112/23

112123

INVESTIGATION REVIEW PROCESS

SELECTION CRITERIA FOR IDENTIFICATION

OF JAIL BOUND FELONY CASES:

A SUMMARY REPORT

July 29, 1987

Suffolk County Department Of Probation
Edward N. Draffin, Director

Prepared by:
Salvatore D. Trotto, Program Examiner
James   J.   Golbin,   Chief   Planner

TABLE OF CONTENTS

DIRECTORY OF CHARTS AND TABLES

INTRODUCTION

The New York State Division of Probation and Correctional Alternatives' _Operational Guidelines for the Intensive Supervision Program_, identifies the increased use of probation sentencing for felony offenders and the reduction of state and local incarceration as primary goals. To further these goals, DPCA established the Investigation Review Process as a key component in an overall strategy which "seeks to maximize the use of probation sentencing for felony offenders at risk of incarceration who can be safely supervised in the community." (p.41) This process requires the Investigation Review Officer (IRO) to review all court orders for presentence investigations on felony offenders to assess their suitability to receive an enhanced presentence report.

Additionally, local probation departments are charged with establishing "...procedures and criteria to identify those felony cases which are probation eligible following conviction and appear likely to receive incarcerative dispositions." (p.5.4) This summary report presents a comparative statistical analysis of the jail and non-jail PSI population for 1986 and identifies predictive indicators for the jail/prison bound population.

METHODS & PROCEDURES

SAMPLE:

The sample for this analysis was drawn from the 1986 Criminal Court sentencing population for Suffolk County. The task was to identify and empirically measure any variables which help explain the variance between jail bound and non-jail defendants. The presentence investigation conducted by the Probation Department is the primary source of information about the defendant available to the judge for decision making at the time of sentence. In view of the fact that a presentence report is completed prior to sentencing on virtually every criminal conviction in Suffolk County, probation department PSI files provide a unique opportunity to capture the population under consideration.

The Suffolk County Probation Department has, over the years, automated the referral procedure on all presentence investigation as well as all dispositions involving probation. It was from these automated files that we drew our sample for the Suffolk County 1986 criminal court sentencing population.

The Probation Department criminal court sentencing file for 1986 contains all criminal cases sentenced within Suffolk County to a period of probation supervision between January 1, and December 31, 1986. Initially this file was examined and all felony cases were identified. Next, a subfile was created which contained all felons sentenced to a period of probation in 1986. Once created, this subfile was further divided into

1

two groups, those who received a period of incarceration as well as probation, and those who received only a probation sentence. Having identified these two subgroups they were listed out separately and a 15% random sample was selected from each subgroup.

After identifying all split sentence and straight probation cases, the next task was to identify those cases which were sentenced to a period of incarceration without probation. To do this, we examined our presentence investigation file for 1986. This file contains all cases referred for a PSI in 1986. Next we created a subfile of all felony cases as was done with the criminal court sentencing file. Once this felony PSI subfile was created, we deleted all cases which existed in the criminal court sentencing felony subfile leaving only felony PSI referrals which did not receive a sentence which included probation supervision.

The next step was to identify all these non-probation felony PSI cases in our file room and select those cases which received a sentence of straight incarceration. Finally, a sample was drawn from this subset.

The entire sample for this survey consisted of <u>211</u> cases, and can be broken down as follows:

        <u>96</u>   Split Sentence cases (probation & a period of incarceration)

        <u>15</u>   Community Service (probation & a period of community service)

        <u>75</u>   Straight Probation (no incarceration)

        <u>25</u>   Straight Jail (no probation)

DATA COLLECTION PROCEDURES:

Once the cases in the sample were identified, a data collection instrument was devised and tested. Variables were selected on the basis of their availability to the judge for decision making, and their possible influence on sentencing. These included social factors such as; age, race, education, employment, and drug or alcohol abuse, and legal factors such as; number of prior arrests, severity of offense, violence, and prior probation. A copy of the data collection instrument is attached.

Each case folder was then physically located and a data collection instrument was completed for every case in the sample. Periodically during the data collection process, a few cases were randomly selected and a second data collection instrument was completed on each. The original and subsequent data forms were then compared to insure the data being collected was reliable and valid.

2

The data collection instrument was designed so that the information could be quickly gathered simply by checking the appropriate box for each item. Additionally, each box was numerically coded. This meant that the data could be easily entered into a computer file for the purpose of data analysis. After all the data was collected, a data file was created on the IBM 5520 and the data was transcribed from the data collection instruments into the file. Each case in the survey corresponds to one record in the file, each item on a data collection form corresponds to a field in a record. At various times during the process of data entry, samples of the data collection instrument were randomly selected and compared to the data entered into the corresponding record in the computer file. This helped insure that data entry errors were minimized and that the data which would ultimately be analyzed was reliable.

DEPENDANT AND INDEPENDENT VARIABLES:

The intent of this analysis was to develop an objective criteria which can be used to identify those felony cases most likely to receive a sentence which includes a period of incarceration. Therefore, the dependant variable, that which we wish to predict, is incarceration.

This measurement was captured through the item labeled 'Jail Time', on page 2 of the data collection instrument. At the time the data was collected, we coded the actual number of days in jail as specified at the time of sentence. That is, if the defendant was sentenced to 30 days in jail, 30 was coded, if the defendant was sentenced to 6 months in jail, 180 was coded. However, for the purpose of this analysis, we only needed to distinguish between those who were incarcerated and those who were not. Therefore, this data item was recoded during analysis to reflect either a jail or no-jail condition.

Most of the remaining items on the data collection instrument correspond to information in the presentence investigation and are, therefore, available to the judge for decision making at the time of sentence. These include the severity of the current offense, the defendants prior record and whether or not the individual has ever been granted the opportunity to be supervised within the community. Also available is information on the social, educational, and employment status of the individual as well as mental and physical health and the role of alcohol and drugs in the defendants life. All these items taken together present a picture of the defendants functioning within the community which is evaluated by the judge and used to arrive at a decision regarding sentencing. These items which play a role in the judges decision making process are the independent variables in this analysis. It is among these variables that we expected to identify predictive indicators for the jail/prison bound population which the Investigation Review Officer could use as a tool to help select cases to receive Enhanced Presentence Investigations.

3

METHODS OF STATISTICAL ANALYSIS:

The data, having been collected, entered into a computer file, and checked for validity, was then analysed using The Statistical Package for the Social Sciences (SPSS). The first step was to list out the frequency of occurrence for the values of each of the variables in the file. These lists were inspected to insure there were no obvious data entry errors, and to get a general feeling for the data.

After examining frequencies for all the variables, the next step was to run Crosstabulation tables on each of the independent variables to identify those variables which were at all significant in predicting the dependant variable, a period of incarceration. Of the 16 independent variables tested, 8 variables, 50%, were found, by Chi Square test, to have some significance as indicators of the jail bound population at the .05 confidence level.

Next, a correlation analysis was conducted on the 8 independent variables which were identified as significant by Chi Square to check for multi collinearity. Finally, multiple regression analysis was performed on the significant variables to determine the amount of variance uniquely explained by each independent variable. The results of these analysis are presented below.

RESULTS

This sample, as stated before, contained 211 felony cases sentenced in Suffolk County between January 1, and December 31, 1986. Examination of this population reveals that 57.4%, 121 cases, received a sentence which included a period of incarceration. Only 42.6%, 90 cases, did not receive at least some jail time as a result of the current conviction.

This group is 82.9% male, 175 individuals, and 17.1% female, 36 cases. The defendants gender was not significant in predicting the dependant variable, incarceration. Most of this population, 147 individuals, are white, there are also 49 Blacks, 13 Hispanics, 1 Oriental, and the race of one individual was unknown. As in the case of gender, the defendants race was not an indicator of the jail bound population.

Similarly, age was not a predictor of the dependant variable. Generally speaking, this is a fairly young group. They ranged in age from 16 to 63 years old, with a mean age of 28.1 years. The mode was 22 years old, and most of the population, 67.8%, were under 30 years of age. However, they were evenly distributed between the jail and non-jail populations and so this variable was not useful as a predictor of the dependant variable.

Educationally, this population appears to have some deficiencies. The majority, 55.9%, did not complete high school. Another 23.7%, terminated their education upon completion of high school, and 20.4%, have at least some collage, although only 7 individuals managed to obtain a college degree. Again, educational achievement was fairly evenly distributed across both the jail and non-jail subgroups and so this variable was not helpful in identifying the jail bound cases.

Family Structure, who the defendant was living with at the time of the PSI, is another variable which proved to have no significance in predicting the jail bound population. Most of this population, 40.7% live with their parents. An additional, 30%, 66 cases lived with a spouse and or children.

The majority of these individuals, 125 cases 60.1%, were either in school or employed full time. Of the remaining 83 individuals, more than half 48 people were unemployed at the time the PSI was completed. While the jail and non-jail cases were fairly evenly distributed through most of the various employment categories, those who were unemployed at the time of the PSI were generally sentenced to a period of incarceration. In fact, 40 out of 48 unemployed individuals, 83.3% were sentenced to a period of incarceration on the instant offense. Table #1 presents the distribution of cases for the jail and non jail cases by employment status.

TABLE #1:

DISTRIBUTION OF EMPLOYMENT STATUS BY JAIL

EMPLOYMENT STATUS	NO JAIL	JAIL	TOTAL
Unemployed	8	40	48
Employ F/T	52	57	109
School F/T	13	3	16
Employ P/T	7	5	12
Not In Job Market	0	1	1
Other	10	12	22
Total	90	118	208

Significance: .0001

Additionally, alcohol and drugs were not a problem for most of this population. Only 38.2%, 78 individuals, had an identifiable alcohol problem, and 40.1%, 83 individuals abused drugs. However, while alcohol abuse was not an indicator of the jail bound population, drug abuse seems to be a significant variable at the .05 level. Indeed, of the 83 individuals in this population with a drug abuse problem, 65, 78.3%, were sentenced to a period of incarceration on the current offense. Table #2 presents the distribution of the independent variable drug abuse, for the jail and non-jail sub groups of this population.

TABLE #2:

DISTRIBUTION OF DRUG ABUSE CASES BY JAIL

DRUG STATUS	NO JAIL	JAIL	TOTAL
No Abuse	71	53	124
Drug Dependent	2	5	7
Serious Abuse	16	51	67
Potential Abuse	0	9	9
Total	89	118	207

Significance: .0000

Emotional disturbance did not play a role in determining the sentence handed down for this population. The majority of the individuals, 154, had no history of emotional disturbance. Indeed, only 40 individuals, less than 21%, evidenced a history of emotional problems when the PSI was completed. This variable had no significance in predicting the dependant variable, incarceration.

Examining the legal history variables reveals that the majority of these felony offenders, 62.6%, have been arrested at least once prior to the arrest which led to the current conviction. Additionally, 107 individuals, 50.7%, had 2 or more prior arrests. Moreover, 73.5% of the 132 cases who had 1 or more prior arrest were sentenced to a period of incarceration. While only 30.4% of those who had no prior arrests received a sentence of incarceration. Prior Arrest does appear to be a significant variable in identifying the dependant variable incarceration. Table #3 presents the distribution of jail and non jail cases by the number of prior arrests.

TABLE #3:

DISTRIBUTION OF JAIL AND NON JAIL CASES BY NUMBER OF PRIOR ARRESTS

# PRIOR ARRESTS	NO JAIL	JAIL	TOTAL
0	55	24	79
1	9	16	25
2	7	23	30
3	7	12	19
4	4	14	18
5	0	8	8
6-10	7	17	24
> 10	1	7	8
Total	90	121	211

Significance: .0000

Of the 132 individuals who had a prior arrest, 91, 68.9%, had at least one prior arrest for a felony. Moreover, of the 91 cases with a prior felony arrest, 71 individuals, 78% were sentenced to a period of incarceration on the current conviction. In view of the fact that only 63.4% of the cases with a prior arrest for a misdemeanor and 30% of the cases with no prior arrests were sentenced to a period of incarceration, this variable also seems to be significant at the .05 level. Table #4 presents the distribution of this population by severity of prior arrest and jail.

TABLE #4:

DISTRIBUTION OF CASES BY PRIOR SEVERITY AND JAIL

PRIOR SEVERITY	NO JAIL	JAIL	TOTAL
NO PRIORS	55	24	79
A FELONY	0	1	1
B FELONY	1	10	11
C FELONY	6	19	25
D FELONY	10	27	37
E FELONY	3	14	17
A MISDEMEANOR	3	10	13
B MISDEMEANOR	2	7	9
U MISDEMEANOR	10	9	19
Total	90	121	211

Significance: .0000

Almost 37% of this population, 76 individuals, had previously been sentenced to a period of probation supervision. It is interesting to note that while the 130 individuals who had never been on probation prior to the instant offense were fairly evenly distributed between the jail and non jail subgroups, 76.3% of those who had previously been on probation, 58 cases, were sentenced to a period of incarceration on the present offense. Table #5 illustrates the distribution of those cases who had previously been on probation and those who had not by jail.

TABLE #5:

DISTRIBUTION OF PRIOR PROBATION CASES BY JAIL

PRIOR PROBATION	NO JAIL	JAIL	TOTAL
YES	18	58	76
NO	70	60	130
Total	88	118	206

Significance: .0001

The independent variable, prior institutionalization, was coded positively if the defendant had ever been committed to an institution for mental problems, drug or alcohol rehabilitation, or a jail or prison sentence prior to the completion of the PSI. Almost 34% of this population, 69 individuals, had a history of prior institutionalization. However, like those who had previously been on probation, those who had a history of prior institutionalization were much more likely to receive a jail sentence. Fully 84% of the 69 individuals who scored positively on this variable were sentenced to a period of incarceration. Table #6 presents the breakdown for this variable by jail.

TABLE #6:

DISTRIBUTION OF PRIOR INSTITUTIONALIZATION CASES BY JAIL

PRIOR INSTIT	NO JAIL	JAIL	TOTAL
YES	11	58	69
NO	76	58	134
Total	87	116	203

Significance: .0000

The severity of the current offense also seems to be significant in predicting the dependant variable. It appears that the more serious the current offense, the higher the likelihood that the defendant will receive a period of incarceration. Indeed, of the 109 individuals convicted of a class D felony or worse, 67%, 73 people, were sentenced to a period of incarceration. This variable was significant at the .05 level. Table #7 presents the distribution of current severity by jail.

TABLE #7:

DISTRIBUTION OF CASES BY CURRENT SEVERITY AND JAIL

CURRENT SEVERITY	NO JAIL	JAIL	TOTAL
A FELONY	1	2	3
B FELONY	1	5	6
C FELONY	10	29	39
D FELONY	24	37	61
E FELONY	54	48	102
Total	90	121	211

Significance: .0259

Surprisingly, the independent variables, type of crime, and violence were not significant in terms of predicting the dependant variable. We had expected that the type of crime and whether or not violence was involved would play a role in sentencing, however this does not seem to be the case.

Finally, Youthful Offender Status originally appeared to be significant. However, since this determination is made at the time of sentencing, and not at the point the PSI is assigned this is not a true independent variable and so could not be included in this analysis.

Table #8 presents a summary breakdown of the significance levels for each of the independent variables.

TABLE #8:

SUMMARY TABLE JAIL BY INDEPENDENT VARIABLES

SIGNIFICANCE LEVELS

VARIABLE	CHI SQ	PEARSONS R.	KENDALLS
AGE	N/S	N/S	N/S
SEX	N/S	N/S	N/S
RACE	N/S	N/S	N/S
FAMILY STRUCTURE	N/S	N/S	N/S
EMPLOYMENT STATUS*	.0001	.0462	.0001
ALCOHOL ABUSE	N/S	N/S	N/S
DRUG ABUSE*	.0000	.0000	.0000
EMOT DISTURB	N/S	N/S	N/S
PRIOR INSTITUTIONALIZATION*	.0000	.0000	.0000
SEVERITY CURRENT CHARGE*	.026	.0008	.0006
# PRIOR ARRESTS*	.0000	.0000	.0000
YOUTHFUL OFFENDER*	.0021	.0005	.0006
PRIOR PROBATION*	.0001	.0001	.0000
SEVERITY PRIOR CHARGE*	.0000	.0000	.0000
CRIME TYPE	N/S	N/S	N/S
VIOLENT	N/S	N/S	N/S

* Significant at the .05 Level.

10

Having completed Chi Square tests on each of the independent variables, we have concluded that there is an association between the dependant variable incarceration, and each of the following independent variables; employment status, drug abuse, prior institutionalization, severity of current charge, # prior arrests, prior probation, and severity of prior charge. However, Chi Square tells us nothing about the strength of the association, interaction effects, or multicollinearity. Therefore, the next step was to develop a model which related these significant independent variables to incarceration to see if there is a linear relationship between the dependant variable and the entire set of independent variables.

This was done using the SPSS Multiple Regression procedure. We employed the forced entry method of introducing variables into the equation in developing this model. Entry of variables corresponded to a theoretical model which incorporated considerations about the availability of data to the IRO at the time of screening, and of the importance of the independent variables in the sentence decision making process. We also conducted the regression analysis using forward selection, backwards elimination, and stepwise selection obtaining similar results and thereby validating our model.

Essentially, after performing the regression analysis four (4) independent variables remained in the equation. These are, current severity, # of prior arrests, history of prior institutionalization, and drug abuse. Collectively, these variables explain 27.58% of the variance between the jail/prison bound and non-jail populations in a statistically significant regression formula. Table #9 presents a summary breakdown of the amount of variance explained by each of the variables in the regression equation.

TABLE 9:

SPSS/PC+

* * * *   M U L T I P L E   R E G R E S S I O N   * * * *

Equation Number 1   Dependent Variable..   JAIL   Days in Jail

Summary table

Step	MultR	Rsq	F(Eqn)	SigF		Variable	BetaIn
1	.2023	.0409	8.404	.004	In:	CURRSEV	-.2023
2	.3757	.1412	16.109	.000	In:	PRIORS	.3205
3	.4715	.2223	18.582	0.0	In:	PRIORINS	-.3320
4	.5252	.2758	18.469	0.0	In:	DRUGABUS	.2512

Additionally, these independent variables will become the core of the selection criteria for the Investigations Review Officer. As can be seen from the summary table, the number of prior arrests explains 10.026% of the variance between the jail and non jail population. Generally speaking, we found that the number of prior arrests was directly related to a sentence of incarceration for non-DWI cases. This relationship was not so clear for DWI cases. More specifically, when controlling for DWI, 42 of the 49 individuals with 3 or more prior arrests, 85.7%, were sentenced to a period of incarceration. This is quite significant when these cases are compared with those non-DWI cases who have less than 3 prior arrests. Among this group, we find that only 47.3%, 61 out of 129 cases received a period of incarceration.

Moreover, when the current offense is a violent felony, and the defendant has 3 or more prior arrests, 94.4%, 17 out of 18 cases were sentenced to a period of incarceration. However, violence was not found to be a significant variable and as such can only be considered to be an indicator in association with other more significant independent variables.

Similarly, prior institutionalization was found to be significant, explaining 8.114% of the variance between the jail and non-jail populations. This variable was coded positive if the defendant had been institutionalized for drug or alcohol abuse, mental or emotional problems, or had previously been sentenced to a period of incarceration on a prior conviction. Analysis revealed that 84.1%, 58 out of 69 individuals who had a history of prior institutionalization received a sentence of incarceration as compared to only 43.3%, 58 out of 134 of those who had never been institutionalized prior to the instant offense.

A history of drug abuse explained an additional 5.347% of the variance between the jail and non-jail populations. Drug abusers were more likely to receive a sentence of incarceration than those who did not abuse drugs. Specifically, 78.3%, 65 out of 83 cases who evidenced drug abuse were sentenced to jail, while only 42.7% of those who did not abuse drugs were sent to jail. Indeed, while drug abusers comprised only 40.1% of the total population, they represented 55.1% of the jail population.

Finally, the severity of the current offense explains an additional 4.091% of the variance between the jail and non-jail population. From this analysis it is clear that the more serious the offense, the greater likely hood that a period of incarceration will be imposed. Fully 75% of those individuals who were convicted of a C felony or worse were sent to jail. If D felonies are considered, the percentage decreases to about 67%. However, for E Felons, only 47% receive a sentence of incarceration.

In summary, the following major variables have been incorporated into Suffolk County's IRO screening criteria:

1) Severity of current offense;
2) Number of prior arrests;
3) History of institutionalization; and
4) Drug abuse.

Additionally, Employment Status can be used in conjunction with other major variables as a predictor of the jail/prison bound population.

IRO SELECTION CRITERIA:

STEP 1:   A)   Identify all probation eligible non-DWI felony cases.

              B)   Does defendant have two (2) or more prior arrests for any crime. If so, there is an 80% probability that the defendant will receive a period of incarceration on the instant offense, and the cases could be selected to receive an enhanced investigation. If not, proceed to Step 2 below.

STEP 2:   A)   If a case passes test "A" in step 1 but not test "B", continue to step "B" below.

              B)   Does the defendant have one (1) prior arrest? If not, proceed to Step 3. If the defendant has 1 prior arrest, check to see if at least 1 of the following conditions is true.

              C)   1) Does the defendant have a prior history of institutionalization. Institutionalization is defined as inpatient treatment for a mental or emotional problem, drug or alcohol abuse, or a prior sentence to incarceration. If so there is a 87.5% probability the defendant will receive a period of incarceration on the current offense.

                        2) Is there evidence that the defendant has abused drugs either now or in the past? If so, there is a 75% probability that the defendant will be incarcerated on the current offense.

                        3) Is the defendant currently unemployed? If so, there is a 67% probability the defendant will be sentenced to a period of incarceration on the current offense.

                        4) Is the answer to both questions C-2 & C-3 "YES"? If so, there is a 100% probability that the defendant will be sentenced to a period of incarceration on the current charge. If the answer to Step 2 Item "B" is "YES", and any one (1) sub-item in step 2 Item "C" is "YES", this case is eligible to receive an enhanced presentence investigation. If the answer to Step 2 Item "B" is yes, but no sub-item in "C" can be answered yes, the case is not project eligible.

STEP 3:   A)   If the case is a non-DWI felony case (test "A" in step 1)
               but has no prior record (test "B" in either STEP 1 or
               STEP 2), continue to test "B" below.

          B)   1) Is there evidence that the defendant has abused
                  drugs either now or in the past, and is the
                  defendant currently unemployed? If so, there is a
                  80% probability that the defendant will be
                  incarcerated on the current offense.
               2) Is there evidence that the defendant has abused
                  drugs either now or in the past, and is the
                  current conviction for a class C felony or
                  better? If so, there is a 73% probability that
                  the defendant will receive a period of
                  incarceration on the current offense.

               If the answer to Step 3 Item "A" is "YES", and any one
               (1) sub-item in Step 3 Item "B" is "YES", the case is
               eligible   to   receive   an   enhanced   presentence
               investigation. If the answer to Step 3 Item "A" is
               yes, but no sub-item in "B" can be answered yes, the
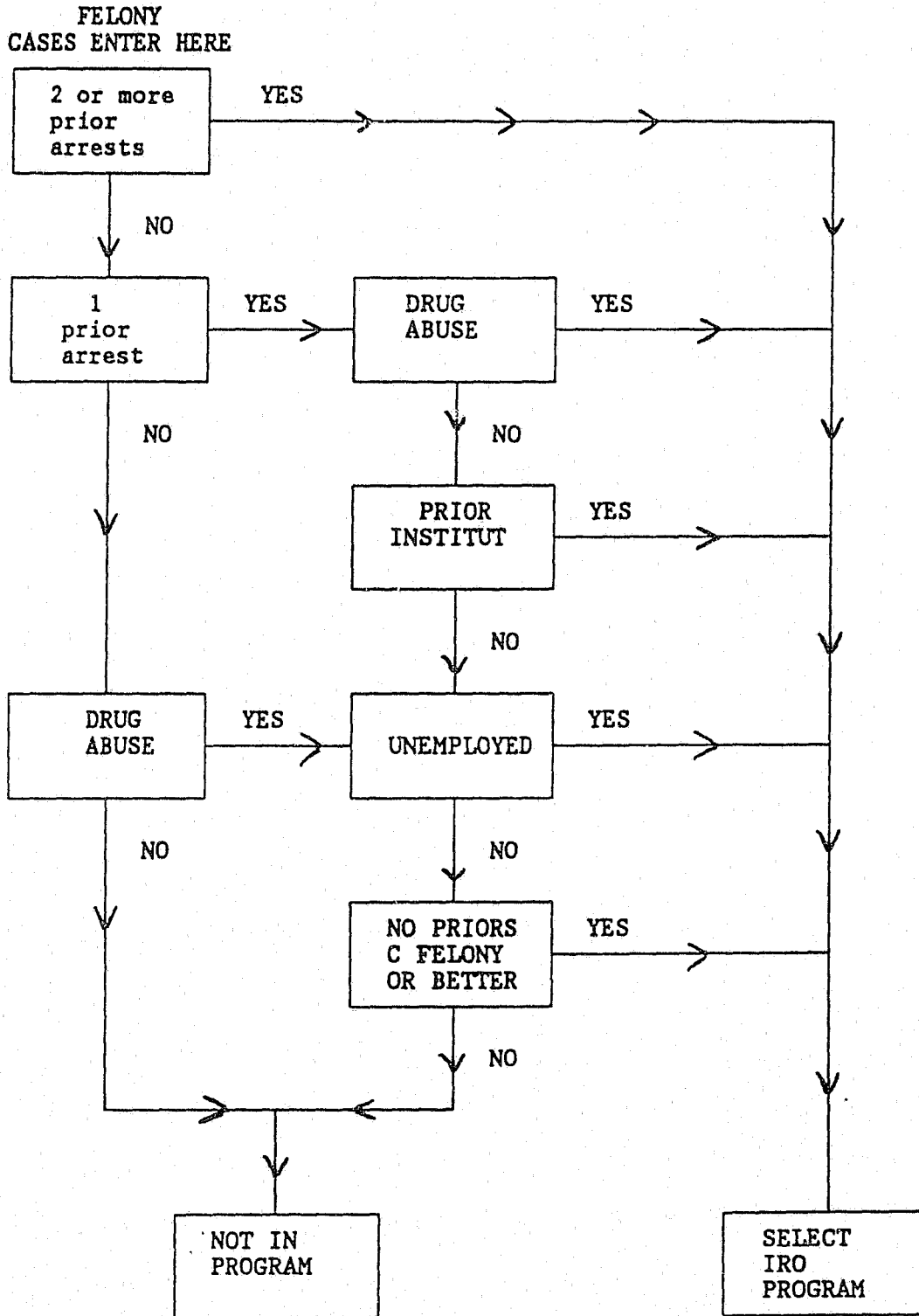   case is not project eligible.

Figure 1 is a graphic representation of the IRO selection process.

INVESTIGATION REVIEW PROGRAM

SELECTION CRITERIA FLOWCHART

Figure 1:

```
                    FELONY
                CASES ENTER HERE
                ┌──────────────┐       YES
                │  2 or more   │────────────────────────────────────────┐
                │  prior       │                                        │
                │  arrests     │                                        │
                └──────┬───────┘                                        │
                       │                                                │
                     NO│                                                │
                       ▼                                                ▼
                ┌──────────────┐  YES  ┌──────────────┐  YES           │
                │    1         │───────│  DRUG        │────────────────▶│
                │  prior       │       │  ABUSE       │                 │
                │  arrest      │       └──────┬───────┘                 │
                └──────┬───────┘              │                         │
                       │                    NO│                         │
                     NO│                      ▼                         │
                       │              ┌──────────────┐  YES             │
                       ▼              │  PRIOR       │─────────────────▶│
                                      │  INSTITUT    │                  │
                                      └──────┬───────┘                  │
                                             │                          │
                                           NO│                          │
                                             ▼                          │
                ┌──────────────┐  YES ┌──────────────┐  YES             │
                │  DRUG        │──────│  UNEMPLOYED  │─────────────────▶│
                │  ABUSE       │      └──────┬───────┘                  │
                └──────┬───────┘             │                          │
                       │                   NO│                          │
                     NO│                     ▼                          │
                       │            ┌──────────────┐  YES               │
                       ▼            │  NO PRIORS   │──────────────────▶ │
                                    │  C FELONY    │                    │
                                    │  OR BETTER   │                    │
                                    └──────┬───────┘                    │
                                         NO│                            │
                       └────────▶◀─────────┘                            ▼
                                │
                                ▼
                        ┌──────────────┐              ┌──────────────┐
                        │  NOT IN      │              │  SELECT      │
                        │  PROGRAM     │              │  IRO         │
                        │              │              │  PROGRAM     │
                        └──────────────┘              └──────────────┘
```

INVESTIGATION REVIEW PROCESS

CASE SELECTION WORKSHEET

NAME: _____   DATE: _____

CURRENT OFFENSE:*

Current Offense is a NON-DWI Felony and defendant
does not have a Prior Felony Conviction   _____ 5 pts.

PRIOR ARREST RECORD:

2 or more prior arrests   _____ 5 pts.

1 prior arrest   _____ 4 pts.

0 prior arrests   _____ 0 pts.

SOCIAL & BEHAVIORAL CRITERIA:

Is there evidence that the defendant
has abused drugs either now or in the past   _____ 3 pts.

Is the Defendant unemployed   _____ 2 pts.

Has defendant ever been institutionalized for
mental or emotional problems, drug or alcohol abuse
or incarcerated prior to current conviction?   _____ 1 pt.

SEVERITY OF CURRENT OFFENSE:

This item for defendants with no prior record only.

Is Current Conviction for a Class C Felony or higher _____ 2 pts.

Total: _____ pts.

        A SCORE OF 10 OR HIGHER IS NECESSARY FOR IRO CONSIDERATION

OVERRIDE: _____

_____

* Note only felony convictions are eligible for Suffolk County's IRO
  Program

Prob. 30-191

FELONY SPLIT-SENTENCE DATA COLLECTION FORM

TYPE: (1) Split Sent _____ (2) COMM SERVICE _____ (3) NON-SPLIT _____

NAME: _____ CASE #: _____

D.O.B.: _____ AGE AT SENT: _____ SEX: (1) MALE _____ (2) FEMALE _____

RACE: (1) WHITE _____ (2) BLACK _____ (3) HISPANIC _____ (4) ORIENTAL _____

   (5) AMERICAN INDIAN _____ (9) UNKNOWN _____

FAMILY STRUCTURE: (1) PARENTS _____ (2) SPOUSE/W CHILDREN _____

   (3) CHILDREN W/O SPOUSE _____ (4) PARAMOUR _____ (5) FRIENDS _____

   (6) Spouse _____ (8) OTHER _____ (9) UNKNOWN _____

EDUCATIONAL ATTAINMENT: (1) 11 GRADES OR LESS _____ (2) H.S. GRAD _____

   (3) GED DIPLOMA _____ (4) SOME COLLEGE _____ (5) AA DEGREE (2yrs) _____

   (6) COLLEGE DEGREE (4 yrs) _____ (7) SOME GRAD WORK _____

   (8) GRADUATE DEGREE _____

EMPLOYMENT STATUS: (1) UNEMPLOYED _____ (2) EMPLOYED F/T _____

   (3) SCHOOL F/T _____ (4) EMPLOYED P/T SCHOOL P/T _____ (5) EMPLOYED P/T _____

   (6) SCHOOL P/T _____ (7) NOT IN JOB MARKET _____ (8) OTHER _____

   (9) UNKNOWN _____

ALCOHOL ABUSE: (1) NO APPARANT ABUSE _____ (2) ALCOHOLIC SELF ADMISSION _____

   (3) ALCOHOLIC OFFICIAL DIAGNOSIS _____ (4) ALCOHOLIC BASED SCREENING INST _____

   (5) SERIOUS ALCOHOL ABUSE _____ (6) POTENTIAL ALCOHOL ABUSE _____ (9) UNKNOWN

_____

DRUG ABUSE: (1) NO APPARANT ABUSE _____ (2) DRUG DEPENDANT SELF ADMISSION _____

   (3) DRUG DEPENDANT OFFICIAL DIAGNOSIS _____ (4) SERIOUS DRUG ABUSE _____

   (6) POTENTIAL DRUG ABUSE _____ (9) UNKNOWN _____

EMOTIONAL DISTURBANCE: (1) YES _____ (2) NO _____ (9) UNKNOWN _____

PRIOR INSTITUTIONALIZATION: (1) YES _____ (2) NO _____ (9) UNKNOWN _____

SENTENCE DATE: _____

SENTENCING COURT (1) COUNTY _____ (2) SUPREME _____

CHARGE 1: _____ (use 5 digit law code, 1 in 6th position for
                                  attempt, 2 in 6th position for no attempt)

CHARGE 2: _____ (use 5 digit law code, 1 in 6th position for
                                  attempt, 2 in 6th position for no attempt)

TOTAL CURRENT CONVICTIONS: _____   JAIL TIME: _____ (# DAYS)

SEVERITY OF CURRENT CHARGE: (1) A FELONY _____   (2) B FELONY _____

   (3) C FELONY _____   (4) D FELONY _____   (5) E FELONY _____

YOUTHFUL OFFENDER: (1) YES _____ (2) NO _____ (9) UNKNOWN _____

ALCOHOL CONDITIONS: (1) YES _____ (2) NO _____ (9) UNKNOWN _____

NARCO CONDITIONS: (1) YES _____ (2) NO _____ (9) UNKNOWN _____

PSYCH CONDITIONS: (1) YES _____ (2) NO _____ (9) UNKNOWN _____

PRIOR ARRESTS: _____ (enter actual #)

MOST SEVERE PRIOR ARREST: (1) A FELONY _____   (2) B FELONY _____

   (3) C FELONY _____   (4) D FELONY _____   (5) E FELONY _____   (6) A MISD _____

   (7) B MISD _____   (8) U MISD _____

PRIOR PROBATION: (1) YES _____ (2) NO _____ (9) UNKNOWN _____

RISK LEVEL: (1) HIGH _____ (2) MEDIUM _____ (3) LOW _____

RECIDIVIST: (1) YES _____ (2) NO _____ (9) UNKNOWN _____

CURRENT STATUS: (1)EARLY DISCHARGE _____ (2) MAXIMUM EXP. _____ (3) VOP _____

    (4) ACTIVE VOP WARRANT _____ (5) ACTIVE PROBATION

OUTCOME: (1) SUCCESS _____ (2) FAILURE _____ (3) PENDING _____