

JAIL POPULATION MANAGEMENT CONSULTANCY: SUMMARY

Vera Institute of Justice

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INTRODUCTION

History of the Project

• Throughout the nineteen eighties, there were noticeable increases in the city's jail population. These increases became more dramatic between 1985 and 1988, despite continuing investments by the city in an array of programs intended to serve as alternatives to detention and alternatives to incarceration.

• By early 1988, the city was seeking information that would help it more precisely manage growth of the jail population and that would facilitate the development of alternative programs that actually reduce reliance on DOC custody. To that end, and to aid settlement of certain litigation, the city engaged Vera on the research agenda embodied in the Jail Population Management Consultancy.

Objectives of the Jail Population Management Consultancy

To help city policy-makers build an appropriate inventory of alternative programs, and make the best use of those programs to reduce jail use, the JPMC was designed to:

- Determine which admissions to DOC custody result in the greatest use of jail resources. (To help the city target alternative programs on types of admits whose displacement from jail would yield the greatest relief.)
- Determine how many in DOC custody are eligible for the various existing alternative programs, and the frequency with which admits are eligible for more than one program. (To help set future funding levels for alternative programs.¹)
- Determine the factors that predict future incarceration of felony defendants arraigned in the Supreme Court. (To help refine the screening criteria used in alternative programs so that their intake is appropriately aligned with jail displacement objectives.)
- Determine the characteristics of those who are not eligible for any current alternative program, and the pattern of their use of jail resources. (To help shape the development of new programs or the revision of existing programs.)

¹ As the full text of the report on this part of the research points out, jail displacement is not the only purpose for which the city might invest in creation of alternative programs: achieving retributive, incapacitative and rehabilitative penal objectives by non-custodial means may be independently important, particularly when jail capacity is already used to the limit. This research, however, sought only to determine the number that the alternative programs might displace from DOC custody.

CONCLUSIONS

- The heaviest users of jail resources are pretrial detainees who remain in DOC custody through disposition and who stay on to serve a local sentence or to await transfer to state prison. Less than 15% of all the jail days used are used by individuals admitted to DOC to serve sentences who are not in custody at the time sentence is imposed.
- No existing alternative program has been funded to the point where program capacity exceeds the number of eligibles found in DOC custody. Even if all programs' intake were limited to those actually in DOC custody at the time of screening, the supply of formally eligible candidates greatly exceeds funded capacity for most programs.
- In Supreme Court, excepting cases in which mandatory prison can be predicted, prior misdemeanor convictions and continued pretrial detention predict custodial sentences.
- Fifty-eight percent of the DOC population, using 59% of jail capacity, are not formally eligible for any existing alternative program. But if all existing programs were expanded to operate city-wide, only 20% of the DOC population (consuming 25% of the capacity) would remain ineligible for any alternative program.

RECOMMENDATIONS

- To maximize the jail displacement effects of existing or future alternative programs:
 - The city should encourage alternative programs to target intake on defendants who are actually in detention at time of program screening.
 - The city should encourage programs to revise eligibility criteria to require a minimum number of prior convictions (and, perhaps, to raise the number of priors some programs use to cut off further consideration of eligibility).
 - The city should require alternative programs to collect and maintain the data that would routinely reveal DOC detention status of defendants screened for and taken into the programs, so that the city can monitor the degree to which programs are pulling their caseloads from those who are detained pretrial (and who are therefore more likely to draw custodial sentences).
- To help existing programs improve their "screening ratios," so intake efforts actually draw a higher percentage of paper-eligible candidates into the programs:
 - The city should develop a uniform program statistical reporting mechanism, permitting tabulation of: the number of individuals screened each month, whether they are in or out of detention at time of screening, where in the court process the screening occurred, and the screening outcome.
- The city should conduct the analyses necessary to better distinguish long-term pretrial detainees from short-termers, and should build these distinctions into ATD programs.
- Although programs might be devised to displace those in DOC custody who do not meet eligibility criteria of existing programs, the city should first consider expanding to other boroughs programs not already in city-wide operation (once it is satisfied with the targeting, the eligibility criteria, and the screening efficiency of those programs).
- The city should develop a mechanism for regularly applying sentencing prediction models of the kind developed for JPMC to the alternative programs' data, to determine what proportion of the participants would be predicted to receive custodial sentences.
- The city should explore the possibility of creating and maintaining a database that would permit routine and current inquiries of the kind pursued within the JPMC (for which special databases were laboriously constructed), and which would permit future program design hypotheses to be tested on reasonably current data.

Data Sources Used

DOC admission cohort. The cohort consists of all DOC admits during March 1987. These data were annualized, to provide yearly estimates of the numbers eligible for existing alternative programs, and the jail days they use. 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. This data set was used for the *Jail Use Analysis*, the *Eligible Pool Analysis*, and the *Ineligible Pool Analysis*.

1985 arrest cohort. The cohort is a 10,000-case random sample of all arrests in the five boroughs. Arrests which led to felony indictment were used in this research, to build the models presented in *Predicting Incarceration — Felony Cases*. The unit of analysis was a defendant-arrest leading to a court case.

Both databases were assembled for Vera by the Criminal Justice Agency (using DOC, OCA and CJA data). The general types of analytic variables created by Vera were descriptive of the current case (*i.e.*, charge and bail amounts at arraignment, detention status immediately after arraignment, charge at disposition, type of disposition, and sentence), or descriptive of the defendant (*e.g.*, prior record, living situation, employment status). For those in the DOC admission cohort, additional variables were created to describe other cases pending against a defendant or offender at the time of admission.

Definition of Types of Admits and Types of Programs

It was necessary to develop some way of categorizing admits, in terms of when they were admitted to and released from DOC, to determine the types of program intervention that might displace their jail time:

- **ATD-only admits:** Those admitted to DOC at or after arraignment, who were released before disposition and sentence.
- **ATI-only admits:** Those at liberty when sentenced, who were admitted to DOC to serve a local or state term.
- **ATD/I admits:** Those in pretrial detention, who remained in custody through disposition stayed in custody to begin serving a custodial sentence.

Similarly, the alternative programs themselves were categorized as follows:

- **ATD programs:** Programs designed to serve principally as alternatives to pretrial detention only.
- **ATI programs:** Programs designed to serve principally as alternative penal measures in cases that would otherwise draw jail or prison sentences.
- **ATD/I programs:** Programs that intervene when an individual is in pretrial detention, offering an alternative to continued detention *and* an alternative penal measure at disposition.

THE FOUR STUDIES: GENERAL APPROACH AND FINDINGS

The Jail Use Analysis

Approach: Using the DOC admission cohort,² admits were grouped by type (ATD, ATI, or ATD/I), and by court of final disposition (Criminal or Supreme Court). The subsequent dispositions and sentences were determined, so that the number of admits and the jail days used could be calculated for each set³ and presented as a percentage of the jail days used by the entire cohort.

Findings: As can be seen in Table 1, the admits who used the most jail days were the ATD/I admits — only 29% of the total cohort, they used 74% of the jail days. Their mean length of stay was 97 days. The ATD/I admits who received Criminal Court jail sentences accounted for 16% of the total jail days, and had a mean length of stay of 76 days; those who drew local jail sentences in Supreme Court used 21% of all the jail days, and had a mean length of stay 167 days. Not surprisingly, the heaviest users of jail days within the ATD/I category were those ultimately sentenced to prison; they consumed 29% of the total jail days, and had a mean length of stay of 135 days. But 22% of the ATD/I admits ultimately bound for state prison did not face mandatory state incarceration at time of their Supreme Court arraignment — they were appropriate targets for ATD/I alternative programs.

From these data, it appears that a substantial proportion of the total demand for jail resources would be displaced by alternative programs targeted on the ATD/I admits — if the programs' screening and intake efforts were successful. On the other hand, individuals who receive custodial sentences but who are at liberty at the time of disposition use an almost insignificant proportion of the jail days used (less than 15%, regardless of court). This includes both those ATD-only admits who, after a subsequent pretrial release and a period at liberty, ultimately receive custodial sentences, and all ATI-only admits who by definition are *not* in detention at the time of disposition. **Thus, if there is a desire to maximize the potential impact of ATI programs on displacing jail use, those programs should be designed to avoid intake of offenders who are not in detention.**

The Eligible Pool Analysis

Approach: Eligibility was determined from the eligibility criteria actually used by the screening staffs of the various alternative programs. For each program, the eligibility criteria were applied to all admits from the borough(s) and court(s) where the program operates for whom the necessary prior record data could be obtained; those who met the criteria are termed "absolute eligibles." Then, admits from the borough(s) and court(s) where the program operates for whom the necessary prior record data were missing were assumed to exhibit the same pattern of prior records as found among the one-third of admits for whom the data were provided — permitting creation of a more realistic pool of "estimated eligibles."

² The *Jail Use Analysis* used all admits in the cohort except those admitted to DOC custody on parole or probation violations and those for whom critical data was missing.

³ The sets created for this analysis were:

ATD-only, disposed in Criminal Court	ATD-only, disposed in Supreme Court
ATI-only, disposed in Criminal Court	ATI-only, disposed in Supreme Court
ATD/I, disposed in Criminal Court	ATD/I, disposed in Supreme Court

Two approaches were taken to estimating the size of these "absolute" and "estimated" eligible pools. Because the ultimate disposition is unknown at the time of program screening, "maximum eligible pools" were created; these pools include all admits who meet formal program eligibility criteria, no matter what the disposition or sentence ultimately was. For some programs, this is the only eligible pool. But most ATI and ATD/I programs specify the type of sentence they aim to displace (e.g., a jail sentence of six months or more). In addition to the "maximum eligible pools" created for these programs, "perfectly targeted eligible pools" were also created; the latter include only those admits meeting formal eligibility criteria who ultimately got a sentence in the range the program aims to displace.⁴

An additional adjustment was made, both to the sizes given for the eligible pools and to the number of jail days used by the eligibles in each pool, to reflect each program's "screening ratio." (The "screening ratio" was calculated by dividing the number of individuals taken into a given program by the number that program's screening staff initially found eligible.) Screening ratios should by no means be regarded as fixed features of these programs, but some discounting of this sort is necessary to reflect reality. Formal eligibility for an alternative program does not mean that the program can achieve intake, even under ideal circumstances — prosecutorial, judicial and even defense objections will often prevent intake by programs that depend upon the agreement of one or more of these actors, and defendant characteristics (e.g., debilitating current drug abuse) that are invisible to a research inquiry can block further consideration of an admit's eligibility for an alternative program.

⁴ In one sense, 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, and 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 what the program aims to achieve by way of jail displacement. In reality, however, some programs' screeners are privy to a substantial amount of information that could never be incorporated into a research design of this type — information about the strength of parties' positions in plea negotiations, for example — and may make distinctions between paper-eligible cases that would blur the distinction drawn here between "maximum eligible pool" and "perfectly targeted eligible pool."

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.

Findings: As can be seen in Tables 2 and 3, there is no program for which the current level of funded slots comes close to the number of admits estimated to be eligible. When the most conservative pools are used — the "*discounted* perfectly targeted absolute eligibles", which include only the one-third of admits for whom all necessary prior record data were provided — funded slots typically fall far short of exhausting the pool. For each of the programs where the discounted number of absolute eligibles appears close to the number of funded slots (BBAILBOND, CEP, and CSSP), there are special difficulties either in generating and applying an appropriate screening ratio, or in restricting the eligible pool estimate to the one-third of admits for whom all necessary data were available. These difficulties create doubt about the appropriateness of discounting these pools as deeply as they are on these tables.⁵

Finally, very little overlap in program eligibility was found. It appears that two sets of programs (CCJA and ACAAP, and ISP and CEP) do directly target the same clients, but the overall proportion of admits jointly targeted by these programs is a very small percentage (less than 5%) of all eligibles. Further, the total number of slots currently funded for these programs does not approach the total number of estimated eligibles.

Models for Predicting Incarceration in Felony Cases

Approach: Three models for predicting incarceration were developed and applied to cases arraigned in Supreme Court after felony indictment. The first, concerned with pretrial incarceration, predicted "always in" pretrial detention versus "not always in" pretrial detention. The remaining models focused on isolating the appropriate target for alternative sentences in felony cases — defendants at Supreme Court arraignment who, if convicted as charged, would not be facing mandatory incarceration and who do receive custodial sentences. The two sentencing models developed, then, were "mandatory prison" versus "non-mandatory incarceration," and "non-mandatory incarceration" versus "non-custodial disposition/sentence."

Findings: The results of the models are presented in Tables 4 and 5. In general, the models were statistically adequate, and better than chance. However, they tended to overclassify the imprisonment option, leading to relatively high false positive rates (approximately one-third).

⁵ For BBAILBOND, while program staff screen all potential eligibles, intake is stopped when all slots are filled, leading to a very low (3%) screening ratio. Thus, the size of the *undiscounted "absolute" eligible pool* is the more appropriate figure for this program. For CEP, the primary difficulty arises from omitting all admits whose eligibility data were incomplete; to gauge the potential for expansion of this program, it is therefore more appropriate to compare its funded capacity with the number in the *discounted "estimated" eligible pool* — a comparison that suggests potential for expansion of CEP as well. Difficulties in using CSSP's *discounted "absolute" eligible pool* come both from the missing data problem and from the very low screening ratio reported for that program. The screening ratio calculated in the JPMC research may be artificially depressed (for reasons detailed in the full *Eligible Pool Analysis* memorandum), but in any event it is more appropriate to compare CSSP's funded capacity with its *undiscounted "estimated" eligible pool*. When that is done, there is some potential for expanding CSSP, though not as much as for the other programs.

Those predicted to be "always in pretrial detention" faced the more serious charges, carried the heavier prior records, and fared poorly on the CJA assessment. "Mandatory incarceration" was relatively easily predicted for defendants burdened with one or more prior felony convictions or who were arraigned on charges carrying mandatory state terms. With the mandatory imprisonment cases excluded, the felony defendants most likely to get non-mandatory jail or prison terms were those who were detained after Criminal Court arraignment who carried multiple prior misdemeanor convictions.

Given the current program intervention strategies, the pretrial detention model is not immediately useful to the city, because when programs provide ATD services, they screen from those already in detention. What would be useful, but was not possible with these data, is a model to predict which pretrial detainees will have the longer lengths of stay in detention.

The sentencing models suggest that alternative programs should target those defendants with prior misdemeanor convictions who are detained pretrial (the ATD/I admits). These models underscore the implications of the Jail Use Analysis — those detained pretrial who remain in custody post-sentence are the heaviest users of jail resources. It also implies that programs should attempt to target defendants with prior convictions (perhaps excluding those with no prior misdemeanor convictions or those with fewer than some threshold number of them), and should reconsider screening criteria that exclude candidates who carry more than a low number of such convictions.

The Ineligible Pool Analysis

Approach: For this analysis, the first step was to expand to all boroughs the alternative programs whose operations are not already city-wide, and then to calculate the proportion of all admits who would then be eligible for some alternative program and the jail days they would use. Then, those still not eligible for any program were isolated. Those whose cases proceeded in Supreme Court were grouped by whether or not they faced mandatory prison if convicted on the indictment charges (the "mandatory prison" admits were either indicted on charges carrying a mandatory term, or were predicate felons.) The "probation-eligible" admits were categorized by court of final disposition (Criminal or Supreme). The number of admits in these categories, and the jail days they used, and their characteristics were specified.

Findings: Table 6 (where it is assumed that alternative programs are effectively targeting defendants from among those in detention at the time of screening) presents the gains that might be achieved simply by expanding all existing programs to city-wide operation. The city could increase the proportion of detainees formally eligible for at least one alternative program from 42% (using 41.5% of the jail days) to 80% (using 75% of the jail days).

As Table 7 shows, if all existing programs were expanded to city-wide operation, 36% of the remaining non-eligibles (accounting for 41% of the jail days used by all remaining non-eligibles) would be those facing mandatory prison terms, if convicted on indictment charges. However, there would still be a large pool of admits receiving jail sentences after conviction in Criminal Court whose prior records are not heavy enough to make them eligible for CSSP.⁶ This pool, annualized, consists of 6,588 admits — 57% of the non-eligibles remaining after all programs are expanded to city-wide operation, accounting for 54% of the jail days used by those non-eligibles. Thus, though this group is only 7% of all admits, using 9% of all jail days used by the detention cohort, there may be merit in further exploration of an ATD/I that would target them: to develop screening criteria for such a program, another modeling effort would probably have to be done, to determine what (if anything) predicts jail sentences among them.

⁶ CSSP's eligibility criteria are more tightly drawn than the criteria used by most programs, as they are designed to focus intake on a pool with a high probability of receiving jail sentences. When that is done, some number will be excluded who do in fact go to jail, because they look on paper like a still larger group who do not go to jail.

Table 1
Summary of Potentially Eligible Admits' Jail Day Use
By Type of Admit and Court of Final Disposition

	Admits		Jail Day Use					
	Annualized Number (N = 68,796)	Percent of the "Potentially Eligible"	Annualized Number (N = 3,050,988)	Percent of the "Potentially Eligible"	Mean	Median	Percentiles	
							75%	90%
ATD-Only Admits								
Criminal Court Dispositions	31,332	45.5	259,884	8.5	8.3	4	6	17
Sentenced to Jail	6,540	9.5	78,480	2.6	12.0	5	90	31
Supreme Court Dispositions	14,412	20.9	380,640	12.5	26.4	5	30	79
Sentenced to Jail	4,440	6.5	118,320	3.9	26.6	5	30	77
Sentenced to Prison	5,088	7.4	137,460	4.5	27.0	5	31	93
Total, ATD-Only Admits	45,744	66.4	640,524	21.0	14.0	4	8	37
ATI-Only Admits								
Criminal Court Dispositions	1,536	2.2	48,420	1.6	31.5	11	37	77
Sentenced to Jail	1,224	1.8	36,456	1.2	29.8	11	36	73
Supreme Court Dispositions	1,836	2.7	104,748	3.4	57.1	20	75	165
Sentenced to Jail	312	0.5	42,636	1.4	136.7	122	210	251
Sentenced to Prison *	1,212	1.8	40,656	1.3	33.5	12	28	82
Total, ATI-Only Admits	3,372	4.9	153,168	5.0	45.4	16	56	132
ATD// Admits								
Criminal Court Dispositions	8,700	12.6						
ATD Jail Use			198,276	6.5	22.8	8	31	59
ATI Jail Use			469,728	15.4	54.0	28	73	139
Subtotal, Criminal Court Dispositions	8,700	12.6	668,004	21.9	76.8	55	117	183
Sentenced to Jail in Criminal Court	6,588	9.6						
ATD Jail Use			123,864	4.1	18.8	6	25	49
ATI Jail Use			375,588	12.3	57.0	30	79	167
Subtotal, Criminal Court Jail Sentenced	6,588	9.6	499,452	16.4	75.8	51	117	191
Supreme Court Dispositions	10,980	16.0						
ATD Jail Use			1,057,920	34.7	96.3	71	127	202
ATI Jail Use			531,372	17.4	48.4	18	62	155
Subtotal, Supreme Court Dispositions	10,980	16.0	1,589,292	52.1	144.7	121	208	249
Sentenced to Jail in Supreme Court	3,828	5.6						
ATD Jail Use			253,296	8.3	66.2	52	86	127
ATI Jail Use			385,020	12.6	100.6	85	160	208
Subtotal, Supreme Court Jail Sentenced	3,828	5.6	638,316	20.9	166.7	138	241	251
Sentenced to Prison **	6,660	9.7						
ATD Jail Use			771,576	25.3	115.9	96	163	225
ATI Jail Use			124,872	4.1	18.7	8	20	39
Subtotal, Prison Sentenced	6,660	9.7	896,448	29.4	134.6	115	185	252
Total, ADT// Admits	19,680	28.6	2,257,296	74.0	114.7	97	165	242

* 300 (25%) of the ATI-Only Admits sentenced to prison were NOT facing mandatory prison if convicted on the indictment charges.

** 1,452 (22%) of the ATD// Admits sentenced to prison were NOT facing mandatory prison if convicted on the indictment charges.

Table 2
Program Slots Funded Compared to Size of Programs'
"Maximum" Eligible Pool

PROGRAM	Funded Capacity: Fiscal Year '91	Absolute Eligibles (All Eligibility Data is Known)						Estimated Eligibles (Pattern for "Absolutes" Extrapolated)					
		Admits			Jail Days *			Admits			Jail Days *		
		Annual	Discounted	N*	Annual	Discounted	Mean Days per Admit	Annual	Discounted	N*	Annual	Discounted	N*
		N	N	N*	N	N	N*	N	N	N*	N	N	N*
ACAAP	265	5,532	4,758	588,052	505,724	106.3	12,525	10,772	1,331,408	1,145,064	86.0%		
ATR	125	372	272	30,504	22,268	82.0	524	383	42,988	31,406	73.0%		
BBAILBOND	40	2,208	66	222,125	6,664	100.6	3,290	89	330,974	9,959	3.0%		
BEX	15,743	22,092	22,092	846,124	846,124	38.3	25,825	25,825	988,087	988,087	N/A		
CCJA	90	3,300	1,221	159,720	59,096	48.4	11,421	4,226	552,776	204,538	37.0%		
CEP	883	4,848	3,200	180,346	119,028	37.2	15,381	10,151	572,173	377,617	66.0%		
CSSP	1,600	96	***	4,416	***	30.7 *	1,851	772	56,879	21,954	***		
ISP	1,150	19,548	19,548	1,149,422	1,149,422	58.8	27,073	27,073	1,591,892	1,591,892	N/A		
TASC	487	1,392	819	80,875	47,584	58.1	2,918	1,714	167,022	92,808	***		
TOTAL	20,383	59,388	51,975	3,261,584	2,755,910		100,808	81,015	5,634,179	4,463,326			

* For all programs except CSSP, the "Mean Days per Admit" shown in this Table is the mean of jail days used by those in a program's Absolutely Eligible pool for whom jail use data was available. The number of jail days used by Absolute Eligibles, as reported in this Table, is that mean of jail days used, times the total number found absolutely eligible (including the relatively few Absolute Eligibles for whom data on actual jail use was missing). For all programs except BEX, CSSP and TASC, the number of jail days used by Estimated Eligibles, as reported in the Table, is the number of Estimated Eligibles times the mean of jail days used by the program's Absolute Eligibles. The approach had to be different for BEX, CSSP and TASC, because those programs have borough-specific operations in more than one borough. For the multi-borough programs, the number of jail days used by Estimated Eligibles was first generated borough-by-borough. In this Table, the number of jail days reported as used by the BEX, CSSP and TASC Estimated Eligibles is simply the sum of those borough estimates -- it is not the same as the mean of jail days used by all Absolute Eligibles times the total of Estimated Eligibles. The difference is insignificant except for CSSP, because the number of admits found Absolutely Eligible for that alternative was too small for their mean jail use to be relied upon. Thus, the mean jail use for CSSP-eligible admits, reported in this Table, is the mean of jail days used by those in the program's combined Estimated Eligible pool. For BEX and TASC, by contrast, the borough-by-borough estimates were done in the normal way -- by multiplying the mean jail day use of each borough's Absolute Eligibles times the number of Estimated Eligibles in the borough; those borough estimates were then summed and reported in this Table; but the mean jail use shown here, for each of these programs, is the mean number of jail days used by those in the combined Absolutely Eligible pool.

** Each program's screening ratio was used to discount the annualized pools to account for slippage between being found "formally eligible" and actually being taken into the program. The screening ratios were calculated by dividing the number of participants actually taken into a program, during a test period, by the number found formally eligible for the program by its screening or intake staff. Because neither BEX's nor ISP's intake procedures generate a pool of "formally eligible" candidates from which program participants are ultimately drawn, no screening ratios could be generated for those programs. The absence of a BEX or ISP discounting factor (which would reflect the difficulties of actually achieving program intake) should not be taken to mean that these programs could actually displace from jail all the DOC inmates who meet the formal eligibility criteria.

*** For CSSP, which has very tight and detailed eligibility criteria, the number of Admits who were clearly "Absolute Eligibles" was so small in the individual boroughs that it was not possible to discount the "Absolutes" by the borough "Screening Ratios," but the "Estimated Eligibles" were sufficiently numerous to be subjected to the discounting factor.

**** The CSSP borough-specific Screening Ratios were: Brooklyn = 43%; Bronx = 51%; Manhattan = 28%; Queens = 38%.

***** TASC also had borough-specific Screening Ratios, as follows: Brooklyn = 68%; Queens = 41%; Staten Island = 89%.

Table 3
Program Slots Funded Compared to Size of Programs'
"Perfectly Targeted" Eligible Pool

PROGRAM	Funded Capacity: Fiscal Year '91	Absolute Eligibles (All Eligibility Data Is Known)				Estimated Eligibles (Pattern for "Absolutes" Extrapolated)**				Discounting Factor ("Screening Ratio")***	
		Admits		Jail Days		Admits		Jail Days			
		Annual N	Discounted N*	Annual N	Mean Days per Admit	Annual N	Discounted N*	Annual N	Discounted N*		
ACAAP	265	3,792	3,261	390,576	335,895	103.0	9,119	7,842	939,257	807,726	86.0%
ATR	125	372	272	30,504	22,268	82.0	524	383	42,968	31,406	73.0%
BBAILBOND	40	2,208	66	222,125	6,664	100.6	3,290	99	330,974	9,959	3.0%
BEX	15,743	22,092	22,092	846,124	846,124	38.3	25,825	25,825	988,087	988,087	N/A
CCJA	90	948	351	75,935	28,096	80.1	3,761	1,392	301,256	111,499	37.0%
CEP	883	1,212	800	52,964	34,957	43.7	4,395	2,901	192,062	126,774	66.0%
CSSP	1,600	96	***	4,416	***	30.7*	1,851	772	56,879	21,954	***
ISP	1,150	7,500	7,500	374,250	374,250	49.9	9,338	9,338	465,966	465,966	N/A
TASC	487	564	345	27,918	17,078	49.5	1,331	788	65,815	39,849	***
TOTAL	20,383	38,784	34,687	2,024,812	1,665,331		59,434	49,340	3,383,264	2,603,220	

* For all programs except CSSP, the "Mean Days per Admit" shown in this Table is the mean of jail days used by those in a program's Absolutely Eligible pool for whom jail use data was available. The number of jail days used by Absolutely Eligibles, as reported in this Table, is that mean of jail days used, times the total number found absolutely eligible (including the relatively few Absolutely Eligibles for whom data on actual jail use was missing). For all programs except BEX, CSSP and TASC, the number of jail days used by Estimated Eligibles, as reported in the Table, is the number of Estimated Eligibles times the mean of jail days used by the program's Absolute Eligibles. The approach had to be different for BEX, CSSP and TASC, because those programs have borough-specific operations in more than one borough. For the multi-borough programs, the number of jail days used by Estimated Eligibles was first generated borough-by-borough. In this Table, the number of jail days reported as used by the BEX, CSSP and TASC Estimated Eligibles is simply the sum of those borough estimates -- it is not the same as the mean of jail days used by all Absolute Eligibles times the total of Estimated Eligibles. The difference is insignificant except for CSSP, because the number of admits found Absolutely Eligible for that alternative was too small for their mean jail use to be relied upon. Thus, the mean jail use for CSSP-eligible admits, reported in this Table, is the mean of jail days used by those in the program's combined Estimated Eligible pool. For BEX and TASC, by contrast, the borough-by-borough estimates were done in the normal way -- by multiplying the mean jail day use of each borough's Absolute Eligibles times the number of Estimated Eligibles in the borough; those borough estimates were then summed and reported in this Table; but the mean jail use shown here, for each of these programs, is the mean number of jail days used by those in the combined Absolutely Eligible pool.

** Each program's screening ratio was used to discount the annualized pools to account for slippage between being found "formally eligible" and actually being taken into the program. The screening ratios were calculated by dividing the number of participants actually taken into a program, during a test period, by the number found formally eligible for the program by its screening or intake staff. Because neither BEX's nor ISP's intake procedures generate a pool of "formally eligible" candidates from which program participants are ultimately drawn, no screening ratios could be generated for those programs. The absence of a BEX or ISP discounting factor (which would reflect the difficulties of actually achieving program intake) should not be taken to mean that these programs could actually displace from jail all the DOC inmates who meet the formal formal eligibility criteria.

*** For CSSP, which has very tight and detailed eligibility criteria, the number of Admits who were clearly "Absolute Eligibles" was so small in the individual boroughs that it was not possible to discount the "Absolutes" by the borough "Screening Ratios," but the "Estimated Eligibles" were sufficiently numerous to be subjected to the discounting factor.

**** The CSSP borough-specific Screening Ratios were: Brooklyn = 43%; Bronx = 51%; Manhattan = 28%; Queens = 38%.

***** TASC also had borough-specific Screening Ratios, as follows: Brooklyn = 68%; Queens = 41%; Staten Island = 89%.

Table 4
 Prediction Model for C, D, & E Felonies
 Dependent Measure: **Mandatory Prison** versus **Non-mandatory Incarceration**

DISTRIBUTION OF CASES USED IN MODELING

Total Cases with Known Outcomes:	451	
Number Cases Deleted:	75	
Mandatory Prison:	191	(50.6%)
Non-mandatory Incarceration:	186	(49.4%)
Total Cases Used in Modeling:	377	(100.0%)

COEFFICIENTS	<u>Unstandardized Estimates</u>	<u>Standardized Estimates</u>
Intercept	-.89	--
Predictors:		
Number prior felony convictions	2.89***	1.61
Criminal Court Arraignment Charge is Mandatory	1.60**	.43
Overall Model χ^2 :	217.26***	
DF :	2	
Pseudo R^2 :	.74	
** $p \leq .01$		
*** $p \leq .001$		

MODEL ADEQUACY

Cutpoint: .50	
Percent Predicted Mandatory Prison :	54%
Percent Predicted Non-mandatory Incarceration :	46%
Total Correct:	83%
True Positives:	86%
True Negatives:	80%
False Positives:	18%
False Negatives:	15%
RIOC:	.71

Table 5
 Prediction Model for C, D, & E Felonies
 Dependent Measure: **Non-mandatory Incarceration** versus **Non-custodial Disposition**

DISTRIBUTION OF CASES USED IN MODELING

Total Cases with Known Outcomes:	641	
Number Cases Deleted:	226	
Non-mandatory Incarceration:	185	(44.6%)
Non-custodial Dispositions:	230	(55.4%)
Total Cases Used in Modeling:	415	(100.0%)

COEFFICIENTS	<u>Unstandardized Estimates</u>	<u>Standardized Estimates</u>
Intercept	-1.1358***	--
Predictors:		
Number prior felony convictions	-.88***	-.32
Number prior misdemeanor convictions	.16**	.20
Detention immediately after Criminal Court arraignment	1.34***	.34
Number of open cases	.24*	.16
Borough is Richmond	-.87**	-.19
Overall Model χ^2 :	84.88***	
DF:	5	
Pseudo R^2 :	.17	
* $p \leq .05$		
** $p \leq .01$		
*** $p \leq .001$		

MODEL ADEQUACY

Cutpoint: .40	
Percent Predicted Non-mandatory Incarceration:	52%
Percent Predicted Non-custodial Disposition:	48%
Total Correct:	67%
True Positives:	79%
True Negatives:	56%
False Positives:	39%
False Negatives:	27%
RIOC:	.40

Table 6
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 ineligible 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.

Table 7
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	<u>924</u>	<u>1.1</u>	<u>7.9</u>	<u>36,775</u>	<u>.9</u>	<u>5.3</u>
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 ineligible 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.)