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Date: January 30, 1992

TO: Jail Population Management Project Advisory Committee, and
Staff of the Planning Unit, Office of the Deputy Mayor for Public Safety

FROM: Laura Winterfield, Project Director

SUBJECT: Ineligible Pool Analysis

INTRODUCTION

This is the last in a series of analytic memoranda prepared for the Office of the Deputy Mayor for Public Safety under the Jail Population Management Consultancy Project. The first memorandum displayed the pattern of demand for the city's jail capacity, by various categories of inmates found in DOC custody. The second memorandum addressed two questions: How many inmates passing through the custody of the Department of Correction (DOC) each year are eligible for the various city-funded alternative programs? And, given the sizes of these "eligible pools," how much room is there for program expansion? The third memorandum described the construction and content of models that help predict both pretrial detention and custodial sentences in felony cases.

This memorandum presents information about those admitted to DOC who are *not eligible* for any existing alternative program, and offers some suggestions about steps the city might take to displace from jail at least some of those currently ineligible for any alternative program.

PURPOSE AND STRUCTURE OF THIS MEMORANDUM

The Jail Population Management Consultancy (JPMC) is principally concerned with the city's use of alternative programs to reduce local jail overcrowding.¹ This memorandum concerns persons *not eligible* for the various existing alternative programs,

¹ Of course, alternative programs are often appropriately designed to displace offenders from state prison beds, but the city's primary concern is with local jail overcrowding, and this memorandum (like its predecessors in the series) focuses on the population occupying city jail cells.

It is also worth noting that displacement of demand for jail cells is only one of the objectives of the city's investments in alternative programs. There are justice interests to be served (*e.g.*, punishment through non-custodial means) and there are community safety interests to be served (*e.g.*, through supervision, treatment and rehabilitation). As the overall capacity of alternative programs is increased, it is to be expected (and, presumably, desired) that the city's overall achievement of these objectives is also increased. Some of that benefit should be expected from the application of appropriate non-custodial measures to individuals who otherwise would have been subjected to less effective non-custodial measures (*e.g.*, unconditional discharge or unenforced conditional discharge, simple probation), just as some of that benefit should come from the application of alternative measures to those who would otherwise have consumed jail capacity.

the characteristics of their prior criminal records and of the cases being brought against them, their use of jail resources (as a proportion of the overall demand for jail cells), and the pattern of their jail use.²

Databases Used. The primary database used for these analyses was a cohort of all individuals admitted to DOC custody during March, 1987, which was prepared for Vera by the Criminal Justice Agency.³ This database contained all relevant DOC information (the admit and release dates, the sentence date if the defendant was still in DOC custody at time of sentence, the sentence if it was a custodial sentence, and the docket and indictment numbers for all other court cases pending against the defendant at the time of the sampled admit). The database was then supplemented by information about all court cases pending, at the time of the admit, against the individual admitted. The supplementary data included, for each pending case: (1) charge, bail amount and detention status immediately after arraignment, in both Criminal and Supreme Court; (2) the type of disposition and, if a conviction, the conviction charge; and (3) the sentence, if the case went to conviction. This database, as supplemented, is referred to throughout the memorandum as the "CJA/DOC" database.

Also used in these analyses was a summary data set, called the "TRENDS database", created by the Division of Criminal Justice Services (DCJS) for use in a DCJS population projection project. Vera was allowed access to that data set, which contained the prior record for all individuals admitted to DOC from January 1, 1987 through November 30, 1989. There were two problems with this otherwise efficient method for securing the prior criminal records of those admits who had them. First, as it turned out, the TRENDS database does not include *any* prior record information for admits whose prior records contain one or more sealed cases. Second, there were an unknown number of randomly distributed errors in the NYSID identifiers contained in the CJA/DOC database itself. Thus, when the individuals in the CJA/DOC data set were matched against the TRENDS data set, only one-third of the detainee cohort were reported either to have a criminal record or to have none. Because it would be foolhardy to estimate the number of admits eligible or ineligible for existing programs after discarding the two-thirds of admits for whom prior record information was lacking, an estimation procedure was adopted: admits not found in the TRENDS data set were assumed to exhibit the same pattern of eligibility and ineligibility as was found among the one-third of admits for whom full prior record data were available through TRENDS.

² For this series of memoranda, alternative programs have been categorized as follows:

ATD: Programs designed principally as alternatives to pretrial detention only.

ATI: Programs designed principally to serve as alternative penal measure in cases that would otherwise draw jail or prison time at disposition.

ATD/I: Programs that intervene when an individual is in pretrial detention, offering an alternative to continued detention *and* an alternative penal measure at disposition.

These definitions have also been used to categorize DOC inmates, by the type of jail days they use. "ATD-only" users of jail capacity are those admitted to DOC at or after arraignment, but who are released before disposition and sentence. "ATI-only" inmates are those who are at liberty when sentenced, but are admitted to begin serving a local or state term. "ATD/I" inmates are those in DOC custody pretrial, who remain in custody through disposition, and stay in custody to begin serving a custodial sentence.

³ These data were annualized, to provide yearly estimates of the numbers eligible and ineligible for the existing alternative programs, and the jail days used by each group. The unit of analysis was each admit (admission to DOC custody), rather than each court case and all its related admissions, or each individual and all his or her associated court cases. This was seen as appropriate theoretically, because each admit represents a unique opportunity for an alternative program intervention.

Variables Created to Describe the Admit. There were two types of variables created from the CJA/DOC database: (1) "general variables", which included information about the current case, about predicate status, and about other pending cases; and (2) detailed "prior record variables" which drew upon the data from the TRENDS data set. Appendix A contains a detailed discussion of the specific variables created.

Logic for Constructing an "Ineligible Pool." The first step was to extract from the DOC cohort the admits about whom sufficient data were known to find them "absolutely eligible" for one or more existing alternative programs.⁴ The formal eligibility criteria used to determine the number of admits eligible for each program are listed in Appendix B; for each program, these criteria are presented under three headings — General criteria, Pending Case criteria, and Additional Prior Record criteria.⁵

For any program that aims to displace sentences in a specified range, a second step was taken: the program's "Maximum Absolute Eligible Pool" was reduced to a "Perfectly Targeted Absolute Eligible Pool," by removing admits who, although meeting formal eligibility criteria, did not in fact receive a sentence in the range the program aims to displace.⁶ (The admits excluded from programs' eligible pools in this step were returned to the "Ineligible Pool," for analysis in this memorandum.)

The final step in creating each program's "Perfectly Targeted Eligible Pool" was randomly to assign to it some of the admits about whom there were insufficient data to determine eligibility; the assumption used was that, if all data necessary to determine

⁴ To do this, the eligibility criteria of nine alternative programs were applied to the DOC admit cohort: the Center for Alternative Sentencing and Employment Services' Court Employment Project (CEP) and its Community Service Sentencing Project (CSSP); the Criminal Justice Agency's Bail Expediting Project (BEX); the Federated Employment and Guidance Service's Consultants for Criminal Justice Alternatives (CCJA); Intensive Supervision Probation (ISP); the Osborne Association's Assigned Counsel Alternatives Advocacy Project (ACAAP) and its Alternative to Reincarceration Project (ATR); Treatment Alternatives to Street Crime (TASC); and the Vera Institute's Bronx Bailbond Supervision Project (BBAILBOND). (Since the Fortune Society's programs were not in existence at the time this work was begun, that program was not considered here.)

⁵ A questionnaire was administered, asking each program's staff to specify any fact which would exclude an individual from being taken into their program. The items were grouped as follows: present offense, prior record, personal characteristics of the individual, and legal status (*i.e.*, open cases, warrants, and probation or parole status). The questionnaire responses were then verified through meetings with each program's supervisory staff. For each alternative program, the result was a set of factors that excluded potential candidates. A program's eligibility criteria can be expressed as the absence of such factors, and that is what is meant in this memorandum by the term: "formal eligibility criteria."

⁶ This process is more fully described in the "Eligibility Pool Analysis" memorandum. There, for some programs, two views were taken to stating the size of the "absolute" and "estimated" pools: Because the ultimate disposition and sentence cannot be known with certainty at the time program screeners assess the eligibility of defendants, *maximum eligible pools* were created first; these pools included all admits who met formal program eligibility criteria, no matter what the disposition or sentence ultimately was. For some programs, this was the only eligible pool created. But other ATI and ATD/I programs specify the type of sentence they aim to displace (*e.g.*, a jail sentence of six months or more). For these programs, separate *perfectly targeted eligible pools* were also created, in addition to the "maximum eligible pools." A program's "perfectly targeted eligible" pool includes only those admits meeting formal eligibility criteria who were ultimately subjected to a sentence in the range the program aims to displace. The "maximum eligible pool" helps give a sense of what the universe of DOC admits looks like from a program screener's point of view, but it includes admits whose cases will ultimately be disposed by discharge, probation, or even dismissal. By contrast, the "perfectly targeted eligible pool" helps give a sense of the number of admits whose intake would actually accomplish the program's jail displacement aims. (footnote continued...)

eligibility were known for them, they would exhibit the same pattern of eligibility and ineligibility as those who could be found absolutely eligible or ineligible.⁷ Those not assigned to any program's "Perfectly Targeted Estimated Eligible Pool" were left in the "Ineligible Pool."

At that point, the "Ineligible Pool" consisted both of admits whose individual or case characteristics would in fact exclude them from consideration under *any* project's formal screening criteria, and some admits who would have been formally eligible for an existing program *if only the program had been operating in the borough where the admit originated*. Therefore, for any project that does not now operate city-wide, this "Ineligible Pool" was further reduced by assuming that the city's first step toward providing alternative programs for currently ineligible admits would be to extend to all boroughs any existing alternative program that does not now operate city-wide.⁸ (Borough-specific estimates of the eligible pools for all such expanded programs are provided in Appendix C, Tables C-1, which also provides estimates of the eligible pools for current borough operations, and city-wide totals for programs with different operations in different boroughs.)

Thus, the "Ineligible Pool" discussed in this memorandum consists of the admits remaining in the DOC admit cohort, once the **"Perfectly Targeted Estimated Eligible Pools"** of programs not currently operating city-wide were expanded to reflect operation in all boroughs.

(footnote continued)

Five of the programs separately specify the range of custodial sentences they aim to displace — ACAAP, CCJA, CEP, ISP, and TASC. The programs that do not do so, and for which "perfectly targeted eligible pools" are not distinguished from "maximum eligible pools" in this memorandum, are the ATR, BEX, BBAILBOND, and CSSP programs. For BEX, an ATD program, the aim is to displace pretrial detention, not some range of custodial sentences. For ATR, the aim is simply to avoid incarceration upon parole revocation. BBAILBOND and CSSP, on the other hand, do not separately specify the custodial sentences they aim to displace because their eligibility criteria are derived from research designed to predict the targeted outcomes: for BBAILBOND, the target is long-term pretrial detention (and, because such detention is correlated with custodial sentences, the program expects to displace some custodial sentences as well); for CSSP, the eligibility criteria were constructed to predict jail terms.

⁷ In the "Eligible Pool Analysis" memorandum, each program's eligible pools were additionally discounted to reflect the program's "screening ratio," calculated by dividing the number of individuals taken into a given program by the number that the program's screening staff initially found eligible. This produced results similar to those that occur in an intake decision-making process that is bound both by program capacity limits and by information about individual candidates which is invisible to the research but is known to program screeners and to the judges, defense attorneys and prosecutors who have roles to play in admitting candidates to alternative programs. No discounting was done for any of the eligible pools created for this memorandum. First, widely varying screening ratios were found for TASC in the three boroughs where it currently operates (and it would have been inappropriate to use a mean screening ratio for a fourth borough), and BBAILBOND's current screening ratio is driven primarily by current staffing limitations, which ought not be assumed in a city-wide expansion. Second, it would have been inappropriate to apply a screening ratio to expansion boroughs, because deleting at random the required number of eligibles would categorize as "not eligible" some admits who actually would meet programs' eligibility criteria; then, the Ineligible Pool's characteristics would not have been representative of those truly ineligible for any program. In order to maintain consistency, then, none of the programs' eligible pools were discounted when they were expanded to all boroughs.

⁸ For example, BBAILBOND now only operates only in the Bronx; the number of admits who would be eligible for the same type of Bailbond Supervision program was calculated for Manhattan, Brooklyn, Queens, and Staten Island; those eligible pools are displayed in Tables C-1.

Definition of the Analytic Groups. Once the "ineligible" admits were isolated, those whose cases proceeded in Supreme Court were grouped by whether or not they faced mandatory prison if convicted of the indictment charges. (The "Mandatory Prison" admits were either indicted on a felony charge carrying a mandatory term, or were predicate felons.) The "probation-eligible" admits were categorized by court of final disposition (Criminal or Supreme Court).

Thus, the analytic groups discussed below are:

1. Ineligible admits facing mandatory prison (Supreme Court only);
2. Ineligible admits not facing mandatory prison:
 - a. Whose cases reach disposition in the Criminal Court;
 - b. Whose cases reach disposition in the Supreme Court.

This categorization parallels the thinking process embedded in the operations of alternative programs. Admits facing mandatory incarceration are typically not viewed as appropriate targets for screening and intake efforts, even for pretrial release alternatives.⁹ Thus, most of the discussion below focuses on those in the Ineligible Pool who are "probation-eligible."

For those who do not face mandatory prison if convicted on indictment charges, different types of programs are appropriate for different levels of offense severity. Because the alternative programs either screen defendants charged with felonies or screen those charged with misdemeanors, they typically place staff either in the Criminal Court or in the Supreme Court. Therefore, court of final disposition was also used as a primary analytic category.

⁹ The defender-based advocacy programs do provide presentence memoranda on behalf of defendants in pretrial custody facing mandatory prison terms, in an effort to reduce the length of prison sentences.

FINDINGS

Table 1 provides a summary of the volume of admits (and of jail days they use) in three categories: First, admits in the "Perfectly Targeted Estimated Eligible Pools" of the current programs. Second, admits who would be in those eligible pools, and the jail days they would use, if all current programs were expanded to city-wide operations. And third, those remaining as ineligible for any alternative program, and the jail days they use.

Table 1
Summary of the Estimated Eligible and Ineligible Pools
and the Jail Days They Use

	<u>ADMITS</u>		<u>ESTIMATED JAIL USE *</u>	
	<u>Annualized N</u>	<u>% of Total Admit Cohort</u>	<u>Annualized Days Used</u>	<u>% of Total Cohort's Use</u>
Perfectly Targeted Estimated Eligibles (Current Program Inventory)	37,748	42.0	1,789,255	41.5
Perfectly Targeted Estimated Eligibles (If Current Programs Expanded City-wide)	71,724	79.7	3,234,752	74.9
Total Ineligible for any Current Program's "Perfectly Targeted" Eligible Pool, even after Current Programs are made City-wide** (Including Admits for whom there were not sufficient data available to determine court of disposition, type of jail days, and whether the Admit faces a mandatory prison term if convicted on the charges presented in an indictment.)	18,216	20.3	1,082,030	25.1

* The figures shown for jail day use were developed by multiplying the number in each Estimated Pool by the mean number of jail days used by those in that category for whom all necessary data were available. The means used for these calculations were: for those in the perfectly targeted eligible pool for Current Programs, the mean jail days used by "absolute eligibles" was 47.4 days; for those in the perfectly targeted eligible pool for Current Programs Expanded City-wide, the mean jail days used by "absolute eligibles" was 45.1 days; for those in the residual Estimated Ineligible pool, the mean days used by those whose jail day usage is known was 59.4.

** This figure is the annualized number of ineligibles whose jail day use was known (N = 1,518 for March, 1987). However, for 548 of the estimated ineligible admits in that month, there were insufficient data to determine: a) court of final disposition; b) whether they faced mandatory prison if convicted on charges presented in Supreme Court indictments, or c) whether they were ATD-only, ATI-only or ADT/I admits. They are represented in this Table as if they exhibited the same eligibility and jail use patterns as were found among those ineligible for whom all data were available.

As can be seen in Table 1, the "Estimated Ineligible Pool" accounts for approximately 20% of DOC admits (Annualized N = 18,216), and 25% of jail days used (Annualized N = 1,082,030). From these data, considered alone, it may seem worthwhile to explore aggressively new strategies to reduce the jail use by "ineligibles." However, for reasons detailed below, development of alternative programs for the ineligibles described

here should probably not be the first avenue explored by the city in trying to realize additional jail displacement effects. Rather, to the extent that current programs are in fact achieving intake from DOC custody, the more promising avenue would be to expand existing programs that are not already city-wide in operation. The desirability of this course is clear from the table, because, **while the current inventory of programs addresses only the 42% of DOC admits who use 41.5% of DOC's total jail days, expanding those programs to all boroughs would make almost 80% of all DOC admits formally eligible for one program or another — and that 80% of admits uses almost 75% of all jail days.** (In Appendix C, Tables C-1, each page displays an eligible pool — both the "absolute eligibles" and the "estimated eligibles" — for an existing program operation or for an expansion borough operation. These tables also present detail on the types of admits who are eligible (ATD-only, ATI-only, or ATD/I) and the patterns of their dispositions and of their use of jail resources.)

Table 2, below, displays information about the ineligibles for whom all data were available that are required to categorize them both by court of final disposition and by whether they were "Mandatory Prison" or "Probation-Eligible." Data were available to describe these characteristics for 11,640 of the ineligible admits, on an annualized basis.

Table 2
Summary Data for the Ineligible Pool
(Admits Not in Any Current Program's "Perfectly Targeted Eligible Pool"),
and the Jail Days They Use

	<u>ESTIMATED ADMITS</u>			<u>ESTIMATED JAIL DAY USE*</u>		
	<u>Annualized N</u>	<u>% of Total Admit Cohort</u>	<u>% of Total Ineligibles</u>	<u>Annualized N</u>	<u>% of Total Admit Cohort</u>	<u>% of Total Ineligibles</u>
Total Ineligible for any Current Program's "Perfectly Targeted" Eligible Pool, for whom all data were available to determine court of disposition, type of jail days used, and whether Admit faces a mandatory prison term if convicted on the charges presented in an indictment	11,640	12.9	100.0	697,861	16.2	100.0
Facing Mandatory Prison Terms	4,128	4.6	35.5	283,594	6.6	40.6
Probation-Eligible as Charged or Indicted						
Disposed in Criminal Court	6,588	7.3	56.6	377,492	8.7	54.1
Disposed in Supreme Court	924	1.1	7.9	36,775	.9	5.3
Total Probation-Eligible	<u>7,512</u>	<u>8.4</u>	<u>64.5</u>	<u>414,267</u>	<u>9.6</u>	<u>59.4</u>

* Jail day use by the ineligible pool was developed by multiplying the mean number of jail days used by ineligible admits for whom all necessary data were available by the total number of ineligibles in each of the categories. The means used for these calculations were: for those facing Mandatory Prison, 68.7 days; for those who were probation-eligible whose cases reached disposition in the Criminal Court, 57.3 days; for the Supreme Court probation-eligible cases, 39.8 days. (Because the jail day use estimates in Table 2 were developed this way for the 11,640 ineligible admits, the 697,861 jail days reported differs from the total jail use reported in Table 4 — 661,956 — where the number is the jail days actually used by these 11,640 individuals.)

The 35.5% of ineligible admits who faced mandatory prison at Supreme Court arraignment accounted for 40.6% of all jail days used by ineligibles. Thus, although it may be useful to explore program ideas to displace the jail use of admits remaining formally ineligible for current programs after those programs are given city-wide catchment, it should be recognized that 40% of their jail days will probably never be displaced by alternative program operations, as such programs typically attempt to displace the jail use of probation-eligible admits only.

On the other hand, the 64.5% of ineligibles who were probation-eligible used 59.4% of the ineligibles' jail days, and they warrant further examination. Most of them were prosecuted in the Criminal Court: probation-eligible Criminal Court admits were 56.6% of all ineligibles and used 54.1% of the ineligibles' jail days.¹⁰

If there is interest in development of a program to address at least one of the groups not currently eligible for any alternative program, it would most likely be the Criminal Court admits who remain formally ineligible even if current programs are all expanded to city-wide operation. Rather a large number remain — 6,588 on an annual basis. Before extensive program development work is done, however, it should be noted that these admits represent only 7.3% of all DOC admits, and they use only 8.7% of DOC's resources.

Table 3, which follows, presents the distribution of ineligible admits by type (whether ATD-only, ATI-only, or ATD/I admit), by court of final disposition, by type of disposition or sentence, and by type of jail days used. The first page of the table presents these data for the probation-eligible admits; the second page presents the data for those facing mandatory prison if convicted on indictment charges. Data of these kinds, particularly the data showing type of jail days used and mean length of stay, have in the past been helpful in efforts to identify targets for new program intervention.

¹⁰ Among those not formally eligible for any current program, the Supreme Court probation-eligible admits were remarkably rare — they were 7.3% of the ineligible admits, and used only 5.3% of the ineligibles' jail days.

TABLE 3

Detailed Distribution of Admits Ineligible for any Current Alternative Program's "Perfectly Targeted Eligible Pool" And the Mean Number of Jail Days They Use, By Court of Final Disposition, Type of Admission to DOC (ATD-only, ATI-only or ATD/I), and Type of Final Disposition

ADMITS NOT FACING MANDATORY PRISON IF CONVICTED ON THE CHARGES PRESENTED BY INDICTMENT

	Annualized Ineligible Admits (N = 11,640)	% of Total Ineligible Admits	% of This Category of Admits	Annualized Jail Days Used (N = 661,916)	% of Total Ineligibles' Jail Day Use	% of This Category's Jail Day Use	Mean Jail Day Use
Criminal Court:							
ATD-only Admits:							
Prison Sentence	--	--	--	--	--	--	--
Jail Sentence	564	4.8	8.6	8,832	1.3	3.8	15.7
Probation/Discharge/Fine	828	7.1	12.6	5,196	0.8	2.2	6.3
Dismissal	2,064	17.7	31.3	16,524	2.5	7.1	8.0
Missing Disposition	384	3.3	5.8	3,192	0.5	1.4	8.3
Total ATD Admits	3,840	32.9	58.3	33,744	5.1	14.5	8.8
ATI-only Admits:							
Prison Sentence	--	--	--	--	--	--	--
Jail Sentence	456	3.9	6.9	23,064	3.5	9.9	50.6
Probation/Discharge/Fine	168 *	1.4	2.6	5,904	0.9	2.5	35.1
Dismissal	36 *	0.3	0.5	2,856	0.4	1.2	79.3
Missing Disposition	300	2.6	4.6	23,480	3.5	10.1	78.3
Total ATI Admits	960	8.2	14.6	55,304	8.3	23.7	57.6
ATD/I Admits:							
Prison Sentence	--	--	--	--	--	--	--
Jail Sentence	1,296	11.1	19.7	98,124	14.8	42.2	75.7
Probation/Discharge/Fine	120 *	1.0	1.8	9,744	1.5	4.2	81.2
Dismissal	264 *	2.3	4.0	22,680	3.4	9.7	85.9
Missing Disposition	108	0.9	1.6	13,176	2.0	5.7	122.0
Total ATD/I Admits	1,788	15.3	27.1	143,724	21.7	61.8	80.4
TOTAL CRIMINAL COURT	6,588	56.4	100.0	232,772	35.2	100.0	35.3
Supreme Court:							
ATD-only Admits:							
Prison Sentence	24	0.2	2.6	72	<.1	0.1	3.0
Jail Sentence	36	0.3	3.9	3,192	0.5	4.8	88.7
Probation/Discharge/Fine	360	3.1	39.0	6,996	1.1	10.6	19.4
Dismissal	60	0.5	6.5	696	0.1	1.1	11.6
Missing Disposition	144	1.2	15.6	5,772	0.9	8.7	40.1
Total ATD-only Admits	624	5.3	67.6	16,728	2.6	25.3	26.8
ATI:							
Prison Sentence	12	0.1	1.3	144	<.1	0.2	12.0
Jail Sentence	36	0.3	3.9	3,216	0.5	4.9	89.3
Probation/Discharge/Fine	12 *	0.1	1.3	600	<.1	0.9	50.0
Dismissal	--	--	--	--	--	--	--
Missing Disposition	24	0.2	2.6	3,048	0.5	4.6	127.0
Total ATI-only Admits	84	0.7	9.1	7,008	1.1	10.6	83.4
ATD/I:							
Prison Sentence	24	0.2	2.6	2,376	0.4	3.6	99.0
Jail Sentence	180 *	1.5	19.5	39,108	5.9	59.1	217.3
Probation/Discharge/Fine	--	--	--	--	--	--	--
Dismissal	12	0.1	1.3	1,008	0.2	1.5	84.0
Missing Disposition	--	--	--	--	--	--	--
Total ATD/I Admits	216	1.8	23.4	42,492	6.5	64.2	196.7
TOTAL SUPREME COURT	924	7.8	100.1	66,228	10.0	100.1	71.7
TOTAL ADMITS NOT FACING MANDATORY INCARCERATION	7,512	64.5		299,000	45.2		39.8

* These apparently anomalous dispositions are, for "ATI-only" admits, the result of post-sentence failures (failure to pay a fine or failure under probation supervision) or, in the case of "ATD/I" admits, result because another pending case caused detention to continue past disposition of the sampled case.

TABLE 3 – Continued

Detailed Distribution of Admits Ineligible for any Current Alternative Program's "Perfectly Targeted Eligible Pool" And the Mean Number of Jail Days They Use, By Court of Final Disposition, Type of Admission to DOC (ATD-only, ATI-only or ATD/I), and Type of Final Disposition

ADMITS FACING MANDATORY PRISON IF CONVICTED ON CHARGES PRESENTED BY INDICTMENT

	Annualized Ineligible Admits (N = 11,640)	% of Total Ineligible Admits	% of This Category of Admits	Annualized Jail Days Used (N = 661,916)	% of Total Ineligibles' Jail Day Use	% of This Category's Jail Day Use	Mean Jail Day Use
Supreme Court Only:							
ATD-only Admits:							
Prison Sentence	876	7.5	21.2	28,284	4.3	7.8	32.3
Jail Sentence	156	1.3	3.8	6,984	1.1	1.9	44.8
Probation/Discharge/Fine	288	2.5	7.0	8,496	1.3	2.3	29.5
Dismissal	72	0.6	1.7	3,240	0.5	0.9	45.0
Missing Disposition	120	1.0	2.9	5,724	0.9	1.6	47.7
Total ATD Admits	1,512	12.9	36.6	52,728	8.1	14.5	34.9
ATI-only Admits:							
Prison Sentence	876	7.5	21.2	51,072	7.7	14.1	58.3
Jail Sentence	72	0.6	1.7	1,788	0.3	0.5	24.8
Probation/Discharge/Fine	24 *	0.2	0.6	1,776	0.3	0.5	74.0
Dismissal	36 *	0.3	0.9	1,740	0.3	0.5	48.3
Missing Disposition	48	0.4	1.2	6,732	1.0	1.9	140.3
Total ATI Admits	1,056	9.0	25.6	63,108	9.6	17.5	59.8
ATD/I Admits:							
Prison Sentence	1,200	10.3	29.1	176,760	26.7	48.7	147.3
Jail Sentence	228	2.0	5.5	46,536	7.0	12.8	204.1
Probation/Discharge/Fine	12 *	0.1	0.3	456	0.1	0.1	38.0
Dismissal	72 *	0.6	1.7	13,392	2.0	3.7	186.0
Missing Disposition	48	0.4	1.2	9,936	1.5	2.7	207.0
Total ATD/I Admits	1,560	13.4	37.8	247,080	37.3	68.0	158.4
TOTAL ADMITS FACING MANDATORY INCARCERATION	4,128	35.3	100.0	362,916	55.0	100.0	87.9

* These apparently anomalous dispositions are, for "ATI-only" admits, the result of post-sentence failures (failure to pay a fine or failure under probation supervision) or, in the case of "ATD/I" admits, result because another pending case caused detention to continue past disposition of the sampled case.

Table 3 underscores the difficulty of imagining how alternative programs for admits facing mandatory prison terms at Supreme Court arraignment could accurately target the relatively few who will ultimately be probation-eligible. Only about 4% of all ineligible receive local jail time after an indictment presents them with the prospect of a mandatory prison term. (These admits are about 11% of the ineligibles who face mandatory prison if convicted on indictment charge.) They use about 8% of all the jail days used by the ineligibles (15% of the jail days used by those facing mandatory prison time). Although they are a very small portion of the ineligibles (and a negligible portion of DOC admits), it is theoretically possible to develop a prediction model to isolate these cases from among all of those facing mandatory incarceration at time of Supreme Court arraignment — the question is whether the effort would have sufficient practical value to warrant the time and expense.

Unfortunately, the characteristics of the probation-eligible Supreme Court admits who do not meet the formal eligibility criteria of current programs suggest that difficulties will lie in the path of program development efforts to displace their jail use. First, more than half make poor targets for alternative programs to begin with: 49% of the probation-eligible Supreme Court ineligibles whose final dispositions are known received a non-custodial sentence; and the sampled prosecution against another 10% was dismissed. Second, most of them are ATD-only admits, with a mean length of stay of less than a month. From the city's perspective, in which reducing demand for jail capacity is a paramount concern, the more promising route to reduction of jail use by Supreme Court ineligibles would be to devise ways to reduce delay in disposing of the cases.

The Criminal Court ineligible admits look more promising for any new alternative program development effort: 39% of the Criminal Court ineligibles whose dispositions are known received jail terms, and the ones who did accounted for 67% of the jail days used by the Criminal Court ineligible group. (Overall, these admits account for 20% of all ineligible admits, using 20% of the jail days used by ineligibles.) Further, almost half the Criminal Court ineligibles who received jail sentences are of the ATD/I type — admitted after arraignment and held in custody through disposition to begin serving sentences. These ATD/I ineligible admits used a majority of the jail days used by Criminal Court ineligibles who were sentenced to jail, and they had a mean length of stay of 76 days.¹¹

¹¹ There is another large subgroup among the Criminal Court ineligibles — those whose cases are dismissed. Dismissals are heavily represented in the Ineligible Pool, in part because it was constructed by eliminating from the cohort the admits who were absolutely eligible for current programs' "Perfectly Targeted Estimated Eligible Pools" — and no program *aims* to provide an alternative to dismissal. Nevertheless, it is worth noting that dismissals among Criminal Court ineligibles include two distinct groups. The first group consists of ATD-only admits whose cases were dismissed (Annualized N = 2,064, 31% of all Criminal Court ineligibles). They had a relatively short mean length of stay (8 days) and used a relatively small proportion of the Criminal Court ineligibles' jail days (Annualized N = 16,524, 7% of all Criminal Court ineligibles' jail use). Because length of stay is so short for the ATD-only Criminal Court ineligibles whose cases are dismissed, it is hard to imagine an alternative program that could displace them from jail. Relief from this use of jail resources would presumably have to come from efforts by prosecutors to dismiss earlier the cases headed for dismissal anyway. The second group of Criminal Court ineligibles whose cases are dismissed consists of ATD/I admits — they represent 4% of all Criminal Court ineligible admits (Annualized N = 264) and use 10% of the jail days used by Criminal Court ineligibles. Their mean length of stay was 86 days, and they were held in custody past dismissal not because of the sampled case, but because of other pending cases. It is obvious that nothing should be done by way of an alternative disposition in the sampled case, but to reduce the overall length of stay by these admits, the dispositions in other pending cases could be speeded up. Again, the remedy appears to lie within prosecutors' offices.

The question remains whether techniques can be devised by which alternative programs could distinguish Criminal Court ineligible who are likely to get jail sentences from those who are not. Table 4, which displays the case characteristics for all Criminal Court ineligibles (grouped the type of disposition reached in the sampled case), makes it clear why this will prove to be a difficult question to answer.¹²

Table 4, below, explores the relationships between case and prior record characteristics of Criminal Court ineligibles and the type of disposition and sentence they receive. At first, the picture is surprising. The more serious the charges at arraignment and the higher the bail, the more likely is dismissal of the sampled case, and the less likely a jail sentence. There are two reasons for these patterns. First, the felony charges that do not go forward to indictment and Supreme Court disposition are likely to be the weaker ones, from a prosecutorial point of view, making dismissal common among them. Second, the "Ineligible Pool" was created by eliminating from the DOC admit cohort all admits who qualified for any current program's "Perfectly Targeted Eligible Pool." As the perfectly targeted pools eliminated admits who did not receive dispositions in the range that ATI and ATD/I programs aim to displace, and as no program aims to displace dismissals, quite a few admits facing relatively serious charges ended up in the Ineligible Pool precisely *because* the cases against them were ultimately dismissed.

On the other hand, the expected relationship between prior record and custodial sentence can be seen in Table 4 — the more prior misdemeanor convictions, the more likely a custodial sentence in the sampled case. Still, only 37% of ineligible Criminal Court admits with four or more prior misdemeanor convictions were sentenced to jail, and the cases against 55% of them were dismissed. (This pattern can be contrasted with the dispositional pattern for Criminal Court admits in the overall DOC cohort; overall, 51% of those with four or more prior misdemeanor convictions were sentenced to jail and only 34% had the cases against them dismissed.)

Devising eligibility criteria that would discriminate effectively among currently ineligible Criminal Court admits to select for intake those likely to draw the custodial sentences would not be easy, as case and prior record variables are not as useful in making such distinctions here as they are in the overall cohort. Given the difficulties of devising eligibility criteria that would accurately target those currently ineligible Criminal Court admits who actually get sentenced to jail, it might be appropriate to return to the building of prediction models, from which screening criteria can be generated.¹³ Because some of the cases for which existing models predict non-custodial dispositions do in fact get custodial sentences (the "false negatives"), it would be possible to search for predictors to distinguish, among cases now predicted to be headed toward non-custodial dispositions, the ones that do in fact receive jail sentences. Similarly, it might be possible to isolate Criminal Court ineligibles of interest (e.g., those with less than four prior misdemeanor convictions), and attempt to develop predictive models that reveal which factors predict jail sentences for that group.¹⁴

¹² For reference, the case and prior record characteristics of *all* ineligible admits are presented in a different way in Appendix D, where Table D-1 groups the admits under the three main analytic headings (Mandatory Prison Admits, Probation-eligible Supreme Court Admits, and Criminal Court Admits).

¹³ Criminal Court ineligibles use only 5% of the total cohort's jail days. In light of the jail savings that could conceivably come from such a remodeling exercise, it may not be worth the time and expense.

¹⁴ CSSP uses factors that predict jail sentences as screening criteria. Most of the Criminal Court ineligibles who did receive jail sentences were simply "too light" under those criteria.

Table 4
Characteristics of Admits Whose Cases are Disposed in Criminal Court
Who are Not Eligible for Any Program's
Perfectly Targeted Pool (after all programs expanded city-wide)
By Type of Disposition and Sentence

Charge at Criminal Court Arraignment:	Admits Receiving Sentences to Local Jail (N=2,316)		Admits Receiving Non-Custodial Sentences (N=1,116)		Admits Whose Sampled Case was Dismissed (N=2,364)		Total	
	Annualized		Annualized		Annualized		Annualized	
	N	Percent	N	Percent	N	Percent	N	Percent
A Felony								
Murder 2nd	--	--	--	--	36	100.0	36	100
Sale of Controlled Substance 1st	--	--	--	--	12	100.0	12	100
Other A Felony Drugs	--	--	--	--	60	100.0	60	100
Other A Felonies	--	--	--	--	--	--	--	--
Total A Felonies	--	--	--	--	108	100.0	108	100
B Felony								
Rape	12	3.7	12	3.7	300	92.6	324	100
Robbery 1st	12	4.2	84	29.2	192	66.7	288	100
Possession of Controlled Substance 3rd	36	9.1	96	24.2	264	66.7	396	100
Sale of Controlled Substance 3rd	108	69.2	12	7.7	36	23.1	156	100
Burglary 1st, Arson 2nd	--	--	12	9.1	120	90.9	132	100
Other B Felonies	12	8.3	36	25.0	96	66.7	144	100
Total B Felonies	180	12.5	252	17.5	1,008	70.0	1,440	100
C Felony								
Burglary 2nd	48	80.0	12	20.0	--	--	60	100
Robbery 2nd	60	23.8	24	9.5	168	66.7	252	100
Other C Felonies	36	16.7	24	11.1	156	72.2	216	100
Total C Felonies	144	27.3	60	11.4	324	61.4	528	100
D Felony								
Assault 2nd	36	18.8	12	6.3	144	75.0	192	100
Burglary 3rd	132	64.7	--	--	72	35.3	204	100
Robbery 3rd, Attempted Burglary 1st	12	11.1	--	--	96	88.9	108	100
Larceny 3rd	60	38.5	72	46.2	24	15.4	156	100
Gun Possession 3rd	36	42.9	--	--	48	57.1	84	100
Other D Felonies	60	33.3	60	33.3	60	33.3	180	100
Total D Felonies	336	36.4	144	15.6	444	48.1	924	100
E Felony								
Larceny 4th	120	52.6	48	21.1	60	26.3	228	100
Other Property	72	50.0	36	25.0	36	25.0	144	100
Other E Felonies	36	37.5	36	37.5	24	25.0	96	100
Total E Felonies	228	48.7	120	25.6	120	25.6	468	100
A Misdemeanor								
Assault 3rd	60	41.7	36	25.0	48	33.3	144	100
Petty Larceny, Other Property	624	74.3	96	11.4	120	14.3	840	100
Possession of Controlled Substance 7th	192	61.5	96	30.8	24	7.7	312	100
Other Drugs	96	61.5	48	30.8	12	7.7	156	100
Other A Misdemeanors	120	47.6	72	28.6	60	23.8	252	100
Total A Misdemeanors	1,092	64.1	348	20.4	264	15.5	1,704	100
B Misdemeanor	240	74.1	60	18.5	24	7.4	324	100
Unclassified Misdemeanors or VTLs	12	12.5	72	75.0	12	12.5	96	100
Total *	2,232	39.9	1,056	18.9	2,304	41.2	5,592	100

* Admits for whom a particular data element necessary for assignment to a Table 4 category is missing, are simply not displayed in that category.

Table 4 -- Continued
Characteristics of Admits Whose Cases are Disposed in Criminal Court
Who are Not Eligible for Any Program's
Perfectly Targeted Pool (after all programs expanded city-wide)
By Type of Disposition and Sentence

	Admits Receiving Sentences to Local Jail (N=2,316)		Admits Receiving Non-Custodial Sentences (N=1,116)		Admits Whose Sampled Case was Dismissed (N=2,364)		Total	
	Annualized		Annualized		Annualized		Annualized	
	N	Percent	N	Percent	N	Percent	N	Percent
Bail @ Criminal Court Arraignment:								
\$1-1500	828	60.5	228	16.7	312	22.8	1368	100
\$1501-3000	84	30.4	24	8.7	168	60.9	276	100
\$3001-3500	156	21.3	132	18.0	444	60.7	732	100
\$3501-5000	144	15.2	144	15.2	660	69.6	948	100
\$5001-7500	24	10.0	84	35.0	132	55.0	240	100
\$7501-25001+	36	10.0	12	3.3	312	86.7	360	100
Released on Recognizance	204	27.9	336	45.9	192	26.2	732	100
Remanded	144	63.2	24	10.5	60	26.3	228	100
Release Status after Criminal Court Arraignment:								
Made Bail or Posted Bond	84	19.4	168	38.9	180	41.7	432	100
Released on Recognizance	204	27.9	336	45.9	192	26.2	732	100
Detained	1,380	36.2	516	13.5	1,920	50.3	3816	100
Number Prior Felony Convictions:								
0 Priors	624	25.2	660	26.7	1,188	48.1	2472	100
1 Prior	180	19.7	156	17.1	576	63.2	912	100
2 or more Priors	96	23.5	48	11.8	264	64.7	408	100
Number Prior Misdemeanor Convictions:								
0 Priors	348	17.6	588	29.7	1,044	52.7	1980	100
1 Prior	72	18.8	84	21.9	228	59.4	384	100
2 Priors	108	27.3	84	21.2	204	51.5	396	100
3 Priors	96	34.8	48	17.4	132	47.8	276	100
4 or more Priors	276	37.1	60	8.1	408	54.8	744	100
Borough of Arraignment:								
Brooklyn	276	22.1	420	33.7	552	44.2	1248	100
Manhattan	360	30.9	84	7.2	720	61.9	1164	100
Queens	252	25.6	336	34.1	396	40.2	984	100
Bronx	216	29.5	84	11.5	432	59.0	732	100
Staten Island	24	28.6	24	28.6	36	42.9	84	100

CONCLUSIONS AND RECOMMENDATIONS

All in all, perhaps the wisest thing for city policy-makers to do, to reduce jail use by DOC inmates who are not now formally eligible for any alternative program, is to expand the capacity and catchments of the current inventory of alternative programs. The gains realizable from such a strategy do, however, depend on the extent to which the current programs actually do target intake efforts on individuals who are in DOC custody at the time, and on the efficiency with which those who are targeted are actually drawn into the programs' caseloads — the "screening ratio" problem discussed in the "Eligible Pool Analysis" memorandum.

Because the targeting and screening ratio issues are so important, the first step ought to be to ensure that the data being collected by and from the current alternative programs include standardized information about whether candidates screened for intake are in or out of pretrial detention when screened, and where in the court process the candidates are when screened (*i.e.*, pre-plea, post-plea but pre-sentence, or at sentencing). Tracking information of this kind over time would provide an understanding of the degree to which programs are actually targeting those who are heavy users of the city's jail capacity — the ATD/I DOC admits who are admitted after arraignment and who stay through disposition to begin serving custodial sentences.

Programs with eligibility criteria that tend to exclude individuals who make little demand on jail resources are good candidates for expanded capacity and wider catchment — if their screening ratios are robust. Other programs are good candidates for revision of eligibility criteria, or efforts to improve screening ratios.

Finally, reduced jail use by those not formally eligible for current programs is more likely to be realized by reducing delay in the dispositional process than by creating new ATD or ATI programs tailored to the characteristics of those in the Ineligible Pool. This is true both for ineligibles who face mandatory prison (about whom alternative programs can do little) and for probation-eligible individuals who ultimately receive non-custodial sentences or have the prosecutions against them dismissed.

The only group of DOC admits who would not be formally eligible for existing programs, if they were all operating city-wide, for whom it might be productive to tailor a new alternative program consists of the Criminal Court admits who ultimately get jail sentences but who are "too light" to qualify for CSSP's eligibility criteria. A special study would have to be done, however, to determine the predictors of jail sentences for this group.

INELIGIBLE POOL ANALYSIS

Appendix A

APPENDIX A

VARIABLE DEVELOPMENT

Responses to the program eligibility questionnaires, developed early in the JPMC research effort and distributed to the various alternative programs, provided information about individual and case characteristics that determine program eligibility. These characteristics were then transformed into a core set of variables corresponding to data available in the CJA/DOC data set. In addition, the CJA/DOC data were used to create composite variables (describing each admit in terms of all the cases currently pending against that admit).

The following defendant descriptors from the CJA interview data correspond to eligibility criteria used by various programs:

- borough of arraignment;
- current age;
- current employment status;
- total prior misdemeanor convictions;
- total prior felony convictions;
- whether this is the first arrest;
- zip code of the current address (used to indicate whether defendant is a New York City resident)

Additional descriptors from the CJA court information were also used to define the "sample case".¹ These were specific to the Criminal Court or the Supreme Court:

- top charge at arraignment (and its severity and type);
- arraignment release status (whether detained immediately after arraignment);
- arraignment bail and bond amounts;
- disposition type;
- disposition date;
- final disposition charge (and its severity and type);
- length of sentence, if custodial sentence imposed.
- type of lawyer (18B or not), for the Supreme Court cases.

DOC admit and discharge dates were used to determine detention status at various points in the court process.

Additional variables were constructed to reflect other cases pending against an admit. In combination with the sample case information, these descriptors allowed the target case and accompanying cases to be represented as a whole. The "other pending case" variables, which focused on the ultimate disposition of those cases, were:

- whether the disposition charge was an A-I, A-II, B violent, or a C violent felony;
- whether the disposition charge led to a violent felony, non-violent felony, or misdemeanor custodial sentence or to a non-custodial sentence;
- whether the defendant was YO- or probation-eligible at disposition of that case.

¹ For admits who had more than one case pending at the time of admission to DOC, it was necessary to specify one case as the "sample case" — the one for which the admit's eligibility would be assessed. This was done through the following decision rule: If there was a court case with an arrest date within seven days of the admission date, select it as the sample case; if there were more than one within seven days, use the one with the arrest date closest to the admission date; if there were no cases with arrest dates within seven days of the admission date, select the most serious case, based on arraignment charge.

Finally, because the routinely available data elements in the CJA/DOC data set were not sufficient to cover all program eligibility criteria, more detailed information was required to mimic some criteria. Data were sought for each admit from the DCJS TRENDS data set.² The additional information focused on charge and sentencing in prior arrests and convictions. From these data, the following descriptors were developed:

- total prior arrests, and date of last prior arrest;
- total prior "DWI" convictions.
- whether last conviction resulted in a jail or prison sentence and the date of that conviction;
- totals of prior A, B, or C drug felony convictions, and the date of the last conviction in each category;
- total of prior violent felony offense convictions, and the date of the last such conviction;
- totals of prior probation sentences, jail sentences, and prison sentences.

² Almost a third of the admits were found to have more detailed prior record information on this data set.

INELIGIBLE POOL ANALYSIS

Appendix B

APPENDIX B

DESCRIPTORS USED IN DETERMINING EACH PROGRAM'S ELIGIBLE POOLS

Each program is described briefly below, and its eligibility criteria are presented under three headings: (1) general criteria (matching the data elements available in the DOC/CJA data set), (2) pending case descriptors, and (3) additional prior history criteria. The specific variables used to determine admits' eligibility for each program are given in narrative form, rather than in the form used in the computer program.

ACAAP: The Osborne Association's Assigned Counsel Alternatives Advocacy Program (ACAAP) develops bail memoranda, sentencing plans, and other written products for 18B lawyers, to assist their advocacy of bail reduction and alternative sentences. Defendants can be either in pretrial detention or at liberty, at time of program intake. ACAAP aims to displace custodial sentences of 90 days or more.

GENERAL CRITERIA: The case is assigned to an 18B lawyer in Queens, Manhattan, or the Bronx; the defendant is aged 14 or older; and the defendant has either been in pretrial detention for 14 days or longer (ATD clients) or has made bail or was ROR'd (ATI clients). Cases disposed as B misdemeanors are not eligible.

PENDING CASE CRITERIA: N/A

ADDITIONAL PRIOR RECORD CRITERIA: N/A

For the Osborne Association's ACAAP, the "Maximum Eligible Pool" is determined by the general criteria above, while the criteria for determining the "Perfectly Targeted Eligible Pool" adds: case resulted in a custodial sentence of 90 days or longer.

ATR: The Osborne Association's Alternatives to Reincarceration (ATR) program provides various services to persons who are in DOC custody because of technical parole violation charges, to prevent the necessity of their return to state custody.

GENERAL CRITERIA: The only current case is a parole violation, and the case is assigned to an 18B lawyer.

PENDING CASE CRITERIA: N/A

ADDITIONAL PRIOR RECORD CRITERIA: N/A

For Osborne's ATR program, the "Maximum Eligible Pool" and the "Perfectly Targeted Eligible Pool" are determined by the same criteria.

BAILBOND BRONX: The Vera Institute's Bronx Bailbond Supervision Program posts bailbonds for defendants in DOC custody who are likely to be staying in pretrial detention for long periods of time, and supervises them in the community using short-term residential facilities, in-house counseling, referral services, intensive field supervision, and enforcement staff to return to custody those who violate individualized conditions of their bonds.

GENERAL CRITERIA: Arraignment borough is the Bronx; more than 90 days already spent in pretrial detention; the defendant (if indicted) is not a predicate felon; the bond amount at criminal court arraignment is less than \$7,500.00; and the current DOC admission is not for a parole violation or violation of probation. In addition the arraignment charge on the current case must have been one of the following:

For cases proceeding in the Supreme Court:

- assault — second degree
- burglary — first, second and third degree, or attempted third
- grand larceny — third and fourth degree
- robbery — second and third degree, or attempted second
- possession of controlled substance — third degree, or attempted fourth
- sale of controlled substance — third degree
- possession of a weapon — second or third degree

For cases proceeding in the Criminal Court:

- vehicular assault — first degree
- sodomy — attempted first degree
- kidnapping — second degree
- arson — second degree
- grand larceny — attempted second degree
- promoting prison contraband — first degree

For cases proceeding in either court:

- reckless endangerment — first degree
- burglary — attempted second degree
- robbery — attempted first degree
- possession of stolen property — third degree
- possession of controlled substance — fourth degree

PENDING CASE CRITERIA: N/A

ADDITIONAL PRIOR RECORD CRITERIA: N/A

For Bronx Bailbond, the "Maximum Eligible Pool" and the "Perfectly Targeted Eligible Pool" are determined by the same criteria.

BEX: The Criminal Justice Agency's Bail Expediting Program (BEX) program helps defendants post bail before leaving the court after arraignment. The bail expediting effort takes place only between arraignment and transfer to DOC (if BEX cannot effect release).

GENERAL CRITERIA: Bronx or Queens Criminal Court arraignment bail or bond is set, and is less than \$2,500; the defendant has not made bail; and the arraignment charge is not for prostitution.

PENDING CASE CRITERIA: N/A

ADDITIONAL PRIOR RECORD CRITERIA: N/A

For the BEX program, the "Maximum Eligible Pool" and the "Perfectly Targeted Eligible Pool" are determined by the same criteria.

CCJA: Consultants for Criminal Justice Advocacy (CCJA) develops bail memoranda, sentencing plans, and other written products for 18B lawyers, to assist their advocacy of bail reduction and alternative sentences. Defendants can be either in pretrial detention or at liberty, at time of program intake. CCJA aims to displace custodial sentences of more than a year.

GENERAL CRITERIA: Case has been assigned to an 18B lawyer in any borough except Staten Island; defendant is not a predicate felon; defendant is 16 years of age or older; current DOC admission is not for a parole violation or violation of probation; and defendant has less than two prior convictions (misdemeanors and felonies combined).

PENDING CASE CRITERIA: The defendant has no current pending charge for a Violent Felony Offense, on which the prosecution is demanding a custodial sentence.

ADDITIONAL PRIOR RECORD CRITERIA: The defendant has no more than 4 prior custodial or probation sentences, and no more than 2 prior convictions for Violent Felony Offenses.

For CCJA, the "Maximum Eligible Pool" is determined by the general criteria above, while the criteria for determining the "Perfectly Targeted Eligible Pool" adds: case resulted in a custodial sentence of more than 365 days.

COMMUNITY SERVICE SENTENCING: The Community Service Sentencing Project (CSSP), now administered by CASES, provides a short (70 hour) sentence of supervised, unpaid labor on community sites as an alternative to misdemeanor jail sentences. CSSP aims to displace jail sentences of up to 90 days. Eligibility criteria are specific to each borough in which CSSP operates, as they were drawn from research to predict jail sentences; that research revealed borough-specific differences in sentencing patterns.

CSSP - QUEENS

GENERAL CRITERIA: Arrest was in Queens; charge is for misdemeanor; not a first arrest; more than one prior conviction (misdemeanors and felonies combined); defendant in detention at Criminal Court disposition; and the disposition must not be conviction for 730 CPL.

PENDING CASE CRITERIA: The defendant has no current pending charges for Violent Felony Offenses.

ADDITIONAL PRIOR RECORD CRITERIA: Fewer than 50 prior arrests; no more than 2 prior A, B or C Drug felonies in the last 10 years; no prior Violent Felony Offense convictions within the last year.

CSSP - BRONX

GENERAL CRITERIA: Arrest was in the Bronx; charge is for misdemeanor; not a first arrest; more than four prior convictions (misdemeanor and felonies combined); defendant in detention at Criminal Court disposition; and the disposition must not be conviction for 730 CPL.

PENDING CASE CRITERIA: The defendant has no current pending charges for Violent Felony Offenses.

ADDITIONAL PRIOR RECORD CRITERIA: Fewer than 50 prior arrests; no more than 2 prior A, B or C Drug felony convictions in the last 10 years; no prior Violent Felony Offense convictions within the last year; no more than 13 arrests in the past 5 years; and defendant's last arrest was not within the 60 days preceding this arrest. In addition, two of the following three conditions must be met:

- 1 Last conviction led to jail or prison sentence.
- 2 At least four prior convictions (misdemeanors and felonies combined).
- 3 At least eight prior arrests.

CSSP - BROOKLYN

GENERAL CRITERIA: Arrest was in Brooklyn; charge is for misdemeanor; not a first arrest; more than four prior convictions (misdemeanor and felonies combined); defendant in detention at Criminal Court disposition; and the disposition must not be conviction for 730 CPL.

PENDING CASE CRITERIA: The defendant has no current pending charges of Violent Felony Offenses, and no pending felony charges for which the prosecution is demanding a custodial sentence.

ADDITIONAL PRIOR RECORD CRITERIA: Fewer than 50 prior arrests; no more than 2 prior A, B or C Drug felony convictions in the last 10 years; no prior Violent Felony Offense convictions within the last year; no more than 13 arrests in the past 5 years; and defendant's last arrest was not within the 60 days preceding this arrest. In addition, two of the following three conditions must be met:

- 1 Last conviction led to jail or prison sentence.
- 2 Last conviction was within the past eighteen months.
- 3 At least six prior arrests.

CSSP - MANHATTAN

GENERAL CRITERIA: Arrest was in Manhattan; charge is for misdemeanor; not a first arrest; more than four prior convictions (misdemeanor and felonies combined); defendant in detention at Criminal Court disposition; and the disposition must not be conviction for 730 CPL.

PENDING CASE CRITERIA: The defendant has no current pending charges for Violent Felony Offenses, and no pending felony charges for which the prosecution is demanding a custodial sentence.

ADDITIONAL PRIOR RECORD CRITERIA: Fewer than 50 prior arrests; no more than 2 prior A, B or C Drug felonies in the last 10 years; no prior Violent Felony Offense convictions within the last year; no more than 13 arrests in the past 5 years; and defendant's last arrest was not within the 60 days preceding this arrest. In addition, two of the following three conditions must be met:

- 1 Last conviction led to jail or prison sentence;
- 2 Last conviction date within the past thirteen months;
- 3 At least thirteen prior arrests.

For all CSSP programs the "Maximum Eligible Pool" and the "Perfectly Targeted Eligible Pool" are determined by the same criteria.

COURT EMPLOYMENT PROJECT: The Court Employment Project (CEP), administered by CASES, provides on-site supervision, counselling, and educational and vocational training to defendants and offenders, primarily those sixteen to twenty-one years old, believed to be facing at least six months of actual jail sentenced time to be served (minus good time and time spent in pretrial detention).

CEP - DAILY SUPERVISION (This program aims to displace custodial sentences of six months or more.)

GENERAL CRITERIA: Defendant is not a predicate felon; defendant is more than 14 years old; residence is in New York City; charge is a felony (other than a DWI charge) proceeding in Supreme Court; defendant has no more than 4 prior misdemeanor convictions; defendant is either probation-eligible or, if facing any A-I felony charge, A felony arson charge, or A felony sex offense charge, defendant is YO-eligible. In addition, one of the following criteria must be met:

- 1 Defendant is between 16 and 21 and is currently employed or in school;
- 2 Defendant is between 16 and 21 and faces a custodial sentence of less than one year;
- 3 Defendant is younger than 16 or older than 21.

PENDING CASE CRITERIA: Defendant has no current pending felony charges for which the prosecution is demanding a custodial sentence.

ADDITIONAL PRIOR RECORD CRITERIA: The defendant has no more than 4 prior custodial sentences, and no more than 2 prior prison or probation sentences.

For CEP's Daily Supervision program, the "Maximum Eligible Pool" is determined by the general criteria above, while the criteria for determining the "Perfectly Targeted Eligible Pool" adds: case resulted in a custodial sentence with at least 180 days remaining to be served.

CEP - WORKING SOLUTIONS (This program aims to displace custodial sentences of a year or more.)

GENERAL CRITERIA: Defendant is not a predicate felon; defendant is in pretrial detention after Supreme Court arraignment; defendant is between 16 and 21 years old; residence is in New York City; charge is a felony (other than DWI) proceeding in Supreme Court; defendant has no more than 4 prior misdemeanor convictions; defendant is currently neither in school nor employed; defendant is either probation-eligible or, if facing any A-I felony charge, A felony arson charge, or A felony sex offense charge, defendant is YO-eligible. In addition, one of the following criteria must be met:

- 1 Defendant is less than 19, YO-eligible, and facing sentence on an A felony conviction;
- 2 Defendant is between 19 and 21 years old, and is in pretrial detention;
- 3 Defendant is younger than 19, is not YO-eligible, and has been ROR'd or made bail.

PENDING CASE CRITERIA: Defendant has no current pending felony charges for which the prosecution is demanding a custodial sentence.

ADDITIONAL PRIOR RECORD CRITERIA: Defendant has no more than 4 prior custodial sentences and no more than 2 prior prison or probation sentences.

For CEP's Working Solutions program, the "Maximum Eligible Pool" is determined by the general criteria above, while the criteria for determining the "Perfectly Targeted Eligible Pool" adds: the case resulted in a custodial sentence for which the offender has at least 365 days remaining to be served.

ISP: Intensive Supervision Probation (ISP) is a sentence that begins with bi-weekly face-to-face contacts and two additional collateral contacts, for defendants believed to be facing a custodial sentence. ISP aims to displace custodial sentences of any duration.

GENERAL CRITERIA: Disposition in Supreme Court; offender is probation eligible (not a predicate felon).

PENDING CASE CRITERIA: N/A

ADDITIONAL PRIOR RECORD CRITERIA: N/A

For ISP, the "Maximum Eligible Pool" is determined by the GENERAL CRITERIA criteria above, while the criteria for determining the "Perfectly Targeted Eligible Pool" adds: case resulted in a custodial sentence of 1 day or more.

TASC: TASC (Treatment Alternatives to Street Crime) provides drug treatment referral and a monitoring service for drug-abusing defendants believed to be facing a custodial sentence. TASC aims to displace custodial sentences of 60 days or longer.

GENERAL CRITERIA: Defendant arrested in Queens or Staten Island; aged 16 or older; current charge is not an A-I, A-II, B or C violent felony; defendant has no more than 3 prior convictions (misdemeanors and felonies combined).

PENDING CASE CRITERIA: The defendant has no current pending charges for Violent Felony Offenses.

ADDITIONAL PRIOR RECORD CRITERIA: If the current charge is a DWI offense, it is not the first DWI offense .

For TASC, the "Maximum Eligible Pool" is determined by the general criteria above, while the criteria for determining the "Perfectly Targeted Eligible Pool" adds: case resulted in a custodial sentence of 60 days or longer.

INELIGIBLE POOL ANALYSIS

Appendix C

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known									
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	Dismissal N	%
Admits is From Appropriate Court & Borough	31,488	100.0												
"ABSOLUTE" POOL (All Other Data Known)	9,300	71.0												
"Absolute" Ineligibles	3,792	29.0												
"Absolute" Eligibles	13,092	100.0												
Total in the "Absolute" Pool	5,328													
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used														
ATD-only	1,296	34.3	52,896	13.6	1,296	612	47.2	216	16.7	468	36.1			
ATI-only	2,484	65.7	336,420	86.4	2,472	1,920	77.7	468	18.9	84	3.4			
ATDI														
Type of Jail Days Used Unknown														
TOTAL for "ABSOLUTE" ELIGIBLES	3,780	100.0	389,316	100.0	3,768	2,532	67.2	684	18.2	552	14.6			
Missing Data on Type AND Number of Jail Days	12													
Total in "Absolute" Pool	3,792													

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 31,488 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 13,092. Of these, 28,96% (or 3,792) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 28,96% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 5,327 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 9,119
**** ESTIMATED ELIGIBLES' JAIL USE:** 939,257 Jail Days (2,573 calls per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

ACAAP: Richmond (exp) Perfect Target Pool -- Admits Meeting Screening Criteria, With Dispositions the Program Aims to Displace	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known									
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	Dismissal N	%
Admits is From Appropriate Court & Borough	564	100.0												
"ABSOLUTE" POOL (All Other Data Known)														
"Absolute" Ineligibles	192	76.2												
"Absolute" Eligibles	60	23.8												
Total in the "Absolute" Pool	252	100.0												
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used														
ATI-only	24	40.0	264	4.2	24	24	100.0							
ATI-only	36	60.0	6,000	95.8	24	24	100.0							
ATI/DI														
Type of Jail Days Used Unknown	60	100.0	6,264	100.0	48	48	100.0							
TOTAL for "ABSOLUTE" ELIGIBLES														
Missing Data on Type AND Number of Jail Days														
Total in "Absolute" Pool	60													

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 564 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 252. Of these, 23.81% (or 60) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 23.81% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 74 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL:

134

**** ESTIMATED ELIGIBLES' JAIL USE:**

13,990 Jail Days (38 cells per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)	420	53.0													
"Absolute" Ineligibles	372	47.0													
"Absolute" Eligibles	792	100.0													
Total In the "Absolute" Pool															
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	360	100.0	29,520	100.0	348	204	58.6	48	13.8	96	27.6				
ATI-only															
ATI/DI															
Type of Jail Days Used Unknown															
TOTAL for "ABSOLUTE" ELIGIBLES	360	100.0	29,520	100.0	348	204	58.6	48	13.8	96	27.6				
Missing Data on Type AND Number of Jail Days	12														
Total In "Absolute" Pool	372														

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 1,116 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 792. Of these, 46.97% (or 372) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 46.97% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 152 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL:

524

**** ESTIMATED ELIGIBLES' JAIL USE:**

42,968 Jail Days (118 cells per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)	18,360	100.0													
"Absolute" Ineligibles	10,116	82.1													
"Absolute" Eligibles	2,208	17.9													
Total in the "Absolute" Pool	12,324	100.0													
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	876	39.7	34,966	15.7	768	60	7.8			372	48.4	108	14.1	228	29.7
ATI-only	1,392	60.3	187,212	84.3	1,224	120	9.8	120	9.8	912	74.5	12		60	4.9
ATD/ATI															
Type of Jail Days Used Unknown	2,208	100.0	222,168	100.0	1,992	180	9.0	120	6.0	1,284	64.5	120	6.0	288	14.5
TOTAL for "ABSOLUTE" ELIGIBLES															
Missing Data on Type AND Number of Jail Days															
Total in "Absolute" Pool	2,208														

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 18,360 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 12,324. Of these, 17.92% (or 2,208) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 17.92% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 1,082 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 3,290
**** ESTIMATED ELIGIBLES' JAIL USE:** 330,974 Jail Days (907 cells per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Admits From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known											
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	%	Dismissal N	%	
"ABSOLUTE" POOL (All Other Data Known)	22,308	100.0														
"Absolute" Ineligibles	12,180	93.5														
"Absolute" Eligibles	852	6.5														
Total in the "Absolute" Pool	13,032	100.0														
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used																
ATD-only	588	69.0	9,768	37.7	528	36	6.8	60	11.4	132	25.0		240	45.5	60	11.4
ATI-only	264	31.0	16,116	62.3	264	60	22.7	12	4.5	168	63.6				24	9.1
ATI/																
Type of Jail Days Used Unknown	852	100.0	25,884	100.0	792	96	12.1	72	9.1	300	37.9		240	30.3	84	10.6
TOTAL for "ABSOLUTE" ELIGIBLES																
Missing Data on Type AND Number of Jail Days																
Total in "Absolute" Pool	852															

***Total Known Dispositions* may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 22,308 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 13,032. Of these, 6.54% (or 852) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 6.54% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 607 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 1,459
**** ESTIMATED ELIGIBLES' JAIL USE:** 44,354 Jail Days (122 calls per year)

*** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Admits From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)															
"Absolute" Ineligibles	17,532	95.7													
"Absolute" Eligibles	780	4.3													
Total In the "Absolute" Pool	18,312	100.0													
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	504	64.6	9,948	22.4	492			96	19.5	156	31.7	120	24.4	120	24.4
ATI-only	276	35.4	34,392	77.6	264	12	4.5	24	9.1	204	77.3			24	9.1
ATI/															
Type of Jail Days Used Unknown	780	100.0	44,340	100.0	756	12	1.6	120	15.9	360	47.6	120	15.9	144	19.0
TOTAL for "ABSOLUTE" ELIGIBLES															
Missing Data on Type AND Number of Jail Days															
Total In "Absolute" Pool	780														

* "Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 29,712 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 18,312. Of these, 4.26% (or 780) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 4.26% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 486 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 1,266
**** ESTIMATED ELIGIBLES' JAIL USE:** 71,909 Jail Days (197 calls per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Table C-1

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)															
"Absolute" Ineligibles	10,260	95.7													
"Absolute" Eligibles	456	4.3													
Total in the "Absolute" Pool	10,716	100.0													
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	324	71.1	5,784	23.7	288	108	37.5	60	20.8	60	20.8	60	20.8		
ATI-only	132	28.9	18,624	76.3	96	24	25.0	72	75.0						
ATD/I															
Type of Jail Days Used Unknown	456	100.0	24,408	100.0	384	132	34.4	132	34.4	60	15.6	60	15.6		
TOTAL for "ABSOLUTE" ELIGIBLES															
Missing Data on Type AND Number of Jail Days															
Total in "Absolute" Pool	456														

* "Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 15,852 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 10,716. Of these, 4.26% (or 456) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 4.26% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 219 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 675 **** ESTIMATED ELIGIBLES' JAIL USE: 36,113 Jail Days (99 calls per year)**

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Disch'ge / Fine N	%	Dismissal N	%
ABSOLUTE* POOL (All Other Data Known)	1,284	100.0													
"Absolute" Ineligibles	528	88.0													
"Absolute" Eligibles	72	12.0													
Total in the "Absolute" Pool	600	100.0													
ABSOLUTE* ELIGIBLES, by Type of Jail Days Used															
ATD-only	60	83.3	972	40.3	60	12	20.0	12	20.0	12	20.0	12	20.0	12	20.0
ATI-only	12	16.7	1,440	59.7	12									12	100.0
ATD/I															
Type of Jail Days Used Unknown	72	100.0	2,412	100.0	72	12	16.7	12	16.7	12	16.7	12	16.7	24	33.3
TOTAL for "ABSOLUTE" ELIGIBLES															
Missing Data on Type AND Number of Jail Days															
Total in "Absolute" Pool	72														

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 1,284 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 600. Of these, 12.00% (or 72) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 12.00% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 82 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 154
**** ESTIMATED ELIGIBLES' JAIL USE:** 5,159 Jail Days (14 calls per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

BAILBOND: TOTAL (exp) - Both Pools
(Current Programs Borough Totals, plus Expanded Borough Totals)

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Admits From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Probn / Discharge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known) "Absolute" Ineligibles "Absolute" Eligibles Total in the "Absolute" Pool	50,616				To create this Table, the "Absolute Eligibles" from all boroughs (current plus expanded) were summed, as was their jail use and the pattern of their dispositions.										
	4,368														
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used ATD-only ATI-only ATDI/ Type of Jail Days Used Unknown TOTAL for "ABSOLUTE" ELIGIBLES Missing Data on Type AND Number of Jail Days Total in "Absolute" Pool	2,352	53.8	61,428	19.2	2,136	108	5.1	276	12.9	732	34.3	540	25.3	480	22.5
	2,016	46.2	257,764	80.8	1,860	192	10.3	180	9.7	1,356	72.9	12	0.6	120	6.5
	4,368	100.0	319,212	100.0	3,996	300	7.5	456	11.4	2,088	52.3	552	13.8	600	15.0
	4,368														

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 12 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 54,984. Of these, 7.94% (or 4,368) were found eligible. But, for programs with multiple borough operations, the estimated pools for the individual boroughs were summed, to show the number likely to be found eligible if all the necessary data were available (as it would be to program screeners).

ESTIMATED ELIGIBLE POOL: **6,844** ** ESTIMATED ELIGIBLES' JAIL USE: **488,509 Jail Days (1,338 cells per year)**

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	%	Dismissal N	%
ABSOLUTE* POOL (All Other Data Known)	18,360	100.0													
"Absolute" Ineligibles	3,408	21.5													
"Absolute" Eligibles	12,420	78.5													
Total In the "Absolute" Pool	15,828	100.0													
ABSOLUTE* ELIGIBLES, by Type of Jail Days Used															
ATD-only	7,152	59.7	78,504	15.8	6,276	372	5.9	120	1.9	1,812	28.9	1,680	26.8	2,292	36.5
ATI-only	564	4.7	38,976	7.9	480	252	52.5	48	10.0	144	30.0	24	5.0	12	2.5
ATI/	3,024	25.3	321,144	64.8	2,820	564	20.0	96	3.4	1,836	65.1	48	1.7	276	9.8
Type of Jail Days Used Unknown	1,236	10.3	57,292	11.5	516					24	4.7			492	95.3
TOTAL for "ABSOLUTE" ELIGIBLES	11,976	100.0	495,876	100.0	10,092	1,188	11.8	264	2.6	3,816	37.8	1,752	17.4	3,072	30.4
Missing Data on Type AND Number of Jail Days	444														
Total In "Absolute" Pool	12,420														

* "Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 18,360 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 15,828. Of these, 78,47% (or 12,420) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 78.47% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 1,987 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL:
 14,407

**** ESTIMATED ELIGIBLES' JAIL USE:**
 596,450 Jail Days (1,634 cells per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known											
	Annual N	%	Annual N	%	Total Known* Dispositions		Mandatory Prison		Non-Mandatory Prison		Jail Sentence		Prob'n / Discharge / Fine		Dismissal	
					N	%	N	%	N	%	N	%	N	%	N	%
Admits is From Appropriate Court & Borough	22,308	100.0														
"ABSOLUTE" POOL (All Other Data Known)	4,728	26.1														
"Absolute" Ineligibles	13,392	73.9														
"Absolute" Eligibles	18,120	100.0														
Total in the "Absolute" Pool																
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used																
ATD-only	8,136	62.5	106,704	24.3	7,164	732	10.2	252	3.5	1,776	24.8	2,232	31.2	2,172	30.3	
ATJ-only	792	6.1	50,664	11.6	646	384	59.3	84	13.0	72	11.1	84	13.0	24	3.7	
ATD/	2,244	17.2	234,984	53.6	2,098	694	32.8	108	5.2	912	43.7	132	6.3	252	12.1	
Type of Jail Days Used Unknown	1,848	14.2	46,128	10.5	1,056	12	1.1					36	3.4	1,006	95.5	
TOTAL for "ABSOLUTE" ELIGIBLES	13,020	100.0	438,480	100.0	10,956	1,812	16.5	444	4.1	2,760	25.2	2,484	22.7	3,456	31.5	
Missing Data on Type AND Number of Jail Days	372															
Total in "Absolute" Pool	13,392															

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 22,308 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 18,120. Of these, 73.91% (or 13,392) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 73.91% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 3,095 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 16,487

**** ESTIMATED ELIGIBLES' JAIL USE: 555,612 Jail Days (1,522 calls per year)**

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Probn / Discharge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)															
*Absolute "Ineligibles"	4,164	17.6													
*Absolute "Eligibles"	19,440	82.4													
Total In the "Absolute" Pool	23,604	100.0													
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	10,992	57.9	142,776	15.4	9,804	636	6.5	180	1.8	3,048	31.1	1,716	17.5	4,224	43.1
AT/only	1,296	6.8	96,460	10.4	1,104	540	48.9	204	18.5	300	27.2	12	1.1	48	4.3
ATDI/	5,544	29.2	641,232	69.3	5,304	984	18.6	312	5.9	3,204	60.4	180	3.4	624	11.8
Type of Jail Days Used Unknown	1,164	6.1	44,304	4.8	636					12	1.9			624	98.1
TOTAL for "ABSOLUTE" ELIGIBLES	18,996	100.0	924,792	100.0	16,848	2,160	12.8	696	4.1	6,564	39.0	1,908	11.3	5,520	32.8
Missing Data on Type AND Number of Jail Days	444														
Total In "Absolute" Pool	19,440														

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 29,712 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 23,604. Of these, 82.36% (or 19,440) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 82.36% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 5,031 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: **** ESTIMATED ELIGIBLES' JAIL USE:**
1,191,738 Jail Days (3,265 calls per year)
24,471

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Probn / Dischrg / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)	15,852	100.0													
"Absolute" Ineligibles	3,756	28.0													
"Absolute" Eligibles	9,672	72.0													
Total in the "Absolute" Pool	13,428	100.0													
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	6,612	69.9	76,512	23.6	6,060	468	7.7	336	5.5	1,596	26.3	2,016	33.3	1,644	27.1
AT1-only	480	5.1	30,468	9.4	336	168	50.0	72	21.4	21.4	21.4	12	3.6	12	3.6
ATD/I	1,620	17.1	195,864	60.4	1,548	576	37.2	108	7.0	756	48.8	24	1.6	84	5.4
Type of Jail Days Used Unknown	744	7.9	21,684	6.7	372									372	100.0
TOTAL for "ABSOLUTE" ELIGIBLES	9,456	100.0	324,528	100.0	8,316	1,212	14.6	516	6.2	2,424	29.1	2,052	24.7	2,112	25.4
Missing Data on Type AND Number of Jail Days	216														
Total in "Absolute" Pool	9,672														

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 15,852 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 13,428. Of these, 72.03% (or 9,672) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 72.03% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 1,746 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 11,418
**** ESTIMATED ELIGIBLES' JAIL USE:** 391,637 Jail Days (1,073 cells per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Disch'ge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)	1,284	100.0													
"Absolute" Ineligibles	156	19.1													
"Absolute" Eligibles	660	80.9													
Total in the "Absolute" Pool	816	100.0													
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	480	72.7	9,120	57.1	432	48	11.1	24	5.6	60	13.9	120	27.8	180	41.7
ATI-only	60	9.1	1,692	10.6	24	12	50.0	12	50.0	24	50.0			12	25.0
ATD/I	48	7.3	2,640	16.5	48	12	25.0			24	50.0			36	100.0
Type of Jail Days Used Unknown	72	10.9	2,520	15.8	36										
TOTAL for "ABSOLUTE" ELIGIBLES	660	100.0	15,972	100.0	540	72	13.3	36	6.7	84	15.6	120	22.2	228	42.2
Missing Data on Type AND Number of Jail Days															
Total in "Absolute" Pool	660														

**"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 1,284 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 816. Of these, 80.88% (or 660) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 80.88% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 379 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: **1,039**

**** ESTIMATED ELIGIBLES' JAIL USE:** **25,144 Jail Days (69 calls per year)**

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known								
	Annual	%	Annual	%	Total Known* Dispositions	Mandatory Prison	Non-Mandatory Prison	Jail Sentence	Probn / Discharge / Fine	Dismissal			
	N	%	N	%		N	%	N	%	N	%		
"ABSOLUTE" POOL (All Other Data Known)	43,476	100.0											
"Absolute" Ineligibles	10,776	89.9											
"Absolute" Eligibles	1,212	10.1											
Total In the "Absolute" Pool	11,988	100.0											
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used													
ATI-Only	792	69.5	15,816	31.8	792	444	56.1	348	43.9				
ATI-Only	96	8.4	3,408	6.8	96	96	100.0						
ATI/DI	252	22.1	30,576	61.4	252	24	9.5	216	85.7	12	4.8		
Type of Jail Days Used Unknown	1,140	100.0	49,800	100.0	1,140	24	2.1	756	66.3	360	31.6		
Missing Data on Type AND Number of Jail Days	72												
Total In "Absolute" Pool	1,212												

* "Total Known Dispositions" may be less than "Total Admits" in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 43,476 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 11,988. Of these, 10.11% (or 1,212) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 10.11% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 3,183 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 4,395
**** ESTIMATED ELIGIBLES' JAIL USE:** 192,062 Jail Days (526 cells per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Current CSSP: Bronx/Both Pools -- Admits Meeting Screening Criteria (Program Has No Stated Objective of Disposition to Displace)

	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known						
	Annual	%	Annual	%	Total Known* Dispositions	Mandatory Prison	Non-Mandatory Prison	Jail Sentence	Probn / Dischge / Fina	Dismissal	
	N		N	%	N	N	%	N	%	N	%
Admits From Appropriate Court & Borough	9,216	100.0									
"ABSOLUTE" POOL (All Other Data Known)											
"Absolute" Ineligibles	120	90.9									
"Absolute" Eligibles	12	9.1									
Total in the "Absolute" Pool	132	100.0									
<p>CSSP's screening criteria, when applied to a one month DOC admission cohort, eliminate so many admits that too few "Absolute Eligibles" are left (sample month N=1, in Bronx) to distribute them by the type of jail days used. (See NOTE)</p>											
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used											
ATI-only											
ATI-only	12	100.0									
ATI/DI	12	100.0									
Type of Jail Days Used Unknown	12	100.0									
TOTAL for "ABSOLUTE" ELIGIBLES	12	100.0									
Missing Data on Type AND Number of Jail Days											
Total in "Absolute" Pool	12										

* "Total Known Dispositions" may be less than "Total Admits". In a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

NOTE: CSSP has very lightly drawn eligibility criteria. Of the 768 admits from the Bronx Criminal Court in March, 1987, all data necessary to evaluate eligibility were available for only 11 of these only 1 met all criteria. That number is too small to lend much confidence to the low estimate of pool size generated from the one month sampling method. If, for example, only one more admit had been found formally eligible, the "percentage eligible" would have more than doubled. Under those circumstances, the annualized number of eligibles would have been 24, instead of an estimated pool size of 836, the estimated pool would have been 1,677.

DERIVATION OF THE ESTIMATED POOL:

Of the 9,216 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 132. Of these, 9.09% (or 12) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 9.09% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 826 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 836

** ESTIMATED ELIGIBLES' JAIL USE:

21,034 Jail Days (58 calls per year)

** (Mean Jail Days Used per Estimated Eligible x Number of Estimated Eligibles)
 The number of absolute eligibles was too low to apply their mean of jail days used.

Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Table C-1

Admits From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)	16,848	100.0													
"Absolute" Ineligibles	1,164	97.0													
"Absolute" Eligibles	36	3.0													
Total in the "Absolute" Pool	1,200	100.0													
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	.	.													
ATI-only	36	100.0													
ATI/DI	.	.													
Type of Jail Days Used Unknown	36	100.0													
TOTAL for "ABSOLUTE" ELIGIBLES	36	100.0													
Missing Data on Type AND Number of Jail Days	.	.													
Total in "Absolute" Pool	36														

CSSP's screening criteria, when applied to a one month DOC admission cohort, eliminate so many admits that too few "Absolute Eligibles" are left (sample month N=3, in Manhattan) to distribute by the type of jail days used. (See NOTE)

* "Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

NOTE: CSSP has very tightly drawn eligibility criteria. Of the 1404 admits from the Manhattan Criminal Court in March, 1987, all data necessary to evaluate eligibility were available for only 100 of these only 3 met all criteria. That number is too small to lend much confidence to the low estimate of pool size generated from the one month sampling method. If, for example, only one more admit had been found formally eligible, the "percentage eligible" would have more than doubled. Under those circumstances, the annualized number of eligibles would have been 72, instead of an estimated pool size of 505, the estimated pool would have been 574.

DERIVATION OF THE ESTIMATED POOL:

Of the 16,848 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 1,200. Of these, 3.00% (or 36) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 3.00% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 469 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL:

505

**** ESTIMATED ELIGIBLES' JAIL USE:**

26,361 Jail Days (72 cells per year)

** (Mean Jail Days Used per Estimated Eligible x Number of Estimated Eligibles)
The number of absolute eligibles was too low to apply their mean of jail days used.

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
By Program (Expanded)

	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known							
	Annual	%	Annual	%	Total Known* Dispositions	Mandatory Prison	Non-Mandatory Prison	Jail Sentence	Probn./ Discharge / Fine	Dismissal		
	N		N		N	%	N	%	N	%	N	%
Admits is From Appropriate Court & Borough	7,728	100.0										
"ABSOLUTE" POOL (All Other Data Known)												
"Absolute" Ineligibles	936	96.3										
"Absolute" Eligibles	36	3.7										
Total in the "Absolute" Pool	972	100.0										
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used												
ATD-only	36	100.0										
ATI-only	.	.										
ATDI/	.	.										
Type of Jail Days Used Unknown	.	.										
TOTAL for "ABSOLUTE" ELIGIBLES	36	100.0										
Missing Data on Type AND Number of Jail Days												
Total in "Absolute" Pool	36											

CSSP's screening criteria, when applied to a one month DOC admission cohort, eliminate so many admits that too few "Absolute Eligibles" are left (sample month N=3, in Queens) to distribute them by the type of jail days used.

* "Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

NOTE: CSSP has very tightly drawn eligibility criteria. Of the 644 admits from the Queens Criminal Court in March, 1987, all data necessary to evaluate eligibility were available for only 81 of these only 3 met all criteria. That number is too small to lend much confidence to the low estimate of pool size generated from the one month sampling method. If, for example, only one more admit had been found formally eligible, the "percentage eligible" would have more than doubled. Under those circumstances, the annualized number of eligibles would have been 72; instead of an estimated pool size of 286, the estimated pool would have been 379.

DERIVATION OF THE ESTIMATED POOL:

Of the 7,728 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 972. Of these, 3,70% (or 36) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 3.70% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 250 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: **286**
**** ESTIMATED ELIGIBLES' JAIL USE:** **3,890 Jail Days (11 cells per year)**

** (Mean Jail Days Used per Estimated Eligible x Number of Estimated Eligibles)
 The number of absolute eligibles was too low to apply their mean of jail days used.

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known							
	Annual	%	Annual	%	Total Known* Dispositions	Mandatory Prison	Non-Mandatory Prison	Jail Sentence	Prob'n / Disct'n / Fine	Dismissal		
	N	%	N	%	N	%	N	%	N	%		
ABSOLUTE* POOL (All Other Data Known)	43,812											
"Absolute" Ineligibles	2,748	96.6										
"Absolute" Eligibles	96	3.4										
Total in the "Absolute" Pool	2,844	100										
ABSOLUTE* ELIGIBLES, by Type of Jail Days Used												
ATD-only	36	37.5	420	9.5	36			12	33.3	24	66.7	
ATI-only	60	62.5	3,996	90.5	60			60	100.0			
ATD/ATI												
Type of Jail Days Used Unknown												
TOTAL for "ABSOLUTE" ELIGIBLES	96	100.0	4,416	100.0	96			72	75.0	24	25.0	
Missing Data on Type AND Number of Jail Days												
Total in "Absolute" Pool	96											

To create this Table, the "Absolute Eligibles" from all boroughs were summed, as was their jail day use and the pattern of their dispositions.

**Total Known Dispositions* may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 43,812 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 2,844. Of these, 3.38% (or 96) were found eligible. But, for programs with multiple borough operations, the estimated pools for the individual boroughs were summed, to show the number likely to be found eligible if all the necessary data were available (as it would be to program screeners).

ESTIMATED ELIGIBLE POOL: 1,851
**** ESTIMATED ELIGIBLES' JAIL USE:** 56,879 Jail Days (156 calls per year)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known							
	Annual	%	Annual	%	Total Known** Dispositions	Mandatory Prison	Non-Mandatory Prison	Jail Sentence	Probn / Dischgs / Fine	Dismissal		
	N	%	N	%		N	%	N	%	N	%	
"ABSOLUTE" POOL (All Other Data Known)	43,476	100.0										
"Absolute" Ineligibles	27,420	78.5										
"Absolute" Eligibles	7,500	21.5										
Total in the "Absolute" Pool	34,920	100.0										
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used												
ATD-only	4,572	63.2	102,072	28.3	4,572	1,296	28.3	3,276	71.7			
ATI-only	876	12.1	48,264	13.4	876	746	84.9	132	15.1			
ATDI	1,798	24.7	210,828	58.4	1,798	1,476	82.6	312	17.4			
Type of Jail Days Used Unknown	7,236	100.0	351,164	100.0	7,236	3,516	48.6	3,720	51.4			
Missing Data on Type AND Number of Jail Days	264											
Total in "Absolute" Pool	7,500											

** "Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 43,476 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 34,920. Of these, 21.48% (or 7,500) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 21.48% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 1,838 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: **9,338**

**** ESTIMATED ELIGIBLES' JAIL USE:** **465,966 Jail Days (1,277 calls per year)**

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits Is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known									
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)	18,360	100.0												
"Absolute" Ineligibles	6,444	97.8												
"Absolute" Eligibles	144	2.2												
Total In the "Absolute" Pool	6,588	100.0												
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used														
ATD-only	72	54.5	1,152	17.4	72	12	16.7	12	100.0	60	83.3			
ATI-only	12	9.1	996	15.0	12			36	75.0	12	25.0			
ATDI	48	36.4	4,488	67.6	48									
Type of Jail Days Used Unknown														
TOTAL for "ABSOLUTE" ELIGIBLES	132	100.0	6,636	100.0	132	12	9.1	48	36.4	72	54.5			
Missing Data on Type AND Number of Jail Days	12													
Total In "Absolute" Pool	144													

* "Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 18,360 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 6,588. Of these, 2.19% (or 144) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 2.19% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 258 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 402
**** ESTIMATED ELIGIBLES' JAIL USE:** 20,221 Jail Days (55 cells per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Probn / Dischge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)	10,080	96.1													
"Absolute" Ineligibles	408	3.9													
"Absolute" Eligibles	10,488	100.0													
Total In the "Absolute" Pool															
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	156	40.6	2,448	10.9	156	36	23.1	48	66.7	120	76.9				
ATI-only	72	18.8	5,220	23.2	72	24	33.3	84	53.8	24	30.8				
ATD/I	156	40.6	14,808	65.9	156	24	15.4	84	53.8	48	30.8				
Type of Jail Days Used Unknown	384	100.0	22,476	100.0	384	24	6.3	168	43.8	192	50.0				
TOTAL for "ABSOLUTE" ELIGIBLES	24														
Missing Data on Type AND Number of Jail Days	408														
Total In "Absolute" Pool															

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 29,712 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 10,488. Of these, 3,89% (or 408) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 3.89% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 748 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 1,156
**** ESTIMATED ELIGIBLES' JAIL USE:** 67,626 Jail Days (185 calls per year)

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
 By Program (Expanded)**

Admits From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known											
	Annual N	%	Annual N	%	Total Known** Dispositions		Mandatory Prison		Non-Mandatory Prison		Jail Sentence		Prob'n / Discharge / Fine		Dismissal	
					N	%	N	%	N	%	N	%	N	%	N	%
"ABSOLUTE" POOL (All Other Data Known)																
"Absolute" Ineligibles	6,396	97.3														
"Absolute" Eligibles	180	2.7														
Total in the "Absolute" Pool	6,576	100.0														
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used																
ATD-only	120	66.7	2,232	29.6	120	12	10.0	36	30.0	72	60.0					
ATI-only	12	6.7	228	3.0	12	12	100.0									
ATI/	48	26.7	5,076	67.4	48	24	50.0	24	50.0							
Type of Jail Days Used Unknown	180	100.0														
Missing Data on Type AND Number of Jail Days			7,536	100.0	180	48	26.7	60	33.3	72	40.0					
Total in "Absolute" Pool	180															

** "Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 15,852 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 6,576. Of these, 2.74% (or 180) were found eligible. To estimate the number likely to be found eligible if all the necessary data were available (as they would be to program screeners), it was assumed that the missing eligibility data (primarily prior criminal records) would make 2.74% of the remainder eligible as well. An "estimated eligible pool" is created by adding these 254 "estimated eligibles" to the "absolute eligibles."

ESTIMATED ELIGIBLE POOL: 434

**** ESTIMATED ELIGIBLES' JAIL USE: 18,185 Jail Days (50 calls per year)**

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

Table C-1
Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use, By Program (Expanded)

	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known						
	Annual	%	Annual	%	Total Known**	Mandatory Prison	Non-Mandatory Prison	Jail Sentence	Probn / Discharge / Fine	Dismissal	
	N	%	N	%	Dispositions	N	%	N	%	N	%
Admits is From Appropriate Court & Borough	1,284	100.0									
"ABSOLUTE" POOL (All Other Data Known)											
"Absolute" Ineligibles	456	100.0									
"Absolute" Eligibles	456	100.0									
Total in the "Absolute" Pool											
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used											
ATD-only											
ATI-only											
ATD/I											
Type of Jail Days Used Unknown											
TOTAL for "ABSOLUTE" ELIGIBLES											
Missing Data on Type AND Number of Jail Days											
Total in "Absolute" Pool											

1,284 admits with the appropriate Court and Borough for TASC's Richmond County Project were apparently eligible, before their prior record data were examined for eligibility. Prior record data were available for 456. Because none of those 456 received a custodial sentence and because the target for TASC's displacement objective is a custodial sentence of two months or more, none of the "Absolutes" were eligible for inclusion in the "Perfect Target" pool. As no one was "Absolutely Eligible" for inclusion in the Perfect Target pool, it was not possible to distribute them by type of jail days used, nor was it possible to apply their prior record pattern to the "Estimated Eligible" pool.

**"Total Known Dispositions" may be less than "Total Admits" in a category, because some admits lack dispositional data. The pattern of dispositions is displayed for known dispositions only.

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

**Distribution of Eligibility in the Detained Cohort, and Distribution of Eligibles' Jail Use,
By Program (Expanded)**

Table C-1

*TASC: TOTAL (exp) - Perfect Target
(Current Programs Borough Totals, plus Expanded Borough Totals)*

Admits is From Appropriate Court & Borough	Admits		Jail Days		Pattern of Dispositions, for Admits Whose Dispositions are Known										
	Annual N	%	Annual N	%	Total Known* Dispositions	Mandatory Prison N	%	Non-Mandatory Prison N	%	Jail Sentence N	%	Prob'n / Discharge / Fine N	%	Dismissal N	%
"ABSOLUTE" POOL (All Other Data Known)	32,544														
"Absolutes" Ineligibles	1,116														
"Absolutes" Eligibles	33,660														
Total in the "Absolutes" Pool															
"ABSOLUTE" ELIGIBLES, by Type of Jail Days Used															
ATD-only	576	53.9	13,176	23.4	576	120	20.8	108	18.8	348	60.4				
AT1-only	144	13.5	7,280	12.9	144	24	16.7	96	66.7	24	16.7				
ATD/I	348	32.6	35,976	63.8	348	84	24.1	192	55.2	72	20.7				
Type of Jail Days Used Unknown	1,068	100.0	56,412	100.0	1,068	228	21.3	396	37.1	444	41.6				
Missing Data on Type AND Number of Jail Days	48														
Total in "Absolutes" Pool	1,116														

**To create this Table, the "Absolute Eligibles" from all boroughs (current plus expanded) were summed,
as was their jail use and the pattern of their dispositions.**

*"Total Known Dispositions" may be less than "Total Admits", in a category, because some admits lack dispositional data.
The pattern of dispositions is displayed for known dispositions only.

DERIVATION OF THE ESTIMATED POOL:

Of the 87,516 admits from the appropriate court and borough, all the data required to determine program eligibility were available for 33,660. Of these, 3,32% (or 1,116) were found eligible. But, for programs with multiple borough operations, the estimated pools for the individual boroughs were summed, to show the number likely to be found eligible if all the necessary data were available (as it would be to program screeners).

ESTIMATED ELIGIBLE POOL: 2,889 **** ESTIMATED ELIGIBLES' JAIL USE: 153,663 Jail Days (421 cells per year)**

** (Mean Jail Days Used per Absolute Eligible x Number of Estimated Eligibles)

INELIGIBLE POOL ANALYSIS

Appendix D

Table D-1
Characteristics of Those Not Eligible
for Any Program's Perfectly Targeted Pool (after all programs expanded city-wide)

	Admits Facing Mandatory Prison (N=4,128)		Admits Not Facing Mandatory Prison (Probation-Eligibles)			
			Criminal Court (N=6,588)		Supreme Court (N=924)	
	Annualized Number	Percent	Annualized Number	Percent	Annualized Number	Percent
Disposition and Sentence:						
Prison Term	2,952	75.5	—	—	60	7.9
Jail Term	456	11.7	2,316	40.0	252	33.3
Non-Custodial Sentence	324	8.3	1,116	19.3	372	49.2
Dismissed	180	4.6	2,364	40.8	72	9.5
Total	3,912	100.0	5,796	100.0	756	100.0
Bail @ Criminal Court Arraignment:						
\$1-1500	132	3.6	1,452	26.1	120	13.5
\$1501-3000	192	5.2	312	5.6	12	1.4
\$3001-3500	588	16.1	828	14.9	108	12.2
\$3501-5000	1,044	28.5	1,116	20.0	252	28.4
\$5001-7500	276	7.5	324	5.8	72	8.1
\$7501-25001+	1,176	32.1	456	8.2	228	25.7
Released on Recognizance	156	4.3	840	15.1	96	10.8
Remanded	96	2.6	240	4.3	—	—
Total	3,660	100.0	5,568	100.0	888	100.0
Release Status after Criminal Court Arraignment:						
Made Bail or Posted Bond	180	4.9	480	8.5	96	10.8
Released on Recognizance	156	4.2	840	14.8	96	10.8
Detained	3,336	90.8	4,356	76.7	696	78.4
Total	3,672	100.0	5,676	100.0	888	100.0
Number Prior Felony Convictions:						
0 Priors	1,572	42.3	2,844	64.4	924	100.0
1 Prior	1,392	37.4	1,092	24.7	—	—
2 or more Priors	756	20.3	480	10.9	—	—
Total	3,720	100.0	4,416	100.0	924	100.0
Number Prior Misdemeanor Convictions:						
0 Priors	1,872	50.3	2,280	51.8	708	76.6
1 Prior	672	18.1	468	10.6	144	15.6
2 Priors	324	8.7	468	10.6	48	5.2
3 or more Priors	852	22.9	1,188	27.0	24	2.6
Total	3,720	100.0	4,404	100.0	924	100.0
Borough of Arraignment:						
Brooklyn	1,128	29.7	1,416	29.0	336	36.4
Manhattan	1,176	31.0	1,308	26.8	192	20.8
Queens	828	21.8	1,152	23.6	180	19.5
Bronx	612	16.1	912	18.7	204	22.1
Staten Island	48	1.3	96	2.0	12	1.3
Total	3,792	100.0	4,884	100.0	924	100.0

Table D-1 (continued)
Characteristics of Those Not Eligible
for Any Program's Perfectly Targeted Pool (after all programs expanded city-wide)

	Admits Facing Mandatory Prison (N=4,128)		Admits Not Facing Mandatory Prison (Probation-Eligibles)			
			Criminal Court (N=6,588)		Supreme Court (N=924)	
	Annualized Number	Percent	Annualized Number	Percent	Annualized Number	Percent
Charge at Criminal Court Arraignment:						
A Felony						
Murder 2nd	48	1.3	36	0.6	--	--
Sale of Controlled Substance 1st	132	3.6	60	0.9	24	2.8
Other A Felony Drugs	96	2.6	72	1.1	132	15.3
Other A Felonies	36	1.0	--	--	--	--
Total A Felonies	312	8.6	168	2.7	156	18.1
B Felony						
Robbery 1st	852	23.4	348	5.5	24	2.8
Possession of Controlled Substance 3rd	36	1.0	324	5.1	96	11.1
Sale of Controlled Substance 3rd	624	17.1	552	8.7	180	20.8
Burglary 1st, Arson 2nd	120	3.3	48	0.8	12	1.4
Other B Felonies	336	9.2	348	5.5	48	5.6
Total B Felonies	1,968	53.9	1,620	25.6	360	41.7
C Felony						
Burglary 2nd	168	4.6	96	1.5	12	1.4
Robbery 2nd	372	10.2	324	5.1	48	5.6
Other C Felonies	216	5.9	276	4.4	72	8.3
Total C Felonies	756	20.7	696	11.0	132	15.3
D Felony						
Assault 2nd	60	1.6	204	3.2	12	1.4
Burglary 3rd	108	3.0	228	3.6	--	--
Robbery 3rd, Attempted Burglary 1st	144	3.9	108	1.7	12	1.4
Larceny 3rd	60	1.6	168	2.7	48	5.6
Gun Possession 3rd	96	2.6	108	1.7	60	6.9
Other D Felonies	84	2.3	252	4.0	36	4.2
Total D Felonies	552	15.1	1,068	16.9	168	19.4
E Felony						
Larceny 4th	60	1.6	240	3.8	24	2.8
Other Property	--	--	168	2.7	12	1.4
Other E Felonies	--	--	108	1.7	12	1.4
Total E Felonies	60	1.6	516	8.2	48	5.6
A Misdemeanor						
Assault 3rd	--	--	168	2.7	--	--
Petty Larceny, Other Property	--	--	876	13.8	--	--
Possession of Controlled Substance 7th	--	--	348	5.5	--	--
Other Drugs	--	--	156	2.5	--	--
Other A Misdemeanors	--	--	264	4.2	--	--
Total A Misdemeanors	--	--	1,812	28.6	--	--
B Misdemeanor	--	--	336	5.3	--	0.0
Unclassified Misdemeanors or VTLs	--	--	120	1.9	--	0.0
Total	3,648	100.0	6,336	100.0	864	100.0