

Advancing Pretrial Policy and Research Statement on COVID-19 and Pretrial Release

As the nation grapples with the COVID-19 pandemic and seeks ways to avoid even more widespread transmission of the disease across communities, Advancing Pretrial Policy and Research (APPR) encourages law enforcement agencies throughout the country to consider the use of citations and summonses as an alternative to custodial arrest. Research demonstrates that most people released pretrial appear for their court hearings and remain arrest-free during the pretrial period.¹ Under the extraordinary circumstances our nation is currently facing, expanding the use of citations and summonses could considerably decrease exposure to COVID-19—both for law enforcement officers and for those arrested—while also minimizing the spread of COVID-19 through our nation’s jails. Many jurisdictions ([San Francisco](#) and [Los Angeles](#) Counties, California; [Denver and Boulder](#) Counties, Colorado; [Cuyahoga](#) and [Hamilton](#) Counties, Ohio; and [Travis County](#), Texas, among others) are already taking steps in these directions.

These unprecedented times also offer an important opportunity for jurisdictions to review the status of the many people judicial officers have deemed appropriate for release, but who continue to be detained because they cannot meet financial conditions of release. APPR supports any efforts that jurisdictions undertake to examine whether conditions can be modified to a personal recognizance or unsecured bond, resulting in discharge. Taking this action can reduce the strain on correctional officers, while also reducing the number of people who would be affected if an outbreak were to occur in a local jail.

These actions could help to reduce exposure to the virus for all concerned, and contribute to the health and well-being of our broader communities.

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APPR is led by the [Center for Effective Public Policy](#).*

¹ Reaves, B. A. (2013). *Felony Defendants in Large Urban Counties, 2009 - Statistical tables*. Washington, DC: U.S. Department of Justice; See also Goldkamp, J. S., & White, M. D. (2006). Restoring accountability in pretrial release: The Philadelphia pretrial release supervision experiments. *Journal of Experimental Criminology*, 2, 143–181; and Grant, G. A. (2019). *2018 New Jersey Criminal Justice Reform: Report to the Governor and the Legislature*. Trenton, NJ: Administrative Office of the Courts.