	0.00	.030	0.99	1.00
Female	0.93	0.05	.217	0.77	1.13
Race (non-Hispanic White reference)					
Black, non-Hispanic	1.04	0.07	.536	0.83	1.31
Hispanic, any race	1.75	0.21	.000	1.18	2.58
Other or not classifiable race	1.02	0.11	.835	0.71	1.48
Most serious arrest charge (drugs reference)					
Escape obstruction	0.88	0.20	.574	0.42	1.85
Firearms	0.88	0.07	.101	0.69	1.13
Immigration	1.12	0.12	.276	0.79	1.59
Property	1.02	0.11	.826	0.72	1.46
Public order	1.38	0.22	.039	0.82	2.32
Sex offense	0.80	0.11	.099	0.52	1.25
Violence	1.08	0.13	.546	0.72	1.62
Other	1.46	0.25	.024	0.84	2.54
Pretrial officer recommends release	0.87	0.05	.030	0.71	1.07
Open fiscal year (2012 reference)					
2013	0.96	0.07	.577	0.74	1.24
2014	1.09	0.09	.296	0.83	1.42
2015	1.42	0.18	.005	0.94	2.13
2016	1.43	0.22	.019	0.87	2.34
2017	1.27	0.18	.098	0.79	2.03
2018	1.44	0.17	.001	1.00	2.11
2019	1.30	0.15	.021	0.89	1.89
2020	1.20	0.16	.184	0.77	1.87
Number of personal contacts (monthly)	0.88	0.02	.000	0.82	0.96
Number of collateral contacts (monthly)	1.09	0.01	.000	1.05	1.13
Constant	0.01	0.00	.000	0.00	0.01

Note. Standard errors clustered at the district level. CI = confidence interval; PTRA = pretrial risk assessment instrument; OR = odds ratio.

APPENDIX C Logistic Regression—Revocations

Model variables	OR	Robust (SE)	P value	99.9% CI	
				Lower	Upper
Number of conditions	1.07	0.01	.000	1.03	1.11
PTRA risk category	1.64	0.03	.000	1.54	1.77
Time on pretrial release (in months)	1.00	0.00	.139	0.99	1.00
Age (in years)	0.99	0.00	.000	0.98	0.99
Female	0.91	0.03	.001	0.83	1.00
Race (non-Hispanic White reference)					
Black, non-Hispanic	0.81	0.04	.000	0.71	0.94
Hispanic, any race	0.70	0.06	.000	0.52	0.93

(continued)

APPENDIX C. (continued)

Model variables	OR	Robust (SE)	P value	99.9% CI	
				Lower	Upper
Other or not classifiable race	0.85	0.08	.064	0.63	1.14
Most serious arrest charge (drugs reference)					
Escape obstruction	1.00	0.12	.977	0.66	1.49
Firearms	1.11	0.06	.062	0.93	1.32
Immigration	0.91	0.09	.336	0.66	1.25
Property	0.83	0.05	.002	0.67	1.01
Public order	0.95	0.13	.677	0.61	1.48
Sex offense	0.89	0.07	.131	0.70	1.14
Violence	1.16	0.09	.043	0.91	1.48
Other	0.68	0.08	.001	0.47	0.99
Pretrial officer recommends release	0.92	0.03	.036	0.82	1.05
Open fiscal year (2012 reference)					
2013	1.03	0.04	.430	0.90	1.19
2014	1.09	0.06	.111	0.91	1.31
2015	1.16	0.07	.008	0.96	1.40
2016	1.13	0.08	.070	0.91	1.41
2017	1.17	0.09	.029	0.92	1.49
2018	1.03	0.09	.730	0.78	1.36
2019	1.01	0.10	.916	0.73	1.41
2020	0.82	0.14	.238	0.48	1.42
Number of personal contacts (monthly)	0.91	0.01	.000	0.87	0.95
Number of collateral contacts (monthly)	1.14	0.02	.000	1.08	1.20
Constant	0.03	0.00	.000	0.02	0.04

Note. Standard errors clustered at the district level. CI = confidence interval; PTRAs = pretrial risk assessment instrument; OR = Odds ratio.

NOTES

1. VanNostrand and Keebler (2009) examined nine conditions under the ATD framework including third-party custodian, substance abuse testing, substance abuse treatment, location monitoring, halfway house, community housing or shelter, mental health treatment, sex offender treatment, and computer monitoring.

2. Although one of the study years encompassed the period when the COVID-19 pandemic occurred (i.e., 2020), the data showed the pandemic having no discernible impacts on the imposition of pretrial conditions.

3. It should be noted that we had actual PTRAs assessments for 208,130 of the 223,260 defendants included in the study. Linear regression was employed to impute PTRAs risk classification scores for 15,130 defendants without actual assessments.

4. For information on the most common types of conditions placed on released federal defendants see Browne & Strong (2022) and VanNostrand and Keebler (2009).

5. For a detailed overview of the construction and validation of the PTRAs risk tool, see Cadigan et al. (2012), Cadigan and Lowenkamp (2011), and Lowenkamp and Whetzel (2009).

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