

Release, Detain, or Surveil?

The Effect of Electronic Monitoring on Defendant Outcomes

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Abstract

This paper studies the effect of pretrial electronic monitoring (EM) as an alternative to both pretrial release and detention (jail) in Cook County. EM often involves a defendant wearing an electronic ankle bracelet that tracks their movement and aims to deter pretrial misconduct. Using the quasi-random assignment of bond court judges, I estimate the effect of EM vs. release and EM vs. detention on pretrial misconduct, case outcomes, and future recidivism. I develop a novel method for the semi-parametric estimation of marginal treatment effects in ordered choice environments, allowing me to construct relevant treatment effects. Relative to release, EM increases new cases pretrial due to bond violations while reducing new cases for low-level crimes and failures to appear in court. Relative to detention, EM increases low-level pretrial misconduct but improves defendant case outcomes and reduces cost-weighted future recidivism. Finally, I bound EM's crime-reduction effect; I find that while EM is likely an effective substitute for pretrial detention, it is not clear that EM prevents enough high-cost crime to justify its use relative to release, particularly for low-level defendants.