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Data Collaborative for Justice Releases New Research on Desk Appearance Tickets in New York State in 2019

New research provides data on the use of DATs immediately prior to the 2020 criminal justice reforms and establishes a baseline for measuring the full impact of the law

New York -- Today, the [Data Collaborative for Justice](#) (DCJ) at John Jay College, with support from Arnold Ventures, released new research on Desk Appearance Tickets (DATs) for New York State in 2019. This [new brief](#) follows [last year's report](#) on 2018 data and establishes essential baselines that will help to assess the impact of New York's 2020 criminal justice reforms over time and the COVID-19 pandemic on the use of DATs.

DATs are an alternative to a traditional, custodial arrest. Rather than remain in police custody for up to 24 hours until their first appearance in court ("arraignment"), a person who receives a DAT is released from police custody. The DAT recipient is then free to return to their community, job, and family until their scheduled arraignment, which can take place up to several weeks later.

New York's criminal justice reforms made considerable changes to the laws governing the issuance of DATs. As of January 1, 2020, police officers are now *required* to issue DATs for all non-felony offenses and most class E felony offenses with some exceptions. Prior to this change, for the same categories of offenses, police departments had the *discretion* to issue DATs. These changes have taken on new significance in the era of COVID-19. Individuals who receive a DAT are not held in custody before their arraignment, limiting contact with police, other individuals that have been arrested, and court actors.

"Especially given the ongoing risks of close human contact posed by the pandemic, police departments are looking at DATs as alternatives to traditional arrests," said **Erica Bond, Policy Director at the Data Collaborative for Justice**. "This shift in practices offers an important opportunity to learn from the data and gain valuable insights into the effectiveness of these alternatives."

The research found that, prior to New York's 2020 criminal justice reforms, in 2019:

- Statewide, the overwhelming majority of DAT recipients (85.9%) showed up for arraignment, though rates of appearance did vary by geography. Suburban New York City had the highest average appearance rate (~91%), followed by Upstate New York (~85%) and New York City (~82%).
- Police departments frequently used their discretion to issue DATs instead of making custodial arrests – 30.3% of all 2019 misdemeanor and felony arraignments involved DATs.
- There was significant geographic variation in the issuance of DATs. In 2019, only 17.1% of arraignments in New York City were DATs, compared to 58% of arraignments in suburban New York City (Westchester, Suffolk and Nassau Counties).
- Statewide, there was variability in the rate at which police issued DATs for eligible charges. In 2019, police officers issued DATs for more than 50% of marijuana and vehicle/driving-related

charges (e.g., unlicensed operation of a vehicle, driving while intoxicated) and almost 1/3 of “property-related” charges (those involving damage to or theft of property). In contrast, only 10.5% of arraignments for “person-related” charges (those involving actual or threatened physical harm to a person) were DATs rather than custodial arrests.

In the future, DCJ will publish further research that examines DAT arraignment following the implementation of the 2020 DAT reforms.

“This pandemic has wrought tremendous changes in the criminal justice system, changes that may stay with us for a long time.” **said Preeti Chauhan, director of the Data Collaborative for Justice.** “As researchers interested in analyzing how different law enforcement practices produce different outcomes, we know that this data will be crucial for assessing alternatives to custodial arrests and, ultimately, the full impacts of the 2020 DAT reforms.”

Read the research brief here: <https://datacollaborativeforjustice.org/work/communities/desk-appearance-tickets-in-new-york-state-in-2019/>

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[The Data Collaborative for Justice](#) (DCJ) leads critical research about frequent interactions between community members and the criminal justice system and aims to ensure that communities, and the governments that serve them, have the necessary information to develop and implement evidence-based policies, practices, and programs. DCJ’s work has informed policy reforms, facilitated partnerships between researchers and government agencies across the country, spurred new scholarly research on lower-level enforcement, and been cited extensively in the press. More information about the Data Collaborative for Justice’s work is available at: www.datacollaborativeforjustice.org

Arnold Ventures is a philanthropy dedicated to tackling some of the most pressing problems in the United States. Founded by Laura and John Arnold in 2010, Arnold Ventures’ core mission is to improve lives by investing in evidence-based solutions that maximize opportunity and minimize injustice. More information about Arnold Venture’s work is available at www.arnoldventures.org.