

63481

NCJRS
SEP 5 1979
ACQUISITIONS

EVALUATION

X PUBLIC DEFENDER SOCIAL
WORKER PROGRAM

ELEVENTH JUDICIAL CIRCUIT

Prepared By:

William F. Moriarty, Jr.
Criminal Justice Planner

This evaluation was supported by Grant Number 77-A1-15-AA01 awarded by the Law Enforcement Assistance Administration to the Dade County Criminal Justice Planning Unit. Points of view or opinions stated in this document are those of the author and do not represent the official position or policies of L.E.A.A.

63481

TABLE OF CONTENTS

	page
INDEX TO TABLES	ii
INTRODUCTION	1
METHODOLOGY	4
PROJECT BACKGROUND	7
FINDINGS	10
PROJECT STRENGTHS AND RECOMMENDATIONS	30
APPENDIX A	
APPENDIX B	

Index to Tables

	Page
Table 1.	10
Table 2.	11
Table 3.	12
Table 4.	13
Table 5.	15
Table 6.	17
Table 7.	18
Table 8.	19-20
Table 9.	21
Table 10	23
Table 11	24
Table 12	25
Table 13	26
Table 14	27
Table 15	28

INTRODUCTION

The Dade County Criminal Justice Planning Unit, under an L.E.A.A. grant entitled "In-Depth Evaluation and Research" (IDEAR), has completed an evaluation of the Public Defender Social Worker Program. One of the primary reasons for selecting this program is the innovative nature of this project. At the present time, it is the only program of this type known to be operating in the State of Florida. Other jurisdictions have expressed an interest in possible replication of the project in their area. This evaluation should be of a great deal of assistance to the decision makers in these jurisdictions.

Another factor influencing the selection of this project was the receipt of a direct request from the Public Defender's Office to assist in developing a mechanism to evaluate the worth of the project. This evaluation will assist the Public Defender in determining whether to continue this project through his regular budget when L.E.A.A. funding terminates.

An additional factor was the controversial nature of the project. The original grant application was disapproved by the State of Florida Bureau of the Budget. It was their opinion that: (1) the social services contemplated in the application were not within the scope of the duties and responsibilities of the Public Defender's Office, and (2) the services to be offered were duplicative of those available through the Florida Parole and Probation Commission.

The Public Defender Social Worker Program provides organized social work services to clients of the Public Defender's Office, relieving attorneys of the need to deal directly with problems of a social/psychological nature. Additionally, the project provides social/psychological assessments for appropriate clients and develops individualized rehabilitative treatment plans to assist Dade County Circuit Court Judges in the discharge of their sentencing obligations.

The goals of this evaluation were:

- A. To perform an administrative review of the Public Defender Social Worker Project's case records, client assessments, and rehabilitative treatment plans.
- B. To provide a general description of the project including project history, staffing pattern and qualifications, and agency operating procedures.
- C. To provide descriptive information on the type of client served by the program.
- D. To determine the degree of assistance the program has been to the criminal court judges in the discharging of their sentencing duties.
- E. To determine the program's effectiveness in alleviating attorneys and investigators of the need to provide social service type services; the frequency the services available through the social service section are utilized by the assistant public defenders, and their overall satisfaction with the project.

All five goals of this evaluation were met.

This evaluation should be of interest and will be distributed to the following agencies or individuals:

1. The Program Director of the Public Defender Social Worker Program,
2. The Dade County Criminal Justice Advisory Council,

3. The Executive Director of the Criminal Justice Planning Unit,
4. The State of Florida Bureau of Criminal Justice Planning and Assistance,
5. The Public Defender of the Eleventh Judicial Circuit, and
6. The judges of the Eleventh Judicial Circuit Court Criminal Division.

Copies of the evaluation report will be available to other agencies and the general public upon request.

The evaluation focused on three major areas of inquiry: 1) the program's measurable objectives and principal goals; 2) the Assistant Public Defenders' familiarity and satisfaction with the program's services; and, 3) the Circuit Court Judges' evaluation of the usefulness of the program's client assessment and treatment plans. An administrative review of all case files to ascertain the extent of services provided to program clients, type of referrals being made, quality and general nature of the client assessments and treatment plans, and the frequency of use by the various Circuit Court Judges and Assistant Public Defenders was conducted.

The program keeps an individual case card and case file on each client. Three hundred twenty-six (326) case files and/or case cards were reviewed. The number of case files and case cards did not correspond since in some instances only cards had been prepared on certain cases where there was minimal service provided to and/or contact with the client. In many cases items of information required for analysis were missing. This will be reflected in the numerical inconsistency in the tables depicting the analysis of this data.

In order to determine the severity and nature of the charges facing the Social Worker program clients, the instant offense was noted. In cases involving multiple charges the most serious offense was recorded.

This information along with a client profile is presented in the "findings" section. The client profile was derived from data available through the projects monthly reporting system. This system was developed by this evaluator, in conjunction with the program, in response to a technical assistance request initiating from the Office of the Public

Defender during the original grant period. The monthly reporting format may be found in the Appendix A.

A questionnaire was administered to those assistant public defenders handling cases in the Circuit Court Criminal Division (see Appendix B). The purpose of the questionnaire was to determine the assistant public defenders' familiarity with the Social Worker Program, the percentage of their caseload that the assistant public defenders found appropriate for the services available through the social workers, the amount of time per month they felt the program saved them and/or their investigators, their satisfaction with the services provided by the program, and to obtain their suggestions on how the program might be improved. Approximately 28 attorneys handled cases in the Circuit Court Criminal Division. Unfortunately, only fourteen or 50 percent returned a completed questionnaire in spite of several attempts to improve this figure. This weakness must be kept in mind when reviewing the evaluation findings. However, many of the attorneys not responding had been with the Public Defenders' Office only a short time and their responses would have been of questionable value anyway.

A questionnaire (see Appendix B) was also developed and administered to the Circuit Court Criminal Division Judges. The judges were extremely cooperative in our effort and we owe them a special thank you. All 12 of the Circuit Court Criminal Division Judges responded to our questionnaire, although only 11 actually completed the survey. One newly appointed judge felt he was not sufficiently acquainted with the program and, therefore, did not complete his questionnaire.

METHODOLOGY

The purpose of this questionnaire was to determine the familiarity of the judges with the program, to obtain their assessment of the quality of the treatment plans presented, to determine the degree of assistance the plans were in the discharging of their sentencing obligations, and to solicit any suggestions or comments they had.

All data was gathered between September 15, 1977, and December 15, 1977.

PROJECT BACKGROUND

The Public Defender Social Worker Program became partially operational in July, 1976, with the award of an L.E.A.A. grant (75-AS-15-D305) to Dade County's Administrative Office of the Courts. The project design was based on the premise that a significant amount of crime stems from psychological and/or sociological problems rather than inherent criminality; and that if appropriate social services were provided, subsequent criminal behavior could be lessened.

The purpose of the project is to try and understand the social and legal problems presented by and to defendants being represented by the Office of the Public Defender, and to work with them toward a solution to these problems. The availability of these organized social work services is designed to relieve attorneys and investigators of the need to deal directly with problems of a social/psychological nature which frequently appear in the handling of a criminal case.

Another major goal of the project is to provide the Dade County Criminal Court Judges with pertinent information to assist them in discharging their sentencing obligations. This involves the program developing an individualized rehabilitative treatment plan based on an in-depth assessment of a defendant's personal background. Should the Court choose to accept the program's recommended plan, the social workers will insure that the defendant becomes involved in the appropriate community program.

Additionally, the program was to define and refine a system of classifying defendants by the type of social/psychological problem identified to facilitate the referral process; compile a list of agencies and community resources into a community resource book; in all cases where requested by the courts, work out pre-release and/or post-release plans for mentally ill defendants in the criminal justice system found not guilty by reason of insanity; and, better define the number of defendants a social worker can reasonably be expected to serve per year.

The program is now in its second year of L.E.A.A. funding. Although the major goals of the program remain constant, some changes have been made. Originally, the project estimated they would complete a minimum of 520 individualized rehabilitation plans. This figure was found to be unrealistic and has since been adjusted to 360.

Although the program still lists the development of pre-release and/or post-release plans for mentally ill defendants as one of their objectives, little progress has been made in this area. At approximately the same time the Social Worker program started, another L.E.A.A. grant was awarded to the local Court Administrator's Office to institute the Mental Health Administrator Program. This program is geared especially to handle the problems associated with the processing of the mentally ill defendants' case, and handles almost all of these clients. There is a close working relationship between the Social Worker Program and the Mental Health Administrator Program.

The Social Worker Program was relatively slow in developing. During the first quarter of the grant (July-Sept., 1976), only one part-time social worker was employed, and the project director was not hired until October of 1976. At that time the two part-time Social Worker I budgeted positions were changed to reflect one (1) full-time Social

Worker I. Organized records were not maintained prior to October, 1976, and very little information on program activities during that time period is actually available. Additionally, relations with the Assistant Public Defenders were slow to develop.

The agencies' final report for the 1975 grant period (July 1, 1976- June 30, 1977) reflects that only 217 of the proposed 520 individualized rehabilitative plans were actually completed. As stated previously, the program has since adjusted their goal from 520 to 360 plans per year.

First-Year Staff

The original application reflected that the staff would consist of one (1) Social Worker II and two (2) half-time Social Worker I positions. This was later changed to a full-time Social Worker II and one (1) full-time Social Worker I. The project director is Jeanine Pistor, M.S.W. and her associate is Ms. Sharon Brass.

It should be noted that no full or part-time secretarial staff are included in the project's staffing pattern. The Public Defender's Office does provide secretarial resources through their regularly budgeted positions; however, no secretarial personnel are physically located in the program's office. Therefore, the answering of phones, etc., is left up to the social workers themselves. This results in numerous unnecessary interruptions.

During this second year of operation the program is utilizing students from the Barry College School of Social Work. Two first-year graduate students devote approximately 32 hours per week to the program.

FINDINGS

Client Characteristics

Of the clients studied, the following racial breakdown was observed: 40.8 percent Black, 11.6 percent Latin, and 47.6 per cent White. This compares to the county-wide breakdown shown in the following table.

TABLE 1

Comparison of Ethnic Population
Characteristics for Public Defender
Social Worker Clients and Dade County

<u>Race</u>	<u>Public Defender Social Worker Sample</u>	<u>County-wide</u>
Black	40.8 %	14.4%
Latin	11.6	32.3
White	47.6	53.3

We can see that the percentage of Blacks who were program clients far exceeds the county-wide percentage of Blacks; whereas, the percentage of Hispanic clients is far less than the corresponding county-wide percentage. The percentage of White program clients does not significantly differ from the county-wide percentage for this racial group.

The racial/sexual profile of program clients is shown in Table 2.

TABLE 2Racial/Sexual Profile Of
Public Defender Social Worker Clients

<u>Race/Sex</u>	<u>Number</u>	<u>Percentage</u>
Black Male	99	35.7%
Black Female	14	5.0
White Male	100	36.1
White Female	32	11.6
Latin Male	29	10.5
Latin Female	<u>3</u>	<u>1.1</u>
TOTAL	277	100.0

For Blacks, Latins, and Whites, the percentage of male clients far exceeds the percentage of female clients. This is reflective of the comparatively small number of female clients who become involved in the criminal justice system. However, the program appears to be serving a representative number of female clients, especially White females.

The age breakdown of program clients was found to be as follows:

TABLE 3

Age Breakdown of Public Defender
Social Worker Clients

Age	Number	Percentage of Total
Under 16	9	3.2 %
16-19	47	17.0
20-26	103	37.2
27-36	57	20.6
37-46	31	11.2
47-56	20	7.2
57-66	7	2.5
Over 66	3	1.1
TOTAL	<u>277</u>	<u>100.0 %</u>

One of the original goals of the program was to "concentrate efforts on young, 16-19 years of age, offenders convicted of non-violent, victimless crimes who are amenable to and in need of rehabilitative services in the community...." Even if one includes those clients under 16 years of age, the percentages of clients meeting this criteria is just over 20 percent (20.2 percent). However, the age ranges reflected by our sample indicate that the program is reaching all clients regardless of age who are in need of social services. This would seem to be a realistic approach.

Another breakdown of the client population, by "need category," is available. These "need categories" were developed by the program in response to one of its measurable objectives. The "need categories", which reflect the primary problem a client presents, show the following distribution:

TABLE 4

Distribution of Program Clients By
Client Need Category

<u>Need Category</u>	<u>Number</u>	<u>Percentage</u>
Socially Alienated	68	24.5%
Drug Abusers	57	20.6
Mentally Ill (Legally Sane)	45	16.2
Alcoholic	42	15.2
Mentally Retarded	21	7.6
Mentally Ill (Legally Insane)	18	6.5
Emotionally Disturbed and Learning Disabled	14	5.1
Sex Offender	9	3.2
Child Abuser	3	1.1
TOTALS	<u>277</u>	<u>100.0%</u>

It should be noted that the statistics in this section are reflective of the program's cumulative monthly reporting system for the period of October 1, 1976 to September 30, 1977, and that these figures were not verified by this evaluator as part of his administrative case review. However, it is felt that the figures presented accurately reflect the client population served by the Public Defender Social Worker Program.

Type of Charges Facing Public Defender Clients

The program presently does not keep statistics on the type of offense the Public Defender Social Worker Program client is charged with. As part of this evaluation effort, statistics of this nature were gathered during the review of the program's case files. Table 5 gives a breakdown of the charges identified during this review.

TABLE 5

Distribution of Offenses
Public Defender Social Worker
Clients Were Charged With *

Offense	Number	Percentage
Breaking and Entering	56	22.7 %
Robbery	24	9.7
Aggravated Assault	17	6.9
Possession of Drugs	15	6.1
Violation of Probation	14	5.7
Grand Larceny	11	4.5
Murder	9	3.6
D. U. I.	9	3.6
Buying, Receiving or Concealing Stolen Property	7	2.8
Involuntary Sexual Battery	7	2.8
Lewd and Lascivious Assault	7	2.8
Resisting Arrest with Violence	6	2.4
Attempted Breaking and Entering	6	2.4
Grand Larceny	5	2.0
Arson	5	2.0
Carrying a Concealed Firearm	5	2.0
** Other	44	17.8
TOTAL	247	99.8 %

* In the case of multiple charges the most serious charge is noted.

** The "Other" Category reflects 24 different offenses accounting, in each case, for 1 percent or less of the total offenses.

The offenses identified indicate that the charges facing the social worker's clients were serious in nature. By far the most prevalent offense was breaking and entering (22.7 percent), followed by two violent personal crimes, robbery (9.7 percent) and aggravated assault (6.9 percent). Drug-related offenses accounted for an additional 6.1 percent of the offenses indicated. These four offenses coupled with those clients who had violated their probation, 5.7 percent, account for over 50 percent of the total identified charges.

This is not consistent with the original goal of the Public Defender Social Worker Program, which was to "concentrate efforts on offenders convicted of non-violent victimless crimes." This should not necessarily be considered a weakness of the program since these clients may be the population most in need of services. However, it may be appropriate for the project to change its goals and expectations accordingly.

Referral Processes

As part of the case file review, the referral source to the program as well as the type of community resource the program made referrals to was noted. Almost all referrals to the program came from a Magistrate Judge or the Circuit Judge or Assistant Public Defender involved in the client's case. The following table shows the number and percentage of referrals by Circuit Judge handling the case.

TABLE 6

Clients Referred to Public Defender
Social Worker Program By
Circuit Court Judge Handling the Case

Judge	Number	Percentage *
H. Paul Baker	24	11.7 %
Natalie Baskin	11	5.4
**Edward Cowart	1	.5
Ira Dubitsky	19	9.3
N. Joseph Durant	12	5.9
Wilkie D. Ferguson, Jr.	13	6.3
Richard S. Fuller	37	18.0
Herbert M. Klein	13	6.3
Ellen J. Morphonious	13	6.3
Lenore C. Nesbitt	15	7.3
Leonard Rivkind	14	6.8
Alan Schwartz	23	11.2
***John A. Tanksley	0	0
**Gene Williams	4	2.0
**Gerlad T. Wetherington	6	2.9
TOTAL	<u>205</u>	<u>99.9 %</u>

* Percentage of Total Circuit Judges identified

** Left the Circuit Court Criminal Division during the time period covered by this evaluation.

***New appointed Circuit Judge.

The County Court Criminal Division Judges were handling cases involving far fewer program clients. This is to be expected, since the program was designed to provide services primarily to the circuit court. Those Judges making referrals are indicated below:

TABLE 7

Clients Referred to the Public Defender
Social Worker Program by County Judge
Handling the Case

<u>Judge</u>	<u>Number</u>	<u>Percentage</u>
Robert M. Deehl	6	19.3 %
Richard S. Hickey	1	3.2
Dominic L. Koo	1	3.2
Bernard Jaffee	1	3.2
Arthur Maginnis	4	12.9
Calvin R. Mapp	2	6.5
Edmund W. Newbold	2	6.5
Morton Perry	7	22.6
James S. Rainwater	2	6.5
Meek Robinette	4	12.9
C. P. Rubiera	1	3.2
TOTAL	31	100.0 %

Three Circuit Court Family Division Judges also handled cases involving clients referred to the Program: Judge William Gladstone (4), Judge Seymour Gelber (2), and Judge Adele Faske (1). One additional referral came from a client's probation officer.

Additional data was collected on the Assistant Public Defender handling cases referred to the Public Defender Social Worker Program. The distribution of this identified data is as follows:

TABLE 8

Clients Referred To Public Defender
Social Worker Program by Assistant
Public Defender Handling the Case

<u>Assistant Public Defender</u>	<u>Number</u>	<u>Percentage</u>
Maxine Cohen	18	8.7 %
Ralph Person	13	6.3
Bruce Alter	13	6.3
Kenneth Marvin	12	5.8
Robert Gross	11	5.3
Michael Von Zamft	11	5.3
Leonard Rosenberg	11	5.3
Eugene Zenobi	9	4.3
Dennis Urbano	9	4.3
Robert Link	8	3.9
Robert Smith	8	3.9
Frederick Sake	7	3.4
Jay Levine	7	3.4
Kenneth White	6	2.9
Thomas Wilson	6	2.9
Jeffrey Ward	6	2.9
Gerald Hubbart	5	2.4
Stanford Blake	5	2.4
Michael Roffino	5	2.4
David Peckins	5	2.4

<u>Assistant Public Defender</u>	<u>Number</u>	<u>Percentage</u>
Carl Maszta	4	1.9 %
Peter Ferrero	4	1.9
Julian Mack	3	1.4
Peter Raben	3	1.4
Michael Tarkoff	3	1.4
Robert Rosenblatt	3	1.4
Irv Lamei	3	1.4
Clark Mervis	3	1.4
Michael Lederberg	2	1.0
William Aaron	2	1.0
Linnea Snyder	2	1.0
TOTAL	<u>207</u>	<u>99.7 %</u>

In order to determine the type of community resource the program felt would be most appropriate for the client's rehabilitation, the administrative case review included the documentation of the program's referral recommendations. Table 9 shows the distribution of these referrals.

TABLE 9

Type of Community Resource Public Defender
Social Worker Clients Were Referred to

<u>Type of Community Resource</u>	<u>Number</u>	<u>Percentage</u>
In Patient/Out Patient Mental Health	51	23.8 %
Residential/Non Residential Offender Programs	44	20.6
Residential/Non-Residential Drug Programs	43	20.0
Alcohol Program	31	14.5
Division of Mental Retardation	18	8.4
Vocational/Employment Counseling Job Placement	11	5.1
Mental Health Administrator Program	7	3.3
Medical/Dental	3	1.4
Welfare	2	.9
Protective Services	1	.5
Elderly Services	1	.5
Pre-Trial Intervention	1	.5
Educational Programs	1	.5
TOTAL	<u>214</u>	<u>100.0 %</u>

The findings in Table 9 are consistent with the program's classification of clients, according to need, shown in Table 4. The top four identified client need categories in Table 4 were: socially alienated (24.5 percent), drug abusers (20.6 percent) mentally ill-legally sane (16.2 percent), and alcoholic (15.2 percent). Although the term socially alienated is rather nebulous, it is probable that most clients referred to offender programs would fall into this category. Table 9 shows the top four community resources to which the program was making referrals to be: mental health (23.8 percent), offender programs (20.6 percent), drug treatment (20.0 percent), and alcohol programs (14.5 percent). For this consistency between identified client needs and actual client referrals, the program is to be commended.

It is also extremely interesting to note that a fairly high percentage (8.4 percent) of the clients were referred to the Division of Mental Retardation. This represents a significant number of clients who may not have been able to fully comprehend or appreciate the severity of their deviant behavior.

The Assistant Public Defender's Survey

As previously mentioned in the Methodology section of this report, 14 Assistant Public Defenders responded to our questionnaire (see Appendix B). Although this represents only approximately 50 percent of the assistant public defenders handling cases in the Circuit Court Criminal Division, those attorneys responding had been with the Public Defender's Office for a considerable length of time, an average of 30.5 months with a range of 12-60 months. It is felt by this writer that the experienced public defenders would be best able to judge the effectiveness of the Social Worker Program.

All 14 attorneys reported using the services of the social workers at some time. Most became aware of the program's existence through a memo from the Executive Assistant Public Defender or by personal contact with the social workers themselves. Twelve of the 14 attorneys reported that they had been advised and were aware of the specific services available through the social work section.

The attorneys were asked to estimate the percentage of their clients they had referred to the social work section. The results are as follows:

TABLE 10

Percentage of Assistant Public Defenders' Caseload
Referred to the Social Worker Program

Percentage	Attorneys Responding	Percent
0-10 percent	5	35.7 %
11-25 "	9	64.3
26-50 "	0	0
51-75 "	0	0
76-100 percent	0	0
TOTAL	<u>14</u>	<u>100.0 %</u>

As can be seen, the most frequent response was 11-25 percent. Certainly this represents a significant number of clients in need of social services.

In order to assess the impact of the treatment plans available through the social workers, the following inquiries were made:

1. The number of clients who had plans developed for them.
2. The percentage of the attorneys' caseload this accounted for,

3. The value of these plans for the purposes of plea bargaining.
4. The percentage of treatment plans accepted by the court.

The number of treatment plans developed ranged from 0-15 and averaged 7.66. Other responses to this question included "quite a few," "all I refer", and "several". Nine of the 14 responding attorneys reported this accounted for 0-10 percent of their caseload while five of the 14 reported a range of 11-25 percent.

Fully, 12 of the 14 attorneys reported these plans to be highly valuable for the purposes of plea bargaining and two said they were moderately valuable. The percentage of client treatment plans, which the attorneys reported the court accepting, may be seen in the following table:

TABLE 11

Percentage of Client Treatment
Plans Reported Accepted by Court

Percentage	By Number of Attorneys Responding	Percent
0-10 percent	1	7.7 %
11-25 "	0	0
26-50 "	1	7.7
51-75 "	4	30.8
76-100 "	7	53.8
TOTAL	<u>13</u>	<u>100.0 %</u>

The program claims to have developed 259 treatment plans with an acceptance rate of 98 percent. Obviously this differs considerably from the perception our sample of attorneys had. An attempt to clarify this issue was made as part of the administrative case review. In each case a treatment plan could be substantiated by client records, the courts acceptance or rejection of the plan was noted. Only 170 plans were identified during the case review. The breakdown of their disposition is as follows:

TABLE 12

Disposition of Treatment Plans Prepared By
The Public Defender Social Worker Program

<u>Disposition</u>	<u>Number</u>	<u>Percentage</u>
Accepted by Court	109	64.1 %
Rejected by Court	15	8.8
Rejected by Client	2	1.2
Pending	23	13.5
Unable to Determine	21	12.4
TOTAL	<u>170</u>	<u>100.0 %</u>

Using this method, we noted a rejection rate of at least 8.8 percent and could only substantiate an acceptance rate of 64.1 percent. As is evidenced by the "unable to determine" category, the program's recordkeeping was often incomplete, which may account for the discrepancy between the number of treatment plans the program claims to have developed and the number we could identify.

Also, it should be noted that the program orally presents the majority of the treatment plans and for the most part does not follow up with a written report. It is the feeling of this writer that the program should make a more detailed recording of each treatment plan and provide it to those judges so desiring.

The last areas of inquiry included the number of man-hours per month saved for attorneys, investigators, and/or secretaries through the availability of the social work section, the degree to which the Assistant Public Defenders' caseloads would be adversely affected if the program were eliminated, and suggestions the attorneys had for program improvement. Most attorneys found it difficult to estimate the number of man-hours saved them and/or their staff and only seven (7) responded. The average number of hours saved for attorneys was 11.5; secretaries, 5.4; and investigators, 4.4. While this may not reflect a true average because of the size of the sample, if it is representative, a substantial number of man-hours are being saved.

All 14 attorneys responding indicated that their ability to effectively manage their caseload would be adversely affected to some degree by the elimination of the Public Defender Social Worker Program. The distribution of the degree was as follows:

TABLE 13

Degree the Ability to Manage Caseload
Would be Adversely Affected by Elimination
of Public Defender Social Worker Program

Degree	Attorneys Responding	Percent
Highly	4	28.6%
Moderately	6	42.9
Little	3	21.4
*Other	1	7.1
TOTAL	14	100.0%

* "isolated cases would be a problem".

Very few suggestions for program improvement were offered. However, one mentioned several times was the desirability of additional personnel including a Spanish-speaking social worker. Another was that the program do a better job of publicizing the services available. Lastly, one attorney suggested the social workers attend bond hearings to identify crisis situations.

The Judges Survey

In an attempt to get a high percentage of Circuit Court Criminal Division Judges to respond, our questionnaire was made as short as possible. This approach may have worked as all 12 judges responded to our survey in some manner. One newly appointed judge did not respond to our survey due to his lack of familiarity with the Public Defender Social Worker Program.

The short questionnaire was designed to determine if the program's goal of 'substantially assisting' the judges in the discharging of their sentencing duties was being met. The judges were questioned as to: 1) their familiarity with the services available through the social workers; 2) the number of plans that had been developed for them; 3) the overall quality of the treatment plans developed; and 4) the degree of assistance these treatment plans had been in the discharging of their sentencing duties.

Ten of the 11 judges reported being familiar with the services available through the social workers, while one felt more specific information on all the services available should be provided. All of the judges (11) reported having had treatment plans developed for cases they had presided over. The number reported developed ranged from 3-20 with an average of 10. The overall quality of the treatment plans developed was rated as follows:

TABLE 14

Judges' Rating of the Quality
Of the Treatment Plans Developed
By Public Defender Social Worker Program

<u>Overall Quality</u>	<u>Number of Judges</u>	<u>Percent</u>
Excellent	7	63.6 %
Good	4	36.4
Fair	0	0
Poor	0	0
TOTAL	<u>11</u>	<u>100.0 %</u>

As can be seen the majority of the judges rated the overall quality of the plans as excellent and all felt their quality was at least good.

Another area of inquiry involved the degree of assistance the treatment plans had been to the judges in the discharging of their sentencing duties. The results may be seen in Table 15.

TABLE 15

Degree the Discharging of the
Circuit Judges' Sentencing Duties Has Been
Assisted by the Treatment Plans Developed

Degree	Number of Judges Responding	Percent
Highly	8	72.7 %
Moderately	1	9.1
Little	2	18.2
Not at all	0	0
TOTAL	<u>11</u>	<u>100.0 %</u>

Lastly, the judges were asked if they would desire written copies of the treatment plans. Six of the 11 judges said they would, four said that they would not, and one had no response. It is felt by this writer that the Public Defender Social Worker Program should make written copies of the plans available to those judges so desiring.

Overall, the results of our survey show the judges to be substantially satisfied with the services being provided by the program. Only one judge had any comments regarding program improvement and his suggestion was that the program make him more aware of the specific services available through their program.

PROGRAM STRENGTHS

AND

RECOMMENDATIONS

PROGRAM STRENGTHS

1. The program is providing services to all clients regardless of age or sex. Although this is somewhat inconsistent with the program's original goal of providing services to young offenders, 16-19 years of age, charged with non-violent victimless crimes, it is felt that to deny services to those clients in need, simply on the basis of age or nature of the offense, would be inappropriate and unethical.

2. The program's referrals are very consistent with the need profile presented by the Public Defender Social Worker's Clients. This need profile was developed by the program and is part of its monthly reporting system. This profile was compared to the actual referrals the program made, which were identified during the administrative case review. The top four client need categories were: socially alienated, drug abusers, mentally ill (legally sane), and alcoholic; while the top four agency types to which referrals were made included: inpatient/outpatient mental health programs, residential/non-residential offender programs, residential/non-residential drug programs and alcohol programs.

3. The program appears to have gained the confidence of the vast majority of the Assistant Public Defenders. The administrative case review showed that all attorneys handling matters in the Circuit Court Criminal Division had used the services of the social workers on at least one occasion and many had had regular contact with the Social Worker Program.

Twelve of the 14 responding attorneys felt that the treatment plans developed were highly useful for plea bargaining purposes, while two found them moderately valuable. All attorneys felt that if the program were discontinued, their ability to effectively manage their caseload would be adversely affected to some degree. Ten rated this degree as either high or moderate. Several mentioned that additional social workers would be desirable.

4. The program has satisfied its goal of relieving attorneys and investigators of the need to deal with problems of a social/psychological nature. However, the exact number of man hours per month saved these individuals is difficult to estimate. Only seven of the 14 responding attorneys answered that particular question. The average number of hours per month saved the attorneys who responded was 11.5 percent and for investigators was 4.4 percent. Whatever the actual number of hours per month saved is, it represents a substantial amount of attorney and investigator time.

5. The program appears to be well accepted by the Circuit Court Criminal Division Judges. All eleven responding judges were familiar with the program and have had utilized the client treatment plans developed by the public defender social workers. Seven of the 11 judges rated the overall quality of these plans as excellent while four found their overall quality to be good. All of the judges felt the discharging of their sentencing obligations had been assisted to some degree by the services provided by the Social Worker Program; eight to a high degree, one to a moderate degree, and one to a lesser degree.

RECOMMENDATIONS

1. The program might consider keeping statistics on the type of offense clients have been charged with. Such information would enhance the present client profile available through the programs reporting system. Also it may be useful to the Public Defender when it comes time for him to decide if the program should be continued with general revenue funds.

2. The program should examine the discrepancy between its original target population and the identified client population. The program's goal was to concentrate efforts on young, 16-19 years of age, offenders convicted of non-violent victimless crimes who are amenable to and in need of rehabilitative services in the community. Our data showed that less than 20 percent of the clients served fell into the 16-19 years of age range. More importantly, the clients were found to be facing mainly serious charges; the top three being breaking and entering, robbery, and aggravated assault. While this may not reflect any weakness in the program whatsoever, it may require some modification of the program's goals and objectives.

3. The program's recordkeeping, in general, could be better. As mentioned several times in this report, data items were often found to be missing. This can lead to discrepancies between what the program claims to have done and what can be documented as having been done. A good example of this is in the area of client treatment plans. Although the program claims to have completed 277 plans, this evaluator's administrative case review could only verify a total of 170. It is believed by this writer that this is not a case of misrepresentation; but the result of inadequate recordkeeping.

The program, in the past two months, has made an effort to improve this situation. Continued steps in this direction would be in the program's best interest.

4. The program should provide written copies of its treatment plans to those Circuit Court Criminal Division Judges so desiring. Our survey found that six of the 11 responding judges would desire written copies on each case. This would also be helpful for the program's own record-keeping purposes.

5. The program should develop and distribute a brochure detailing all the specific services available through its social workers. One Circuit Court Judge was extremely interested in receiving such information, and new judges would especially benefit from such a brochure. Also, recently hired as well as experienced Assistant Public Defenders would find this document useful. Additionally, there has been some confusion between the role of the Social Worker Program and the Mental Health Administrator Program. This brochure should help alleviate this confusion.

6. The program should consider, as time and resources permit, conducting more client follow-up. While this is not a requirement of its present grant, except in the area of re-arrest data, it would be beneficial to determine the long term effectiveness of the treatment plans developed. The program might consider using some student interns for this purpose.

7. The Office of the Public Defender should provide the Social Worker Program with a full-time secretary. As mentioned in this report the social workers are left to answer their own telephones, as well as other secretarial

duties which detract from their professional functions. These interruptions are extremely disruptive to the social worker, especially when client interviews are being conducted. Such a position would lend continuity to the office and be extremely useful to the program in its efforts to improve recordkeeping in general. The provision of this position is considered a must by this evaluator.

END