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THE FIRST YEAR OF THE PROBATION EXPEDITOR PROGRAM'S
BAIL EXPEDITOR COMPONENT:
A PRELIMINARY EXAMINATION

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INTRODUCTION

The Suffolk County Probation Expeditor Program (P.E.P.) is an 'alternatives-to-incarceration' program that began operations on January 13, 1986. This project is jointly funded by the New York State Division of Probation and Correctional Alternatives and by Suffolk County. The purpose of this program is to reduce the amount of time spent in detention by defendants who can be safely released into the community while awaiting judicial action.

There are two basic components to this alternative pretrial design; 1) a case expeditor or bail facilitator component; and 2) a 'monitored ROR' service that documents a defendant's compliance with special conditions-for-release and periodically reports the results to the Court. The expeditor component of the program was expanded to seven days a week as of January 13, 1986, and this study analyzes the impact of the expeditor service during the first year of program operations. The 'monitored ROR' component will be evaluated at a later date.

The Suffolk County P.E.P., pretrial program has been specifically designed to reduce jail overcrowding while keeping operational costs low. The least restrictive alternative to incarceration is provided to defendants without expanding the net of services to inappropriate subgroups of detainees. For example, 'expeditor' services are only offered to individuals detained at the jail; while 'monitored release' services are only offered to defendants after they fail to gain release through the expeditor service. In this way, the rights of the individual are protected while overall program costs are controlled.

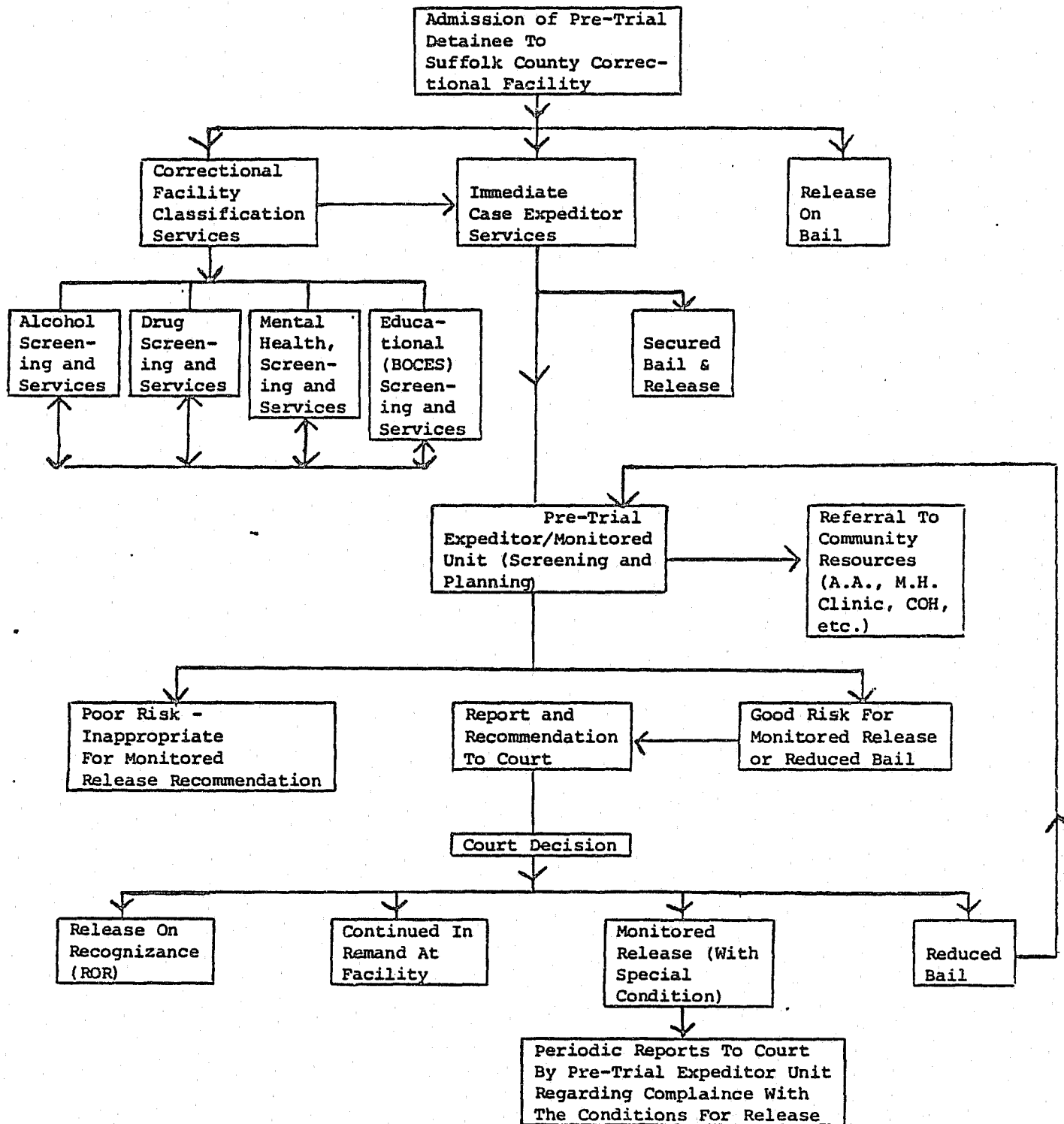
The major purpose of this research study is to empirically measure the impact, if any, that the 'probation expeditor' program has on jail overcrowding. This is no easy task. There are many variables that affect jail overcrowding and they are constantly changing. As a result, empirical measures are elusive with 'alternative-to-incarceration' programs although claims of success are numerous.

This report is organized into the following sections: I) Introduction; II) Major Findings; III) Description of Suffolk's PEP Program; IV) Program Results; V) Independent Indicators of P.E.P. Program Impact; and VI) Analysis and Conclusion.

MAJOR FINDINGS

- 1) The Bail Expeditor component of the Probation Pretrial Expeditor Program has performed as well as originally predicted. Apparently, by using the least restrictive release option in the Suffolk P.E.P. design, the program objectives were achieved without expanding the net of services to inappropriate groups of defendants.
- 2) Project Staff processed 3,892 cases during 1987 a 1,257 case increase over the number of cases processed in 1986. Out of this total, 3,674 cases were analyzed. Of these cases analyzed, 97.6% were released from custody during this study period.
- 3) Of the 3,586 defendants released, 1,677 were released prior to their second court date.
- 4) Out of the 1,677 released prior to their second court date, the release of 792 individuals can be directly attributed to the intervention of the PEP staff. This achieves one of the project's objectives of helping to secure the release of at least 760 individuals.
- 5) The release of these 792 individuals prior to the second court date results in a potential reduction for Suffolk County of 5,364 jail days in 1986.
- 6) In addition, the 'release on recognizance' of 689 individuals at the time of the second court date can be attributed at least partially to the fact that family members and friends contacted by the P.E.P. staff in an effort to raise bail are routinely requested to appear with the defendant at the next court date. Support systems are improved through PEP services.
- 7) If the 689 individuals released on ROR at their second court date had been released on ROR at the time of arraignment Suffolk County would have saved an additional 4,937 detention days in 1986.
- 8) Of the 765 individuals remaining in the custody of the Sheriff after their second court date 116 were subsequently released on bail largely through the efforts of the PEP staff.
- 9) Current results indicate that the PEP approach is a valuable alternative program that helps to reduce jail overcrowding. It also appears that further reduction in the jail overcrowding problem could be accomplished by expanding the monitored release component or developing a supervised release component for those defendants that fail to gain release at the second Court appearance.

**FIGURE 1: ILLUSTRATION OF
EXPEDITOR PROGRAM (P.E.P.)**



OVERVIEW OF SUFFOLK'S CURRENT PRETRIAL SERVICE PROGRAM

1. Historical Review

The Bail Review (ROR) and Legal Aid Eligibility program originated in Suffolk County in 1967. In 1973, this program operated by the Suffolk County Department of Probation expanded and moved to the new District Court Building in Hauppauge. The major purpose of this program is to provide competent and timely information to assist the court in making decisions regarding eligibility of detained individuals for release on their own recognizance. This service, therefore, enables more individuals to remain in the community awaiting court proceeding rather than in jail. Release is subsequent to arraignment and prior to trial disposition. The ROR/LA service is strictly of an advisory nature for the court whereby information is gathered for consideration at arraignment. The court integrates this information with other indicators at its disposal and makes the final decision.

In early 1967, this program was initiated in Suffolk with an initial staff of three (3) Probation Investigators plus clerical assistance operating out of the Riverhead Center. During 1968, the first full year of operation, a total of 1,521 cases were opened for ROR investigation and this program saved the county an estimated 4,397 jail days.

In 1970, the fourth year of operation, the ROR Investigative Unit expanded to five (5) investigators and one (1) clerk. During 1970, there were 2,204 referrals received from the court of which 1,071 were selected for investigation. Time savings of jail remands amounted to an estimated 5,911 days.

In 1973, the ROR probation program was again expanded and moved to the new District Court building in Hauppauge. In addition to providing bail review investigative services, this unit also began to determine legal aid eligibility. These additional services were given to the ROR Unit because many of the areas of information needed for the ROR interviews were duplicated for the determination of legal aid eligibility. This enabled the legal aid attorneys to concentrate on delivery of professional legal services. In 1973, this service was provided on a seven-day a week, 52 week a year basis.

In March and April of 1980, the Suffolk County Probation Department implemented changes in its pretrial services program which expanded services in two major areas: initial screening for Release-On-Recognizance (ROR) and ROR and bail advocacy services for defendants remanded to the Suffolk County Jail. These expanded services had been recommended on the basis of the findings of Reports #1 and #2 on Suffolk

Probation's Pretrial Services issued in June and August of 1979.

Additional Probation Investigators were assigned to the ROR office in Hauppauge to meet the increased workload resulting from the expansion of full ROR interview services to subgroups of the defendant population who had previously been "automatically excluded" from the full ROR screening process. Residents of Queens and Brooklyn would now receive complete ROR interviews, and the length of residence in the area to qualify for full ROR services was reduced to 30 days.

On March 17, 1980, the Probation Department initiated expanded ROR and bail advocacy services for those defendants remanded to the Suffolk County Jail in Riverhead. One Probation Investigator was assigned to Riverhead to perform ROR interviews with those defendants who were unable to raise bail or who refused the initial interview in Hauppauge or were intoxicated or incoherent at the time of the original interview. A second component of the job was to contact family, friends or community organizations on behalf of the defendant in order to raise bail.

Since the implementation of the expanded program, a minimal number of cases have involved ROR re-interviews; and the bail advocacy work has become the predominant element of the services provided. Family, friends, employers and other resources are contacted by the Probation Investigator on behalf of the defendant in order to raise bail. Legal Aid interviews are conducted in those cases in which the defendant initially refused Legal Aid, but later cannot retain a lawyer and appears eligible. Legal Aid eligibility can have an impact in reducing the length of the remand in that the attorney can petition to have the return date advanced. Even in those cases where bail cannot be raised, friends and family members are contacted to appear at the next court date with the defendant to increase the likelihood the court will release the defendant in their custody or on recognizance. Advocacy work and general information is also provided on selected cases with high bail or serious charges at the request of the Jail Classification personnel.

The severity of the overcrowding conditions in New York's jail and prison systems has added an urgency to the search for true alternatives to incarceration. Although Suffolk County has developed and implemented numerous community-based alternatives to incarceration in recent years, the overcrowding crisis continues to exist and other potential areas had to be considered.

Given the lack of existing jail space, the basic problem had become that of developing an effective pretrial mechanism that would reduce the amount of required detention space at the lowest risk and cost to the community. Existing cost

limitations were a critical factor when alternative models were considered. In addition, each alternative model had to be able to be integrated into the existing correctional facility system, as well as the existing pretrial services program.

2. Project Design

The Suffolk County Probation Department designed, proposed and received funding for the "Pretrial Expeditor Program (P.E.P.). This program has two components designed to reduce pretrial detention at the Suffolk County Correctional Facility. The first component is a bail expeditor service wherein a probation investigator acts as an advocate for the detainee and helps to facilitate his or her release on bail. Defendants were originally selected to participate in this component if they had bail set at \$1500 or less. However, this maximum was subsequently raised to \$2500 to serve a larger population. All detainees at the jail who qualify are interviewed by the P.E.P. staff on the morning after arraignment. The P.E.P. staff then contact family, friends and community groups in an effort to raise the bail and secure the defendants release.

The second component introduces and provides a "monitored release" service for a limited number of pretrial detainees who are unable to raise the bail amount needed for release, and who require special conditions of release. This component is a more restrictive alternative and detainees are only considered for inclusion in it after efforts to raise bail through the "bail expeditor" component have proven fruitless.

3. Project Objectives

The grant proposal set forth 8 major objectives for this project. However only two specific goals are set for the Bail Expeditor component.

1. To interview an additional 1,260 defendants annually (a 50% increase over the pre-grant level)
2. To assist in the release of 760 defendants on bail as a result of the case expediting efforts which identify and notify potential sureties to facilitate prompt posting of money bail.

The other 6 objectives are specific to the Monitored Release portion of the program and set forth goals and performance objectives for that component. The purpose of this report is to evaluate the first year of operations for the Bail Expeditor component of this program. Therefore the six objectives specific to the "Monitored Release" component

are not enumerated here, but will be examined in a later report dealing with that component.

IV. PROGRAM RESULTS

1. Characteristics of the Total PEP Pretrial Population

On December 12, 1985 The Suffolk County Probation Department hired and began training 2 additional Probation Investigators for it's Pretrial Expediter Program (P.E.P.). In early January, 1986 the Probation Department expanded it's Bail Expediter operation located at The Suffolk County Jail by increasing program operation to 7 days per week. During the first year of operation, this program provided Bail Expediter services to 3,892 detainees at the jail. Data collection was conducted on a total of 3,674 of these individuals, 94%, who make up the population for this study.

This population consists primarily of individuals detained after arraignment pending trial. However, there are also some individuals in this population who were detained because they could or would not pay a fine. The goal of this program is to reduce the amount of time spent in detention by defendants who could safely be released into the community while awaiting their next court appearance. This goal is pursued through the efforts of the P.E.P. Staff who act in an advocacy role to facilitate raising the bail necessary to secure a defendants release. The same approach is utilized in the cases of detainees held pending payment of a fine.

The vast majority of this population, 3,309 cases, were remanded by The District Court. These individuals represent 90.1% of this project's work load. The second largest group, 263 cases, originate from the East End Courts, and represent only 7.2% of the population. Together these two categories represent over 97% of the work load of this program. Table 1 illustrates the distribution of cases from the various courts within Suffolk County.

TABLE 1:

NUMBER OF CASES BY COURT

| <u>COURT</u> | <u>NO. CASES</u> | <u>% POP</u> |
|----------------------|------------------|---------------|
| 1st District | 3309 | 90.1% |
| East End Courts | 263 | 7.2% |
| Western Suffolk JC's | 34 | 0.9% |
| Family Court | 23 | 0.6% |
| County Court | 9 | 0.2% |
| Unknown | 24 | 0.7% |
| <u>TOTAL</u> | <u>3674</u> | <u>100.0%</u> |

This population is primarily young. Although the mean age is 27.2 years old, the mode is 21 years old. The youngest member of the population is 16, the oldest is 73. Table # 2 presents the distribution of this population by age group. As can be seen from the table, 2,552 cases, 69.5% are under the age of 30 years old.

TABLE # 2:

PEP POPULATION BY AGE

| <u>AGE GROUP</u> | <u>NUMBER</u> | <u>PERCENT</u> |
|------------------|---------------|----------------|
| 16-20 | 808 | 22.0 |
| 21-25 | 1002 | 27.3 |
| 26-30 | 742 | 20.2 |
| 31-35 | 467 | 12.7 |
| 36-40 | 269 | 7.3 |
| >40 | 275 | 7.5 |
| Unknown | 111 | 3.0 |
| <u>Total</u> | <u>3674</u> | <u>100.0</u> |

The length of time between arraignment and the second scheduled court date varies greatly in this population from a low of 2 days to a high of 86 days. The average length of time between these two court appearances is 8.5 days, and the most common period is 8 days. Table #3 presents the distribution of this population by the number of days between arraignment and the second court date.

TABLE #3

PEP DETAINEES BY DETENTION DAYS

| <u># DAYS</u> | <u># CASES</u> | <u>PERCENT</u> |
|---------------|----------------|----------------|
| 2 | 85 | 2.3 |
| 3 | 92 | 2.5 |
| 4 | 109 | 3.0 |
| 5 | 298 | 8.1 |
| 6 | 515 | 14.0 |
| 7 | 739 | 20.1 |
| 8 | 1185 | 32.3 |
| 9 | 206 | 5.6 |
| 10 | 69 | 1.9 |
| > 10 | 319 | 8.6 |
| Unknown | 57 | 1.6 |
| <u>Total</u> | <u>3674</u> | <u>100.0</u> |

If this entire population had remained in the custody of the sheriff from the time of their arraignment until their second scheduled court appearance they would have required a total of 30,790 detention days.

Most of these defendants were remanded to the county jail because they could not post bail at the time of arraignment. One of the criteria for inclusion in the bail expeditor component of the PEP project is a bail amount set at \$2500 or less. As a result, bail amounts for this population ranged from a low of \$15 to a high of \$2500. The average bail was \$548 with most common bail amount being set at \$500. Table #4 illustrates the distribution of this population by bail amount.

TABLE # 4:

DISTRIBUTION OF POPULATION BY REQUIRED BAIL

| BAIL GROUP | # CASES | PERCENT |
|---------------|---------|---------|
| UP TO \$100 | 609 | 16.5 |
| \$101-\$499 | 1178 | 32.0 |
| \$500 | 792 | 21.6 |
| \$501-\$999 | 240 | 6.5 |
| \$1000 | 533 | 14.5 |
| \$1001-\$1499 | 88 | 2.4 |
| \$1500 | 117 | 3.2 |
| \$1501-\$1999 | 6 | 0.2 |
| \$2000 | 21 | 0.6 |
| \$2001-\$2499 | 2 | 0.1 |
| \$2500 | 60 | 1.6 |
| Unknown | 28 | 0.8 |
| Total | 3674 | 100.0 |

In most cases, Judges required the posting of money bail by these defendants because they were not considered to be good risks to be released on their own recognizance. Indeed, of the 3,764 defendants in the project, only 921, 25.1%, were classified as good risks by the ROR screening instrument. By contrast, 781 cases, 21.3%, were rated as poor risks, and 1451 cases could not be rated at all. Instead, form 40-8 was complete for these 1451 cases. This form is employed when; there is an outstanding warrant, other pending charges, the defendant resides outside the geographical area specified by the screening instrument, the defendant refuses to be interviewed, the defendant is intoxicated or exhibits bizarre behavior, the defendant is involved in a violation of probation proceeding, or an ROR report has been recently completed. Table #5 illustrates the distribution of this population by ROR classification.

TABLE #5

DISTRIBUTION BY ROR CLASSIFICATION

| <u>ROR CLASS</u> | <u># CASES</u> | <u>PERCENT</u> |
|------------------|----------------|----------------|
| GOOD | 921 | 25.1 |
| BAD | 781 | 21.3 |
| 40-8 | 1451 | 39.5 |
| REWRITE | 22 | 0.6 |
| Unknown | 499 | 13.6 |
| Total | 3674 | 100.0 |

It should be noted that outstanding warrants and violations of probation accounted for 46.4% of the unclassified (40-8) cases, 673 individuals, while non-resident status accounted for another 32.6% of the cases in which form 40-8, 473 individuals, was employed. Together these 3 categories account for almost 80% of the cases which did not receive ROR interviews prior to being held on bail. Additionally, 103 of these individuals, 7.1% of the 40-8 cases, had been interviewed by the ROR staff within the preceding 4 to 6 weeks and that prior report was submitted to the Court.

The 22 cases listed in the category "rewrite" were defendants who were previously interviewed by program staff, and were reinterviewed upon their return to the correctional facility subsequent to their second court date.

In addition, of the 499 cases for which the ROR classification was unknown, 329, 65.9%, originated in a court which was not serviced by probation Release -on-Recognizance Services.

These 3,674 cases detained at the jail were awaiting trial on a variety of different charges. The largest group, 618 individuals, were in jail following an arrest for the crime of Driving While Intoxicated. Additionally, 282 individuals were detained for the offense of driving with a revoked or suspended license, while 45 others were in jail for assorted vehicle and traffic infractions. Taken together, these 945 traffic related cases account for 25.7% of the total P.E.P. population. The crime of Larceny, 521 individuals, represents the second largest group in this study. Table # 6 illustrates the distribution of this population by crime type.

TABLE #6

PEP POPULATION BY OFFENSE

| CHARGE | CHARGE #1 Frequency | Percent |
|----------------|------------------------|---------|
| ARSON | 18 | .5 |
| ASSAULT | 303 | 8.2 |
| BAD CHK | 12 | 1.3 |
| BURGLARY | 377 | 10.3 |
| CRIM MISCH | 131 | 3.6 |
| DRUGS | 293 | 7.9 |
| DWI | 618 | 16.8 |
| FAIL TO PAY | 12 | .3 |
| FORGERY | 68 | 2.0 |
| HOMICIDE | 1 | .0 |
| KIDNAPPING | 3 | .1 |
| LARCENY | 521 | 14.2 |
| OGA | 19 | .5 |
| PERJURY | 2 | .1 |
| RES ARREST | 141 | 3.8 |
| RIOT/PUB ORDER | 194 | 5.3 |
| ROBBERY | 68 | 1.9 |
| SEX | 25 | .7 |
| STOL PROP | 206 | 5.6 |
| SUS/REVOK | 282 | 7.7 |
| WEAPONS | 57 | 1.6 |
| VIOL FCA | 55 | 1.5 |
| V&T'S | 45 | 1.2 |
| VOP | 74 | 2.0 |
| VIOL TOWN ORD | 49 | 1.3 |
| OTHER | 79 | 1.0 |
| UNK | 21 | .6 |
| ----- | | |
| TOTAL | 3674 | 100.0 |

Additionally, it should be noted that 906 individuals, 24.7% of the population were classified as violent. Violent crimes include; Arson, Assault, Robbery, Rape, Sexual Abuse, Criminal Possession of a Weapon, Reckless Endangerment, Manslaughter, Criminal Negligent Homicide, Burglary 1 and Burglary 2.

The primary job of the PEP staff in it's advocacy role is to help detainees raise the bail necessary to secure their release. To do this, staff members contact individuals and groups who might be willing to post the necessary bail on behalf of the defendants. In this role the PEP staff made an average 1.77 contacts per case. The number of per case contacts varied from a low of 1 to a high of 6 contacts per case. The sum total of the number of contacts made by project staff on these 3,764 cases is 6,193. Table #7 presents the breakdown of the number of contacts per case.

TABLE #7:

DISTRIBUTION BY NUMBER OF CONTACTS

| <u># CONTACTS</u> | <u># CASES</u> | <u>PERCENT</u> |
|-------------------|----------------|----------------|
| 1 | 1583 | 43.1 |
| 2 | 1309 | 35.6 |
| 3 | 448 | 12.2 |
| 4 | 110 | 3.0 |
| 5 | 32 | 0.9 |
| 6 | 8 | 0.2 |
| UNKNOWN | 184 | 5.0 |
| TOTAL | 3674 | 100.0 |

Of the 3,764 detainees in this population, a total of 3,586 cases, 97.6% of this population, were released from the custody of the Sheriff during the first year of expanded project operation. The largest subgroup, 1,677 individuals, 45.6%, were released prior to their second scheduled court date. Another 1,232 individuals, 33.5% were released at the second court date, and 640 individuals were released subsequent to their second court date. It is unknown exactly when the remaining 37 individuals were release. A total of 88 individuals remained in the custody of the sheriff at the time the data was collected. Table # 8 presents the breakdown of this population by the point of release.

TABLE #8:

PRETRIAL DETAINEES BY RELEASE POINT

| <u>RELEASE POINT</u> | <u># CASES</u> | <u>PERCENT</u> |
|----------------------|----------------|----------------|
| Prior to 2nd Date | 1677 | 45.6 |
| @ 2nd Date | 1232 | 33.5 |
| After 2nd Date | 640 | 17.4 |
| Unknown | 37 | 1.0 |
| Not Released | 88 | 2.5 |
| Total | 3,674 | 100.0 |

The 3,586 individuals who were released from the custody of the sheriff during the study period secured their release through various means. The largest subgroup, 1,782 individuals, were released after posting monetary bail. Most of the cases in this category were released prior to their second court date and in many cases their release can be directly attributed to the efforts of the P.E.P. staff.

The second largest subgroup, 986 cases, were released on their own recognizance (ROR). Most releases in this category

occurred at the time the defendant was returned to court for the second court date.

The third largest group, 537 cases, is labeled "To Court". These individuals were detained after they could not post bail, and subsequently were released from the custody of the sheriff into the custody of a court other than the 1st District Court. This situation arises because of the particular record keeping system utilized at the jail and the custody status of individuals when transported to a court other than the 1st District Court in Hauppauge where the sheriff has a lockup. Table # 9 illustrates the distribution of this population by discharge type.

TABLE # 9:

DISTRIBUTION BY DISCHARGE TYPE

| <u>DISCHARGE TYPE</u> | <u>#</u> | <u>%</u> |
|-----------------------|-------------|--------------|
| BAILED | 1782 | 48.5 |
| ROR | 986 | 26.8 |
| TO COURT | 537 | 14.6 |
| TIME SERVED | 220 | 6.0 |
| PAID FINE | 33 | 0.9 |
| OTHER | 28 | 0.8 |
| NOT RELEASED | 88 | 2.4 |
| <u>TOTAL</u> | <u>3674</u> | <u>100.0</u> |

A close examination of the subgroup released prior to their second court date reveals that the vast majority, 1,539 cases, were released after posting monetary bail. Additionally, 25 cases were released from custody after paying a fine. These 1,564 cases are similar in that their early release from the county jail was secured as a result of the payment of a monetary amount which was secured, in part, through the efforts of the P.E.P. staff.

There were also 46 cases which were released on their own recognizance prior to their second court date. This somewhat unusual situation occurs when a detainee who originally thought he could post bail is given a long second court date, and then cannot raise the necessary bail money. In such a case, the PEP staff contact the court and have the second court date moved up.

The early release of the 1,610 individuals in these 3 categories of detainees and the subsequent savings resulting from the reduction in required detention days can in many cases be directly attributed to the advocacy of the PEP staff.

The last two groups within this early release population are comprised of , 41 cases labeled "To Court", and 25 cases labeled "Time Served". Unfortunately, it is not possible at this time to accurately determine what has happened to individuals who are designated as "To Court". Some individuals may be released on ROR status by the court. Others have their bail reduced, and secure their release through this means. Others ultimately return to the jail to await their next court appearance. Unfortunately, this data is not available at this time. However, these 41 cases were returned to court prior to their second scheduled court date in large part because of the efforts of project staff. Cases in this category are much like the 46 individuals who were ROR'ed before their second court date in that the PEP staff contacted the court to have the next date moved up,

The "Time Served" group were in the jail because they failed to pay a fine and were released early because of good behavior. Table # 10 illustrates the distribution by type of discharge of all cases released prior to the second court date.

2. Characteristics of the Subgroup Released Prior to the Second Court Date

There are basically three release points for pretrial detainees as analyzed in this study: prior to 2nd court date, at second court appearance, and after second court appearance. This section describes the factors regarding those detainees released after arraignment and prior to their second court date.

TABLE # 10:

CASES RELEASED PRIOR TO THE SECOND COURT DATE
BY DISCHARGE TYPE

| <u>DISCHARGE TYPE</u> | <u># CASES</u> | <u>% POP</u> |
|-----------------------|----------------|---------------|
| BAILED | 1,539 | 91.8% |
| ROR | 46 | 2.7% |
| TO COURT | 41 | 2.4% |
| TIME SERVED | 25 | 1.5% |
| PAID FINE | 25 | 1.5% |
| OTHER | 1 | 0.1% |
| <u>TOTAL</u> | <u>1,677</u> | <u>100.0%</u> |

Upon closer analysis it becomes clear that there are two distinct subgroups within the 1677 individuals released after arraignment and prior to their second scheduled court date. The first subgroup consists of 859 individuals, 51.2%, who secured bail prior to being interviewed by the P.E.P. staff. In many of these cases, friends or relatives are available to post the required bail money as soon as the individual arrives at the jail. At any rate these individuals were released prior to being interviewed by PEP staff. Contacts made by project staff on these cases generally consists of a paper review of each case as well as checking with the jail records room to confirm that the defendants have indeed been released and are not merely located somewhere else within the correctional facility.

These 859 individuals were arrested for a variety of crimes. The largest group, 259 individuals were arrested for DWI. The second largest group 81 cases were arrested for a crime in the Larceny category. Table # 11 presents the distribution of this subgroup by crime.

TABLE # 11

CASES RELEASED PRIOR TO 2ND COURT DATA
NOT INTERVIEWED BY PEP STAFF
BY OFFENSE

| CHARGE | <u>CHARGE #1</u> Frequency | Percent |
|----------------|-------------------------------|---------|
| ARSON | 6 | 0.7 |
| ASSAULT | 65 | 7.6 |
| BAD CHK | 1 | 0.1 |
| BURGLARY | 66 | 7.7 |
| CRIM MISCH | 31 | 3.6 |
| DRUGS | 71 | 8.3 |
| DWI | 259 | 30.2 |
| FORGERY | 16 | 1.9 |
| HOMICIDE | 1 | 0.1 |
| KIDNAPPING | 2 | 0.2 |
| LARCENY | 81 | 9.4 |
| OGA | 2 | 0.2 |
| RES ARREST | 26 | 3.0 |
| RIOT/PUB ORDER | 30 | 3.5 |
| ROBBERY | 6 | 0.7 |
| SEX | 8 | 0.9 |
| STOL PROP | 25 | 2.9 |
| SUS/REVOK | 75 | 8.7 |
| WEAPONS | 15 | 1.7 |
| VIOL FCA | 10 | 1.2 |
| V&T'S | 16 | 2.0 |
| VOP | 9 | 1.0 |
| VIOL TOWN ORD | 15 | 1.7 |
| OTHER | 17 | 2.0 |
| UNK | 6 | 0.7 |
| ----- | | |
| TOTAL | 859 | 100.0 |

Interestingly, while the average bail amount for the entire population is \$548 per case, the average bail amount for this subgroup is only \$426.98 per case. Similarly, this group seems to represent a somewhat better ROR risk. This subgroup contains 34.1% of the cases classified as a good ROR risk but only 23.4% of the entire population. Table # 12 presents this subgroup by ROR score.

TABLE # 12

CASES RELEASED PRIOR TO 2ND COURT DATE
NOT INTERVIEWED BY PEP STAFF
BY ROR SCORE

| SCORE | Frequency | Percent |
|------------|-----------|---------|
| GOOD | 314 | 36.5 |
| BAD | 138 | 16.1 |
| 40-8 | 251 | 29.2 |
| NOT SCORED | 156 | 18.2 |
| ----- | | |
| TOTAL | 859 | 100.0 |

The second subgroup contains 818 individuals all of whom received direct, personal services from the P.E.P. Staff. Indeed, for the majority of the individuals within this subgroup it is the advocacy role of project staff which led to their release from the jail prior to their second scheduled court date. Table # 13 presents the distribution of this early release population by discharge type and staff involvement.

TABLE # 13

CASES RELEASED PRIOR TO 2nd COURT DATE
BY DISCHARGE TYPE AND INTERVIEW STATUS

| DISCHARGE TYPE | NOT INTERVIEWED | INTERVIEWED |
|-------------------|--------------------|-------------|
| BAIL | 859 | 680 |
| ROR | - | 46 |
| TO COURT | - | 41 |
| TIME SERVED | - | 25 |
| PAID FINE | - | 25 |
| OTHER | - | 1 |
| TOTAL | 859 | 818 |

As can be seen from Table # 13 792 individuals, 96.8% of the second subgroup, secured their release as a direct result of the intervention by the P.E.P. staff. Only the 25 individuals in this subgroup who were serving time in lieu of paying a fine and had their sentences shortened as a result of good behavior did not benefit from the efforts of project staff.

Indeed, in their bail advocacy role, project personnel made a total of 1676 documented contacts, an average of 2.1 contacts per case on behalf of the 818 individuals in this subgroup. It should be noted that this figure of 1676

represents the minimum number of contacts for this subgroup. As can be seen in table # 14, there are 20 cases in this subgroup which received direct services from project staff, but the number of contacts was undocumented. Table # 14 illustrates the distribution of this subgroup by number of contacts.

TABLE # 14

NUMBER OF CONTACTS FOR
CASES RELEASED PRIOR TO 2nd COURT DATE
WHO RECEIVED DIRECT SERVICES FROM PROJECT STAFF

| <u># CONTACTS</u> | <u>FREQ</u> | <u>%</u> |
|-------------------|-------------|------------|
| 1 | 219 | 26.8 |
| 2 | 368 | 44.9 |
| 3 | 148 | 18.1 |
| 4 | 42 | 5.1 |
| 5 | 17 | 2.1 |
| 6 | 4 | 0.5 |
| NOT DOCUMENTED | 20 | 2.5 |
| <u>TOTAL</u> | <u>818</u> | <u>100</u> |

These 818 individuals were detained after committing a variety of crimes. Most, 146 cases, were arrested for DWI. The second largest group, 109 individuals, were arrested for a crime of Larceny. Table # 15 presents the distribution of this subgroup by crime type.

TABLE # 15

CASES RELEASED PRIOR TO SECOND COURT DATE
INTERVIEWED BY PEP STAFF
BY OFFENSE

| CHARGE | <u>CHARGE #1</u> Frequency | Percent |
|----------------|-------------------------------|---------|
| ARSON | 3 | 0.4 |
| ASSAULT | 75 | 9.2 |
| BAD CHK | 4 | 0.5 |
| BURGLARY | 69 | 8.4 |
| CRIM MISCH | 28 | 3.4 |
| DRUGS | 61 | 7.5 |
| DWI | 146 | 17.8 |
| FAIL TO PAY | 7 | 0.9 |
| FORGERY | 9 | 1.1 |
| LARCENY | 109 | 13.3 |
| OGA | 4 | 0.5 |
| PERJURY | 1 | 0.1 |
| RES ARREST | 32 | 3.9 |
| RIOT/PUB ORDER | 38 | 4.7 |
| ROBBERY | 13 | 1.6 |
| SEX | 4 | 0.5 |
| STOL PROP | 40 | 4.9 |
| SUS/REVOK | 85 | 10.4 |
| WEAPONS | 20 | 2.4 |
| VIOL FCA | 9 | 1.1 |
| V&T'S | 9 | 1.1 |
| VOF | 19 | 2.3 |
| VIOL TOWN ORD | 8 | 1.0 |
| OTHER | 20 | 2.4 |
| UNK | 5 | 0.6 |
| ----- | | |
| TOTAL | 818 | 100.0 |

As in the case of those individuals who were bailed out before being interviewed by the P.E.P. staff, this subgroup had an average bail, \$441.17 per case, that was almost \$100 lower than the average for the entire population. Within this subgroup there were 705 individuals who were released after either posting bail or paying a fine. In all these cases the necessary money was raised by project staff after contacting the defendants friends, relatives, or employer. These efforts resulted in the collection of a total of \$310,142 in bail and fines during the year.

More importantly, the early discharge of the 792 individuals who were release as a result of the efforts of project staff resulted in a savings of 6.77 jail days per case for a total savings to Suffolk County of 5,364 jail days

during the study period. The number of days saved was computed by subtracting the discharge date from the second court date for those cases interviewed by project staff and released either on bail, ROR, To Court, or after paying a fine, before their second scheduled court date. Table # 16 presents the distribution of days saved for the 792 cases released as a direct result of the intervention of the P.E.P. staff.

TABLE # 16

POTENTIAL JAIL DAYS SAVED

| <u>DAYS SAVED</u> | <u># CASES</u> | <u>%</u> |
|-------------------|----------------|--------------|
| 1 | 50 | 6.3 |
| 2 | 58 | 7.3 |
| 3 | 96 | 12.1 |
| 4 | 124 | 15.7 |
| 5 | 162 | 20.5 |
| 6 | 161 | 20.3 |
| 7 | 46 | 5.8 |
| 8 | 9 | 1.1 |
| 9 | 2 | 0.3 |
| 10 | 8 | 1.0 |
| > 10 | 76 | 9.6 |
| <u>TOTAL</u> | <u>792</u> | <u>100.0</u> |

In addition to the contacts made to assist these detainees in raising the required bail money to secure their release, project staff made a total of 545 referrals, an average of 1.3 per client, to various services within the jail. These services include alcohol, drug, mental health, medical, and social services as well as various combination of all of the above. Table # 17 presents the breakdown of this data.

TABLE # 17

REFERRAL TO SERVICES WITHIN THE JAIL
FOR CASES RELEASED PRIOR TO THE SECOND COURT DATE

| <u>SERVICE</u> | <u>FREQ</u> | <u>%</u> |
|----------------|-------------|--------------|
| ALCOHOL | 173 | 21.2 |
| DRUGS | 27 | 3.3 |
| MENTAL HEALTH | 22 | 2.7 |
| MEDICAL | 39 | 4.8 |
| SOCIAL | 36 | 4.4 |
| MULTIPLE | 117 | 14.3 |
| NO REFERRAL | 404 | 49.3 |
| <u>TOTAL</u> | <u>818</u> | <u>100.0</u> |

3. Individuals Released at the Time of Their Second Court Date

If efforts to raise bail at the time of the PEP interview are unsuccessful, the next major release point for pretrial detainees is at the time of the second court date. A total of 1232 individuals, 33.5% of the project population, were released from the custody of the sheriff at their next court appearance following arraignment. These 1232 individuals secured release by a variety of different means, but the overwhelming majority, 55.9%, were Released on their own recognizance. The second largest category in this group "To Court" are individuals who were held by a court other than the 1st District Court. Frequently, the court will reduce the bail amount at the second court appearance. This helps explain the 110 individuals who were unable to post the required bail money prior to their second court date being released on bail at their second court date. Table # 18 presents the distribution of discharge types for this subgroup.

TABLE # 18

DISCHARGE TYPE FOR CASES
RELEASED AT THE SECOND COURT DATE

| DISCHARGE TYPE | FREQ | % |
|----------------|------|-------|
| BAIL | 110 | 8.9 |
| ROR | 589 | 55.9 |
| TO COURT | 320 | 26.0 |
| TIME SERVED | 97 | 7.9 |
| PAID FINE | 3 | 0.2 |
| OTHER | 12 | 1.0 |
| UNKNOWN | 1 | 0.1 |
| TOTAL | 1232 | 100.0 |

It is interesting that such a large number of individuals who had previously been required to post bail should be granted ROR status at the second court date. An examination of the ROR Scores reveals that this subgroup scored no better on the ROR screening instrument than any other. Indeed, only 22.2% of this group were classified as a good risk as compared to 25.1% of the entire population.

Additionally, these individuals seem to be responsible for somewhat more serious crimes. While the most common crime type for the two subgroups released prior to the second court date was DWI, the most common crime among this subgroup, 215 cases, was Larceny. The second most frequently committed crime in this subgroup, 164 cases, was Burglary. DWI, 104 cases, was third. Table # 19 presents the distribution of this subgroup by crime type.

TABLE # 19

CASES RELEASED AT 2ND COURT DATE
BY OFFENSE

| CHARGE | <u>CHARGE #1</u> Frequency | Percent |
|----------------|-------------------------------|---------|
| ARSON | 6 | 0.5 |
| ASSAULT | 96 | 7.8 |
| BAD CHK | 4 | 0.3 |
| BURGLARY | 164 | 13.3 |
| CRIM MISCH | 43 | 3.5 |
| DRUGS | 87 | 7.1 |
| DWI | 104 | 8.4 |
| FAIL TO PAY | 3 | 0.2 |
| FORGERY | 32 | 2.6 |
| KIDNAPPING | 1 | 0.2 |
| LARCENY | 215 | 17.4 |
| OGA | 9 | 0.7 |
| PERJURY | 1 | 0.2 |
| RES ARREST | 45 | 3.6 |
| RIOT/PUB ORDER | 96 | 7.8 |
| ROBBERY | 39 | 3.2 |
| SEX | 13 | 1.0 |
| STOL PROP | 89 | 7.2 |
| SUS/REVOK | 55 | 4.5 |
| WEAPONS | 14 | 1.1 |
| VIOL FCA | 28 | 2.3 |
| V&T'S | 15 | 1.2 |
| VOP | 25 | 2.0 |
| VIOL TOWN ORD | 14 | 1.1 |
| OTHER | 27 | 2.2 |
| UNK | 7 | 0.6 |
| ----- | | |
| TOTAL | 1232 | 100.0 |

The fact that these individuals pose no less of an ROR risk, and are charged with more serious crimes indicate that some other variable may be responsible for the granting of ROR status to individuals who had previously been held on bail. This phenomena may be explained in part by the fact that family members and friends contacted by the P.E.P. staff in an effort to raise bail are routinely requested to appear with the defendant at the next court date. The presence of family members increases the likelihood that the court will release the defendant either in their custody or on ROR.

Additionally, these facts suggest that the posting of money bail may be unnecessary in many cases. There is the potential for significant reduction in pretrial detention if individuals who will eventually be released on ROR at a subsequent court appearance are simply granted ROR status at

the time of arraignment. These 1232 individuals spent an average 7.4 days each in the Suffolk County Jail awaiting their second court date. Detaining these individuals cost the county a total of 9094 jail days during the study period. Table # 20 presents the distribution of jail days required by this subgroup in 1986.

Table #20

JAIL DAYS REQUIRED FOR CASES
RELEASED AT THE SECOND COURT DATE

| <u>NO. DAYS</u> | <u>FREQ</u> | <u>%</u> |
|-----------------|-------------|----------|
| 1 | 13 | 1.1 |
| 2 | 42 | 3.4 |
| 3 | 43 | 3.5 |
| 4 | 45 | 3.7 |
| 5 | 104 | 8.4 |
| 6 | 191 | 15.5 |
| 7 | 278 | 22.6 |
| 8 | 364 | 29.5 |
| 9 | 47 | 3.8 |
| 10 | 22 | 1.8 |
| > 10 | 83 | 6.7 |
| ***** | | |
| TOTAL | 1232 | 100.0 |

In their role as bail advocates project staff made a minimum of 2,349 contacts, an average of 1.96 contacts per case, on behalf of the 1,232 individuals released at the time of their second court date. As can be seen in table # 21, the number of contacts ranged from a low of 1 to a high of 6 contacts per case. Additionally, the number of contacts made by project staff was undocumented in 32 cases.

TABLE # 21

NUMBER OF CONTACTS PER CASE FOR
CASES RELEASED @ THE SECOND COURT DATE

| <u># CONTACTS</u> | <u>FREQ</u> | <u>%</u> |
|-------------------|-------------|----------|
| 1 | 375 | 30.4 |
| 2 | 577 | 46.8 |
| 3 | 189 | 15.3 |
| 4 | 46 | 3.7 |
| 5 | 9 | 0.7 |
| 6 | 4 | 0.3 |
| UNDOCUMENTED | 32 | 2.6 |
| TOTAL | 1232 | 100.0 |

As in the case of those individuals released prior to the second court date, Staff members referred these detainees

to various services within the jail. Referrals of this type totaled 839 , an average of 1.3 per client, during the study period. Table # 22 presents the breakdown of this data.

TABLE # 22

REFERRAL TO SERVICES WITHIN THE JAIL
FOR CASES RELEASED AT THE SECOND

| <u>SERVICE</u> | <u>FREQ</u> | <u>%</u> |
|----------------|-------------|--------------|
| ALCOHOL | 203 | 16.5 |
| DRUGS | 58 | 4.7 |
| MENTAL HEALTH | 55 | 4.5 |
| MEDICAL | 64 | 5.2 |
| SOCIAL | 52 | 4.2 |
| MULTIPLE | 193 | 49.0 |
| NO REFERRAL | 604 | 49.0 |
| UNKNOWN | 3 | 0.2 |
| <u>TOTAL</u> | <u>1232</u> | <u>100.0</u> |

4. Characteristics of the Subgroup Released After Their Second Court Date

For those individuals who remained in the custody of the Sheriff after their second court date, a total of 640 were subsequently released after returning to the jail. These individuals are generally reinterviewed by the P.E.P. staff upon their return to the jail in an effort to raise the bail necessary to secured their release. The 640 cases in this category secured their release through various means. The largest group, 251 cases were ROR'ed most often at the third court date. The second largest group 166 individuals were released "To Court", again this release was for their third court date. The third largest group 116 cases posted bail subsequent to their second court date. Table # 23 presents the breakdown of this subgroup by discharge type.

TABLE # 23

CASES RELEASED AFTER THE SECOND COURT DATE
BY DISCHARGE TYPE

| <u>TYPE</u> | <u>#</u> | <u>%</u> |
|--------------|------------|--------------|
| BAILED | 116 | 18.1 |
| ROR | 251 | 39.2 |
| TO COURT | 166 | 25.9 |
| TIME SERVED | 91 | 14.2 |
| PAID FINE | 2 | 0.3 |
| OTHER | 13 | 2.0 |
| UNKNOWN | 1 | 0.2 |
| <u>TOTAL</u> | <u>640</u> | <u>100.0</u> |

These individuals were detained after committing a variety of crimes. The most common crime category for this subgroup was Larceny, 100 cases. The second most common category is DWI. Assaults, Burglary and Drug offenses are in a virtual tie for third at around 10% of the subgroup. Table # 24 presents this subgroup by offense.

Table # 24

CASES RELEASED AFTER 2ND COURT DATE
BY OFFENSE

| CHARGE | <u>CHARGE #1</u> | |
|----------------|------------------|---------|
| | Frequency | Percent |
| ARSON | 3 | 0.5 |
| ASSAULT | 61 | 9.5 |
| BAD CHK | 3 | 0.5 |
| BURGLARY | 67 | 10.5 |
| CRIM MISCH | 27 | 4.2 |
| DRUGS | 64 | 10.0 |
| DWI | 87 | 13.6 |
| FORGERY | 10 | 1.6 |
| LARCENY | 100 | 15.6 |
| OGA | 4 | 0.6 |
| RES ARREST | 30 | 4.7 |
| RIOT/PUB ORDER | 27 | 4.2 |
| ROBBERY | 8 | 1.3 |
| STOL PROP | 47 | 7.3 |
| SUS/REVOK | 47 | 7.3 |
| WEAPONS | 5 | 0.8 |
| VIOL FCA | 4 | 0.6 |
| V&T'S | 4 | 0.6 |
| VOP | 17 | 2.7 |
| VIOL TOWN ORD | 9 | 1.4 |
| OTHER | 15 | 2.3 |
| UNK | 1 | 0.2 |
| ----- | | |
| TOTAL | 640 | 100.0 |

As in the case of those individuals released at their second court date, these 640 individuals had a higher average bail amount, \$614 per case, than the general population. Similarly, this subgroup represented a worse ROR risk than the entire population. Indeed, only 11.4% of this subgroup was classified as a good ROR risk as compared to 25.1% of the entire population and 36.5% of the subgroup released prior to the second court date. This may explain in part the difficulty encountered in securing their release. Table # 25 presents this data.

TABLE # 25

CASES RELEASED AFTER THE SECOND COURT DATE
BY ROR SCORE

| ROR SCORE | FREQ | PERCENT |
|-----------|------|---------|
| GOOD | 73 | 11.4 |
| BAD | 164 | 25.6 |
| 40-8 | 347 | 54.2 |
| UNKNOWN | 56 | 8.8 |
| TOTAL | 640 | 100.0 |

This subgroup was very costly in terms of required jail days. The average length of time between arraignment and release for these 640 individuals was 22.6 days each. Ultimately, these detainees cost Suffolk County a total of 14,475 detention days. It is interesting to note that while a few individuals in this subgroup spent over 300 days in jail, the maximum was 360 days, over 20% of this subgroup spent fewer than 10 days in custody. Table # 26 presents the breakdown of this subgroup by number of days in custody.

TABLE # 26

NUMBER OF DAYS IN DETENTION FOR
CASES RELEASED AFTER THEIR SECOND COURT DATE

| # DAYS | FREQ | PERCENT |
|--------|------|---------|
| < 10 | 147 | 23.0 |
| 10 | 50 | 7.8 |
| 11 | 50 | 7.8 |
| 12 | 42 | 6.6 |
| 13 | 32 | 5.0 |
| 14 | 40 | 6.3 |
| 15 | 36 | 5.9 |
| 16 | 26 | 4.1 |
| 17 | 14 | 2.2 |
| 18 | 18 | 2.8 |
| 19 | 19 | 3.0 |
| 20 | 12 | 1.9 |
| > 20 | 166 | 25.9 |
| TOTAL | 640 | 100.0 |

In an attempt to secure the release on bail of these individuals, project staff made an average 1.9 contacts per case, a total of 1193 contacts. As is illustrated in table # 27, the number of contacts ranged from a low of 1 to a high of 5 contacts per case.

TABLE # 27

NUMBER OF CONTACTS PER CASE
ON CASES RELEASED AFTER THE SECOND COURT

| <u># CONTACTS</u> | <u>FREQ</u> | <u>PERCENT</u> |
|-------------------|-------------|----------------|
| 1 | 209 | 32.7 |
| 2 | 303 | 47.3 |
| 3 | 92 | 14.4 |
| 4 | 18 | 2.8 |
| 5 | 6 | 0.9 |
| UNKNOWN | 12 | 1.9 |
| TOTAL | 640 | 100.0 |

Similarly, project staff made a total of 453 refferals to various services within the jail on behalf of these 640 individuals during the study period. Table # 28 presents the breakdown of this data.

TABLE # 28

REFERRAL TO SERVICES WITHIN THE JAIL
FOR CASES RELEASED AFTER THE SECOND

| <u>SERVICE</u> | <u>FREQ</u> | <u>%</u> |
|----------------|-------------|----------|
| ALCOHOL | 128 | 20.1 |
| DRUGS | 23 | 3.6 |
| MENTAL HEALTH | 32 | 5.0 |
| MEDICAL | 46 | 7.2 |
| SOCIAL | 25 | 3.9 |
| MULTIPLE | 97 | 15.2 |
| NO REFFERAL | 289 | 45.4 |
| UNKNOWN | 3 | 0.5 |
| TOTAL | 640 | 100.0 |

V. INDEPENDENT INDICATORS OF PEP PROGRAM IMPACT

Independant analysis of the jail population by the Suffolk County Sheriff's Office for the first 6 months of 1986 reveals that while daily admissions to the jail have increased by 1% over the same period in 1985, the average daily population has decreased by 5.37%. While no claims of causality are being made it is noted that this decrease coincides with the expansion of the P.E.P. program. It could very well be that expansion of program operations along with changes in other variables affecting the system have combined to reduce the average daily inmate population during this period.

TABLE # 29

ADMISSIONS FOR FIRST 6 MONTHS OF EACH YEAR

| <u>MONTH</u> | <u>1980</u> | <u>1981</u> | <u>1982</u> | <u>1983</u> | <u>1984</u> | <u>1985</u> | <u>1986</u> |
|--------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| January | 709 | 713 | 760 | 874 | 919 | 1040 | 1060 |
| February | 586 | 666 | 768 | 862 | 827 | 948 | 848 |
| March | 635 | 671 | 872 | 838 | 1057 | 1037 | 1153 |
| April | 628 | 713 | 760 | 827 | 927 | 902 | 1061 |
| May | 593 | 705 | 695 | 1065 | 1010 | 996 | 978 |
| June | 590 | 715 | 819 | 954 | 870 | 939 | 821 |
| TOTALS | 3741 | 4183 | 4674 | 5420 | 5610 | 5862 | 5921 |

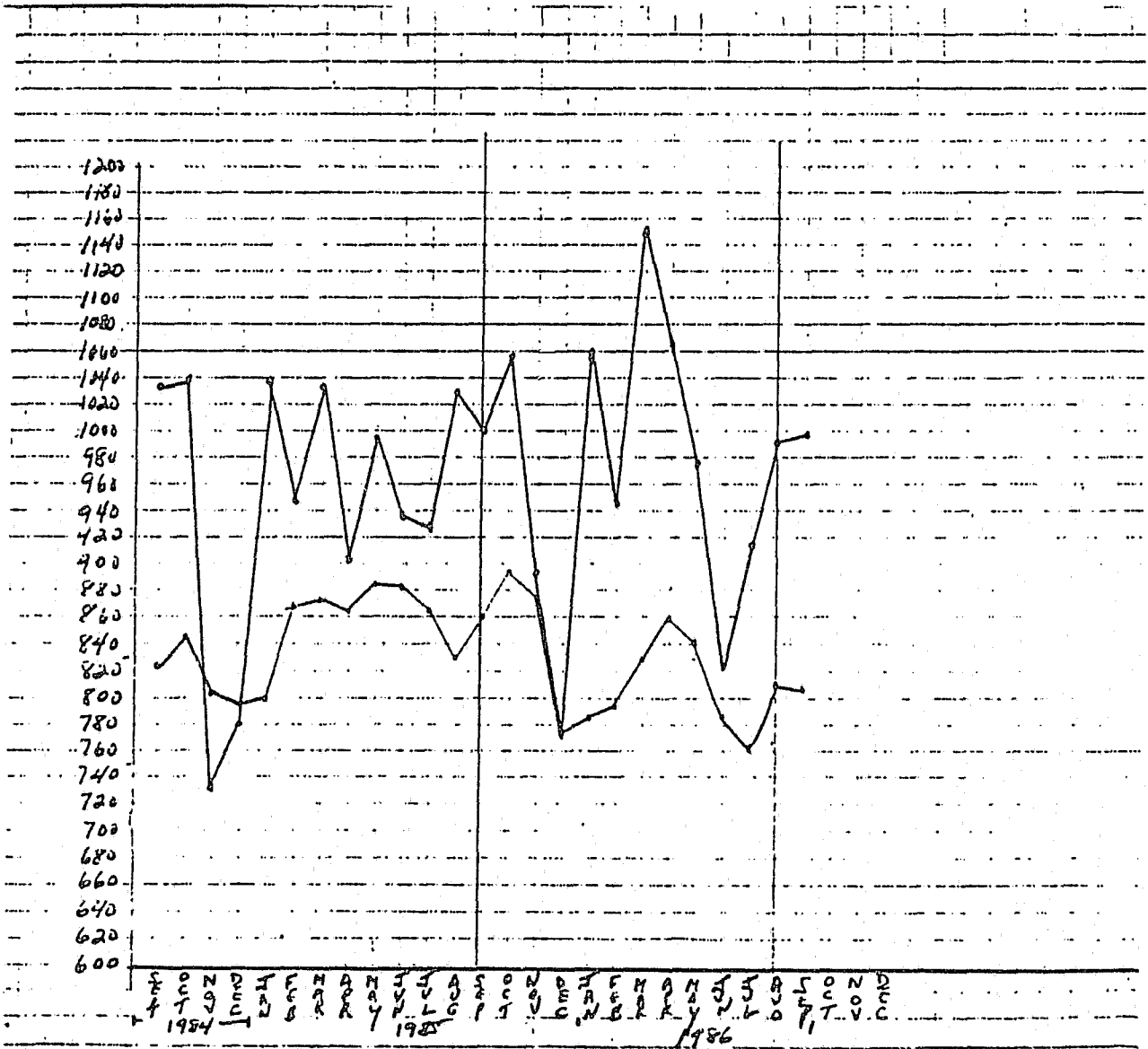
TABLE # 30

AVERAGE DAILY INMATE POPULATION BY MONTH
FIRST 6 MONTHS OF EACH YEAR

| <u>MONTH</u> | <u>1980</u> | <u>1981</u> | <u>1982</u> | <u>1983</u> | <u>1984</u> | <u>1985</u> | <u>1986</u> |
|--------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| January | 430.16 | 543.45 | 607.54 | 683.61 | 689.22 | 803.45 | 768.09 |
| February | 429.90 | 592.25 | 625.39 | 729.35 | 695.93 | 866.89 | 796.46 |
| March | 437.97 | 606.93 | 632.25 | 706.54 | 762.41 | 866.12 | 833.83 |
| April | 457.90 | 583.36 | 649.93 | 695.53 | 798.30 | 856.33 | 860.13 |
| May | 478.58 | 569.25 | 636.32 | 735.51 | 810.38 | 885.29 | 841.35 |
| June | 479.07 | 598.90 | 668.30 | 743.70 | 809.10 | 885.13 | 786.00 |
| MONTHLY AVERAGE | 452.26 | 582.36 | 636.62 | 715.71 | 760.89 | 860.54 | 814.31 |

FIGURE 3: AVERAGE INMATE POPULATION BY ADMISSIONS TOTALS FOR FIRST SIX MONTHS (1984-1986)

Admissions
 Monthly Daily Avg.



In order to identify the cause or causes of a reduction in the average daily length of stay of the inmate population of Suffolk County's correctional system, identification of inmate classifications admitted to the facilities were closely examined.

For this population survey, encompassing the first six (6) months of years 1984, 1985 and 1986, there are three categories of inmates that were analyzed and they include:

- Inmates sentenced to the Suffolk County Correctional system;
- Pre-trial detainees; and
- Others including state sentenced inmates.

Table 31 also illustrates the distribution of sentenced inmates to the Suffolk County Correctional Facility. For the first six months of 1986 there was a decline of 2.53% for felonies, and 6.58% for misdemeanors and other infractions.

Pre-trial detainees increased 3.08% and others which include state sentenced inmates has increased by 4.22%.

When all categories are considered, yearly admissions totals increased by 5.9%. This is illustrated in Table #31.

TABLE 31: POPULATION PROFILE FOR THE FIRST SIX MONTHS
OF EACH YEAR

| <u>Month/Year</u> | <u>Sentenced</u> | | <u>Pre-trial</u> | <u>Other</u> | <u>Total</u> |
|----------------------|------------------|---------------------|------------------|--------------|--------------|
| | <u>Felony</u> | <u>-Misdemeanor</u> | | | |
| Jan. 1984 | 88 | 161 | 579 | 91 | 919 |
| 1985 | 113 | 173 | 654 | 100 | 1040 |
| 1986 | 83 | 173 | 699 | 105 | 1060 |
| Feb. 1984 | 67 | 164 | 545 | 51 | 827 |
| 1985 | 58 | 144 | 664 | 82 | 948 |
| 1986 | 81 | 132 | 560 | 75 | 848 |
| Mar. 1984 | 83 | 183 | 717 | 74 | 1057 |
| 1985 | 60 | 198 | 703 | 76 | 1037 |
| 1986 | 81 | 188 | 813 | 71 | 1153 |
| Apr. 1984 | 73 | 188 | 609 | 57 | 927 |
| 1985 | 80 | 182 | 558 | 82 | 902 |
| 1986 | 82 | 197 | 680 | 102 | 1061 |
| May 1984 | 80 | 194 | 657 | 79 | 1010 |
| 1985 | 94 | 178 | 656 | 68 | 996 |
| 1986 | 76 | 154 | 644 | 104 | 978 |
| June 1984 | 60 | 167 | 565 | 78 | 870 |
| 1985 | 71 | 159 | 619 | 90 | 939 |
| 1986 | 60 | 122 | 577 | 62 | 821 |
| <u>YEARLY TOTALS</u> | | | | | |
| 1984 | 451 | 1057 | 3672 | 430 | 5610 |
| 1985 | 475 | 1034 | 3857 | 498 | 5862 |
| 1986 | 463 | 966 | 3973 | 519* | 5921 |
| Percentage | -2.53% | -6.58% | +3.08% | +4.22% | 5.9% |

*State sentences plus violation of probation and parole.

As illustrated in Tables 29, 30 & 31 and Figure 3, overall daily admissions steadily increased while the daily average population declined during the first six months of the study period. This decline in daily average population can best be equated into having 48 less inmates housed on a daily basis.

We know the effect is a shorter stay in the correctional system - the question is: why? Several factors probably contributed to this reduction. The State Department of Corrections began expediting the transfer of State sentenced inmates, helping to reduce the average length of stay while awaiting transportation.

Probation's implementation of the P.E.P. program has seemingly also aided in reducing the daily average length of stay. Its personnel have assisted individuals in making contact with those who could possibly aid them in posting bail or paying fines. The recommendation to the courts toward the acceptability of individuals qualifying for the ROR programs has aided in the reduction of inmates since more pre-trial detainees are afforded the opportunity of meeting ROR status by the increase in bail guidelines. One must also consider the individual courts and judges involved who have also aided in the increase of admissions as well as the reduction in lengths of stay. By moving the wheels of justice more quickly, whether by earlier court appearances, reduction in sentences or alternatives to incarceration, the courts have also helped to alter the trends over previous years.

VI. ANALYSIS AND CONCLUSION

The Bail Expeditor component of this program involves facilitating the defendant's ability to make bail. Defendants are interviewed on the morning after arraignment, in order to identify and contact those individuals or agencies which might be able to provide bail to secure the defendant's release. When the necessary bail money cannot be raised, alternative methods of securing the defendants release are explored.

The results of the bail expeditor component of this project have met stated expectations for the first year of operations. The grant proposal identified two (2) major objectives for this component, both of which have been realized, as follows:

1. To interview an additional 1,260 defendants annually who have failed to be released on their own recognizance or post bail prior to incarceration.

This objective has been met on an annualized basis. The 3,892 defendants interviewed by the Bail Expeditor Component in 1986 represents a 1,257 case increase over the 2,635 defendants interviewed by this project in 1985. Although this is three cases short of the stated goal of 1,260 additional cases, the expanded program did not begin operations until January 13, 1986. Clearly with an additional 12 days P.E.P. would have surpassed the annual objectives.

2. To assist in the release of 760 defendants on bail as a result of the case expeditor efforts of project staff.

The Bail Expeditor Component has surpassed expectations in this area, as well. The stated objective was to assist in the release of 760 defendants. The 792 defendants released prior to the second court date as a result of the intervention of the P.E.P. staff represents 104% of the stated goal. The additional 32 defendants released prior to the second scheduled court date represents an unforeseen cost savings to Suffolk County and is illustrative of the effectiveness of this component.

One of the programs major goals is to reduce the incidence of unnecessary incarceration in Suffolk County. In pursuit of this goal, the P.E.P. staff processed 3,892 defendants during the first year of program operations. There were 3,586 of these detainees released from the custody of the sheriff during this first year. These 3,586 released detainees can be divided into four groups.

1. The first group is composed of 859 individuals all of whom secured their release prior to being interviewed by the P.E.P. Staff. For this group there was no direct impact from the services provided by the project.
2. The second group consists of 818 individuals who were released after receiving services from project staff and prior to their second scheduled court date. For the vast majority of the detainees in this group, the P.E.P. project had a direct impact on their early release as well as jail overcrowding. The early release from detention of the 792 individuals in this group and the subsequent savings to Suffolk County of 5,364 jail days in 1986 can be attributed directly to the advocacy role of the P.E.P. staff.
3. The third group consists of 1232 individuals who were released at the time of their second court date. The P.E.P. staff interviewed all of these detainees prior to their second court date, but the necessary bail money could not be raised. It is noted however, that the majority of this group, 689 individuals were released on their own recognizance at the time of their second court date. In trying to explain why defendants who were originally required to post bail should subsequently be released on their own recognizance it is possible that for some, family members and friends contacted by the P.E.P. staff appeared with the defendant at the next court date increasing the likelihood that the court would release them. While it is not possible to establish a causal relationship between the advocacy of program staff and the ROR of these individuals it appears that there must have been some intervening variable and that the program must have had at least a partial impact on the release of these defendants.

This group of defendants represents a prime population for the expansion of the Monitored Release Component of the Probation Expeditor Project (P.E.P.). It is quite possible that the judiciary may decide to release these defendants even earlier under a supervisional model.

4. The fourth group, 640 detainees, were released subsequent to both being interviewed by the P.E.P. staff and the second court date. Of this group 116 individuals were released on bail after their second court date. The role of project staff in securing the release of these defendants is not specifically measurable. It is possible that the

required bail amount was reduced by the court or, it could be that the defendant finally raised the original bail amount. At any rate, these defendants were interviewed by project staff when they originally were detained and again after their second court date. It appears likely that the project had at least a partial impact on their eventual release.

All of the results in this report that the Bail Expeditor component of the Pretrial Expeditor Program has apparently succeeded in reducing the incidence of unnecessary pretrial incarceration without expanding the net. Project staff serviced 3,892 cases during 1986, an increase of 1,257 cases over the 1985 level. In so doing, they realized their stated goal of servicing an additional 1,260 cases annually. In addition, it appears that the P.E.P. staff was responsible for the early release of 792 individuals on bail or a less restrictive alternative during 1986. This not only surpassed program objectives by 32 cases, but resulted in an potential savings to Suffolk County of 5,364 Jail days during 1986.

In addition, independent indicators from the Sheriff's Office reveal that while the average daily admissions were increasing in 1986, the average daily inmate population was down over the same period in 1985. It is not possible at this time to accurately determine what part of this phenomena is attributable to the P.E.P. program, but the early release of 792 detainees helped by P.E.P. prior to their second scheduled Court date probably contributed in a significant way. In conclusion, the Bail Expeditor Component of the Pretrial Expeditor Program apparently has helped reduce jail overcrowding in a meaningful way.

Based on available data, a realistic estimate is that the expeditor component of the P.E.P. project has helped to reduce the jail overcrowding problem by approximately 18-25 beds on a daily basis. Further research and evaluation is needed in this area but the current results indicate this approach is a valuable alternative program that helps to reduce jail overcrowding. It appears that further reduction in the jail overcrowding problem with detainees could be accomplished by expanding the monitored release component or developing a supervised release component.

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