A Study of North Dakota's Pretrial Supervision Program's Impact on Recidivism, FTAs, Jail Stays, and Cost

Report Submitted Fulfilling the Requirements of HB 1425

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Executive Summary

The North Dakota Department of Corrections and Rehabilitation received funding from House Bill 1425 of the 69th Legislative Assembly to explore the costs and savings of pretrial supervision by evaluating pretrial supervision's impact on recidivism, failure-to-appear warrants, and jail stays. Pretrial supervision allows individuals arrested and charged with a crime to be supervised in the community before their court hearings. This allows the accused to avoid the negative ramifications of lengthy jail stays, reduce missed court appointments, prevent future crimes, and lower costs associated with jail stays and jail crowding. This project builds off a previous study of the pilot pretrial supervision program submitted in 2021. To answer questions posed by HB 1425, data were gathered from DOCR on 354 pretrial supervision clients and 177 clients screened by pretrial services but not enrolled between January 19, 2026, and July 1, 2026.

The main findings from the study are as follows:

- Pretrial supervision significantly reduced recidivism, measured as a new charge for a criminal offense. Estimates range from a 10% to 62% reduction in new charges.
- Pretrial supervisees spent significantly fewer days in jail than individuals in the control group. The average length of stay in jail for pretrial clients was 6.6 days, while the average length of stay for individuals in the control group was 22.8 days.
- Pretrial clients had fewer FTAs than individuals in the control group; however, this difference was not statistically significant.
- Inspection of cost estimates shows that pretrial supervision saves money by reducing jail capacity and reducing the costs associated with fewer days spent in jail. Annual savings are estimated up to $2.9 million.
- After considering the cost savings as well as the cost to administer pretrial supervision, cost estimate models show that pretrial supervision saves between $3,936.67 and $5,362.96 per individual.
- The report provides recommendations on how cost savings can be invested in programs, treatment, and services that further reduce recidivism and promote public health.

Introduction

The pretrial stage of the criminal justice process begins after a defendant's arrest (Lowenkamp & VanNostrand, 2013). When an individual is arrested and charged with a crime, a decision must be made regarding whether the defendant will remain in custody until trial or be released into the community while awaiting trial. The judge decides to release or detain the defendant pending trial, with input from pretrial services staff during the initial appearance hearing (Zottola et al., 2023). There are several forms of pretrial release, ranging from release on recognizance or monetary bail to release with conditions, such as pretrial supervision, with detention used when release is not granted (Cohen & Reaves, 2007; Zottola et al., 2023).

When the judge decides to release the defendant with conditions, the defendant is under pretrial supervision. Pretrial supervision occurs when a defendant is released before trial and supervised in the community under court conditions. Pretrial supervision services play a crucial role in the criminal justice process by monitoring defendants released before trial (Silver et al., 2024). These services are designed to ensure court appearances and promote public safety.

Although various states have adopted pretrial supervision services, research on pretrial supervision remains limited. Most research examines pretrial risk assessment tools and specific supervision conditions, rather than pretrial supervision services. For example, prior studies have examined whether risk assessment instruments improve release decisions and predict failure to appear or rearrest (Bechtel et al., 2022; Brittain et al., 2021; Desmarais et al., 2021; Valdez Hoffer & Lowenkamp, 2024; Lowenkamp et al., 2008), while other research has evaluated specific conditions such as electronic monitoring, drug testing, and sobriety monitoring (Foudray et al., 2025; Lowder & Foudray., 2021; Silver et al., 2024). These studies provide information on specific

aspects of pretrial supervision services but do not explain whether the services themselves contribute to successful pretrial outcomes.

The current study addresses this gap for the State of North Dakota by examining pretrial supervision services as a broader intervention rather than focusing exclusively on risk assessment or individual release conditions. An evaluation of the North Dakota pretrial supervision pilot project was conducted in 2020 to examine the effectiveness of pretrial supervision services. The findings from the pilot project provided preliminary evidence regarding the impact of pretrial supervision services on failure to appear and rearrests in North Dakota. Building on the pilot project, the current study expands on these findings by examining pretrial supervision services' impact on recidivism, FTAs, jail stays, and the costs associated with pretrial supervision, with attention paid to evaluating cost savings.

Literature Review

Pretrial Detention

The primary purpose of a pretrial hearing is to determine the appropriate course of action for an individual who has been arrested and charged. Decisions made during the pretrial stage include the release of the defendant on his or her own recognizance, release under various forms of financial bond, release subject to specific conditions such as regular contact with justice-system professionals, monitoring, drug testing, or treatment, or continued detention pending the resolution of the case (Goldkamp & White, 2006; Holsinger & Holsinger, 2018). Around 65 percent of the jail population comprises those awaiting trial due to the inability to post bail (Barno et al., 2020). The goal of pretrial detention is to ensure that the defendants appear in court and do not pose a danger to the community. Research indicates that pretrial detention can have severe consequences

for the defendants and their families (Demichele et al., 2025; Dobbie et al., 2018; Donnelly & MacDonald, 2019; Gius, 2018; Holsinger & Holsinger, 2018).

Pretrial detention can have negative consequences for defendants, particularly for employment, finances, and family ties. According to Holsinger & Holsinger (2018), individuals who spent three or more days in pretrial jail detention were more likely to experience employment disruption than those detained for fewer than three days. In addition, those detained for three or more days were more likely to report financial instability, negative effects on dependents under 18, and housing disruption than those detained for fewer than three days (Holsinger & Holsinger, 2018).

Empirical studies suggest that pretrial detention increases the likelihood of conviction and harsher sentencing outcomes (DeMichele et al., 2025; Dobbie et al., 2018; Gius, 2018; Koppel et al., 2022; Lee, 2019; Lowenkamp et al., 2013a; Lowenkamp et al., 2013b; Oleson et al., 2017; Sacks & Ackerman, 2014; St Louis, 2024). Indeed, DeMichele and her colleagues (2025) analyzed the impact of pretrial detention on failure to appear, new criminal arrest, new violent criminal arrest, and conviction, and found that pretrial detention increased the likelihood of conviction. Their results also showed that being detained for more than 1 day and 3 days increased the odds of negative pretrial outcomes compared to someone who was booked and released from jail.

Similarly, Gius (2018) used data from 25 states from 1992 to 2009 to analyze the impact of pretrial detention on conviction rates and sentencing outcomes. They found that pretrial detention increased the probability of both being convicted and being imprisoned. Furthermore, St. Louis's (2024) meta-analysis revealed that detained defendants were more likely to be convicted, sentenced to prison and receive longer custodial sentences than released defendants. They were also less likely to have their cases dismissed.

Research shows that pretrial detention contributes to disparities in case outcomes between Black and White defendants (Donnelly & MacDonald, 2019; Galvin et al., 2025). Galvin et al. (2025) examined the impact of pretrial detention on racial and ethnic differences in sentencing using data on cases sentenced in Pennsylvania between 2015 and 2019. They reported that pretrial detention hurt Black defendants compared with White defendants, particularly with respect to the incarceration decision and incarceration length. They also found that pretrial detention hurt Hispanic defendants compared with White defendants in terms of the length of incarceration.

The negative consequences of pretrial detention led to calls for reforms and innovations in pretrial. One such reform is the use of Pretrial Supervision Services (PTS) as an alternative to detention for eligible defendants. In addition, there has been growing interest in applying Evidence-Based Practices (EBPs), specifically the Risk-Need-Responsivity (RNR) framework, to improve the effectiveness of Pretrial Supervision Services (Bourgon & Lovins, 2025; Zottola et al., 2023).

Pretrial Supervision Services

Pretrial supervision agencies have different roles. Indeed, pretrial officers gather information about the defendants, conduct a criminal record check, and conduct pretrial risk assessments to assess the defendants' risk of failure to appear in court or risk of committing a new crime (Bechtel et al., 2017; Bechtel et al., 2022; Bourgon & Lovins, 2025). Pretrial risk assessment tools are developed and implemented to assess defendants' risk of committing future crimes or failing to appear in court while on pretrial release (Lowenkamp et al., 2008). Those tools inform release and supervision decisions (Bolger & Phillips, 2023; Lowenkamp et al., 2008).

The pretrial risk assessment tool is administered through an interview with the defendant. After gathering the defendant's information and conducting the risk assessment, pretrial officers

complete a pretrial report for the court which provides information regarding the defendant background, residential and family ties, employment history, prior record, the results of the risk/need assessment completed and the pretrial officer recommendation regarding the defendants' release and the conditions of release (Bechtel et al., 2022; Bechtel et al., 2024; Lowenkamp et al., 2008). Those recommendations are based on the information they gathered and the results of the pretrial risk assessments. It should be noted that pretrial risk assessment tools are intended to assist and inform judicial decision-making, not to replace judges' discretion (Desmarais & Lowder, 2019; Desmarais et al., 2022). The defendants who are granted pretrial release and referred to pretrial supervision services are not required to post a cash bond and are supervised by pretrial officers.

The goals of pretrial supervision services are to promote court appearance compliance, reduce risks to public safety, and help defendants gain access to services such as counseling and employment (Bolger & Phillips, 2023). Eligible defendants agree to comply with court-ordered conditions such as regular check-ins, drug testing, electronic monitoring, curfews, home contacts, telephone contacts, maintaining employment, weapons restrictions, search and seizure, or participation in treatment programs (Bechtel et al., 2017; Bechtel et al., 2022; Bechtel et al., 2024; Cohen & Hicks, 2023; Lowder & Foudray, 2021; Silver et al., 2024). Those conditions set for offenders on pretrial release are designed to ensure that they do not commit a new crime and appear in court while waiting for trial. It should be noted that there is a lack of standardization regarding what constitutes pretrial supervision services. The specific services provided, supervision practices, and intensity of supervision may vary across jurisdictions (Bourgon & Lovins, 2025).

Pretrial Supervision Services and Pretrial Outcomes

Previous research has examined the effects of pretrial supervision on outcomes such as pretrial detention, failure to appear, and recidivism. In contrast, other studies have focused more specifically on the use of pretrial release conditions and their effects on court appearance and recidivism. Research shows that pretrial supervision services affect pretrial detention (Oleson et al., 2017; Skemer et al., 2020). Indeed, Oleson et al. (2017) examined pretrial detention in the Federal criminal justice system using a sample of 90,037 pretrial cases from the U.S. district courts and found that the defendants released on pretrial services supervision were less likely to be sentenced to prison and to a longer sentence. Moreover, the results of the study conducted by Skemer et al. (2020) demonstrated that New York City's supervised release program led to a large reduction in the proportion of defendants detained in jail after their arraignment hearings.

Studies show that pretrial supervision services reduce the risk of failure to appear in court and recidivism (Barno et al., 2020; Bolger & Phillips, 2023; Goldkamp & White, 2006; Lowenkamp & VanNostrand, 2013; Oleson et al., 2017). Lowenkamp & VanNostrand (2013) compared pretrial outcomes between the defendants released on pretrial supervision and those released without supervision. They found that high and moderate-risk defendants who received supervision were more likely to appear in court. Their results also showed that the defendants who participated in the pretrial supervision program and who were supervised for 180 days or more were less likely to be arrested for a new crime. Additionally, Barno and his colleagues (2020) evaluated Orange County's pretrial assessment and release supervision program in California. Controlling for the defendants' race, gender, employment status, military status, and risk level score, they showed that participants in the pretrial assessment and release supervision program were less likely to fail to appear in court than defendants released on cash bail.

The results of the study conducted by Bolger and Phillips (2023) showed that after controlling for gender, race, age, ethnicity, marital status, employment, education, substance abuse, and criminal history, participants who completed the eastern Pennsylvania county's supervised pretrial release program were less likely to be arrested within 36 months after pretrial. They also found that the participants in the pretrial supervision program with more education and no criminal history were less likely to fail the program. Those with more education were more likely to be arrested (Bolger & Phillips, 2023).

Similarly, another study examined the effectiveness of a supervised release program in New York (Skemer et al., 2020). The results showed that participation in New York City's supervised release program did not significantly increase the likelihood of new arrests during the nine months following arraignment. Skemer and her colleagues (2020) also found that the defendants enrolled in the supervised release did not experience a substantial increase in bench warrants for failure to appear. Finally, the outcome evaluation conducted by Myer & Hunter (2021) of the North Dakota pretrial supervision pilot project showed that pretrial supervision participants were less likely to fail to appear in court and be rearrested, but these effects differed in magnitude relative to the county that was piloting the services.

Other studies have focused more specifically on the use of pretrial release conditions and their effects on court appearance and recidivism. Silver et al. (2024) examined the effects of combining twelve pretrial supervision conditions (regular check-in, employment, education, electronic monitoring, location restrictions, treatment, sobriety, stay-away orders, monthly reporting, bi-weekly reporting, and weekly reporting) by using a sample of individuals released on pretrial supervision from January 1, 2017 to December 31, 2018. Their results showed that individuals assigned to treatment and regular check-ins were less likely to be rearrested than those

not supervised during pretrial release. They also found that the offenders assigned to weekly reporting, employment, and education were more likely to be rearrested than those not supervised during pretrial release (Silver et al., 2024).

Besides, Cohen & Hicks (2023) used data from the Administrative Office of the U.S. Courts and found that the number of conditions did not significantly reduce pretrial crime or failure to appear. However, they found that low-risk defendants with more conditions were more likely to be arrested compared with the low-risk defendants with fewer conditions. In addition, the probability of having pretrial release revoked increased with the number of conditions, and this pattern held across all risk levels. Moreover, Britt et al. (1992) used an experimental design to examine the impact of drug monitoring on drug use and pretrial misconduct among a sample of pretrial release defendants from Pima and Maricopa counties in Arizona. They found no differences between the drug-monitored and non-monitored in terms of pretrial misconduct in Pima County. But, the drug-monitored group in Maricopa County was more likely to fail to appear and be rearrested.

Likewise, Foudray et al. (2025) used data from a large county in Indiana and a quasi-experimental design to examine the effect of pretrial drug testing on successful completion of pretrial supervision and pretrial misconduct among a sample of 1,039 defendants. They argued that the defendants who participated in the pretrial supervision program and who were required to be drug tested were less likely to complete pretrial supervision compared to those defendants not ordered to pretrial drug testing. In addition, the defendants who were required to be drug tested were more likely to be arrested for a new offense compared to those individuals not ordered to pretrial drug testing.

Lowder and Foudray (2021) examined the impact of pretrial supervision conditions on supervision failure. They found that individuals placed under more intensive pretrial monitoring (electronic monitoring, frequent monthly meetings) were more likely to experience supervision failure, regardless of their assessed risk level in Indiana. Anderson and her colleagues (2023) reported comparable findings, using retrospective data from cases initiated between January 2017 and June 2019 in four jurisdictions across the United States to evaluate the effectiveness of electronic monitoring and sobriety monitoring on pretrial defendants' failure to appear in court and rearrests. They argued that in two jurisdictions, electronically monitored pretrial defendants were more likely to be rearrested than those who were not. At two sites, the sobriety-monitoring group was less likely to be rearrested, while at the other two sites, they were more likely to be rearrested.

Overall, the literature on pretrial supervision services has produced inconsistent findings. The current study builds on this body of research by examining pretrial supervision services as a comprehensive intervention rather than focusing solely on individual supervision conditions.

Current Study

This research builds on prior research on the impact of pretrial supervision services on recidivism and failure to appear. In 2020, an evaluation of the North Dakota pretrial supervision pilot project examined the effectiveness of pretrial supervision services. The North Dakota Department of Corrections and Rehabilitation received funding from House Bill 1015 of the 2019 Legislature to establish a pretrial supervision pilot project. Findings from the pilot project indicated that pretrial supervision clients had lower rates of FTAs and recidivism, with effects differing across locations. This study builds on the former by evaluating pretrial supervision in practice. A control group is developed to compare estimates of pretrial supervision's impact on FTAs,

recidivism, and jail stays. In addition, the project provides cost and cost savings estimates associated with pretrial supervision services in North Dakota.

Methods

DOCR entered into a contract with NDSU in November 2025 to conduct the study authorized by HB 1425. DOCR invited numerous stakeholders, including judges, state's attorneys, public defenders, jail administrators, and probation officers, to form a Pretrial Supervision Study Steering Committee and provide feedback on the project. On December 17th 2025, the researcher presented the study methodology to the Steering Committee for feedback and approval. The committee approved the methodology.

Data collection for the control group began on January 19, 2026. Control group data collection posed numerous methodological challenges because pretrial supervision was already common in many counties, including the four most populous counties in the state. As a result, pretrial services in these counties posed a methodological problem because the services were already available to all individuals charged with a crime, leaving no individuals eligible for the control group. As a reminder, pretrial officers screened charged individuals on all court days in the following counties: Burleigh, Morton, Grand Forks, Ramsey, Benson, Nelson, Ward, Burke, and Mountrail. Cass County was the only county that offered pretrial services part-time. In Cass County, pretrial supervision officers screen charged clients two days a week. As a result, the only viable option for control group development was to screen Cass County clients who were not screened on the remaining three workdays.[1]

[1] In an effort to try and bolster control group recruitment, probation officers in Stark County and Williams County were asked to screen clients for possible inclusion into the control group, since pretrial supervision is also not available in these counties; however, few clients were screened as eligible. The outcome control group includes one client from each of these two counties.

Clients were included in the control group sample if they were screened on non-pretrial days in Cass County. Control group data collection ended on July 1. In total, 177 individuals were screened for the comparison group. However, 93 of these clients pled guilty before release or remained in jail until their court date. These 93 cases were excluded from the control group because they could not receive an FTA or have the opportunity to recidivate. Including these clients in the outcome analysis would have significantly skewed the outcome analysis. Thus, the control group sample size is n = 84.

The treatment group is composed of individuals who were screened and placed on pretrial supervision in a county where pretrial services operated. These data were provided by the DOCR to the researcher. For the sake of parsimony, treatment clients were included if they were screened into pretrial services during the same data collection time frame January 1, 2026 through June 30, 2026. In addition, the pretrial period must have concluded to remain in the treatment group. This resulted in a treatment group sample size of n = 354.

Table 1 depicts demographic characteristics by sample. These data are defined and collected as part of DOCRs current operating procedures. As the reader can see, White males were the most common gender and race for both the pretrial (treatment) and control samples. There was no significantly meaningful difference in the distribution of gender across samples. The chi-square test demonstrates there is a significant difference between racial categories across the treatment and control groups; however, this finding should be viewed with caution as he results are influenced by the low numbers of Hispanic cases and cases labeled as Other. If these cases are removed, there remains a significant difference (X^2=15.917;df=2; p=.001); namely, the control group contained significantly more individuals who were White or Black, while the treatment group had more Native American cases. The most common age range for the pretrial group was

Table 1: Demographics by Sample

Variable		Pretrial Sample		Control Sample		Total		Test	
Gender		n	%	n	%	n	%	Statistic	P-Value
	Male	211	59.6	53	63.1	264	60.3	X^2=.345	0.557
	Female	143	40.4	31	36.9	174	39.7	df=1	
Race								X^2=21.642	< .001†
	White	195	55.1	52	61.9	247	56.4	df=4	
	Native American	117	33.1	11	13.1	128	29.2		
	Black	30	8.5	15	17.9	45	10.3		
	Hispanic	8	2.3	6	7.1	14	3.2		
	Other	4	1.1	0	0	4	0.9		
Age								t=-.302	0.763
	18-25	70	19.8	13	15.5	83	18.9	df=133.2	
	26-34	92	26.0	26	31.0	118	26.9		
	35-43	114	32.2	26	31.0	140	32.0		
	44-52	42	11.9	14	16.7	56	12.8		
	53+	36	10.2	5	6.0	41	9.4		
	Min-Max	18-72		18-70		18-72			
	Mean	36.23		35.83		36.16			
	Stand. Dev.	11.64		10.75		11.466			
County				N/A	N/A	N/A	N/A	N/A	N/A
	Benson	3	0.8						
	Burleigh	141	39.8						
	Cass	51	14.4						
	Grand Forks	24	6.8						
	Morton	66	18.6						
	Nelson	1	0.3						
	Ramsey	43	12.1						
	Ward	25	7.1						

*p<.05; **p<.01; ***P<.001

†=3 cells have expected count less than 5

35-43, while the most common age range for the control group was tied between 26-34 and 35-43. There were no significant differences across ages. As the reader can see, the average age for the pretrial group (36.23) was very similar to the average age in the control group (35.83). Finally, location is reported for the pretrial group. Burleigh County was responsible for nearly 40 percent

of all cases, followed by Morton County and then Cass County. Recall that all but two control group cases were from Cass County, as one was from Stark County and one case was from Williams County.

Table 2 depicts other demographic characteristics across both samples. The vast majority of cases were not veterans (no significant difference across groups). The most common marital status was single for both the pretrial and control groups. However, there was a significant difference in marital category, as more cases were considered single in the control sample compared to the pretrial sample. The most common housing status for both samples was housed, and there were no significant differences across samples. The most common number of dependents for both samples was zero, and a t-test demonstrated no significant differences across the two samples. Finally, the education level of clients was compared. The most common category for both samples was a HS degree as the highest education level completed. The second most common education level for the pretrial group was less than a high school degree, whereas the second most common group for the control group some college. The difference was significant; however, too few cases in the control group were present in two categories (advanced degree and unknown). When these two categories are removed, the results show there is no statistical difference across samples ($X2 = 6.275$; $df=3$; $p=.099$).

Table 3 presents information on the charge category for each sample. The most common category for the pretrial and control samples was drug, followed by violent and property. While these differences are significant, they reflect the number of categories and the small distribution of cases across many categories. All clients are screened with a pretrial risk assessment tool (Ohio Risk Assessment System Pretrial Risk Tool; ORAS) to determine if they are low, moderate, or high risk to reoffend or receive an FTA during the pretrial time period. The most common category for

Table 2: Additional Demographics by Sample

Variable	Pretrial Sample		Control Sample		Total		Test	
Veteran Status	n	%	n	%	n	%	Statistic	P-Value
Not a Veteran	346	97.7	81	96.4	427	97.5	X^2=.007	0.935
Veteran	8	2.3	2	2.4	10	2.3	df=1	
Missing	0	0.0	1	1.2	1	0.2		
Marital Status								
Single	207	58.5	62	73.8	269	61.4	X^2=20.015*	<.001*
Married	32	9.0	8	9.5	40	9.1	df=3	
Separated/Divorced	45	12.7	14	16.7	59	13.5		
Other	70	19.8	0	0.0	70	16.0		
Housing Status								
Housed	293	82.8	64	76.2	357	81.5	X^2=1.949	0.163
Unhoused	61	17.2	20	23.8	81	18.5	df=1	
Number of Dependents								
0	204	57.6	52	61.9	256	58.4	t=-.862	0.390
1	55	15.5	11	13.1	66	15.1	df=134.386	
2	38	10.7	10	11.9	48	11.0		
3	30	8.5	8	9.5	38	8.7		
4	19	5.4	2	2.4	21	4.8		
5+	8	2.3	1	1.2	9	2.1		
Education Level								
Less than HS	73	20.6	12	14.3	85	19.4	X=23.639	<.001†
HS Degree	138	39.0	38	45.2	176	40.2	df=5	
Some College	67	18.9	28	33.3	95	21.7		
College Degree	15	4.2	5	6.0	20	4.6		
Advanced Degree	2	0.6	0	0.0	2	0.5		
Unknown	59	16.7	0	0.0	59	13.5		
Missing	0	0.0	1	1.2	1	1.2		

*p<.001

†=3 cells have expected count less than 5

Table 3: Charging Crime, Risk Level, and Days on Supervision by Sample

Variable	Pretrial Sample		Control Group		Total		Test	
Charge Category	n	%	n	%	n	%	Statistic	P-Value
Violent	62	17.5	27	32.1	89	20.3	X^2=16.245	0.023†
Property	49	13.8	10	11.9	59	13.5	df=7	
Drugs	130	36.7	28	33.3	158	36.1		
Alcohol	21	5.9	5	6.0	26	5.9		
Child Neglect/Endagerment	41	11.6	4	4.8	45	10.3		
Violation of Court Order or Protective Order	13	3.7	2	2.4	15	3.4		
Fleeing	8	2.3	5	3.6	13	3.0		
Other	30	8.5	3	6.0	33	7.5		
ORAS Risk Level								
Low	80	22.6	27	32.1	107	24.4	X^2=4.926	0.085
Moderate	167	47.2	40	47.6	207	47.3	df=2	
High	107	30.2	17	20.2	124	28.3		
Days on Supervision								
1-60	87	24.6	N/A		N/A		N/A	
61-90	71	20.1						
91-120	120	33.9						
121-150	43	12.1						
151+	33	9.3						
Min.-Max.	1-274							
Mean	93.38							
Stand. Dev.	44.621							

*p<.05

†=3 cells have expected count less than 5

pretrial sample was moderate, followed by high and then low. The most common category for the control group was moderate, followed by low and then high. There was no significant difference across risk levels by sample. Finally, we examined the number of days clients were on supervision. The average number of days on supervision for pretrial clients was 93.

Analysis

FTA & Recidivism Analyses.

The outcome analysis begins with an inspection of the distribution of failure-to-appear (FTA) warrants and new charges by sample. FTAs were determined via the North Dakota Court Record Inquiry. Recidivism was defined as any new criminal charge (misdemeanor or felony). This information was collected from the North Dakota Court Record Inquiry. As depicted in Table 4, there were 86 total FTA warrants issued during the study time period. Approximately 19 percent of the pretrial supervision sample received an FTA warrant during their pretrial period, compared to just over 21 percent of the control group. Although the control group had a higher proportion of FTA warrants than the pretrial supervision group, this difference was not statistically significant. Thus, initial inspection suggests that pretrial supervision did not significantly impact FTA warrants, despite the control group having a higher proportion. Inspection of the recidivism outcomes by sample tells a different story.

Table 4 demonstrates that 28.6 percent of the control group received a new charge during the study period, while only 18.6 percent of the pretrial supervision clients received a new charge. This difference was statistically meaningful. Thus, pretrial supervision clients were significantly less likely to receive a new charge during the pretrial period.

Table 4: Outcome Distribution by Sample

Variable	Pretrial Sample		Control Group		Total		Test	
FTA	n	%	n	%	n	%	Statistic	P-Value
No	286	80.8	66	78.6	352	80.4	X^2=.212	0.645
Yes	68	19.2	18	21.4	86	19.6	df=1	
New Charge								
No	288	81.4	60	71.4	348	79.5	X^2=4.098*	0.043*
Yes	66	18.6	24	28.6	90	20.5	df=1	

*p<.05

Table 5 evaluates the role risk level plays across comparison groups in detecting differences in the impact of pretrial supervision services and FTAs. The reader will note no statistically significant differences between the comparison group and the pretrial supervision group for moderate- or high-risk individuals. This finding is similar to the one presented in Table 4. However, the comparison and pretrial supervision samples differ significantly for low-risk offenders. Specifically, low-risk pretrial supervision clients are significantly less likely than low risk control group clients to have received an FTA during the study (3.8% vs. 14.8%, respectively). Thus, FTAs were impacted, but only for low risk clients.

Table 5: FTA Outcome Distribution by Risk Level and Sample

Variable	Pretrial Sample		Control Group		Total		Test	
Low Risk	n	%	n	%	n	%	Statistic	P-Value
No FTA	77	96.3	23	85.2	100	93.5	X^2=4.042*	0.044*
Yes, FTA	3	3.8	4	14.8	7	6.5	df=1	
Moderate Risk								
No FTA	138	82.6	31	77.5	169	81.6	X^2=.568	0.451
Yes, FTA	29	17.4	9	22.5	38	18.4	df=1	
High Risk								
No FTA	71	66.4	12	70.6	83	66.9	X^2=.119	0.730
Yes, FTA	36	33.6	5	29.4	41	33.1	df=1	

*p<.05

Table 6 presents information on the impact of new charges across samples by risk level. Recall that Table 4 demonstrated that pretrial supervision clients were significantly less likely to receive a new charge during the pretrial period. Table 6 shows a significant difference for moderate-risk clients. Specifically, moderate-risk pretrial clients were significantly less likely to receive a new charge than moderate-risk control group clients (16.2% vs 32.5%, respectively). The readers should also note the differences in proportions across the high- and low risk groups.

Roughly six percent of pretrial low risk clients had a new charge compared to 11 percent of low risk control group clients; thus, the control group proportion was nearly double. Similarly, nearly 32 percent of high-risk pretrial clients received a new charge compared to 47 percent of the control group clients (a 15% difference). Thus, while these proportions were not statistically different, that is almost entirely due to the small sample of high-risk control group clients (17) and low risk control group clients (27). If the control group sample size increased, these differences would be statistically meaningful.

Table 6: New Charge Outcome Distribution by Risk Level and Sample

Variable	Pretrial Sample		Control Group		Total		Test	
Low Risk	n	%	n	%	n	%	Statistic	P-Value
No Charge	75	93.8	24	88.9	99	92.5	X^2=.690	0.406
New Charge	5	6.3	3	11.1	8	7.5	df=1	
Moderate Risk								
No Charge	140	83.8	27	67.5	167	80.7	X^2=5.522*	0.019*
New Charge	27	16.2	13	32.5	40	19.3	df=1	
High Risk								
No Charge	73	68.2	9	52.9	82	66.1	X^2=1.530	0.216
New Charge	34	31.8	8	47.1	42	33.9	df=1	

*p<.05

The analyses presented in Tables 4 through 6 provide meaningful information on the impact of pretrial supervision on FTAs and New Charge recidivism measures. The analyses, however, do not account for the influence of outside variables. Thus, Table 7 presents information on logistic regression analyses that control for the impact of numerous variables on each outcome of interest.

The logistic regression analyses include group status, gender, age, race, education level, marital status, number of dependents, veteran status, housing status, and ORAS risk level (as a continuous variable). The reader will note that statistical differences are noted under the Exp(B)

column, which can be interpreted as an odds ratio. Analysis on the prediction of FTA warrants demonstrates numerous findings. First, after controlling for numerous variables, there is no difference between the pretrial supervision sample and the control group. This corroborates information presented in Table 4. Second, Native Americans are significantly more likely than White individuals to receive an FTA, regardless of group status, gender, age, or risk level. Specifically, Native Americans were two times more likely (109% increase) than White individuals to receive a new FTA during the pretrial study. In addition, each dependent an individual had increased the risk of receiving an FTA by about 24 percent. Also, homelessness was heavily associated with the risk of receiving an FTA. An unhoused individual was over three times as likely to receive an FTA relative to housed individuals. Being unhoused was associated with a 235.4 percent increased risk of receiving an FTA

A person's risk level significantly predicted the likelihood of receiving an FTA. Specifically, every one-unit increase in risk (i.e., for each point the risk assessment increases) is associated with a 32.4 percent increase in the likelihood of receiving an FTA. This finding aligns with the results presented in Table 5. Recall that Table 5 demonstrated a significant difference for low risk, but not for moderate or high risk. Furthermore, the small sample size in the high-risk control group limits the ability to detect differences for high-risk clients. Table 7s analysis demonstrates that higher risk levels are predictive of FTAs; however, this is regardless of group status.

The logistic regression analysis for new charges shows a significant difference by group status. Table 7 demonstrates that after controlling for gender, age, race, marital status, dependents, housing status, veteran status, and risk level, control group participants were 61.8 percent less likely to receive a new charge. Said differently, providing pretrial services reduces the probability

Table 7: Logistic Regression Models Predicting Outcome

	FTA			New Charge		
Variables	B	SE	Exp(B)	B	SE	Exp(B)
Treatment Group	-0.468	0.358	0.626	-0.963	0.336	.382**
Female	-0.394	0.320	0.675	-0.364	0.311	0.695
Age	-0.015	0.015	0.985	0.010	0.014	1.010
Race						
Native American	0.740	0.342	2.096*	0.020	0.345	1.020
Black	-0.159	0.529	0.853	-0.082	0.501	0.921
Hispanic/Other	0.444	0.707	1.559	-1.444	1.111	0.236
Education						
High School	-0.231	0.362	0.794	0.093	0.368	1.098
Some College	-0.312	0.440	0.732	-0.028	0.443	0.973
College	0.068	0.772	1.070	1.085	0.654	2.961
# of Dependents	0.212	0.102	1.236*	-0.044	0.104	0.957
Veteran	-1.232	1.293	0.292	1.032	0.779	2.807
Homeless	1.21	0.359	3.354***	0.276	0.359	1.318
Marital Status						
Married	-0.281	0.601	0.755	0.072	0.518	1.075
Seperated/Divorced	-0.337	0.478	0.714	-0.524	0.473	0.592
Other	-0.052	0.686	0.949	0.201	0.604	1.223
ORAS	0.164	0.077	1.178*	0.339	0.079	1.403***
n		438			438	
Constant	-1.731	0.701	.177*	-2.498	0.712	.082***
-2 Log Liklihood		311.14			329.79	
Nagelkerke R Square		0.181			0.19	

*p<.05; **p<.01; ***p<.001

of receiving a new charge during the pretrial period by 57.3 percent. This confirms the findings of Table 4. Furthermore, Table 7 indicates that each unit increase in risk level is associated with a 40 percent increase in the probability of receiving a new charge. This corroborates the findings demonstrated in Table 6. Finally, unlike the models predicting FTA, housing status, race, and the number of dependents a person had were unrelated to the probability of receiving a new charge. This demonstrates that different factors influence these two outcomes.

Supplementary Outcome Analysis #1

The above analyses suggest that pretrial supervision services in North Dakota are significantly related to reductions in new charges during the pretrial period, but are not consistently associated with significant reductions in FTAs. One critique of the above analyses is that comparing control group clients that nearly exclusively come from Cass County to clients from multiple jurisdictions may influence the findings. To address this, analyses were conducted comparing only Cass County pretrial clients to the comparison group to see whether different patterns/results emerge.

Table 8 compares Cass County pretrial clients to the control group on differences between FTA and New Charge outcomes. It should be noted that comparing Cass County pretrial only as the treatment group reduces the sample size of the treatment group to 51 (relative to the 84 control group cases). Table 8 indicates that Cass County pretrial clients were less likely to receive an FTA than the control group (9.8% vs. 21.4%, respectively). Although this finding is not significant at the traditional $p < .05$ level, it is significant at $p < .10$, which is appropriate given the sample size across groups. Thus, Cass County pretrial clients were significantly less likely than Cass County residents without pretrial supervision to receive an FTA. In addition, Cass County pretrial clients were significantly less likely to receive a new charge compared to control group clients (5.9% vs. 28.6%, respectively). Thus, Table 8 corroborates that individuals receiving pretrial services are statistically less likely to receive a new charge before trial. Furthermore, Table 8 analysis of FTAs continues to show that pretrial clients have fewer FTAs than the control group; this finding approaches significance at the .05 probability level and is significant at the .10 probability level.

Table 8: Cass County Pretrial and Comparison Group Outcome

Variable	Cass Co. Pretrial Sample		Control Group		Total		Test	
FTA	n	%	n	%	n	%	Statistic	P-Value
No	46	90.2	66	78.6	112	83.0	X^2=3.034‡	0.082‡
Yes	5	9.8	18	21.4	23	17.0	df=1	
New Charge								
No	48	94.1	60	71.4	108	80.0	X^2=10.210***	0.001***
Yes	3	5.9	24	28.6	27	20.0	df=1	

‡<.10, ***p<.001

Supplementary Outcome Analysis #2

To increase methodological rigor, analyses using matched treatment and control group participants were conducted. That is, instead of statistically controlling for the influence of outside variables, case-control matching procedures were used to methodologically create equal pretrial and control group samples. Table 9 depicts the results of the matching process.

To create matched groups, the researcher used IBM SPSS matching algorithms for exact matching on gender, race, and risk level. The researcher also used fuzzy set matching on age so treatment clients would be matched to control group clients within ±3 years. Thus, any individual included in the control group would be matched to a treatment group client exactly on gender, race, and risk level, and within 3 years of age. The reader should note the exact proportions across gender, race, and risk level and the corresponding lack of significant difference. Because age used fuzzy matching, the reader will notice some slight differences in age (within ±3 years), but these differences are not statistically meaningful (t=.173; df=139.9; p=.863). Thus, Table 9 demonstrates that matching was successful. The reader should also note that not all cases were able to be matched in this rigorous fashion, resulting in a sample size of 71 for the control group and 71 for the treatment group.

Table 9: Demographics of Case-Controlled Matched Samples

Variable	Pretrial Sample		Control Sample		Total		Test	
Gender	n	%	n	%	n	%	Statistic	P-Value
Male	42	59.2	42	59.2	84	59.2	X=.000	1.000
Female	29	40.8	29	40.8	58	40.8	df=1	
Race								
White	51	71.8	51	71.8	102	71.8	X=.000	1.000
Native American	9	12.7	9	12.7	18	12.7	df=3	
Black	9	12.7	9	12.7	18	12.7		
Hispanic	2	2.8	2	2.8	4	2.8		
Other	0	0	0	0	0	0		
Age								
18-25	15	21.1	11	15.5	26	18.3	t=.173	0.863
26-34	20	28.2	20	28.2	40	28.2	df=139.954	
35-43	22	31.0	24	33.8	46	32.4		
44-52	10	14.1	13	18.3	23	16.2		
53+	4	5.6	3	4.2	7	4.9		
Min-Max	18-62		18-63		18-63			
Mean	35.24		35.54		35.39			
Stand. Dev.	10.278		10.094		10.151			
ORAS Risk Level							X=.000	1.000
Low	17	23.9	17	23.9	34	23.9	df=2	
Moderate	38	53.5	38	53.5	76	53.5		
High	16	22.5	16	22.5	32	22.5		

Table 10 provides the results investigating the impact of pretrial services on outcomes across matched samples. The results corroborate early analyses presented in Table 4. Specifically, matched pretrial clients had fewer FTAs relative to the matched control group clients (15.5% vs. 22.5%); however, this difference remained statistically non-significant. Matched pretrial supervision clients were significantly less likely to have a new charge compared to matched control group clients (8.5% new charge vs. 31% new charge, respectively). This was significant at the .001 level.

Table 10: Matched Pretrial and Comparison Group Outcome Analyses

Variable	Matched Pretrial Sample		Matched Control Group		Total		Test	
FTA	n	%	n	%	n	%	Statistic	P-Value
No	60	84.5	55	77.5	115	81.0	X^2=1.143	0.285
Yes	11	15.5	16	22.5	27	19.0	df=1	
New Charge								
No	65	91.5	49	69.0	114	80.3	X^2=11.388***	<.001***
Yes	6	8.5	22	31.0	28	19.7	df=1	

***p<.001

Table 11 investigates differences across risk levels for the matched samples for new charges only. As the reader can see, directly comparing risk levels reveals interesting findings. The reader will note that low risk matched pretrial clients had fewer new charges than low risk matched control group clients (0% vs. 17.6%, respectively). This pattern was replicated for the moderate risk matched pretrial clients and the moderate risk matched control group clients (13.2% vs. 31.6%). Given the small sample sizes across these categories, these results approached significance at the $p < .05$ level, and are significant at the $p <.10$ level. When evaluating high risk clients, high risk pretrial clients were significantly less likely to have a new charge compared to high risk matched control group clients (6.3% vs. 43.8%, respectively). This is a substantial reduction. Readers should interpret this as pretrial services significantly reduces recidivism by 37.5% for the clients most likely to be rearrested during the pretrial supervision period.

Analyses on the Impact of Pretrial Services on Days in Jail

The analyses now turn away from evaluating FTAs and New Charges to evaluating the impact on jails; specifically, how many days are spent in jail. Recall that 177 individuals were screened into the control group. However, 93 individuals pled guilty at their initial hearing or remained in jail until they pled later or had their trial. Although these individuals were excluded

Table 11: New Charge Outcome Distribution by Risk Level and Sample

Variable	Pretrial Matched Sample		Control Group Matched Sample		Total		Test	
Low Risk	n	%	n	%	n	%	Statistic	P-Value
No Charge	17	100	14	82.4	31	91.2	X^2=3.290‡	0.07‡
New Charge	0	0	3	17.6	3	8.8	df=1	
Moderate Risk								
No Charge	33	86.8	26	68.4	59	77.6	X^2=3.713‡	0.054‡
New Charge	5	13.2	12	31.6	17	22.4	df=1	
High Risk								
No Charge	15	93.8	9	56.3	24	75.0	X^2=6.000*	0.014*
New Charge	1	6.3	7	43.8	8	25.0	df=1	

‡<.10, *p<.05

from the outcome analysis (because they were unable to receive an FTA or have the opportunity to receive a new charge), they are included in the jail-day analyses. This results in a control group sample size of n=177.

Table 12 demonstrates a frequency distribution of days spend in jail for the pretrial sample and the control group sample. As the reader can see, the most common number of jail days for the pretrial sample was two days (33.6 percent) followed by three days (15.5%) and four days (14.1%). For the control group, the most common number of days was 21 or more (23.2%), followed by two days (20.9%), and three days (13.6%). The average number of days in jail for the pretrial sample was 6.6 days with a standard deviation of 11 days. The average number of days in jail for the control group was 22.8 days, with a standard deviation of 40.1 days. The large difference in standard deviation demonstrates that the control group has much more variation in cases, with some cases spending similar times in jail relative to the comparison group, but more cases spending substantially more days in jail. This difference is statistically significant (t = 5.273; df=189.6; p

<.001). Readers can interpret this as pretrial supervision clients spending significantly fewer days in jail than the control group.

Table 12: Days in Jail by Sample

Variable	Pretrial Sample		Control Group		Total		Test	
Days in Jail	n	%	n	%	n	%	Statistic	P-Value
1	35	9.9	16	9.0	51	9.6	t=5.273***	0.001***
2	119	33.6	37	20.9	156	29.4	df=189.566	
3	55	15.5	24	13.6	79	14.9		
4	50	14.1	17	9.6	67	12.6		
5	13	3.7	9	5.1	22	4.1		
6-10	22	6.2	15	8.5	37	7.0		
11-15	22	6.2	7	4.0	29	5.5		
16-20	11	3.1	11	6.2	22	4.1		
21+	27	7.6	41	23.2	68	12.8		
Min.-Max.	1 - 123		1-199		1 - 199			
Mean	6.6		22.8		12.0			
Stand. Dev.	11.1		40.1		26.0			

***p<.001

Cost-Benefit Analysis

HB 1425 tasked the researcher with investigating costs and benefits associated with pretrial supervision. The following section evaluates multiple costs associated with pretrial supervision, as well as cases without pretrial supervision.

Table 13 presents information on the impact of pretrial supervision on jail populations. Recall that one of the aims of pretrial supervision is to lessen the jail population, thereby reducing the costs associated with confinement. The aim of Table 13 is to evaluate whether pretrial supervision can prevent jails from exceeding operational capacity, which leads to excess costs for transporting and housing inmates in other facilities. Column A includes information on the overall jail capacity for each jail in the study. Column B is the current population estimate for each jail that was obtained on 27 September 2026 from each jail's online inmate roster. Column C represents

the percent of inmates in jail who are on presentence status. To be clear, this are individuals who have been arrested and are awaiting trial or release—it is all who have not been sentenced to jail by a judge. This is the population that would theoretically be eligible for pretrial supervision services. Column D is the number of people who are on pretrial supervision status in the county. This number was provided to the researcher by DOCR.

Column E of Table 13 estimates the number of individuals who would potentially be in jail if pretrial supervision were unavailable in their district. It is calculated by multiplying the number of individuals currently on supervision by the proportion of a jail's population on pretrial supervision. Column F then uses this estimate and adds it to the existing jail population. This number could be interpreted as the jail capacity on that day if pretrial services did not exist. Column F then subtracts this estimate from the jail capacity estimate. A negative number would indicate that a jail could still operate under capacity. A positive number indicates the jail would be over capacity. As the reader can see, all numbers are positive, indicating that all jails would be over capacity. The range in these numbers is 3 (Grand Forks) to 81 (Burleigh/Morton). Columns H through J estimate the cost of this overcapacity.

Column H of Table 13 is the daily cost for each county jail to send an inmate to be housed at another jail. Data were only available for two counties. DOCR, through jail administrators, provided data indicating that Cass County pays $75 per day to house a Cass County inmate in an outside jail. Furthermore, Grand Forks County pays $100 dollars. Data were not available for other counties, so column H evaluates both numbers to provide a range. Column I provides an estimate of daily cost savings related to jail crowding, and column J provides annual cost savings. Accordingly, Burleigh/Morton County saves the most, between $6,075 to $8,100 per day, which translates to annual savings between $2.2 million and just under $3 million a year. Grand Forks

Table 13: Estimated Cost Savings via Jail Reduction

Variable	A	B	C	D	E	F	G	H	I	J
County Jail	Jail Capacity	One Day Jail Custody Population	% inmates pre-sentence	# on Pretrial Status	D*C (Estimate of People who would be in Jail if not for Pretrial Supervision)	B+E (Estimate of Jail Population if no Pretrial Services)	Number over or under capacity (F-A)	Cost per inmate per day at other facility	Total Cost Savings Per Day (H*G)	Estimated Cost Savings per year (I*365)
Burleigh/Morton	544	422	60%	339	203	625	81	~75-100	$6,075 - $8,100	$2,217,375 - $2,956,500
Cass	440	386	83%	101	84	470	30	75	$2,250	$821,250
Grand Forks	308	248	71%	89	63	311	3	100	$300	$109,500
Ramsey/Benson/Nelson	105	85	83%	84	70	155	50	~75-100	$3,750 - $5,000	$1,368,750 - $1,825,000
Ward	170	154	75%	96	72	226	56	~75-100	$4,200 - $5,600	$1,533,000 - $2,044,000

saves the least amount of money around $300 dollars a day, or $109,000 a year. All counties post estimates of cost savings from reduced jail capacity due to pretrial supervision.

Table 14 sets aside jail capacity costs and evaluates the cost of jail per day relative to data collected for this study. Thus, column A is the cost per day per inmate by county jail. This information was provided to the DOCR by jail administrators and relayed to the researcher. Column B is the average number of days in jail for those in the pretrial sample, while column C is the average number of days in jail for the control group sample. Column B is disaggregated data from Table 12. Recall that it was impossible to screen individuals into the control group for individual pretrial counties except for Cass County, which is why the values in column C are the same. Because jail days are not evenly distributed and are negatively skewed (i.e., the majority of individuals have shorter stays in jails, but a few individuals have long jail stays—see Table 12), columns D and E provide estimates for cases that fall at the 75th percentile for the pretrial and control groups, respectively. Furthermore, columns F and G provide estimates for cases that fall at the 95th percentile for the pretrial and control group samples, respectively.

Looking at column H, the reader can see what the average daily savings are comparing the daily jail cost by the average days in jail between the pretrial and control groups. Thus, the reader can interpret column H as the jail cost savings for an average jail stay length for each county using the data collected for this study. Savings range from a low of $1,215 per day (Ramsey/Benson/Nelson) to a high of $1,953 per day (Ward). Multiplying these values by 365 allows the reader to determine annual costs (e.g., Ward's annual jail savings from pretrial supervision is $712,845). Column I estimates cost savings using cases that are at the 75th percentile, and Column J uses cases at the 95th percentile. As the reader can see, these data suggest that pretrial supervision services save money by reducing reliance on county jails.

Table 14: Per Day Cost Savings of Pretrial Service, Regardless of Jail Capacity

Variable	A	B	C	D	E	F	G	H	I	J
County Jail	Cost per day	Avg. Days in Jail for Pretrial Sample	Avg. Days in Jail for Control Group Sample	75TH Percentile for Pretrial Sample	75TH Percentile for Control Sample	95th Percentile for Pretrial Sample	95th Percentile for Control Sample	Jail Cost Savings per Day Using Avg. (C*A)-(B*A) [Annual Savings]	Jail Cost Savings per Day Using 75th Percentile (E*A)-(D*A) [Annual Savings]	Jail Cost Savings per Day Using 95th Percentile (G*A)-(F*A) [Annual Savings]
Burleigh/Morton	$100.00	6.1	22.8	4.0	19.0	24.8	116.6	$1,670 [$609,550]	$1,996 [$728.540]	$9,180 [$3,350,700]
Cass	$120.00	7.3	22.8	5.0	19.0	38.0	116.6	$1,860 [$678,900]	$2,395 [$874,175]	$9,432 [$3,442,680]
Grand Forks	$107.69	6.5	22.8	4.0	19.0	48.5	116.6	$1,755 [$640,575]	$2,150 [$784,750]	$7,334 [$2,676,910]
Ramsey/Benson/Nelson	$90.00	9.3	22.8	13.0	19.0	34.6	116.6	$1,215 [$443,475]	$1,787 [$652,255]	$7,380 [$2,693,700]
Ward	$105.00	4.2	22.8	5.0	19.0	13.0	116.6	$1,953 [$712,845]	$2,095 [$764,675]	$10,878 [$3,970,470]

Table 15 now turns to the costs associated with pretrial supervision. Pretrial supervision costs $7.34 per day, per person. This datum was provided to the researcher by DOCR and is represented in Column A. Column B is the average number of days a person was under supervision for each district. Again, this information was disaggregated from Table 3. Column C provides the days under supervision at the 75th percentile, while column D provides the days under supervision at the 95th percentile. The average cost of supervision, calculated by multiplying column A by column B, is presented for each county under Column E. As the reader can see, for an individual who is on pretrial supervision for the average length of time, the cost ranges from $628.30 to $941.72. At the 75th percentile, the cost range for pretrial clients is $822.08 to $1,198.62. At the 95th percentile, pretrial supervision costs range from $1,212.57 to $1,598.65. For context, pretrial supervision in Grand Forks costs an average of $941.72 per client. Table 14 shows that a day in jail in Grand Forks costs $107.69. Thus, 128 days of pretrial supervision costs the same as 8.7 days in jail.

Table 16 estimates the costs associated with FTAs. The researcher could not locate or obtain information on costs specific to the North Dakota Court System for FTAs. As such, Table 16 provides an estimate using available public data. Column A provides information on the staff associated with each phase of the FTA warrant process. Staff involved include Court Clerks, Public Defenders, State Attorneys, Judges, and Law Enforcement Officers. Column B provides information on the salary of the staff. The salary used for judges comes from North Dakota Century Code § 27-05-03; the salary of clerks comes from the North Dakota Court System Salary Grade chart and takes the midpoint pay, as there are multiple salary grades for clerks; salary information for law enforcement officers was taken from data surveying North Dakota Law Enforcement Officers and represents an average. Public Defenders operate at $90 dollars an hour. Finally, the

Table 15: Costs Associated with Pretrial Supervision Per Person

Variable	A	B	C	D	E	F	G
County Jail	Daily Cost of Pretrial Services	Avg. Days on Supervision	75th Percentile for Supervision Days	95th Percentile for Supervision Days	Avg. Cost of Pretrial (B*A)	75th Percentile Cost of Pretrial (C*A)	95th Percentile Cost of Pretrial (D*A)
Burleigh/Morton	$7.34	92.3	113	165.2	$677.48	$829.42	$1,212.57
Cass	$7.34	92.1	120	185.8	$676.01	$880.80	$1,363.77
Grand Forks	$7.34	128.3	163.3	217.8	$941.72	$1,198.62	$1,598.65
Ramsey/Benson/Nelson	$7.34	85.6	126	173.0	$628.30	$924.84	$1,269.82
Ward	$7.34	86.2	112	202.5	$632.71	$822.08	$1,486.35

midpoint estimate for state's attorney's was used. This information was gathered from county job postings that indicated salary ranges. Since these are estimates, readers should be aware that the numbers can differ slightly. Column C converts annual pay into hourly pay. Column D is an estimate on the time each step of the FTA process would take. The reader should note that these are estimates and can vary from case to case. For example, some warrants may be served relatively quickly and take less than the estimated two hours, while others may take more than 2 hours. Column D is based on estimates provided to the researcher. Finally, column E provides the costs associated with each step of the FTA warrant process. The result is that a failure to appear in court, which triggers an FTA warrant, costs roughly $377 in labor costs. Because these costs do not include non-labor costs (e.g., benefits, IT costs, printing, etc.), Table 16 also provides estimates with 30 percent overhead ($489.52) and 50 percent overhead ($564.83).

Finally, Table 17 provides a comparison of costs using two samples from the current research project. In an effort to create the most stable cost comparison, the samples from Table 8—the Cass County Pretrial Supervision Sample and the control group that resides in Cass County—are used. Table 8 provides information on the sample size of both of these sample and reports the number of FTAs from each group (as reported in Table 8). The cost of FTAs from Table 16 are incorporated in lines 1a, 1b, and 1c. For example, the direct cost of an FTA was estimated at $376.55 x 5 FTAs for the Pretrial Sample, which equals a cost of $1,882.75. The cost of pretrial supervision was estimated for the pretrial sample on lines 2a, 2b, and 2c using data from Table 15. The cost of jail days was also included. The most conservative estimate shows that pretrial supervision saved $3,936.67 per person ($7,370.70 - $3,434.03). The moderate estimate (1b+2b+3b) shows that pretrial supervision saved $5,362.96 per person. The most aggressive estimate shows that pretrial supervision saved $3,637.55.

Table 16: Estimating Cost of FTA Warrant in North Dakota

Variable	A	B	C	D	E
FTA Warrant Estimates	Staff	Average/Midpoint Salary	Hourly Rate Calculation (Salary / 2,080 hrs)	Estimated Time	Cost (C*D)
Warrant Preparation/Issuance	Clerk	$69,294	$33.31	15 Min.	$8.33
Judicial Review and Warrant Authorization	Judge	$184,366	$88.64	10 Min.	$14.80
	State's Attorney	$105,000	$50.48	30 Min.	$25.24
	Public Defender	--	$90.00	30 Min.	$45.00
Warrant Entry, Filing and Distribution	Clerk	$69,294	$33.31	20 Min.	$11.10
Warrant Service and Execution	Officer	$63,278	$30.42	2 Hrs.	$60.84
Arrest, Transport, Booking	Officer	$63,278	$30.42	1.5 Hrs.	$45.63
Jail Stay	Jail	N/A	N/A	1 day	$100.00
Return to Court Hearing Prep	Clerk	$69,294	$33.31	15 Min.	$8.33
	State's Attorney	$105,000	$50.48	15 Min.	$12.62
	Public Defender	--	$90.00	15 Min.	$22.50
Return to Court Hearing	Judge	$184,366	$88.64	15 Min.	$22.16
	State's Attorney	$105,000	$50.48	15 Min.	$12.62
	Public Defender	--	$90.00	15 Min.	$22.50
Total (Labor Only)					$376.55
Total with 30% Overhead					$489.52
Total with 50% Overhead					$564.83

Table 17: Cost Calculations using Cass County Samples

Label	Variable	Cass County Pretrial Sample	Control Group Sample
	Total Number of Cases	51	84
	Total Number of FTAs	5	18
1a	Direct Cost	$1,882.75	$6,777.90
1b	30% Overhead	$2,447.60	$8,811.36
1c	50% Overhead	$2,824.15	$10,166.94
	Supervision Days		
2a	Average [COST]	92 [$675.28]	$0
2b	75th Percentile [COST]	120 [$880.80]	$0
2c	95th Percentile [COST]	186 [$1,365.24]	$0
	Jail Days		
3a	Average [COST]	7.3 [$876.00]	4.94 [$592.80]
3b	75th Percentile [COST]	5 [$600]	4 [$480]
3c	95th Percentile [COST]	38 [$4,560]	18.5 [$2,220]
	# with New Charge	3	24
	1a+2a+3a	$3,434.03	$7,370.70
	1b+2b+3b	$3,928.40	$9,291.36
	1c+2c+3c	$8,749.39	$12,386.94

Table 17 also indicates the number of cases with new charges. As the reader will recall, previous analyses demonstrated that those under pretrial supervision was significantly less likely to receive a new charge. While one can infer that this would also lead to cost savings (i.e., pretrial services save costs by reducing recidivism), quantifying this is extraordinarily difficult. Research on the cost of crime recognizes substantial uncertainty in estimating its costs. Furthermore, this body of research cautions against monetized estimates in cost-benefit analyses of criminal justice interventions, as these estimates can be misleading (Cohen, 2016; Cohen & Farrington, 2021).

Because of this difficulty and to avoid misleading cost and benefit estimates, this research does not monetize recidivism.

Discussion

The present study was tasked with responding to a portion of House Bill 1425, which states, "During the 2025-26 interim, the legislative management shall consider studying costs and savings associated with pretrial service programs operating in the state and opportunities to reinvest savings to improve re-entry outcomes. The study must include the effect of pretrial services on admissions to county jail, detention facilities, medical costs of participants, rate of failure to appear in court, rate of recidivism, and rate of participation in treatment programs. The study must identify opportunities for counties, courts, and state agencies to invest cost-savings associated with pretrial services in programs, treatment, and services that will further reduce recidivism and promote public health. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the seventieth legislative assembly." This portion of the paper will summarize findings related to each portion of HB 1425.

Pretrial Impact on Treatment Participation and Medical Costs

HB 1425 tasked the study to evaluate the impact of pretrial participation on treatment participation and medical costs. Pretrial supervision services do not provide medical treatment or refer to medical treatment. Any jail clients (pretrial or not) would have access to needed medical services on a case-by-case basis, but this is not associated with any pretrial program. Furthermore, because the pretrial supervision period occurs before sentencing, relatively few court orders for pre-sentenced clients require an individual to seek treatment before their case has been adjudicated. As a result, pretrial supervision services do not consistently refer clients to treatment until the pretrial process is complete. While exceptions may exist, no data were available to the researcher.

After consulting with the steering committee and DOCR, the researcher determined that these two items could not be evaluated in the current study because they were not formal parts of the program and data were unavailable for analysis. The researcher makes suggestions below on how treatment could be more formally included in North Dakota's pretrial supervision program.

Pretrial Impact on Recidivism

Recidivism was defined as any new charge for a criminal offense. The current study evaluated the impact of pretrial supervision services on new charges using four different approaches: (1) using the full control group sample, (2) using the full sample but statistically controlling for potential confounding influences, (3) using a direct sample of Cass County-only pretrial clients compared to Cass County control group clients, and (4) post-hoc case-control matching. The findings are clear: pretrial supervision clients are significantly less likely to recidivate than those without pretrial supervision. This was the study's most consistent finding. Statistical results demonstrated reductions in recidivism ranging from 10 percent to 62 percent. This finding is notable and substantial.

Pretrial Impact on Failure-to-Appear Warrants

The current study evaluated the impact of pretrial supervision services on FTAs using four different approaches: (1) using the full control group sample, (2) using the full sample but statistically controlling for potential confounding influences, (3) using a direct sample of Cass County-only pretrial clients compared to Cass County control group clients, and (4) post-hoc case-control matching. These four approaches yielded two findings. First, all four approaches showed that pretrial supervision samples consistently had a smaller proportion of FTA warrants than control-group cases. In short, pretrial supervision resulted in fewer FTAs on the whole. The second finding, however, was that the magnitude of this difference failed to reach statistical significance.

The only exception was the direct comparison of pretrial clients in Cass County with the full control group of Cass County individuals. This difference was only significant at the .10 level. In short, pretrial clients have fewer FTAs, but the difference is minor. Findings from analyses predicting FTAs suggest that homeless status and the number of dependents a client has influence FTAs. Thus, transportation and childcare may be potential areas to evaluate to limit the number of FTA warrants issued.

Pretrial Services Impact on Admissions to Jails and Detention Facilities

This study evaluated jails as the primary facility, as clients are booked and remanded to jails rather than other detention facilities (which can occur post-trial). Jail days were evaluated using three methods. First, for control group clients, the researcher would set up a Vine Alert[2] for all clients screened into the control group. The Vine Alert provided the researcher with data on court case updates and changes in incarceration status. Second, DOCR officers looked up jail stays using their respective county's jail tracker database for all DOCR pretrial clients and control group clients as needed. The third option was to corroborate information using each county's online jail roster to verify clients' status. Analysis of the impact of jail stays showed that pretrial clients were in jail for significantly fewer days than individuals not on pretrial supervision. The average number of jail days for pretrial clients across the state was 6.6, while the average for the control group was 22.8. This difference was significant and meaningful. This suggests pretrial service clients use less bed space and fewer resources in county jails. Below discusses the cost savings associated with reduced jail use.

Cost Comparison of Pretrial Services

[2] https://vinelink.vineapps.com/search/ND/Person

The costs were estimated for pretrial supervision services compared to those who are not on pretrial supervision. First, the study estimated the impact on jail capacity. Results of the anlaysis suggest that pretrial supervision helps jails manage capacity concerns. It was estimated that pretrial supervision prevents jails from exceeding their operational capacity by between 3 and 81 beds. If a jail exceeds capacity, inmates would need to be transported to another facility at a cost to the jail. The study estimates daily savings of $300 to $8,100, translating to annual savings of $109,500 to $2,956,500.

The study also evaluated the jail cost savings beyond capacity. The study used data on jail stays for pretrial and non-pretrial clients to estimate costs. Conservative estimates using the average number of jail days suggest pretrial supervision saves counties between $1,215 per case ($443,475 annually) and $1,953 per case ($712,845 annually). For cases in the 95th percentile of jail days (i.e., cases that spend a long time in jail during the pretrial period), cost savings estimates range from $7,334 per case ($2,676,910 annually) to $10,878 per case ($3,970,470 annually).

FTA costs were estimated. Estimates were based on available salary data and the time spent creating and executing FTA warrants. Estimates place the cost of issuing an FTA warrant between $377 and $565. While pretrial services had a smaller proportion of FTAs than the control cases, this difference was minor and insignificant. This suggests relatively little cost savings are observed for pretrial supervision clients.

Pretrial costs $7.34 per day, per client. The study estimated the average costs of pretrial for each county, which, conservatively, were estimated between $628 and $942 per client (for the average length of pretrial supervision. More aggressive estimates for clients who spend longer periods under pretrial supervision place the cost per person between $1,213 and $1,599.

Finally, the study used data on pretrial and control group clients from Cass County to evaluate the relative costs and savings using the estimated data. The results suggest that pretrial supervision produces cost savings when accounting for pretrial supervision, jail stays, and FTA warrants. Moderate cost projects show pretrial supervision saves counties roughly $3,936.67, but with potential savings as high as $5,363 per person. This does not account for savings related to recidivism, as estimating crime-related costs can bias cost-savings estimates. However, as noted above, pretrial supervision clients have significantly less recidivism than control group clients.

Recommendations

This study demonstrates that North Dakota pretrial supervision reduces recidivism and saves cost associated with reductions in jail. HB 1425 states that findings from this study should be used to make recommendations based on the findings. The following are recommendations based on the data.

Recommendation 1: Expand Pretrial Services

The findings support pretrial supervision's ability to reduce recidivism during the pretrial supervision period. In addition, data suggest that pretrial supervision is more cost-effective than no pretrial supervision. Given the program's measured success, expanding use to other counties seems like a prudent use of funds and resources.

Recommendation 2: Formalize the Role of Treatment During Pretrial Supervision

Redirect cost savings to interventions with a demonstrated history of success. Research clearly shows that treatment—when done correctly—prevents future crime more effectively and cost-effectively than deterrence-based punishments or incapacitation (for example, see Lipsey & Cullen, 2007). The challenge with treatment during pretrial supervision is that the relatively short time frame does not always align with treatment recommendations (i.e., a treatment program may

take anywhere from 6 weeks to 6 months, which may be longer than the pretrial period). Below are some specific recommendations.

Incorporate EPICS sessions into pretrial supervision. The DOCR currently provides EPICS sessions for post-conviction offenders. EPICS is a brief intervention delivered during a probation meeting that uses cognitive-behavioral techniques to address clients' assessed crime-producing needs. North Dakota DOCR has evaluated the EPICS program and found that it is associated with reductions in recidivism (Bock, 2026). Currently, the DOCR is not conducting EPICS with clients. If the DOCR decides to use an intervention other than EPICS with pretrial supervision clients, it should implement a structured contact program similar to EPICS that targets assessed criminogenic needs using an evidence-based approach. Because EPICS has been evaluated as effective at reducing recidivism for ND DOCR, DOCR should replace it with a program with evidence supporting similar recidivism reductions. The DOCR should prioritize EPICs meetings (or other structured content interventions) for their pretrial clients that focus on increasing motivation to engage in treatment. This could lead to referrals to outside treatment providers. Cost savings could fund structured contact trainings and refreshers for supervision officers.

Formalize Referral Processes with Treatment Courts. The most common arrest category for pretrial and control group members was drugs. Fargo (two courts), Bismarck, Minot, and Grand Forks all operate drug courts. In addition, Fargo and Grand Forks have Veteran's Treatment Courts, and Grand Forks has a Domestic Violence Court. Multiple evaluations of the adult drug courts have shown large reductions in recidivism. Pretrial services should instigate an immediate referral for evaluation for drug offenders into drug courts. Violations of protection orders and domestic violence charges should initiate an immediate evaluation for the domestic violence court. Refer all

veterans for evaluation to the Veterans Court. The quicker this process takes place, the quicker a person receives treatment their court case resolves. The major issue is that most of the State's drug courts currently operate at full capacity. Funds could be used to expand access to treatment courts by creating more treatment courts, which have a track record in the state of being an effective strategy to combat drug and alcohol recidivism.

Prioritize Treatment Programs that are Cognitive-Behavioral. Once justice-involved clients are linked with treatment, research shows they benefit significantly more from cognitive-behavioral interventions. Behavioral health providers may not provide this service, as they can group justice clients with non-justice clients in treatment programs. Justice agencies should contract specifically for cognitive-behavioral programs. The court should be aware of this and require cognitive-behavioral programs if the court decides to order treatment. An example of a brief CBT intervention model would be the Screening, Brief Intervention, and Referral to Treatment Model (SBIRT).[3] Pretrial supervision should determine which brief CBT intervention programs work best with their population and resources.

Recommendation 3: Investigate the Root Causes of FTAs

The study found that pretrial supervisees had fewer FTAs than unsupervised pretrial clients; however, the difference was insignificant. This creates an opportunity to investigate what drives FTAs (which was beyond the scope of the current study) for pretrial clients to produce meaningful differences and cost savings. Some FTAs result from people trying to avoid legal consequences; however, others may stem from transportation issues, child care needs, or time management. Logistic regression analyses demonstrated that homeless individuals were 3.4 times more likely than housed individuals to have an FTA. Each additional child increases the odds of receiving an

[3] https://www.samhsa.gov/substance-use/treatment/sbirt

FTA by 20 percent. If FTAs result from transportation, cost savings can go toward bus passes or ride shares for pretrial supervision. If FTAs result from lack of childcare, explore services that provide temporary childcare. If results stem from time management, cost savings could be directed to automated court reminder systems. To invest cost savings in FTAs, further study is needed on what drives FTAs.

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