The Effect of Text Message Reminders on Failure to Appear in Court in the Rural United States

Sector(s): Crime, Violence, and Conflict

J-PAL office: J-PAL North America

Location: Shasta County, California, United States of America

Sample: 1,459 people charged with misdemeanors in the Shasta County Superior Court

Target group: Criminal offenders and incarcerated persons Rural population People experiencing housing instability

Intervention type: Digital and mobile Nudges and reminders

AEA RCT registration number: AEARCTR-0006606

Research Papers: Can text messages reduce incarceration in rural and vulnerable populations?

Failure to appear (FTA) in court for legal proceedings can lead to incarceration and additional fines for individuals charged with otherwise minor offenses. Text message reminders have shown promising results at reducing FTA, but have not previously been tested in rural communities or among people experiencing homelessness. To fill this research gap, researchers conducted a randomized evaluation to test the impact of text message reminders on FTA rates for people who are unhoused and housed in rural Shasta County, California. The reminders reduced FTA rates for the housed population, but did not impact FTA rates for people experiencing homelessness.

Policy issue

In the United States, individuals often fail to appear for their court hearings. When a defendant fails to appear in court for a misdemeanor charge, a warrant may be issued for their arrest and they may face additional fines or prison time. These added punitive measures not only contribute to cycles of domestic poverty and inequality,[1] but also exacerbate jail overcrowding. It is costly and difficult to provide adequate resources to jails that operate at or above capacity (such as Shasta County's); consequently, this can cause the health and well-being of people who are incarcerated to deteriorate.

Randomized evaluations across multiple US cities have found that personalized text message reminders with information on court date, time, and location are a cost-effective way to increase the likelihood that defendants will appear in court.[2], However, these evaluations were conducted in urban areas, and have generally omitted people without addresses on file at the court. Given rising incarceration in rural communities[3], and that those experiencing homelessness have increased interactions with the legal system,[4] it is valuable to understand how text message reminders may affect FTA rates in rural settings for people of all housing statuses.

Context of the evaluation

This study was conducted in Shasta County, California, an area close to the Oregon border with a population of approximately 182,000.[5], The area has a low population density: half of the population and a large portion of people experiencing homelessness reside in Redding, one of three cities in the county and the only one with over 12,000 residents. In 2021, 87 percent of the population in Shasta County was white, and 14 percent of Shasta County residents were living below the poverty line. This

is a striking difference from previous FTA text message interventions that took place in New York City[6], and Denver,[7], which both have high population densities (Denver is nearly three times more densely populated than Redding, while New York City is over 18 times as densely populated as Redding) and more racially diverse populations.[8]

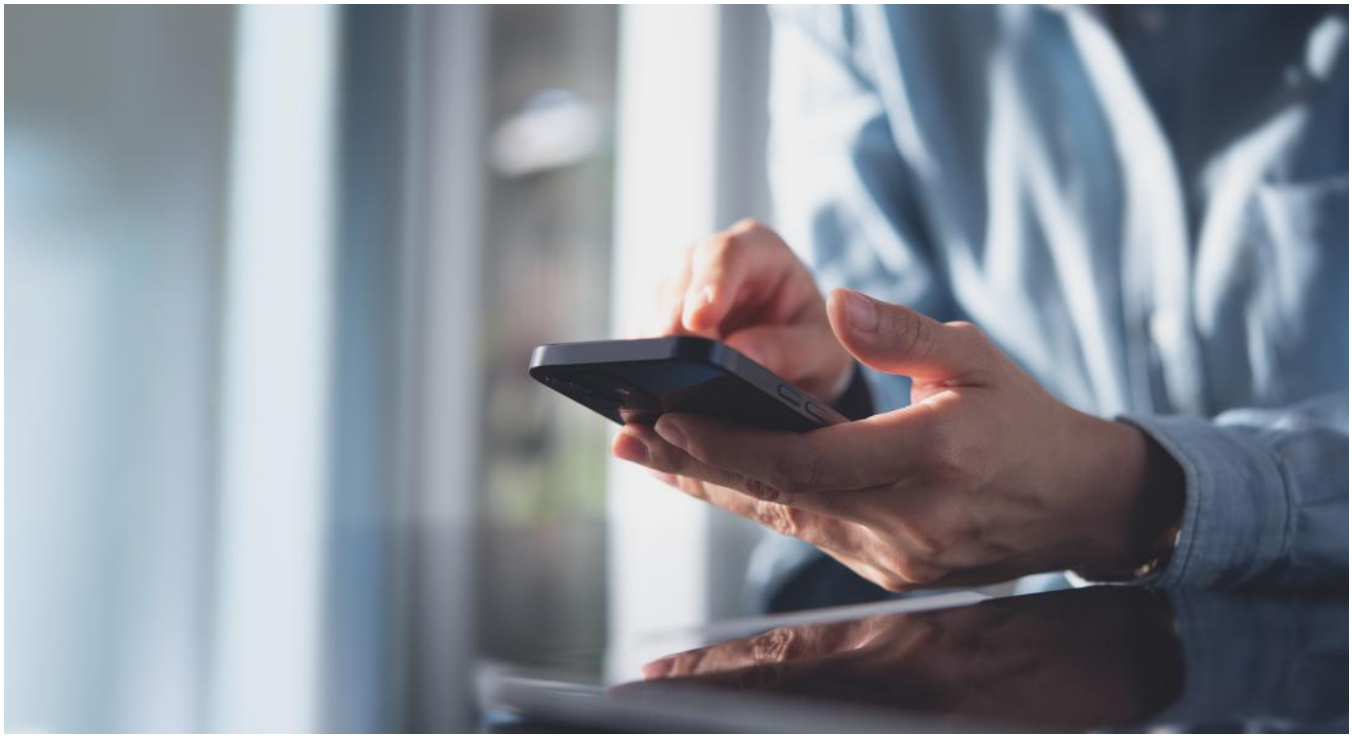


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Details of the intervention

Researchers conducted a randomized evaluation to test the impact of text message reminders to attend court on FTA rates for housed people and for people experiencing homelessness. 1,096 housed defendants were randomly assigned to either receive a text message reminder (treatment), or be notified of their court date via the existing automated voice message system (control). 363 defendants experiencing homelessness were also randomly assigned to receive the treatment or control. People in the treatment groups were assigned to receive their text reminder three days before their court date with the following information:

> Helpful reminder from Shasta County Superior Court: You have court on **date**, at **time** at 1500 Court Street, department **dept number** in Redding. What time should you leave to get there by time? Any other arrangements to make? Missing court can lead to your arrest. If you have questions regarding your court date, you may call **phone number** between 8:30 a.m.-12:00 p.m. & 1:00 p.m.-4:00 p.m. M- F, excluding holidays.[9]

Individuals who had more than one court date during the intervention period were assigned the same treatment status for all of their subsequent court dates. Defendants' phone numbers were collected from Shasta County Superior court records; however, only 60 percent of defendants who were unhoused had a working phone number on file.

Throughout the course of the intervention (April to June, 2021), researchers used the Court's attendance records to determine which defendants appeared for their scheduled court date.

Results and policy lessons

Text message reminders reduced FTA rates for housed people, but had no effect on FTA rates for people experiencing homelessness.

Impacts on housed defendants

FTA rates for housed defendants who were assigned to receive a text message reminder declined by 5.3 percentage points from a baseline of 49.5 percent (a 10.7 percent decrease).

This effect is smaller than the effect found in similar studies conducted in urban settings. One potential explanation for the smaller relative effect size is that Shasta County residents may have been more skeptical of government intervention than other sample groups. In focus groups conducted with Good News Rescue Mission (GNRM), a local organization providing resources to those experiencing homelessness, many participants reported their distrust of messages from a court sender.

Another potential explanation for the smaller effect size is that text messages were only successfully delivered to 55 percent of participants with stable housing, a lower proportion than in previous evaluations. Text messages were not delivered due to carrier failure, missing phone numbers in court records, and recipients opting out. FTA rates among housed defendants to whom a text was successfully sent decreased by 9.5 percentage points from a baseline of 49.5 percent (a 19 percent reduction); this magnitude of reduction in FTA rates is comparable to findings in previous studies.

Impacts on defendants who were unhoused

Being assigned to receive a text message reminder had no effect on FTA rates for people experiencing homelessness. This may be due to unsuccessful text message delivery as described above: text message reminders were only delivered to 35 percent of unhoused defendants assigned to receive one. However, even among people experiencing homelessness who did receive the text message, there was no statistically significant reduction on FTA.

Another possible explanation for null results among people experiencing homelessness is that their cell phone numbers in court records are not accurate. It could also be that personalized contact may be a more effective way to reduce FTA than text messages for those without stable housing. To explore that explanation, researchers examined data on people assigned to receive text messages who also received services from GNRM. Researchers conducted a hypothetical analysis in which all people who used GNRM services also received a court date reminder at GNRM. They then assumed that this group attended their court dates and found a hypothetical 9.4 percentage point decrease in FTA from a baseline of 86.5 percent (a 10 percent decrease). Though hypothetical, these results suggest that increased and personalized outreach to individuals experiencing homelessness could be more effective than text messages alone at reducing FTA in courts without accurate phone records. More research is needed to test this possibility.

Owens, E., & Sloan, C. W. (2023). Can text messages reduce incarceration in rural and vulnerable populations?. Journal of Policy Analysis and Management, 42, 992–1009. https://doi.org/10.1002/pam.22505

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1. Kohler-Hausmann, Issa. *Misdemeanorland: Criminal Courts and Social Control in an Age of Broken Windows Policing*. Princeton University Press, 2018.
2. Emanuel, Natalia, and Helen Ho. “Behavioral Biases and Legal Compliance: A Field Experiment.” 2020; Fishbane, Alissa, Aurelie Ouss, and Anuj K. Shah. “Behavioral nudges reduce failure to appear for court.” Science, 370(6517): eabb6591.Lowenkamp, Christopher T., Alexander M. Holsinger, and Tim Dierks. “Assessing the Effects of Court Date Notifications within Pretrial Case Processing.” American Journal of Criminal Justice, 43(2): 167–180, 2018.
3. Kang-Brown, Jacob, and Ram Subramanian. “Out of Sight: The Growth of Jails in Rural America.” Vera Institute of Justice, 2017.
4. Peiffer, Emily. “Five Charts That Explain the Homelessness-Jail Cycle-and How to Break It.” Urban Institute, September 16, 2020.
5. "QuickFacts Shasta County, California.” United States Census Bureau, July 1, 2021.

6. Fishbane, Ouss, and Shah, 2020.

7. Emanuel and Ho, 2020.

8. This estimate is higher than the 2019 point-in-time estimate for people experiencing homelessness in Shasta County, which due to survey limitations, fails to reach many people.

9. This message was based off of the text message reminder used by Fishbane, Ouss and Shah (2020) in their study of failure to appear in New York City.