

**Update of Information
Sedgwick County Adult Detention Facility**

**A Detailed Review of the Population
Evaluation of the Impact of Jail Alternatives
A Review of Further Opportunities**

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**Presented to the Criminal Justice Coordinating Council on September 9,
September 30, and October 14, 2010**

**Presented to the Sedgwick County Board of County Commissioners
October 6, 2010**

Final document submitted October 15, 2010

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Sedgwick County Adult Detention Facility Population Review

Executive Summary

- From 2004-2008 the Sedgwick County incarceration rate grew 11.5% while the national incarceration rate grew 6%.
- When compared with the 2008 national jail survey, Sedgwick County has about 4% more convicted offenders in the adult detention facility.
- A trend chart for annual growth in booking showed a flattening of growth in booking for 2006-2008, with a rebound in growth for 2009.
- A demographics comparison of the 2005 and 2009 booking samples showed the 2009 sample is more female, more African American, younger, and more employed.
- A crime category comparison of the 2005 and 2009 booking samples showed the 2009 sample contains less violent criminals, and more DUI offenders.
- The jail housing sample of all inmates in the jail on October 14, 2009, showed the percentages of violent offenders declined, while property felons and drug offenders increased.
- The average length of stay for jail inmates on October 14, 2009, had fallen to 129 days, which was a 105 day reduction below the 2005 average of 234 days.
- The housing sample was divided into pretrial cases and convicted cases: the greatest change in length of stay was for sentenced misdemeanor offenders.
- Inmates with a length of stay greater than 200 days (2009) were slightly older than the average age in the booking sample, rarely served time in work release, often had a history of failure to appear, many prior arrests, and experienced some form of supervision sanction.
- Continuances were found to be a complex variable; they range in number from none to 37. The details on this variable suggest a need for further study; such a study would require a court professional to perform adequate analysis.
- 12 of the 97 cases with length of stay of 200 or more days involved competency questions; an average of 149 days of jail time could be attributed to the competency process.
- From 2006-2009 out of county housing use averaged 263 beds, spending roughly \$1.5 million less per year.
- Community corrections supervision violators accounted for an average of 80.74 bed days each (in 6 months there were 121 violators, accounting for 9770 jail days).
- Adult probation violators accounted for an average of 42.3 days for criminal cases and 37.36 days for traffic cases (in six months there were 543 criminal case violators and 269 traffic case violators who accounted for a total of 33,138 jail days).

- The comparisons of Sedgwick County jail use with that of Tulsa and Omaha showed some opportunities that could be further evaluated by visits to each community.
- Pretrial Services Program serves a clientele ranging from those accused of violent crimes to accused misdemeanants; 14.4% of those exiting PSP had an arrest for a new crime and only 1 of the 138 exits showed a failure to appear while under PSP supervision.
- Between 2005 and 2009 the percentage of the jail population with a history of mental health services dropped from 62% to 47%, indicating the probable impact of SCOAP and the CIT program.
- The Sedgwick County Drug Court has seen an increase in referrals, most of which have moderate to high risk of recidivism. Those in the program served an average of 5.31 jail days while those unsuccessful served 26.5 days. 55.9% of participants had no time in jail.
- 47.1% of clients in the Day Reporting Center sanctions track were successful, while 42.7% of those in the treatment track were successful. Successful treatment track clients served an average of more than 16 days fewer in the year after DRC, compared to the year before DRC.
- The financial review of the jail alternatives showed the cost of jail days saved from Pretrial Services Program, SCOAP, and the Day Reporting Center was approximately \$4 to \$5 million more than the funds spent on the programs. Costs and benefits for the Sedgwick County Drug Court were calculated and showed a small excess of cost over benefit, which was attributed to the early stage of the program.
- Further opportunities associated with improving existing programs included use of 2-4 expeditors to work on individual cases by notifying judges of cases ready for movement, use of Secure Continuous Remote Alcohol Monitor (SCRAM) to improve success in abstinence, expansion of the adult residential program capacity by 45 beds to absorb the current waiting list, expansion of the availability of cognitive behavioral treatment to receive all appropriate moderate to high risk offenders, and engagement in reviews of various court processes to improve case flow for both municipal and district court.
- Further opportunities associated with new initiatives include the development of a work center and the use of a consultant to explore use of computer guided placement.
- Legislative action suggested includes working for some form of good time credit system for jail sentencing, and providing judges with the ability to modify felony sentences served in local jails.

Statement of the Issue: Jail Usage and Finance

Economic downturns pose difficult choices for all organizations. County government faces particular challenges because of its legal obligation to maintain jails. Jail costs are difficult to control and they compete with other services for scarce public resources. In addition, citizens are demanding fiscal restraint. In order to address the challenges presented by the increasing costs associated with the jail, Sedgwick County is preparing to update its Comprehensive Jail Plan. For the past decade Sedgwick County has engaged in a process of successive evaluations of elements of the criminal justice system with a view to create a long term plan for jail space. To that end Institute on Law and Public Policy, Wichita State University and Justice Concepts Inc., have reviewed data and made recommendations to at least stem growth in jail bed demand. Current data shows growth in demand has slowed, but there remains a constant pressure on the jail for beds, resulting in use of out of county beds to supplement those locally available. A booking/housing fee was put into effect, and 45 beds were added to the adult residential facility. A significant part of the effort to slow jail bed demand is growth in alternatives to jail. Pre-trial services expanded, a day reporting program opened, a city mental health court opened, a district drug court opened, services to the mentally ill expanded by means of crisis intervention training for law enforcement officers and the opening of a mental health screening center. All of these options have now been in operation for at least 18 months, and some for as much as four years. As a foundation to the revision of the comprehensive plan, it would be helpful to look at outcomes for each alternative, and perform a cost benefit analysis.

Research Questions

An important part of limiting the jail bed demand is finding appropriate alternatives to jail, and then using the alternatives strictly for people who would otherwise have been in jail. The jail population includes those detained prior to trial, and those in jail for some form of sanction or sentence. Major questions include whether the people in the programs actually would have been in jail, and whether use of the alternatives resulted in protection of public safety and desistance from crime. Accurate annual program costs will be the basis for the cost benefit analysis. Cost data was collected from detailed budget reports and from interviews with staff about time allocation among programs.

As a foundation for this study, the Sedgwick County incarceration rate is compared with the national incarceration rate. To further understand how jail use compares, the incarceration rate is broken down to show use of the jail on a pre-trial basis, as well as sanctions use of the jail for those convicted of some crime.

Sedgwick County Jail Incarceration Rates

The annual survey of jails provides a source of jail incarceration rates over time. It includes the number of inmates confined at midyear, and a figure for the average daily population in jail for the entire year. An incarceration rate, reflecting how many inmates there are per 100,000 residents, is typically computed from the average daily population. A growth rate is computed by dividing the increase from the prior year by the base of the prior year.

The information contained in the national sample covers persons in custody whether in the detention facility, a treatment center while in custody, work release and persons held for other jurisdictions, but it excludes those held outside the local jurisdiction.

The actual jail incarceration rate for Sedgwick County rose from a below average rate of approximately 115 per 100,000 in 1990 (national rate was 163 per 100,000), 162 per 100,000 in 1995 (national rate was 193 per 100,000), to consistently higher than national average rates for each year since 2000. With the exception of 2003, the growth in the rate of jail incarceration was higher in Sedgwick County than in the nation as a whole.

Table1: Comparison of National and Sedgwick County Jail Incarceration

Year	National Rate	Growth of Rate	Sedgwick Inmates	Sedgwick Rate	Sedgwick Rate *	SG Rate Growth	Difference in Growth
1990	163	Base	463	115	115	base	
1995	193	+18%	696	162	162	+40%	+22%
2000	220	+13%	1100	243	243	+49%	+36%
2001	222	+1%	1131	248	248	+2.8%	+1.8%
2002	231	+5%	1226	266	1101/236	+8.4%	+3.4%
2003	238	+3%	1239	268	1109/238	+1%	-2%
2004	243	+2%	1324	285	1150/247	+6.3%	+4.3%
2005	252	+3%	1367	294	1188/255	+3%	None
2006	256	+1%	1444	310	1228/264	+5%	+4%
2007	259	+1%	1444	310	1209/260	None	-1%
2008	258	-1%	1481	318	1240/266	+2%	+3%
2009	n/a	n/a	1589	342	1232/265	+7%	n/a

*This rate is calculated without out-of-county housed inmates to match the national rate. It is provided to be able to compare local and national figures.

The rate per 100,000 of jail inmates made its most dramatic jump in Sedgwick County in the decade of the 1990s, when the rate more than doubled. During that time arrest rates peaked in 1994, and decreased subsequently. Nationally, between 1990 and 2000 the incarceration rate increased by 34.9%; in Sedgwick County during the same time the increase was 111.3%. Some factors thought to influence the very high increase locally are changes in DUI laws and implementation of sentencing guidelines for referral to Kansas Department of Corrections. From 2000 to 2004 the national rate of growth was 10.4%, while in Sedgwick County the comparable period saw growth in the rate of incarceration by 17.3%. From 2004-

2008 the national incarceration rate rose 6%, from 243 to 258. In Sedgwick County, from 2004-2008 the incarceration rate rose from 285 to 318, an 11.5% increase.

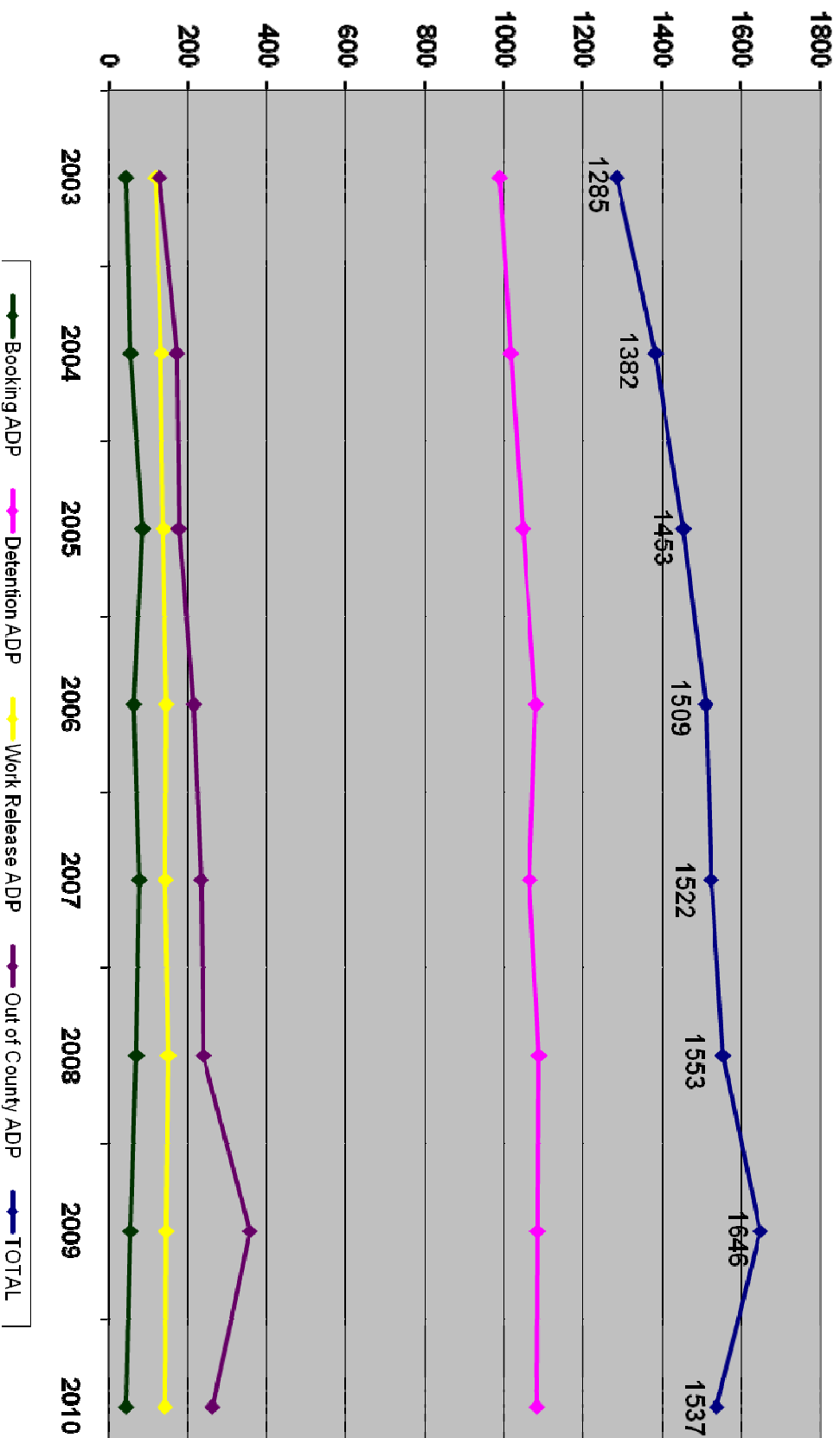
The Sedgwick County incarceration rate calculated without the out-of-county beds makes the rate comparable to the national rate, since they are based on the same types of inmates. The rate is misleadingly low, since it does not reflect the increasing use of out-of-county beds.

The annual jail survey provides grounds for comparison on the gender and race breakdown of inmates, and on the conviction status of the inmates. While these categories of inmates are not regularly computed for Sedgwick County inmates the regular housing sample taken for this study does provide a basis for comparison. The information below details the comparison. For the most part, the Sedgwick County data is very similar to the national information, but the percentage in jail pursuant to a conviction for a crime is about 4% higher in Sedgwick County than nationally.

	National Jail Survey 2008	Sedgwick County Housing Sample
Gender		
Male	87.3%	87.4%
Female	12.7%	12.6%
Race		
White	42.4%	42.3%
African American	39.2	40.5
Hispanic	16.4	16.2
Other	2.0	1.0
Conviction Status		
Convicted	37.1%	41.4%
Male	32.3	36.9
Female	4.8	4.5
Unconvicted	62.9%	58.6%
Male	55.2	50.4
Female	7.8	8.1

Trends over time related to demand for jail space can be useful. The following page shows booking over time at the Sedgwick County Adult Detention Facility. The trend chart shows a reduced growth in booking for 2006-2008, and increased growth in booking for 2009.

**Booking, Detention Facility, Work Release, and Out of County
Annual ADP 2003 - June 2010**



Methodology

The research questions posed herein involve a look at the individual alternative programs, but also require a look at the population in the jail. If the alternatives provided are the correct alternatives there should be a reduction in the relevant population within the jail, and the individuals in the programs should clearly be persons who would otherwise reside in the jail. This portion of the study involved drawing booking and housing samples, plus samples related to the community corrections and adult probation populations. Additionally, Internet data and personal interviews were the source of the comparisons with other communities.

The standard recipe for studying jail populations with a view to controlling such populations is to review admissions and length of stay. Those are the two factors which will sum to explain a jail population: who enters the jail and how long they stay in the jail. A review of the booking and jail population yields information comparable to that obtained in 2005 and offers evidence of any changes in the composition of the jail population. To that end, a one week jail booking sample was drawn to see who is arrested, and where they go. The week in question was October 11-17, 2009. Such a sample is comparable to that drawn in July, 2005, and indicates what, if any, changes are evident. The names in the booking sample were researched to show where these offenders ultimately came to be served.

A sample of those in the jail on October 14, 2009, with a special subset of those who have been in the jail at least 200 days provided a basis for comparison of who stays in the jail now as opposed to who was in the jail prior to the introduction of alternatives to the jail. There were 1748 inmates in the custody of the sheriff on that date; 145 (8.29%) were in work release.

For the booking sample, the necessary information for each subject included prior arrests and admissions to the jail, current legal status, current offense (including jurisdiction), gender, race, age, and any social demographics available (employment, living circumstance, etc.).

The October 14, 2009 data provided information for the jail housing analysis, plus information about substance abuse history, and program history. The entire question of mental health involvement is dealt with in the alternative programs section and is not addressed in the booking or housing samples.

Sedgwick County Adult Detention Facility Population

Sedgwick County Jail Booking Samples: 2005 and 2009

This section discusses the highlights of the 2005 study and comparable figures from this sample. The main tables compare the 2005 and 2009 samples, with additional details about special populations within the 2009 sample. Comparisons of bookings related to municipalities are examined separately.

Booking Sample Demographics

In general, demographic characteristics of the 2009 booking sample are not remarkably different from the 2005 sample. The gender information reflects a national trend of a slightly higher percentage of females in the booked population. There is an increase in the percentage of younger suspects booked. The only demographic to show a substantial change in an unexpected direction was employment; despite difficult economic times, the data showed an increase in the percentage of those booked claiming employed status. It is important to note that employment status is based on a self report at the time of booking and may not reflect actual employment status. However, the same factors influencing this self report were present in both 2005 and 2009.

GENDER		
	<i>2005</i>	<i>2009</i>
Male	79.6%	75.8%
Female	20.4%	24.2%

RACE		
	<i>2005</i>	<i>2009</i>
White	61.7%	59.4%
Hispanic	5.7%	6.3%
Black	31.3%	33.8%
Asian	1.3%	0.5%

AGE		
	<i>2005</i>	<i>2009</i>
18-34	61.7%	67.6%
35-49	31.3%	23.2%
50-UP	7.0%	9.2%

EMPLOYMENT		
	<i>2005</i>	<i>2009</i>
Employed	36.1%	44.9%
Unemployed	42.6%	38.6%
Unknown	20.4%	16.4%
Retired	0.4%	0%
Disabled	0.4%	0%

*2005 based on sample of 230 cases

*2009 based on sample of 207 cases

Table 2: Sedgwick County Jail Booking Samples by Crime Category: 2005 and 2009

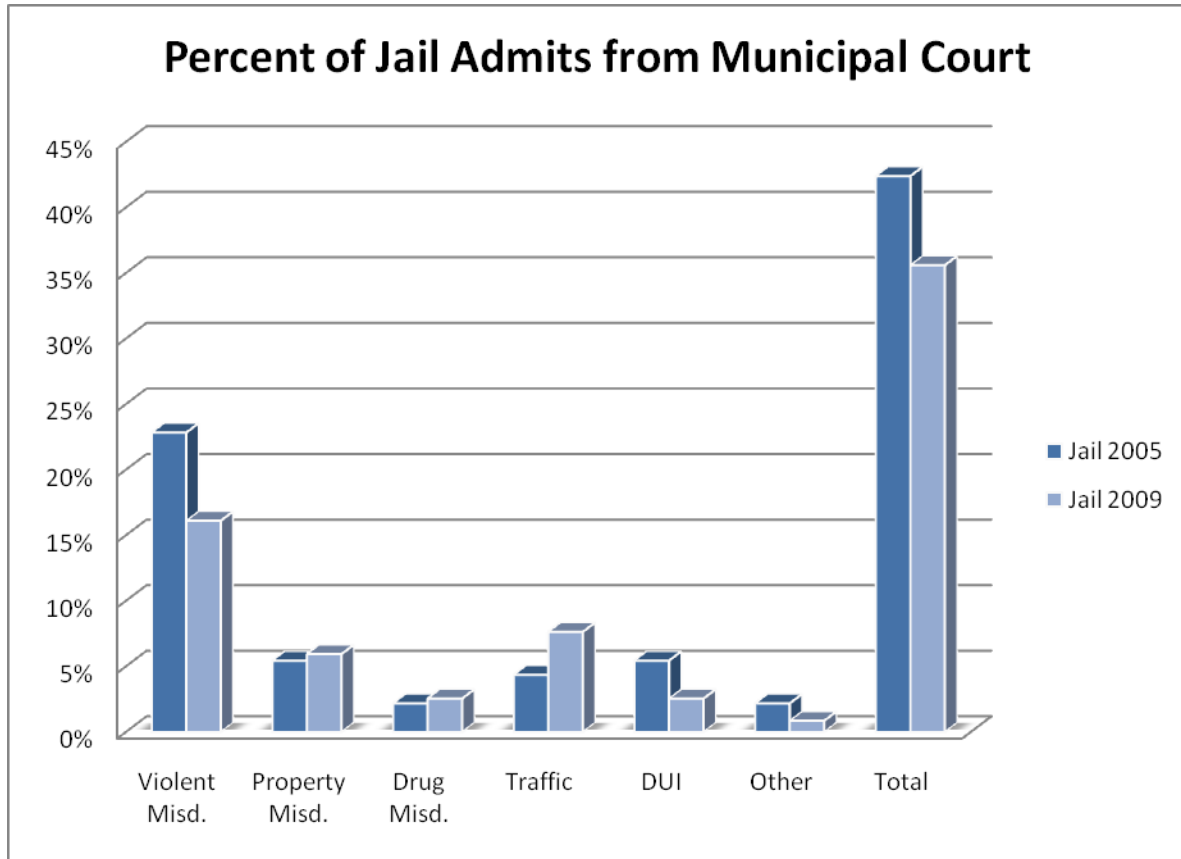
Booking Category	Booked 2005		Booked 2010		Jail 2005		Jail 2010	
	Percent	Count	Percent	Count	Percent	Count	Percent	Count
Violent	25.7%	59	19.8%	41	52.5%	31	68.3%	28
Misd.	20.9%	48	16.9%	35	47.9%	23	74.3%	26
Felony	4.8%	11	2.9%	6	72.7%	8	33.3%	2
Property	13.0%	30	15.5%	32	43.3%	13	62.5%	20
Misd.	8.7%	20	10.1%	21	40.0%	8	47.6%	10
Felony	4.3%	10	5.3%	11	50.0%	5	90.9%	10
Drug	13.5%	31	11.6%	24	48.4%	15	62.5%	15
Misd.	4.8%	11	6.8%	14	18.2%	2	50.0%	7
Felony	8.7%	20	4.8%	10	65.0%	13	80.0%	8
Public Order	37.8%	87	40.6%	84	23.0%	20	38.1%	32
Traffic	17.8%	41	20.3%	42	24.4%	10	33.3%	14
DUI	11.3%	26	16.9%	35	26.9%	7	42.9%	15
Other	8.7%	20	3.4%	7	15.0%	3	42.9%	3
Holds	10.0%	23	12.6%	26	56.5%	13	88.5%	23
Totals	100.0%	230	100.0%	207	40.0%	92	57.0%	118

In the current booking sample 72.9% of those booked had prior arrests. Of those who had prior arrests, 49.7% had 3 or fewer arrests, 38.4% had between 4 and 10 prior arrests, and 11.9% had between 11 and 20 prior arrests. Of those placed in the jail, the persons who had prior arrests spent on average 14 more days in jail.

Of the 41 persons booked in the sample for violent offenses, either misdemeanor or felony, 65.9% were related to domestic violence. Of those booked for domestic violence related charges, 76.5% had prior arrests with the number of prior arrests ranging from 1 to 13 arrests. The number of jail days ranged from 1 to 89, the mean time spent in jail was 8.35 days. The overwhelming majority (70.6%) of those offenders had only one or two jail days.

While there was an overall decrease in bookings for violent offenses from 2005 to 2009 (25.7% to 18.4%), there was a 23.8% increase in the percentage of those booked who were placed in the jail. While this appears to be a significant increase, it is important to note that the actual count was reduced by 2 persons from 2005 to 2009.

Between 2005 and 2009 DUI bookings increased 5.6% and the number of persons booked who were placed in jail increased 16%. DUI arrests account for 16.9% of all bookings in the current sample. There is, however, a large reduction of the percentage of all DUI bookings falling under Municipal Court jurisdiction from 2005 (60%) to 2009 (31.4%).



* Chart based on 96 total jail admits in 2005 and 118 total jail admits in 2009.

There is an overall decrease in the percent of all persons admitted to the jail associated with Municipal Court in 2009 (42.39%) compared to 2005 (35.59%). There are significant reductions in the numbers of violent misdemeanors and DUI cases associated with Municipal Court.

The booking data comparisons show that violent crime bookings are clearly down as a percentage of all such events, but those booked for violent crimes are more likely to be retained in the jail. DUI bookings and the percentage of those bookings that resulted in a housed inmate were substantially increased.

As with all samples drawn to understand a population, it is important to remember the picture from such a sample is a statistical probability of the full sample. It is most likely an accurate picture, but cannot be a certainty as a representation of the entire population.

Sedgwick County Jail Housing Samples

Two housing samples were obtained: a regular housing sample that included 111 randomly selected inmates (13 or 8.96% were in work release) in the jail on October 14, and a second set of 97 from the same day composed of inmates with a length of stay that exceeded 200 days. Both of these samples are comparable to the 2005 samples. This section includes highlights of the 2005 study compared to 2009 inmates with a length of stay of more than 200 days. Comparisons for age and employment status are displayed on Table 7, which also compares 2005 and 2009 for each category of offender, displaying average length of stay, average number of priors, and FTA ever percentage.

Table 3: Comparison of the Regular Housing Samples from 2005 and 2009

Charge Category	2005		2009	
	<i>percent</i>	<i>Average LOS</i>	<i>percent</i>	<i>Average LOS</i>
Violent	44%		35.1%	
Misd.	12.0	181 days	10.8	108 days
Felony	32.0	211 days	24.3	245 days
Property	14%		18.9%	
Misd.	3.0	257 days	1.0	36 days
Felony	11.0	167 days	17.9	146 days
Drug	9%		18.0%	
Misd.	2.0	311 days	6.3	74 days
Felony	7.0	184 days	11.7	83 days
Public Order	30%		20.7%	
Traffic	4.0	297 days	2.3	84 days
DUI	25.0	344 days	9.9	75 days
Misd.	15.0	272 days	2.7	74 days
Felony	10.0	429 days	7.2	78 days
Other	1.0	138 days	8.5	79 days
Holds	3.0	142 days	8.1%	34 days
Totals	100%	234 day average	100%	129 day average

This table includes convicted and unconvicted inmates; two separate tables will break out these two populations.

The housing sample comparison showed the drop in violent offenders noted in the booking sample, but differs from the booking sample in that DUI cases are reduced. DUI cases in the 2009 sample also had a shorter average length of stay. In 2009 the average length of stay dropped by 105 days when compared to average length of stay in 2005.

Table 4: Comparison of the Regular Housing Sample Pretrial Inmates from 2005 and 2009

Charge Category	2005		2009	
	<i>percent</i>	<i>Average LOS</i>	<i>percent</i>	<i>Average LOS</i>
Violent	52.6%		36.9%	
Misd.	21.1	135 days	13.8	87 days
Felony	31.5	164 days	23.1	198 days
Property	21.1%		15.4%	
Misd.	5.3	162 days		
Felony	15.8	159 days	15.4	176 days
Drug	15.8%		17%	
Misd.	5.3	108 days	6.2	76 days
Felony	10.5	176 days	10.8	116 days
Public Order	10.6%		21.6%	
Traffic			3.1	82.5 days
DUI	10.6	181 days	10.8	67 days
Misd.	8.3	119 days	9.2	69 days
Felony	2.3	244 days	1.6	57 days
Other			7.7	53 days
Holds			9.2%	30 days
Totals	100%	156 day average	100%	119 day average

By dividing the housing sample into those in pre-trial status and those in a convicted status, it is possible to clarify further the changes for those not yet convicted of a crime. The shorter length of stay may indicate greater willingness to consider bond and pretrial services. The shift to a lower percentage of violent offenders, noted in the booking and total housing sample, is evident among those in jail with pre-trial status. Pretrial holds for other jurisdictions is a major component in the 2009 housing sample.

Table 5: Comparison of the Regular Housing Sample Convicted Inmates from 2005 and 2009

Charge Category	2005		2009	
	<i>percent</i>	<i>Average LOS</i>	<i>percent</i>	<i>Average LOS</i>
Violent	43.2%		32.6%	
Misd.	12.3	199 days	8.7	156 days
Felony	30.9	222 days	23.9	310 days
Property	12.4%		23.9%	
Misd.	2.5	305 days	2.2	36 days
Felony	9.9	171 days	21.7	118 days
Drug	7.4%		19.6%	
Misd.	2.5	311 days	6.6	71 days
Felony	4.9	187 days	13.0	45 days
Public Order	35.8%		17.4%	
Traffic	3.7	325 days	2.2	89 days
DUI	30.9	331 days	6.5	92 days
Misd.	18.4	283 days	4.4	89 days
Felony	12.5	449 days	2.1	99 days
Other	1.2	141 days	8.7	102 days
Holds	1.2%	140 days	6.5%	42 days
Totals	100%	252 day average	100%	144 day average

Among those convicted of a crime as an antecedent to their stay in the Sedgwick County Adult Detention Facility, some changes are evident between 2005 and 2009. Property felons doubled as a percentage of the 2009 sample, compared with the 2005 percentage. The same can be said about drug felons. The one category most surprising in this sample comparison is the DUI related case category. In 2005 such cases were almost one-third, while in the 2009 sample they had fallen to 6.5% in spite of increases in their numbers in the booking sample.

The information on average length of stay shows that misdemeanants in all crime categories served substantially shorter sentences.

Table 6: Comparison of the Housing Sample with 200+ days from 2005 and 2009

Charge Category	2005		2009	
	<i>percent</i>	<i>Average LOS</i>	<i>percent</i>	<i>Average LOS</i>
Violent	40.0%		37.1%	
Misd.	10.0	253 days	5.2	328 days
Felony	30.0	286 days	32.0	385 days
Property	6.0%		27.9%	
Misd.	2.0	412 days	5.2	294 days
Felony	4.0	253 days	22.7	271 days
Drug	8.0%		3.1%	
Misd.	4.0	311 days	2.1	257 days
Felony	4.0	226 days	1.0	305 days
Public Order	46.0%		25.7%	
Traffic	8.0	297 days	1.0	203 days
DUI	38.0	413 days	16.5	338 days
Misd.	18.0	355 days	3.1	243 days
felony	20.0	429 days	13.4	361 days
Other	0		8.2	328 days
Holds	0		6.2%	456 days
Totals	100%	324 day average	100%	338 day average

Table 6 highlights a special subset of the jail housing population: those who served at least 200 days and were in the jail on a target date in the two periods. As with the booking and full housing sample, there is a reduction in those offenders associated with violent crimes, particularly misdemeanors. Property felons are observed at five times the percentage in 2009 when compared with 2005. The DUI percentage in 2009 is less than half that found in 2005, which is a contradiction to the findings in the booking sample. The average length of stay is slightly higher in 2009, but little should be made of this difference since this population sample was drawn from those with the longest length of stay in the jail.

Table 7: Details of the October 14, 2009 Sample of Inmates with more than 200 Days in Jail

Crime Category										
	<i>Count</i>	<i>% Male</i>	<i>Avg Age</i>	<i>WR%</i>	<i>FTA%</i>	<i>Priors Avg</i>	<i>% Marr'd</i>	<i>% Empl'y</i>	<i>Dist</i>	<i>Super'n Sanction</i>
Violent	36									
Misd.	5	100	33.4	0	40.0	8.2	20.0	40.0	2	3
Felony	31	96.7	34.6	0	19.3	3.8	6.4	32.2	29	15
Property	27									
Misd.	5	100	29.0	0	60.0	8.0	20.0	0	2	5
Felony	22	95.4	35.7	0	50.0	5.5	4.5	27.2	17	17
Drug	3									
Misd.	2	100	24.0	0	50.0	14	0	50.0	2	
Felony	1	100	33.0	0	100	16	0	0	1	1
Public Order	25									
Traffic	1	100	25.0	0	100	8	0	100	1	
DUI	16	93.8	46.0	75.0	31.2	4.1	12.5	87.5	16	8
Misd.	3	100	50.3	100	0	2.6	0	100	3	2
Felony	13	92.3	45.0	69.2	38.4	4.4	15.3	84.6	13	6
Other	8	87.5	30.1	0	12.5	3.5	0	50.0	7	7
Holds	6	83.3	39.0	0	0	2.5	16.6	0	2	1
Totals	97	95.8 %	36.00	12.4 %	31.9%	4.9	8.2%	39.1%	79	57

The details observed in Table 7 cast a picture of troubled offenders who, in general, were slightly older than the age average observed in the booking sample, were not often seen as a part of work release, often had a history of failure to appear, had many prior arrests, were usually not among the employed, and experienced some form of supervision sanction.

To further illustrate how a person might serve such a long sentence in the jail, a random case was selected, and the details of that case follow. The case involves a DUI.

Jeff Hawkins (alias) is a 49 year old white male veteran with multiple convictions for driving under the influence of alcohol, and a history of mental health issues. His first conviction for DUI occurred on May 27, 1981. He was later convicted for no proof of insurance on September 16, 1988. Jeff then went on to earn more convictions in Sedgwick County for driving under the influence of alcohol on May 25, 1989, February 6, 1992, and September 3, 1996. Jeff did not just receive DUI's in Sedgwick County but in Kingman County as well. He was convicted on April 3, 1995 and May 6, 2005, in Kingman County for driving under the influence. At this point Jeff has 6 DUI convictions on his record. He did not limit his criminal activity to just DUI's because on October 13, 2006, he was convicted of public nudity/fondling genitals in Sedgwick County. Then on March 24, 2006, while on parole and awaiting trial for the Kingman case Jeff was pulled over and arrested for driving under the influence of alcohol in Sedgwick County making this his seventh DUI conviction. As Jeff was being processed through the system for the crimes he had committed, he got out on a felony bond. Then on April 19, 2007, while out on felony bond, Jeff was pulled over and arrested in Sedgwick County for the eighth time for driving under the influence of alcohol. On May 15, 2008, Jeff pled guilty to the felony DUI. Then on June 25, 2008, Jeff was sentenced to 12 months in jail, with work-release authorized after 6 months, and fined \$2,500 dollars. He was also sentenced to 12 months post- release supervision. This case ran concurrent to the DUI he previously received on March 24, 2006. Jeff's case involved 7 continuances and a mental competency hearing during his trial. All together he spent a total of 720 days in the county jail awaiting outcomes for the charges and serving time.

Table 8: Selected Judicial Details for the Housing Sample with 200+ days from October 14, 2009

Charge Category					
Continuances					
	<i>Count</i>	<i>Continued by Defense Avg. *</i>	<i>Continued by State*</i>	<i>Continued by Court*</i>	<i>Jail Days Related to Competency*</i>
Violent	36				
Misd.	5	28(1)	5 (1)	7 (1)	
Felony	31	8.5 (30)	2.2 (14)	1.62 (8)	181(5)
Property	27				
Misd.	5	4.0	3(1)	3(1)	107(1)
Felony	22	4.5(19)	2(2)	1.25(4)	116.5(2)
Drug	3				
Misd.	2	1(1)		1(1)	
Felony	1	4(1)	1(1)		
Public Order	25				
Traffic	1	1(1)			
DUI	16	1.4(5)	1(1)	2(1)	53(1)
Other	8	10(7)	2(4)	4(1)	106.5(2)
Holds	6	4.5(2)			137(1)
Totals	97	6.6(72)	2.12(24)	1.75(16)	149(12)

***Number in bracket is the number of inmates in this category**

The calculation of days attributable to continuances was not completed for all cases; it was calculated only for those with competency questions because those cases resulted in a clear number of days which could be associated with that particular form of continuance.

An example that is probably of the most extreme impact of continuances is one violence case where the following continuances and associated days were found:

Continuances initiated by defense numbered 28, resulted in 355 jail days

Continuances initiated by the prosecutor numbered 5, resulted in 88 days

Continuances initiated by the court numbered 4, and resulted in 7 jail days

Total days from continuances was 450 days, total length of jail stay was 561 days.

The total number of continuances and associated days was calculated by court service staff.

Of course, there are cases where continuances were not an issue in a case, even with a length of stay exceeding 200 days. The data suggests a need for further study of continuances. As a follow up to this study, the team will review continuances in probation violation cases.

Table 9: Selected Judicial Details for the Housing Sample with 200+ days from October 14, 2009

Charge Category				
Competency				
	<i>Count</i>	<i>Continuances average</i>	<i>Average Jail Days Related</i>	<i>Most Common Exit Outcome</i>
Violent				
Misd.				
Felony	5	2.2	181	To Larned St. Secure Hosp.
Property				
Misd.	1	2	107	To Larned St. Secure Hosp.
Felony	2	1	116.5*	To Larned St. Secure Hosp.
Drug				
Misd.				
Felony				
Public Order				
Traffic				
DUI	1	1	53	Home: Time Served
Other	2	1.5	106.5	To Larned St. Secure Hosp.
Holds	1	2	137	To Larned St. Secure Hosp.
Totals	12	21	149 days	

***Two inmates were in this category; one had no days related to competency continuances which the other had 233 days.**

The number of cases in the special sample involving competency issues numbered 12 or 12% of the sample of those found in the jail on October 14, 2009 for a period of 200 or more days. While that number is not especially high, the jail duration involved in these cases makes them of interest; the average length of stay related to competency was 149 days.

Out of County Housing

Since January 2006, Sedgwick County has placed an average of 263 persons per day in out-of county housing. That figure has shown slow growth with an unusually large increase in calendar year 2009. The first half of 2010 appears to have returned to the historic trend. The average daily cost of out of county placement is less than the average daily cost of jail time in the Sedgwick County jail. The attached table estimates the annual savings from out-of county placement. It shows that the county spent roughly \$1.5 million less per year by placing inmates out of county. The figures are based on average net direct daily jail costs as estimated by Maximus plus debt service. These statistics underestimate actual savings because the marginal

cost of housing these offenders in Sedgwick County would require additional beds, the cost of which would be higher than current costs.

Table 10: Out-of-County Jail Costs vs. Sedgwick County Jail Costs

Year/Quarter	Average Daily Population in Out of County Housing	Net Direct Jail Cost per Inmate Day	Out of County Housing Cost per Inmate Day	Estimated Savings
2006	216	53.61*	36.92	\$1,316,185
Q1	208			\$311,936
Q2	212			\$321,983
Q3	221			\$339,853
Q4	223			\$342,413
2007	235	53.61	37.69	\$1,363,580
Q1	226			\$324,290
Q2	222			\$321,616
Q3	243			\$356,396
Q4	247			\$361,278
2008	241	54.46	38.46	\$1,412,192
Q1	208			\$303,333
Q2	218			\$316,923
Q3	246			\$361,622
Q4	292			\$430,314
2009	358	54.96	39.23	\$2,058,742
Q1	288			\$408,194
Q2	349			\$499,092
Q3	407			\$588,994
Q4	389			\$562,464
2010	264	54.96**	39.23**	\$749,833
Q1	288			\$407,721
Q2	239			\$342,112

*Assumes 2006 costs based on actual 2007 costs.

**Assumes 2010 costs based on actual 2009 costs.

Impact of community corrections and adult probation on the jail population

The conduct of those under court supervision, either in adult probation or community corrections, can result in a jail admission. The typical scenario is one where the supervising officer finds the offender to be out of compliance with the terms and conditions of court supervision. The compliance failure may be in the form of missed visits with the supervising officer, failed drug tests, or other significant elements of their supervision conditions. The jail admission may be pursuant to a revocation, in which case the offender may be headed to prison after their jail stay. Another possibility is a period in jail as a sanction, after which time the offender returns to supervision in the community. In the regular housing sample, 27.9% of that population was in jail related to a probation violation for either adult probation or community corrections.

Impact of Non-Compliant Community Corrections Cases

To gain an understanding of the exact relationship between intensive supervision violation and the population of the Sedgwick County Adult Detention Facility (SCADF), a sample of six months of supervision condition violators was used. The violators from January 1 through June 30, 2008 were used to assure complete information about their impact on the SCADF. Upon securing the names of all supervision condition violators from the intensive supervision program, data was obtained to show the time spent in SCADF from booking through all hearings, continuances, sentencing, and release (either to the community or to prison). The 121 supervision condition violators accounted for a total of 9770 days in the SCADF, or an average of 80.74 bed days per condition violator. Extended to an annual figure, the supervision condition violators from community corrections would account for 19,540 bed days.

Impact of Non-Compliance in Adult Probation

To gain an understanding of the relationship between adult probation related to the 18th judicial district and the population of the Sedgwick County Adult Detention Facility (SCADF), a sample of six months of supervision condition violators was used. The violations from July 1 through December 31, 2008 were used to assure complete information about their impact on the SCADF. A file was constructed for criminal cases, and another for traffic cases related to district court. District court services furnished the data to show the entire jail history of each of the offenders, and particularly the jail time served as a result of the supervision conditions violation. Among the criminal cases a total of 543 probation violators accounted for an average of 42.3 jail days; their jail days totaled 22,987. A review of the traffic cases associated with district court for the same six months period showed a total of 269 offenders accounted for an average of 37.36 days; their jail days totaled 10,051 days.

Sedgwick County and two other Midwest communities

Population Comparison

In order to properly compare the Sedgwick county jail with other populations two cities were chosen that were demographically similar to that of Wichita. The cities chosen were Tulsa, OK, which is located in Tulsa County and Omaha, NE, which is located in Douglass County. Tulsa stands unique in that its jail system had previously been privatized and following the failure of this endeavor it was then returned to the control of the Sheriff. Each was compared based on their 2009 Census data and the information was placed within the charts and graphs below. It can be seen through Table 11 that Tulsa County has a population of approximately 111,097 more than Sedgwick County, while Douglass County's population is just 19,335 greater than Sedgwick County. Each of these populations is very similar in regards to gender, but racially both Douglas County and Tulsa County have approximately a 2% higher concentration of African Americans when compared to Sedgwick County and the percentage of those reporting to have Hispanic background is almost completely identical in all three of the comparisons counties. As can be seen on the table, Tulsa has the larger population but their median income is the lowest of the three.

Table 11: Three Midwest Communities

County Comparison Demographics	TULSA	SEDGWICK	DOUGLAS
County Population (2009)	601,961	490,864	510,199
Gender			
Male (2009)	49.0%	49.6%	49.4%
Female (2009)	51.0%	50.4%	50.6%
Race			
White (2009)	77.4%	82.9%	83.0%
African American (2009)	11.7%	9.6%	11.8%
Other (2009)	10.9%	7.5%	5.2%
Hispanic Background reported(any race), (2009)	10.5%	11.1%	10.1%
White Non-Hispanic (2009)	68.0%	72.8%	73.9%
Income			
Median Income(2008)	\$46,857.00	\$49,518.00	\$52,222.00

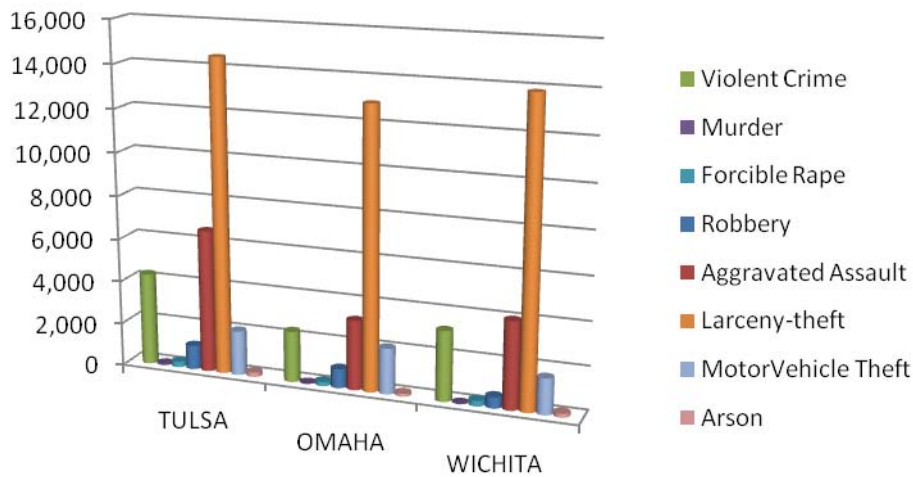
*Data from census.gov

The UCR offered information regarding the types of crimes which are reported within each of the comparison cities and shows some interesting information when using the provided housing information in regards to those who end up in jail. Omaha and Tulsa have an average of 34% lower reported violent crimes according to the UCR, however their housing totals are very close in percentages in most areas including the ADP, and jail populations.

Table 12: Uniform Crime Reports for Three Midwest Communities

UCR - January to December 2009 - Offenses Reported by State by City 100,000 and over population		Violent Crime	Murder	Forcible Rape	Robbery	Aggravated Assault	Larceny-theft	Motor Vehicle Theft	Arson
TULSA	2009	4,295	68	254	1,117	6,626	14,521	2,073	202
OMAHA	2009	2,363	30	192	892	3,228	12,938	2,125	131
WICHITA	2009	3,244	25	254	527	4,043	13,873	1,664	180

2009 Uniform Crime Reports for Counties



Tri-County Comparison Jail Population

Table 13 is a demographic breakdown for the jail population of each of the chosen comparative cities. The Sedgwick County percentages provided are from the Standard Housing sample drawn from the 2009 Jail population, the Tulsa County information was provided by Chief Deputy Michelle Robinette from Tulsa County 2009 data, and finally the Douglas County information was provided by Dr. Mark Foxall, Deputy Director of Corrections for the Douglas County jail. Sedgwick County and Tulsa County are similar in both race and gender percentages of inmates housed within their jail, with Douglas County showing a 4% higher percentage of African Americans than both of the others. Sedgwick County African American inmate totals are 8.31% higher than Tulsa County but are on target with the NJS totals for 2008, with Tulsa County being 7.01% lower, and Douglas County 5.19% higher than the NJS data. Another notable difference is the percentage of “other” races in the Sedgwick County jail sample is 1.99% lower than the lowest percentage of Tulsa and Douglas counties jail populations.

Table 13: Three Midwest Community Jail Demographics

<u>JAIL SAMPLE INFORMATION</u>	<u>National Jail Survey 2008</u>	<u>Sedgwick County Sample</u>	<u>Tulsa County Snapshot</u>	<u>Douglas County Snapshot</u>
<u>Gender</u>				
Male	87.30%	87.40%	85.16%	86.93%
Female	12.70%	12.60%	14.84%	13.07%
<u>Race</u>				
White	42.40%	42.30%	40.25%	29.21%
African American	39.20%	40.50%	32.19%	44.39%
Hispanic	16.40%	16.20%	9.50%	23.51%
Other (Including Amer. Ind./Asian)	2.00%	0.90%	3.62%	2.89%

*Tulsa percentages includes juveniles

**Convicted is defined as being sent to the custody of the Sheriff by the courts after conviction or having a Probation/Parole violation without a new charge.

Table 14 shows that all three of the jails vary in their capacity totals as do their ADP's which ranges from the highest in Sedgwick County (1646 inmates) to the lowest in Omaha (1233 inmates).

Table 14: Three Midwest Community Jails

<u>2009 Average Jail Population</u>	<u>Sedgwick County</u>	<u>Tulsa County</u>	<u>Douglas County</u>
Jail Population Snapshot	1623	1600	1228
Jail Capacity*	1138	1714	1453
Jail Average Daily Population (Highest)	1646	1524	1233
Average Daily Cost of Jail	\$66.20	\$54.13	\$85.68
Out of County	562	42	3
Out of County Costs	\$39.23	**\$27.00	\$58.53
Day Reporting ADP (County/Muni)	60.3/93.9	N/A	52.5
Drug Court ADP	31.9		N/A
Pre-Trial Services ADP	215.1	250	717

Out of County totals vary from one extreme to the other with Sedgwick County showing the highest number of 562 inmates sent to other counties for housing and Omaha having the lowest with 3. This difference is explained by the fact that Tulsa and Douglas counties jail do not send their inmates to other jails in the area. Those that are shown in the table below are counts of Federal inmates or Protective custody inmates who are sent to other areas for their own safety. The Tulsa County totals are only those Federal prisoners who are sent to the surrounding areas as it is more cost effective for the outside counties to hold the inmates for the \$27.00 per diem paid by the federal government.

The jail status of each of these three counties shows large differences between the Convicted statuses, which ranges from 22.54% in Douglas County to 41.84% in Sedgwick County. In the Pre-Trial status Sedgwick county data shows it to be much lower in both the Felony and the Misdemeanor percentages that either of the other areas, with Douglas County being the highest at 53.77% for Pre-Trial felonies and 23.68% for Pre-Trial misdemeanors.

Table 15: Three Midwest Community Jails in Terms of Status of Offenders

<u>Conviction Status 2009 Averages</u>	<u>National Jail Survey</u>	<u>Sedgwick County</u>	<u>Tulsa County</u>	<u>Douglas County</u>
Convicted*	37.10%	41.84%	31.44% (503)	22.54% (257)
Not-Convicted	62.90%	58.16%	68.56% (1097)	77.45% (883)
Pre-Trial Felony Status**	N/A	35.9% (582)	50.69% (811)	53.77% (613)
Pre-Trial Misdemeanor Status**	N/A	3.4% (55)	8.56% (137)	23.68% (270)

*Convicted is defined as being sent to the custody of the Sheriff by the courts after conviction or having a Probation/Parole violation without a new charge.

**Includes Misdemeanor & Felony

Alternative Sentencing Options

Each of the three counties within this comparison has varying ways in which they deal with their inmate populations, in relation to its reduction within each of their jails, but each has the same goal to reduce their jail population as well as reducing recidivism. The better the chance an inmate is given to return to society the less the chance he/she has of returning to jail/prison, which will in the long run reduce costs and provide for a better, more productive individual to return to their community. Tulsa, Omaha, and Wichita each offers programs which will help to promote these goals. Wichita has alternative programs such as Pre-Trial Services, Day-Reporting Program, Drug Court, Work Release and SCOAP to assist Sedgwick County in providing alternative sentencing opportunities for the courts to use other than placing defined individuals in jail, for long periods of time. The Omaha Corrections Department has these programs: Pre-Trial Release, Work Release, House Arrest, Day Reporting, and an In-House Program. Tulsa utilizes many of these same programs including: Drug Court, GPS/EMP, TARGET, "Woman in Recovery", Hispanic Caseload, Parole Unit, Mental Health Court, and Female Offenders.

Tulsa does not utilize a Day Reporting program, but they do have a Pre-Trial Probation with a form of supervision allowing inmates to report and be drug tested based on the Court's orders and these inmates are defined as being within a Pre-Trial Services program. Douglas County does not have a Drug Court, but based on their ADP data their Pre-Trial Services are heavily utilized for that group, which totals 717 over 65% higher than the next lowest county Pre-Trial total, Tulsa.

Comparison of Alternative Sentencing

Drug Court has been utilized in Tulsa since May of 1996 and was expanded in February of 2002 to include the DUI Court. The officers in the program supervise up to 65 offenders at any given time and serve as members on the Drug Court team. The officers are required to conduct LSI-R interviews, office visits, home visits, submit weekly progress reports, and attend weekly staff meetings with the team and to appear in court each week. Reports are completed and turned in to give information on the offender's progress, residence, as well as their employment verification. The term of the Drug Court will run a minimum of eighteen months and up to three years time. Within the program are five phases that must be accomplished before an offender successfully completes the program; they also use various sanctions and incentives similar to those used by Wichita. According to the Tulsa Corrections web site, "To date, Tulsa County has had 2095 participants in Drug Court and 665 participants in DUI Court. Out of those, 823 have graduated from Drug Court and 339 from DUI Court." (Corrections, 2009)

Currently, Tulsa County District Community Corrections supervises 108 offenders on their GPS program, along with four offenders on the EMP program. Three officers control this group by completing such items as residence verifications, and equipment management.

“From June 2008 to August 2009, one EMP offender was removed for alcohol use and one EMP offender for a new law violation. We have had a total of sixty GPS offenders removed from the program for the following: forty-eight for alcohol or illicit drug use, three escapes, one law violation, one domestic assault and battery, four for tampering with the equipment, one failure to maintain employment, one ICE Detainer and one menacing.” (Corrections, 2009)

Tulsa utilizes specialized units such as a “Hispanic caseload” program in which one officer monitors and supervises all of the Hispanic offenders and works closely with the courts and its interpreters to ensure that those in Hispanics identified by the system are properly supervised and following their prescribed conditions. The officer will also keep up with the data regarding those who are “foreign-born” or suspected “foreign-born” and report accordingly to the government. Another unique program is one defined as “Female Offenders”. This division focuses on the special needs of female offenders and currently Tulsa has three caseloads supervised by this program. The caseloads consist of parole only offenders, females on GPS, and the last is the “Woman Offender” division which was developed specifically to assist women with their special needs if they have been identified as normally headed for prison. The latter program is defined by Tulsa in the following way: “The Women in Recovery (WIR) program currently has one (1) officer, Lewana Harris who has nine (9) female offenders participating in the program. WIR is an intensive day treatment program for females who are involved in the criminal justice system and are at a high-risk to reoffend. Some of these females have previously been incarcerated. WIR is a collaborated effort between the court, probation and parole, and treatment providers who assist female offenders with substance abuse treatment, nutrition, parenting, mental health treatment, victim counseling and promotes social behavior.” (Corrections, 2009)

Other Tulsa County alternative programs include their Mental Health Court which began in 2007 and is currently funded for up to 75 but with 59 active participants, seven of which have graduated. Its process is very similar to Drug Court with penalties and incentives, although it is limited to a two year time span. Tulsa also has a TARGET (Tulsa Area Response Gang Enforcement Team) and Parole Unit team similar to Sedgwick County, within its alternative sentencing options.

As previously mentioned, Tulsa County does not have a Pre-Trial program, while in comparison Douglas County does. The PSP program in Omaha is generally staffed by law students from Creighton, and they supervise the offenders chosen through interview to be released based on a points scale system. The staff ensures that those released check in on an electronic phone call monitoring system and this can give valuable experience to those law students who work in the program. They also utilize an innovative program which was designed to assist in reducing the jail population. The program is known as “Priority Prosecution Offering Program” and is described as the following: “Pre-trial status misdemeanor offenders still incarcerated after five days from bond setting are identified. The Douglas County Public Defender’s office, in cooperation with the City Prosecutors office, will then give priority in the prosecution of these cases, because these defendants have not made bond. Appropriate defendants are then offered the opportunity to appear in court at a considerably earlier date than originally scheduled. Since court dates are typically scheduled

from 3 and 6 weeks from the date of the defendant's initial court appearance, there is great incentive to get the case to court as early as possible." (Corrections D. C., 2010)

The design of the PSP program in Omaha is a creative program entitled "The Priority Prosecution Offering Program", which is used as a result of need in order to reduce the jail population, through reducing average length of time between a defendant's bond setting and trial date. The system identifies Pretrial status misdemeanour offenders still incarcerated after five days. With the assistance of the Douglas County Public Defender's office and the City Prosecutors office, priority is given in prosecution of the identified cases and qualified defendants, who have not made bond (or can't), are given the option to have their cases heard earlier than originally scheduled. This helps in reducing the 3 to 6 week delay from the initial court appearance during this time which most of these cases the offenders would be spending in jails taking up space.

A form of this program would likely benefit Sedgwick county in many of the same ways that it benefits Douglas county by resulting in cases which are appropriate leaving the jail sooner, due to having lower bonds set or experiencing a fast track to their court date. The most important benefit for the jail would be a reduction in the number of jail days these individuals would spend, particularly for those defendants who would end up with cases labelled as "disposed" or "time-served".

Douglas County also utilized such programs as the Work Release with a facility which can hold up to 126 male and 60 females approved to be in the program. Also within the Douglas County cache of sentencing alternatives is "House-Arrest" which uses EMD for non-violent offenders and "In-house" programs which is a collection of real-life assistance programs to help offenders acclimate to returning to society. The house arrest program qualifies as time served in the custody of the sheriff.

Finally, Douglas County also has a Day Reporting Program, with goals and a mission similar to those of Sedgwick County such as improving opportunities for those who are re-entering society and to be a worthy alternative sentencing option to incarceration. The target population for the DRC in Douglas County is chosen through interview and assessment to ensure they are correct for the program. The target population is identified as: "Pre-trial, non-violent detainees who are unable to make bail and who are willing to receive supervision and education, Direct court commitments in need of a high level of supervision, Non-violent offenders serving time in the DCC who may be near the end of their sentence". (Corrections D. C., 2010) Once a potential offender for the program has been identified, interviews are performed to ensure that the offender is eligible for the program. Several of the interview check-off items include: "a review of the offender's criminal record and social history, a warrant check, an examination of institutional records (to include disciplinary reports), other program participation, medical screening and a risk/need assessment." This form of interview has been suggested as a possible option to be introduced into the Sedgwick County DRC program. This would ensure that offenders entering the program have met eligibility such as a non-violent offender, willing to change, no violent criminal history, agreement to follow conditions of DRC, agreement to participate in programs and classes as directed. This option would ensure the success of the program as well as those in it.

The comparisons of Sedgwick County, Tulsa County, and Douglas County reveal many unique options for alternative sentencing which could be used within Sedgwick County to assist in the reduction of the jail population. These options included the “Priority Prosecution Offering Program”, which could potentially assisting reducing jail time associated with the court processes, the Tulsa Woman Offender program, the Hispanic caseload program as well as the creative interview process implemented by Douglas County for its DRC program. Discussion of these options could encourage the development of programs specific to Sedgwick County to assist in the reduction of its jail population and as well as improve the quality of life of those inmates being returned to society, in order to reduce recidivism. If any of these options are of interest it would be prudent for some members of CJCC to visit each of the sites.

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Impact of Jail Alternatives

Research Questions

An important part of limiting the jail bed demand is finding appropriate alternatives to the jail, and then using these programs specifically for people who would otherwise be in jail. The jail population includes those detained prior to trial, and those in jail for some form of sanction or sentence. Major questions include whether the people in the programs actually would have been in jail, and whether use of the alternatives resulted in protection of public safety and desistance from crime. Accurate annual program costs will be the basis for the cost benefit analysis. Cost data will be collected from detailed budget reports and from interviews with staff about time allocation among programs.

- 1.) Are those in pre-trial services making court appearances and desisting from further criminal behavior? Without pretrial services would the population served have remained in jail?
- 2.) Has the development of the mental health screening center and provision of crisis intervention training reduced the numbers and percent of those with mental health problems in the jail population? Is access to mental health services facilitated by SCOAP?
- 3.) What is the survival rate for those supervised under the authority of the Sedgwick County Drug Court? Describe the activities and processes employed by the drug court and compare them to national models for drug courts.
- 4.) Are day reporting services being used for moderate to high risk offenders, and are the offenders engaging in less criminal behavior after they complete day reporting? What is the average length of stay, and what factors predict the length of stay?
- 5.) What costs and benefits can be identified for each of the jail alternatives?

Methodology

The research questions posed herein involves looking at the individual alternative programs then compares the program participants with data from the random samples drawn from the week of October 10, 2009. Each program is studied individually, and details of the study are provided by program.

Review of the Outcomes for Jail Alternatives

Each of the programs for review has maintained some sort of database and can provide some data about their clientele. Only the day reporting program and the district drug court do a formal assessment of recidivism risk, so only those two programs will have adequate information to support a benefit analysis that includes the value of reductions in recidivism risk. For the other programs the data helped to determine that the client served was a legitimate

diversion from jail, and to document length of stay. Presumably, the length of stay in the alternative will be a good measure of the number of jail bed days saved.

The Jail Alternatives Programs

Pretrial Services Program

The Pretrial Services program (PSP) began in 1994 with the intended mission to assist Sedgwick County in lowering the inmate population of the adult detention facility, through an effective community-based supervision program as an alternative to jail for accused adults who “cannot post bond on their own.” The target population has undergone a metamorphosis through the expansion of those permitted to enter the program. In 1994, those permitted were inmates from the District Court, who were charged with a felony, and could not afford the bond for their release. There was an expansion to include misdemeanors and traffic offenses from District Court in 1996, inmates being held on charges from Wichita Municipal Court were permitted in 2005, and all municipalities in Sedgwick County were allowed into the program in 2007. With the expansion of the inmates being assisted within the program it became necessary to create procedures for the evaluation of the inmates from the City of Wichita to ensure the programs integrity, ensure the courts were properly served and to all for better usage of the program by the city.

According to K.S.A. 22-2802 the procedure of identifying qualifying inmates includes: the Client Identification Process, Pretrial Interview, Criminal History Data Collection and then the Recommendations to the Courts. The target population is identified based on five qualifying factors. These factors are used by the intensive supervision officer (ISO) who conducts the interviews. They are:

- 1.) Bond ability based on the pending charges,
- 2.) No law enforcement of government agency holds preventing a reasonable amount of time to the release,
- 3.) Charged within the 18th Judicial District Court, Wichita Municipal Court, or Sedgwick County Municipality,
- 4.) Offense severity level criteria of 5-10 on a non-drug sentencing grid or 3-4 on the drug sentencing grid,
- 5.) Must reside in Sedgwick or surrounding counties. (KSA 22-2802, 1994) It is noted that requests from judges and attorneys for interviews are to be honored.

The next step in the process following the identification of criteria for the target population is to evaluate the inmate based on local and national crime history information by use of an inmate interview, inmate verification, and the determination of the suitability of the inmate for release. (Platt, 2010) Following information collection a determination becomes the basis for the appropriate recommendation to the courts system for the release and bond conditions consistent with likely success in the PSP program. These steps help to ensure that the individuals served by the PSP program will be successful and complete the conditions that they are given in order to appear at their next court docket date. Some disqualifying factors for

the program include: 1.) flight risk, 2.) posing a threat to themselves or others, 3.) holds, 4.) non-residents, 5.) arrested out of state, and 6.) recent unsuccessful bond/release to PSP. (Platt, 2010).

The PSP program tailors services to each individual served and offers services at different levels according to the needs of each individual. There is intensive supervision through the monitoring of the bond conditions by means of office visits, phone contacts, court dates, law enforcement contact, and victim notification. The supervision includes: substance abuse testing, automated court reminders, electronic monitoring, residence verification, referrals to community resources and cognitive skills programming, which is designed specifically to improve understanding of the need for change and the process of change (Platt, 2010).

References:

Criminal Justice Alternatives, KSA 22-2802 (Supervision-Pretrial Services 07 01, 1994).

Platt, K. (2010). *Pretrial Service Program*. CJCC Meeting, Kansas Department of Corrections, Community Corrections, Wichita.

The population served does not always conform exactly to the preferred target population, because judges decide to refer a person who exceeds some of the criteria. This snapshot of the PSP population on a single day was developed by Kerrie Platt and was provided to the Criminal Justice Coordinating Council.

Table 16: Pretrial Services Program	
One Day Snapshot - Cases by Type - April 15, 2010	
Type	Number Cases
Aggravated Battery	26
Burglary	19
Theft (Misdemeanor)	16
Theft (Felony)	15
Driving Under the Influence	15
Aggravated Assault	12
Domestic Battery	12
Driving While Suspended	12
Aggravated Robbery	10
Forgery	10
Possession of THC	10
Possession of Opiates	9
Criminal Possession of a Firearm	8
Possession of Drug Paraphernalia	8
Aggravated Burglary	7
Possession of Narcotics	7
Criminal Damage to Property	6
No Proof of Insurance	6
Eluding Police	5
Rape	5
Aggravated Indecent Liberties	5
Minor in Possession of Alcohol	5
Criminal Threat	4
Possession of Cocaine	3
Possession of Meth	3
Material Witness	3
Aggravated Kidnapping	2
Robbery	2
Criminal Trespass	2
Battery	2
Failure to Register	2
Criminal Discharge of a Firearm	2
Cruelty to Animals	2
Sale of Narcotics	2
No Tax Stamp	2
Identity Theft	2
Kidnapping	1
Assault	1
Aggravated Sexual Battery	1
Sexual Exploitation of a Child	1
Aggravated Endangering of a Child	1
Interference with Parental Custody	1
Possession of Anhydrous Ammonia	1
Delivery of Prescription Drugs	1
Traffic Control Substance in Correctional Facility	1
Aggravated Failure to Appear	1
Computer Crime	1
Interference with Phone Service	1
Criminal Use of Financial Card	1
Make a False Writing	1
Speeding	1
Temporary Deprivation of a Motor Vehicle	1
False Pawning	1
Disorderly Conduct	1
Urinating in Public	1
Seat Belt Required	1
Environmental Code	1
TOTAL	282

The Data

In order to study the effectiveness of the Pretrial Services Program (PSP hereafter), a complete sample was drawn of all exits from PSP between July 1, 2008 through September 5, 2008. The total number of exits reached 138. Information is provided to describe that population, and some program features of supervision for this population, as well as the court making the referral of the case to PSP.

Table 17: Demographics of PSP Exits from July 1 through December 31, 2008

Race	Gender		Total
	Male	Female	
White	61	20	81
Black	40	10	50
Hispanic	3	0	3
Asian	1	0	1
Native American	3	0	3
Total	108	30	138

When compared with the jail housing sample from October 14, 2009, the PSP population shown in the sample is more female and more often white. The average length of stay is 66.03 days; the average for municipal court cases is 45.67 days while district court cases average 67.98 days.

As indicated in the introduction, some clients arrive at the Pretrial Services Program after being screened and once a request was made and granted. Others are not screened and requested, but rather some action of the court results in their placement in PSP. The data in Table 18 suggests that about 85.5% of those served in the study period were placed there by court action. Some of them do meet the target population standard but for some reason were not immediately released to PSP upon request, and were later assigned to PSP. Table 19 provides details of which courts make the directed admissions to PSP.

Table 18: Details of PSP Admission by Category of Most Serious Offense

Most Serious Offense	Court Directed Admission	Release Requested/Granted
Person Felony	37	3
Person Misdemeanor	2	0
Property Felony	35	8
Property Misdemeanor	8	0
Drug Felony	11	7
Drug Misdemeanor	4	0
DUI Felony	6	0
DUI Misdemeanor	3	1
Firearm Felony	3	0
Firearm Misdemeanor	1	0
Flee Elude Felony	4	1
FTA Felony	1	0
Disorderly Conduct Misdemeanor	1	0
Unspecified Charge	2	0
Total (138)	118	20

Table 19:Details Supervising Court by Category of Most Serious Offense

Admission Method	Court of Jurisdiction		
	Municipal Court	District Court	Totals
Court Placement	12	106	118
Release Requested and Granted	0	20	20
Totals	12	126	138

Results

Are those in pre-trial services making court appearances and desisting from further criminal behavior?

To address the question of the impact of PSP on those receiving services, two analyses were conducted. The first analysis considered all 138 cases for any evidence of a failure to appear while assigned to PSP. An inspection of case files showed only one of the 138 cases where an FTA occurred while receiving supervision by PSP. When consideration was given to FTA for the hearing related to removal from PSP, Table 20 shows 31 or 22.4% failed to appear.

Table 20: Failure to Appear Details with Court of Jurisdiction

Court of Jurisdiction	Failure to Appear		
	FTA Warrant Hearing	No FTA	Totals
Municipal Court	1	11	12
District Court	30	96	126
Totals	31	107	138

The second analysis involved a search for evidence of new crimes while with PSP. Twenty (20) cases showed new charges ranging from violent felonies to traffic offenses; Table 21 shows the source of these clients who reoffended. A review of the jail database showed these new charges resulted in a total of 1546 jail days.

Table 21: New Offenses by PSP Clients

PSP New Offense Categories	RS/GRANTED	% of Cat. In N.O.	COURT PLACEMENT	% of Cat in N.O.	Total	Total %
UNSPECIFIED	0	0%	1	5%	1	5%
VIOLENT FELONY	1	5%	1	5%	2	10%
PROPERTY FELONY	2	10%	4	20%	6	30%
PROPERTY MISDEMEANOR	1	5%	1	5%	2	10%
DRUG FELONY	2	10%	2	10%	4	20%
DRUG MISDEMEANOR	1	5%	1	5%	2	10%
DUI	1	5%	0	0%	1	5%
TRAFFIC	1	5%	0	0%	1	5%
OTHER MISDEMEANOR	1	5%	0	0%	1	5%
	10		10		20	100%

How effective is this program? A 2006 research report by Goldkamp and White reported on Philadelphia experiments where strong research controls were introduced. In their work they were well satisfied with the results when they obtained an FTA rate of 20% and a re-arrest rate of 12.9%. Since the FTA rate for the Sedgwick County program was .7% if only those are considered which occurred while the client was under PSP supervision (22.46% if you also consider the FTA for the warrant hearing associated with termination of PSP); and the arrests

for new offenses was 14.49%, outcomes for the local program are near to those posted by the cited research.

Reference:

Goldkamp, John S. and White, Michael D. (2006) Restoring accountability to pretrial release: the Philadelphia pretrial release supervision experiments. *Journal of Experimental Criminology*: 2, p. 143-181.

Without pretrial services would the population served have remained in jail?

The question of whether PSP operates as an alternative to jail or as a device for widening the net to include more supervision of the accused is difficult to answer. What is definite is that all the clients served by PSP began in jail. At some point a bail hearing was held, they were assessed for PSP, and ultimately released to PSP for supervision while awaiting trial. The information contained in Tables 21 and 22 shows that 29% of the PSP cases exiting during the study period had issues of failure to appear for scheduled court docket appointments. More than 17.7% of those exiting during this period had new charges, further indication of the need for some form of containment of these accused individuals. A final test of the use of PSP involved comparing the most serious offense for the PSP exit cases with the most serious offense of those in the jail housing sample. One case was evident in PSP for which there was no matching case in the jail housing sample. This is a strong indication of use of PSP as a jail alternative.

Table 22: Pretrial Services 2008 Comparison with 2009 Housing Sample by MSO

	MSO OF PSP SUCCESSFUL		MSO OF PSP UNSUCCESSFUL		MSO OF 10/14/09 HOUSING SAMPLE	
	COUNT	PERCENTAGE	COUNT	PERCENTAGE	COUNT OF MATCHING	PERCENTAGE
Person Felony	24	31%	16	27%	26	23%
Person Misdemeanor	2	3%	0	0%	10	9%
Property Felony	24	31%	19	32%	18	16%
Property Misdemeanor	4	5%	4	7%	1	1%
Drug Felony	6	8%	12	20%	14	13%
Drug Misdemeanor	3	4%	1	2%	8	7%
DUI Felony	5	6%	1	2%	2	2%
DUI Misdemeanor	2	3%	2	3%	9	8%
Traffic Felony	0	0%	0	0%	0	0%
Traffic Misdemeanor	0	0%	0	0%	3	3%
Hold Felony	0	0%	0	0%	11	10%
Hold Misdemeanor	0	0%	0	0%	0	0%
Firearm Felony	3	4%	0	0%	3	3%
Firearm Misdemeanor	1	1%	0	0%	0	0%
Escape Custody Misdemeanor	0	0%	0	0%	0	0%
Flee Elude Felony	3	4%	2	3%	2	2%
FTA Felony	0	0%	1	2%	0	0%
Disorderly Conduct Misdemeanor	0	0%	1	2%	1	1%
Unspecified	1	1%	1	2%	3	3%
Total:	78	100%	60	100%	111	100%

The comparison shows two cases (firearms misdemeanor, felony FTA) that are present in PSP but have no matching case in the jail housing sample. Those two cases could easily have had variables not evident in the research file that made them candidates for PSP. In any case, as mentioned earlier, each of the PSP cases was reviewed by a judge, who deemed it necessary to obtain PSP supervision to release the accused from jail.

Conclusions

- While the target population for PSP includes people thought to be more annoying than dangerous, the actuality includes persons accused of violent felony cases, as well as a wide range of other offenses.
- The population exiting PSP from July 1 through December 31, 2008 was 78.2% male and 58.7% white; this means the PSP population is a little more female and somewhat more white than the jail housing sample population.
- 118 out of 138 participants of PSP were assigned by the court; many did not meet PSP criteria for selection due to elevated risk.
- Only 1 person committed a failure to appear while under PSP supervision; 22.4% of those exiting PSP had a failure to appear for a subsequent scheduled court date.
- 14.4% of those exiting PSP had an arrest for a new offense.
- Two cases involved both failure to appear for a subsequent court date and a new offense arrest.
- A comparison of the most serious offense of those in PSP with those in the jail housing sample revealed all but two PSP cases had a similar case in the jail, confirming the use of PSP as an alternative to jail.

Sedgwick County Offender Assessment Program (SCOAP)

The Program

The Sedgwick County Offender Assessment Program (SCOAP) was recommended by the Sedgwick County Criminal Justice Coordinating Council and is designed to address the needs of individuals who have a diagnosable mental illness such as Major Depressive, Bipolar Disorder or Schizophrenia and who have come into contact with the criminal justice system. Most crimes involved are misdemeanor offenses. Through treatment, SCOAP addresses the causes of the arresting behavior to reduce recidivism among mentally ill persons arrested. SCOAP provides mental health assessment services, intensive case management, crisis intervention and medication management services. SCOAP has three goals: (1) To reduce the number of low risk mentally ill individuals in the county jail, (2) improve access and follow up to appropriate mental health screening and services for mentally ill persons in the custody of law enforcement, and (3) reduce recidivism among mentally ill persons arrested. . The average length of stay for a client receiving case management services is approximately six (6) months.

Another major benefit of SCOAP is that it makes available crisis intervention training for law enforcement. In some circumstances, such as for nuisance offenses involving psychiatric crises, individuals in the community can be redirected at the outset, away from incarceration and into community-based mental health and substance use treatment. The Memphis Crisis Intervention Team model has been shown to operate effectively as a police-based crisis intervention model and a pre-arrest jail diversion program. Redirection away from the criminal justice system and into the treatment system relies heavily on community partnerships and linkages. COMCARE actively participates in the Crisis Intervention Team for Wichita and Sedgwick County. The CIT model facilitates community partnerships and equips officers with the training and resources needed to effectively respond to individuals experiencing acute behavioral crises in the community. SCOAP provides case management and other services to those referred for services by law enforcement officers.

SCOAP provides a post-booking jail alternative program for individuals who have been booked into the Sedgwick County Adult Detention Facility and who have a diagnosed mental illness. Referrals are made primarily by court and medical staff at the detention facility who are familiar with the individual and recognize the need for mental health assessment and intervention to address factors that contributed to the incarceration.

After completing an assessment with a Qualified Mental Health Professional, an individualized plan for treatment is developed and is proposed to the court as a condition of pre-trial release or as a condition of probation. SCOAP staff provides regular updates to the court regarding the individual's treatment progress in community based services such as medication management and case management

The Research Question: *Has the development of the mental health screening center and provision of crisis intervention training reduced the numbers and percent of those with mental health problems in the jail population?*

In 2009 staff at SCOAP undertook a replication of the component of the WSU 2005 jail study that reviewed prevalence of mental health issues among Sedgwick County Adult Detention Facility inmates. A comparable sample of housing inmates, including 50 individuals with jail stay durations of less than 200 days, and 50 inmates with jail stay durations that exceeded 200 days was obtained with the assistance of Linda Baughman, Sedgwick County senior project manager. Of the group that had spent less than 200 days in the jail, 48% had a history of diagnosed mental illness. Of the group that had spent more than 200 days in the jail, 46% had a history of diagnosed mental illness. The total sample was of 100 inmates and had an overall rate of 47% with a history of diagnosed mental illness. The 2005 WSU jail study housing samples rosters were provided to ComCare, and a rate of 62% with a history of services from ComCare was obtained. The comparison of the two samples led to the conclusion the incidence of inmates with mental health diagnoses has been reduced 15 percentage points in the 2009 samples.

Conclusion

- **Between 2005 and 2009 the percentage of the jail population with a history of mental health services dropped from 62% to 47%, indicating the probable impact of SCOAP and the CIT program.**

Sedgwick County Drug Court

According to statistics offered by the Bureau of Justice Statistics, roughly 80% of those arrested for a crime were under the influence of some drug (including alcohol). The district drug court is an important option to reduce offending behavior among those who commit crimes as a consequence of substance abuse problems.

Research Question: *What is the survival rate for those supervised under the authority of the Sedgwick County Drug Court?*

Program Description

The Sedgwick County Drug Court is a multi-disciplinary, problem-solving approach aimed at creating long-term change in drug or alcohol addicted offenders. The offenders who participate in this program are chronic and serious offenders. Often Drug court is an 18-month long program that combines resources of the court, mental health care, and community corrections to provide offenders with a highly structured treatment program designed to help them learn to manage their addictions and develop functional life skills while living and working in the community.

The U.S. Department of Justice Office of Justice's Programs has identified ten key components to effective drug court programs (see Table 23). The Sedgwick County Drug Court Program utilizes each of these components in the operation of this program. Drug court is held each week. Prior to the court session, a multi-disciplinary team meets each week to discuss issues and make decisions regarding each case. During the weekly court session, participants who are following their program and engaging in positive behavior are given positive feedback. Those who are not following their program are addressed during these court appearances. When appropriate, sanctions for negative behavior are ordered. The sanctions include, but are not limited to, community service, additional support group meetings, and in more serious situations, limited jail sanctions. An example of how a jail sanction may be used would be to order a participant, who is straying from his or her plan for sobriety, to spend a weekend in jail. This approach can be effective in two ways. First, it is a clear reminder to the participant that straying from the sobriety plan is not tolerated and jail is the consequence of this behavior. Second, it may stop a negative cycle towards all out abandonment of the sobriety plan. It functions in the same way that a time out would for a small child.

Table 23: Key Components of Drug Court

1) Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2) Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants' rehabilitation needs.
3) Eligible participants are identified early and promptly placed in the drug court program.
4) Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5) Abstinence is monitored by frequent alcohol and other drug testing.
6) A coordinated strategy governs drug court responses to participants' compliance.
7) Ongoing judicial interaction with each drug court participant is essential.
8) Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9) Continuing interdisciplinary education promotes effective drug court planning, implementation and operations.
10) Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness.

Source: Office of Justice Programs (1997/2004)

In addition to weekly court sessions, Drug Court also provides a high level of supervision of participants. While the individual time spent supervising each participant varies by their individual needs and by how far they are in the program, on average each participant receives 4.5 hours of supervision per month. They are required to submit to regular drug and alcohol screening, and they are responsible for frequent check-ins and meetings with their supervising officer. While many of these contacts may be brief (in some cases 5 to 10 minutes), the participant is required to keep track of the appointments and to make arrangements. These regular contacts are something that would be very difficult for an individual who is using drugs or alcohol to maintain, thus they serve as an early warning, for the team of a participant's return to addictive behaviors.

As a part of the program, participants are required to participate in regular therapy. Multiple group sessions are offered each week and individual counseling is also provided. On average, participants participate in 18 hours of treatment per month.

Data

In order to address the research question and to evaluate the activities of this program, staff obtained data on all persons referred to the program from November of 2008, when the first participants were referred to the program, until July 31, 2010. In order to gauge the on-going activities of the program such as supervision and therapy activities, additional information was gathered for the month of July 2010 regarding these activities. All of the 145 persons referred to this program are included in this dataset. The jail housing data set was utilized in order to provide a local comparison to evaluate the jail usage of participants in this program.

Of the 145 persons referred to the program 64.1% were male and 35.9% were female. The ages of the participants ranged between 19 and 65 years; 39.3% were under 30, 28.3% were between 30 and 39, 22.8% were between 40 and 49, and 9.7% were 50 or older. The ethnic and racial make-up of the participants consisted of 72.4% white, 21.4% black, 5.5% Hispanic and .7% Asian.

The drug of choice of about one third of the participants was methamphetamines. Alcohol, marijuana, and cocaine were the next most frequently used drugs of choice (See Table 24).

Table 24: Drug of Choice

	Count	Percent
Alcohol	23	15.9
Cocaine	29	20.0
Heroin	6	4.1
Marijuana	28	19.3
Methamphetamines	49	33.8
Opiates	8	5.5
Other	2	1.4
Total	145	100.0

The first participants in this program were referred in November of 2008. The number of referrals has increased over time. While only two participants have completed the program due to the short length of time that the program has been in place, only 6.2% have committed new crimes. Of all persons referred to the program, 17.9% have exited the program unsuccessfully for a failure to comply with the conditions of the program (See Table 25).

Table 25: Program Status by Intake Year

Intake Year		2008	2009	2010*	Total
Total Intakes		3	77	65	145
Complete	<i>Count</i>	0	2	0	2
	<i>Percent</i>	0%	2.6%	0%	2.6%
Active	<i>Count</i>	2	44	59	105
	<i>Percent</i>	66.7%	57.1%	90.8%	72.4%
New Felony	<i>Count</i>	0	6	0	6
	<i>Percent</i>	0%	7.8%	0%	4.1%
New Misdemeanor	<i>Count</i>	0	3	0	3
	<i>Percent</i>	0%	3.9%	0%	2.1%
Conditions Violated	<i>Count</i>	1	20	5	26
	<i>Percent</i>	33.3%	26.0%	7.7%	17.9%
Referred Other Service	<i>Count</i>	0	2	1	3
	<i>Percent</i>	0%	2.6%	1.5%	2.1%

* Note the 2010 statistics are through July 31, 2010

All of the participants in Drug Court have been convicted of felonies. The vast majority of participants in this program have been convicted of property felonies (See Table 26).

Table 26: MSO by Program Status

MSO	Completed		Active		Unsuccessful	
	<i>Count</i>	<i>Percentage</i>	<i>Count</i>	<i>Percentage</i>	<i>Count</i>	<i>Percentage</i>
Person Felony	0	0%	5	4.8%	0	0%
Property Felony	0	0%	70	66.7%	28	73.7%
Drug Felony	2	100%	16	15.2%	6	15.8%
DUI Felony	0	0%	9	8.6%	2	5.3%
Firearm Felony	0	0%	2	1.9%	1	2.6%
Flee Elude Felony	0	0%	2	1.9%	0	0%
FTA Felony	0	0%	1	1.0%	0	0%
Aiding a Felon	0	0%	0	0%	1	2.6%

The majority of participants in Drug Court have LSI-R scores of Medium/High Risk or above, although approximately 24% of those in the Active status have LSI-Rs falling in the Low/Medium category. Those who have completed the program have lower "initial" LSI-R scores than those who are active or who were unsuccessful in the program. Those who are active have lower LSI-R scores than those who were unsuccessful in the program (see Table 27). Overall, there is a significant reduction in mean LSI-R scores between the intake score (29.02) and the 6 month score (25.02).

Table 27: LSI-R Scores by Program Status

Status	Minimum LSI-R=12 or less	Low/Med LSI-R= 13-24	Med/High LSI-R= 25-36	Maximum LSI-R= 37 or more	No LSI-R Available	Totals*
Completed	0	1	1	0	0	2/24.5
Active	0	22	58	13	12	105/29.1
Unsuccessful	0	3	18	8	9	38/33.1
Totals	0	26	77	21	21	145/29.9

* Field contains the total N for that Agency/average LSI-R score

One of the key goals of this program is to reduce jail bed usage by this population. The two persons who have completed the program did not have any jail days. Those who are still active in the program have an average of 5.31 days compared to 26.5 days for those who were unsuccessful in the program. Remarkably, 55.9% of those who have participated in the program have spent no time in jail.

Conclusions

- **There has been an increase in referrals to this agency.**
- **Methamphetamines are the drug of choice for more than one third of the referrals to this program.**
- **Those who are referable to this program tend to fall in the higher risk categories of the LSI-R.**
- **Overall there is a significant reduction in LSI-r scores after 6 months of participation in the program.**
- **The average jail bed usage for this population is considerably less than comparable persons in the housing population.**

Day Reporting Center

Day reporting is a sentencing option that allows the offender to remain in the community while experiencing consequences for their action, and accessing treatment to change criminal thinking and behavior.

Research Questions: *Are day reporting services being used for moderate to high risk offenders, and are the offenders engaging in less criminal behavior after they complete day reporting? What is the average length of stay, and what factors predict the length of stay? Are those referred to the Day Reporting Center individuals who would otherwise be in the jail?*

The Program

From its beginning in Sedgwick County in 2006, the day reporting program (DRP) has been privately offered by Behavioral Interventions, Inc. (BI). BI has a contract with Sedgwick County that sets a per diem rate for a treatment track and a sanctions track. The treatment track features cognitive behavioral treatment and substance abuse treatment using the curriculum offered by the Change Company. The regimen is offered at three different dosages, depending on the assessed risk level of the client. At intake, the Level of Service Inventory-Revised (LSI-R) is administered by certified staff members, and the results guide the choice of targets and intensity of services. Table 28 contains the annual usage information.

Table 28: Annual Intakes at the Day Reporting Center

	District Court	Municipal Court
2006	96	229
2007	209	255
2008	167	167
2009	424	173
2010 (Year to date thru June)	294	91

80-90% of those referred are in the treatment track. Occasionally the percentage of sanctions track goes higher, as it does in the sample drawn from the second half of calendar year 2008. For the first year or two of the program most of the referrals came from Wichita municipal court, but over time those referred from the 18th judicial district courts have become the majority. Some of the smaller cities within Sedgwick County also use the DRC, and some small cities are using DRC more than before.

The staff for DRC includes 3 substance abuse counselors, 6 case managers, 3 client service specialists, and a supervisor. The staff has recently grown to assure that caseloads will be in the 35-38 client range, to provide for adequate time per client. All staff is trained in the use of motivational interviewing, an evidence-based practice for use with the offender population.

Data

To address all of the questions indicated, staff obtained a dataset of clients who were active in the program between July 1, 2008, and December 31, 2008. There were 286 separate admissions/exits that affected that period of time, and this included 273 clients (10 were admitted twice during the period, and one was admitted three times during the period).

Are day reporting services being used for moderate to high risk offenders?

Information on the LSI-R full score and domain scores at intake and discharge (if available) provided a basis for exploring whether those referred are moderate to high risk offenders. 113 (87 were sanctions track clients, which does not get the assessment of risk) of the 286 cases did not have an LSI-R intake score, while 173 scores were available for analysis. An important aspect of use of risk assessment is reduction in risk after the program. 64 of the cases had exit LSI-R scores available for comparison with the intake LSI-R score, and an additional 14 cases had interim only LSI-R scores, for a total of 78 cases where comparisons are possible.

Are day reporting services clients engaging in less criminal behavior after they complete day reporting?

Jail days in the 12 months before and after the relevant DRC treatment track stay were computed as a measure of impact of DRC on jail time for these individuals. Additionally, the 12 month period following DRC would allow a test to see if there was additional criminal activity, and compute recidivism rates.

What is the average length of stay, and what factors predict the length of stay?

Duration and exit status were compared with risk level to address the final question of who is most likely to succeed in DRP. An additional data extraction occurred to help understand any clients with a length of stay which exceeded one year (365 days), since that would be outside a usual duration in jail.

Are the clients referred to the Day Reporting Program offenders who would otherwise have entered the jail?

The question of whether use of an alternative is a genuine diversion from the jail is difficult, because only the judge making the assignment knows what considerations entered the sentence to the Day Reporting Center. In an attempt to use data to address the question, the cases where the length of stay at the Day Reporting Center exceeded ninety days were researched to identify the most serious offense. The category of most serious offense was compared with those in the jail, both for type and duration.

Results

The DRC Client Sample Population

The 273 clients came from adult probation, city probation (3 cities), pre-trial services, and intensive probation. Of those individuals, 87 admissions were in the sanctions track (reporting only), while 199 admissions were related to treatment. Table 29 shows the distribution of the clients by agency, track, and exit status (successful, failure, or other). The information in the table supports a 47.1% success rate with those in the sanctions track (best success is with adult probation), and a 42.7% success rate with those in the treatment track. Table 30 shows the total days in the DRC by agency, track, and exit status. Successful exits are defined as those who meet all requirements of DRC and served the indicated period of time. Unsuccessful exits are those where the client is discharged due to technical violations or new charges, and may be in jail custody.

Table 29: Agency, Track and Exit Status for DRC Clients

Agency	Sanctions Track			Treatment Track			Totals
	Success	Failure	Other	Success	Failure	Other	
Adult Probation	4 (80%)	1	0	18(54.5%)	14	1	38
City Probation	0	2	0	62(39.5%)	90	5	159
Intensive Prob.	29(42%)	39	1	5(55.6%)	4	0	78
Pre-Trial	8(72.7%)	3	0	0	0	0	11
Totals	41(47.1%)	45	1	85(42.7%)	108	6	286

The information in Table 30 shows the largest referral base for this program is city probation; city probation mainly uses the treatment track, for an average of 156.6 days. For the sanctions track, the main source of referral is the Intensive Supervision Program for an average of 56.07 days.

Table 30: DRC Days by Agency, Track and Exit Status for DRC Clients

Agency	Sanctions Track			Treatment Track			Totals*
	Success	Failure	Other	Success	Failure	Other	
Adult Probation	719	325	0	4043	1742	27	6856
City Probation	0	22	0	13116	10747	728	24613
Intensive Prob.	1585	2284	18	627	267	0	4781
Pre-Trial	1468	171	0	0	0	0	1639
Totals	3772	2802	18	17786	12756	755	37889

* The total days include those days in the research period PLUS any days on either side of the research period that were associated with a case active during the research period.

Using information from Table 29 and Table 30, length of stay information is as follows:

- Sanctions Cases, Successful=92 days average length of stay
- Sanctions Cases, Failure=62 days average length of stay
- Treatment Cases, Successful=209 days
- Treatment Cases, Failure=118 days

Are day reporting services being used for moderate to high risk offenders?

The sample of 199 treatment track clients was scanned for information on the LSI-R results at entry to DRC. Table 31 contains the results of the review of risk level for treatment track clients at DRC.

Table 31: DRC Treatment Clients Risk Level by Agency

Agency	Minimum LSI-R=12 or less	Low/Med LSI-R=13-24	Med/High LSI-R=25-36	Maximum LSI-R=37 or more	No LSI-R available	Totals*
Adult Probation	2	19	9	0	3	33/20.87
City Probation	4	61	57	2	33	157/23.36
Intensive Probation	0	5	3	0	1	9/24.12
Pre-Trial Services	0	0	0	0	0	none
Totals	6	85	69	2	33	199/22/95

*Field contains the total N for that Agency/average LSI-R score.

The six minimum risk offenders assigned to DRC may be the result of a lack of agency screening prior to assignment to DRC, but is a fairly low rate (3%) of potentially inappropriate placement.

A simple correlation test was run on the intake LSI-R score and the length of stay in DRC; the results showed a significant correlation of $-.224$, which has a probability of occurring by chance of $<.01$. The negative value of the correlation was consistent because it shows those at higher risk with higher scores have shorter stays, most likely due to failure in the program. A comparison of average risk score at intake with exit status yielded the following result:

- Successful Exit=average LSI-R intake of 22.44
- Unsuccessful Exit=average LSI-R intake of 23.30
- Other Exit=average LSI-R intake of 24.75

The change in LSI-R score between intake and an interim assessment was available for 14 cases. There was no change in LSI-R score for two cases; a reduction in the LSI-R risk score in six cases, and an increase in LSI-R risk score in six cases.

The change in LSI-R score between intake and exit assessment was available for 62 cases. There was no change in the LSI-R risk score for six cases; a reduction in the LSI-R score in twelve cases, and an increase in the LSI-R score in forty-four cases. Some practitioners theorize the rise in risk scores among successful participants comes from their greater honesty in responding to the questions after a period in the program.

Are day reporting services clients engaging in less criminal behavior after they complete day reporting?

The length of time in a program is of major importance when it comes to expectations of impact, particularly for a treatment program. A subset of those with more than 90 days in the day reporting program was drawn to test for the program impact. Tables 32 and 33 provide information about the referral sources and the average jail days before and after time spent in the day reporting program. All of the 138 DRC treatment clients with a stay of 90+ days were used as a basis for search in the jail database, to determine the days of jail time for the 12 months before admission to DRC and the 12 months after exit from DRC. The results are contained in Table 33.

Table 32: Client Information for 138 DRC Treatment Clients with Accumulated Days 90+

Agency	Treatment Track			Totals
	Success	Failure	Other	
Adult Probation	18	7	0	25
City Probation	60	48	1	109
Intensive Prob.	3	1		4
Totals	81	56	1	138

Table 33: Average Days for 134 DRC Treatment Clients with Accumulated 90+ Days*

Agency	Jail Days before DRC			Jail Days after DRC			Difference in Jail Days for Successes
	Success	Failure	Other	Success	Failure	Other	
Adult Probation	51.22 (18)	72.3(7)	0	7.83(18)	92.86(7)	0	-43.39 (18)
City Probation	15.22 (60)	38.06(48)	18(1)	8.7(60)	106.3(48)	0.00 (1)	-6.52 (60)
Totals	23.29 (78)	43.35 (55)	18 (1)	11.78 (78)	103.5 (55)	0(1)	-11.51 (78)

*Each cell contains the average number of days and includes the number of cases in each cell in the brackets.

The information in Table 33 indicates the wide variation in response by the clients from the two forms of probation making referrals to DRC. The total change in jail days before and after DRC for successful clients of DRC shows of the 138 treatment track clients with

accumulated DRC time exceeding 90 days, there were 78 successful exits, and they exhibited an average reduction of 11.51 days when jail days after DRC were compared with jail days before DRC.

The whole question of recidivism is central in understanding the value of the day reporting program. The same calculation of jail days in the 12 months before DRC, and the 12 months after DRC, was used to develop the information in Table 34, which includes 191 DRC treatment clients who had a length of stay from 6 days to 631 days.

Table 34: Recidivism: Average Jail Days for 191 DRC Treatment Clients Sample

	Jail Days Before DRC			Jail Days After DRC			Difference in Jail Days for Successes
	Success	Failure	Other	Success	Failure	Other	
Agency							
Adult Probation	51(18)	56(14)	0	8(18)	89(14)	0	-43(18)
City Probation	15(56)	37(88)	65.25(4)	8(56)	82(88)	1(4)	-7(56)
Intensive Prob.	81(6)	109(5)	0	62(6)	49(5)	0	-19(6)
Pre-Trial	0	0	0	0	0	0	0
Totals	28.25(80)	43.25(107)	65.25(4)	11.90(80)	81.9(107)	1(4)	-16.35(80)

The information in Table 34 supports a conclusion that those who successfully complete the day reporting program do spend less time in jail after completing the program. Successful participation makes a difference in the subsequent amount of time in jail.

As a means of further probing the use of the day reporting center, a sample was drawn from the same relevant period, and was composed of those with more than 364 total days in the day reporting center. There were 19 cases where the client was active during the study period, and their total days for all visits to DRC met or exceeded 364. Table 35 contains some of the descriptive information for this group. Thirteen (13) were in the treatment track, ten (10) of those were from city court. The nineteen cases accounted for a total of 6295 days associated with the study period, and a grand total of 8860 when all their DRC time was considered; this created an average DRC time of 466 days for this group.

Table 35: Client Information for 19 DRC Clients with Accumulated Days of 365+

Agency	Sanctions Track			Treatment Track			Totals
	Success	Failure	Other	Success	Failure	Other	
Adult Probation		1		3			4
City Probation				6	3	1	10
Intensive Prob.	1	3					4
Pre-Trial	1						1
Totals	2	4	0	9	3	1	19

How does someone wind up in the DRC for more than a year? Two cases will illustrate how that comes about. One of the cases is an example of a successful exit from DRC, the other was an unsuccessful case.

Case 1:

Alice Bravo (alias) is a 40 year old female convicted drug felon who was being supervised by community corrections intensive supervision program at the time of her entry into DRC. She scored a 29 (medium to high risk of reoffending) on the LSI-R at the time of her admission. She was first sent to DRC for 227 days as a sanction for failing to comply with the terms of her supervision by using drugs. She successfully completed DRC. Subsequently she admitted to further use, and spent 125 days as a part of reinstating her probation. Finally she spent 97 days in jail for a positive urinalysis, and was released from jail to the DRC where she spent an additional 16 days. All of her DRC sessions ended successfully in that she met the conditions of the sanctions track. The 368 days in the DRC were clearly an effort to assist her by the experience of the consequences of her actions. The three DRC stays were an alternative to jail time, and that was especially clear in the final stay where she spent 97 days in jail, followed by 16 days at DRC. She has not been back to DRC or the jail since September, 2008.

Case 2:

Charlie Delta (alias) is a 27 year old male convicted drug misdemeanor who was being supervised by Wichita City Court Probation at the time of his entry to DRC. He scored a 14 (low to medium risk of reoffending) on the LSI-R at the time of his admission to DRC. He was in the treatment track. He spent a total of 376 days in the DRC, where he was given multiple chances to succeed, and was eventually discharged due to positive drug tests. He left the DRC in October, 2009 and remained out of jail until April 24, 2010, when he reentered the jail where he remains. His record indicates continuing problems with substance abuse.

Are those referred to the Day Reporting Center individuals who would otherwise be in the jail?

The day reporting center is meant for use as an alternative to a jail stay. It is difficult to measure the question of whether the person assigned to DRC would have been in jail without the DRC. For the 19 individuals with the longest DRC stays, a list of the most serious offense identified in the case related to the DRC admission/exit provides a glimpse into the likelihood of use of the jail. A similar column presents information on those 159 cases with a length of stay from 90-363 days.

Table 36: Most Serious Offense for 19 DRC Clients with Longest Stays

	MSO OF DRC SAMPLE 364+ DAYS		MSO OF DRC SAMPLE 90 TO 363 DAYS		MSO OF 10/14/09 HOUSING SAMPLE	
	COUNT	PERCENTAGE	COUNT	PERCENTAGE	COUNT OF MATCHING	PERCENTAGE
Person Felony	1	5%	1	0.60%	26	23.42%
Person Misdemeanor	3	16%	71	44.70%	10	9.01%
Property Felony	1	5%	10	6.30%	18	16.22%
Property Misdemeanor	5	26%	11	6.90%	1	0.90%
Drug Felony	1	5%	6	3.80%	14	12.61%
Drug Misdemeanor	3	16%	10	6.30%	8	7.21%
DUI Felony	1	5%	2	1.30%	2	1.80%
DUI Misdemeanor	1	5%	26	16.40%	9	8.11%
Traffic Felony	0	0%	1	0.60%	0	0.00%
Traffic Misdemeanor	0	0%	3	1.90%	3	2.70%
Hold Felony	2	11%	7	4.40%	11	9.91%
Hold Misdemeanor	0	0%	1	0.60%	0	0.00%
Firearm Felony	0	0%	1	0.60%	3	2.70%
Firearm Misdemeanor	1	5%	1	0.60%	0	0.00%
Escape Custody Misdemeanor	0	0%	1	0.60%	0	0.00%
Flee Elude Felony	0	0%	1	0.60%	2	1.80%
FTA Misdemeanor	0	0%	1	0.60%	0	0.00%
Disorderly Conduct Misdemeanor	0	0%	2	1.30%	1	0.90%
Unspecified	0	0%	3	1.90%	3	2.70%
Total:	19	100%	159	100%	111	100.0%

It is important to note that all clients referred to the day reporting program are so directed by the act of a judge, either in district court or municipal court. There is no question about their participation in the day reporting program. The fact that six of those in the DRC did not have a corollary in the jail housing sample does not indicate that such a case would not have been assigned time in the jail if the day reporting alternative were not available. The process of assigning a designation for each case, in terms of the most serious offense, is difficult. Many of the cases involve multiple charges, and overlapping cases. The information contained in Table 36 supports the reality that most of the offenders assigned to the day reporting program have a counterpart in the jail at the time the housing sample was drawn, supporting the conclusion that the use of the day reporting program is consistent with its role as an alternative to the jail.

Conclusions

- 47.1% of clients in the sanctions track successfully completed DRC, while 42.7% of those in the treatment track were successes.
- DRC treatment referrals in the study period of 7/1/2008-12/31/2008 were mainly scoring in the low/medium range (42.71%) or the medium/high range (34.67%).
- A negative correlation of $-.224$ exists between the LSI-R score and the length of stay at the DRC; showing those with higher LSI-R scores were more likely to fail and exit early from the program.
- Successful DRC treatment clients were compared for jail days in the 12 months before and after their DRC period; an average of 16.35 fewer days were found after DRC.
- A comparison of the DRC populations with the jail housing sample showed that 6 out of 178 did not have a corollary among those in the jail housing sample. This result was taken as substantial evidence that those referred to DRC *could* have been admitted to the jail if this option were not available.

Financial Considerations of Alternative Programs

Benefit-cost analysis was initially designed to be applied to major capital investments such as roads, bridges, and water and sewer systems. In recent years, it has been increasingly applied to social policy to assess the efficiency of public investment in programs designed to increase human capital. The purpose of cost-benefit analysis is to determine efficient policy alternatives, i.e. Are citizens getting the most value for a given level of resources? The Washington State Institute for Public Policy is acknowledged as the most prominent organization providing high quality cost benefits analysis (Vining and Weimer, 2010). Benefit-cost analysis faces two significant challenges. First is defining what constitutes costs, and even more difficult, benefits. In the case of jail alternative programs, benefits should include the value of reduced crime to both crime victims and to taxpayers. The second major challenge to benefit-cost analysis is assigning monetary value to all costs and benefits. Solving these problems requires extensive research effort. The Washington State Institute for Public Policy (WSIPP) has developed an economic model that predicts changes in police, court and incarceration expenditures that result when crime goes up or down. Their cost data are based on Washington State historical data, but have been applied to other states. In 2006 WSIPP compiled an analysis of 571 rigorously controlled studies from across the United States to assess the cost effectiveness of policy options to reduce prison construction, criminal justice costs and crime rates (Aos, Miller and Drake, 2006). Their findings can serve as a guide to Sedgwick County as it weighs the costs and benefits of existing jail alternatives and considers additional programs.

Our analysis of the impact of jail alternatives in Sedgwick County is an observational study. A reliable assessment of the effectiveness of each of the alternatives would require random assignment of inmates to the programs and comparison of their outcomes with a control group that went to jail. Nevertheless, it is possible to observe inmate participation in the jail alternatives and to measure their subsequent criminal behavior. For purposes of this study benefits of the alternative programs are measured in jail days saved while participants are enrolled in the programs. This decision was made because it places the focus on the impact of jail alternative programs on the Sedgwick County budget, a factor that is of utmost importance to elected officials, public administrators and tax payers. Jail days saved is a conservative estimate of benefits of the programs. There are other benefits for society, crime victims, and families of offenders, but these benefits are difficult to quantify and are beyond the scope of this study.

Program Costs

The Sedgwick County Budget Office has compiled cost figures for the jail alternative programs based on actual direct expenditures. The estimates for years 2007, 2008, and 2009 include gross and net direct cost per offender per day. Procedures are not in place to calculate indirect costs of the programs. Indirect costs would include administrative time devoted to contract administration and program oversight, human resource and purchasing costs associated with hiring and supplying the programs, and building maintenance. The indirect costs associated with the alternative programs would necessarily be significantly lower than those for the jail, given the scope of the programs, number of clients, and nature of the enterprise. Table 37 summarizes direct average gross and net daily costs per offender.

Table 37

Jail Alternative Program Cost Comparisons			
Average Cost Per Offender Per Day*			
	Total Expenditures	Gross Direct Cost	Net Direct Cost
SCOAP			
2007	\$1,168,653	\$41.05	\$30.90
2008	\$1,173,131	\$40.18	\$33.02
2009	\$985,273	\$31.76	\$24.52
Day Reporting			
2007	\$1,407,638	\$27.58	\$27.58
2008	\$1,468,080	\$34.72	\$34.72
2009	\$1,278,877	\$26.63	\$26.63
Pretrial Services			
2007	\$549,186	\$13.56	\$13.33
2008	\$530,764	\$12.34	\$12.23
2009	\$643,688	\$11.98	\$11.86
Drug Court			
est. 2010	\$737,043	\$22.44	\$22.17
* Source: Sedgwick County Budget Office. Calculations Based on Budgetary Basis			

Program Benefits

The major difficulty in comparing the jail alternative programs with the jail is the lack of precise estimates of how many program participants would actually have been in jail. As previously noted, the current research is observational rather than experimental. Sentencing takes place at the discretion of individual judges on a case-by-case basis. Offenders with similar offenses will pose different risks to public safety and thus face different probabilities of incarceration. In order to estimate the number of jail days saved we made a number of assumptions and provide a range of potential savings.

First, using the booking sample described in Part 1 of this study, we calculated the percent of offenders in each class of offense who were sent to jail. We applied those percentages to the number of offenders in each offense category for the day reporting and pre-trial services populations to estimate the number of individuals who would otherwise have been in jail. For example, 73.5 percent of individuals arrested for person misdemeanors went to jail. Seventy-five participants in the day reporting sample were charged with person misdemeanors. We therefore assumed that 55 of them (75 x .735) would have been in jail. We then multiplied the number of offenders in each offense class by the average length of jail stay in that class, as determined by the housing sample from Part 1. This provided an estimate of

the number of jail days saved. For person misdemeanants in the housing sample, the average length of stay was 108 days so we estimate that persons in this offense class saved 5,954 jail days (108 x 55). This is a conservative estimate. The court, corrections staff and law enforcement are aware that the programs are alternatives to jail. It is unlikely that large numbers of offenders who would not otherwise have been in jail are being referred, but there are undoubtedly some.

Second, cost comparisons were made using net direct expenditures. Indirect expenditure data are available for the jail, but not for the alternative programs. It would be inappropriate to compare total costs for the jail with direct costs for the alternative programs. Direct net jail cost includes debt service. That cost was \$54.96 in 2009. This is also a conservative estimate because indirect costs of the jail (estimated by Maximus to be \$6.59 per inmate per day) are undoubtedly larger than indirect costs of the alternative programs.

Third, all estimates are based on costs incurred in the existing jail facility without regard to whether or not participants in the alternative programs would have increased the jail census beyond capacity.

Pretrial Services

Three benefit estimates have been prepared for Pretrial Services. The first uses actual average length of stay (66.03 days) for the 67-day sample that was drawn from 2008. That figure multiplied by the 138 participants for the period times the portion of the year accounted for by 67 days times more revealed jail days saved of 49,661. When that figure is multiplied by the average net direct cost of the jail in 2009 (\$54.96) total monetary savings are \$2,729,378. Actual jail stays for individuals with similar offenses appear to be longer than 66 days.

A second estimate makes use of the booking sample. It looks at the 138 participants and compares their most serious offense with those of the booking sample and then applies the percent of the booking sample that went to jail to the pretrial services population. The result is an estimated savings in jail days of 55,749 and jail costs of \$3,063,973.

Finally, an estimate was made assuming that all participants in pretrial services would have been in jail for the average length of stay of the housing sample based on most serious offense. This is an upper bound estimate. It shows jail day savings of 109,812 and jail costs of \$6,035,270.

Table 38 summarizes the findings. In all cases the benefit of pretrial services in terms of saved jail days greatly exceeds the cost of the program.

Table 38

Benefits and Costs of Pretrial Services			
	Low*	Medium**	High***
Jail Days Saved	49,661	55,749	109,812
Jail Costs Saved	\$2,729,378	\$3,063,973	\$6,035,270
Program Cost 2009	\$643,688	\$643,688	\$643,688
Net Savings	\$2,085,690	\$2,420,285	\$5,391,582
* Assumes jail day saving of 66.03 per participant, the average length of stay in pretrial services.			
** Assumes jail day savings based on average length of stay for most serious offense and use of booking sample to determine proportion jailed.			
*** Assumes all participants in pretrial services would have been jailed based on average length of stay of most serious offense.			

Sedgwick County Offender Assessment Program

Data on individual participants in the Sedgwick County Offender Assessment Program are not available. It is thus impossible to estimate jail day savings based on most serious offense or actual days in the program. ComCare staff estimate that the average participant remains in case management for six months. In calendar year 2009, if all participants would have been in jail for the full six months of case management, the total number of jail days saved was 51,283 and total costs saved \$2,818,486. This may be an unreasonably high estimate. It is entirely possible that had these individuals not been in case management, they would not have been in jail for that full time. A second, more conservative estimate is based on the assumption that offenders would have been in jail for half the days they were in case management. In that case total savings would have been \$1,409,243. In either case, net savings from the program are positive.

Table 39

Benefits and Costs of Sedgwick County Offender Assessment Program		
	Low*	High**
Jail Days Saved	25,641	51,283
Jail Costs Saved	\$1,409,243	\$2,818,486
Program Cost 2009	\$985,273	\$985,273
Net Savings	\$423,970	\$1,833,213
* Assumes that participants would have spent half as many days in jail as in treatment.		
** Assumes that all treatment days would otherwise have been in jail.		

Drug Court

All drug court participants are felons with multiple convictions. It is assumed that all offenders would have been in jail had they not been participating in drug court. The program has not been operational long enough to develop dependable estimates of either benefits or costs. Based on evidence that is available from the first 20 months of operation of the program, it is estimated that Drug Court will save 13,843 jail days in 2010. Because drug court participants are sometimes sanctioned with jail days, 1,150 days were subtracted from the potential savings. Total dollar savings of \$737,043 are \$39,436 less than estimated 2010 program costs.

Table 40

Benefits and Costs of Drug Court	
Net Jail Days Saved*	12,693
Jail Cost Saved	\$697,607
Program Cost, 2010 estimate	\$737,043
Net Savings	-\$39,436
* 1,150 sanction jail days served by drug court participants were subtracted from the estimated total.	

It is too early to assess Sedgwick County Drug Court for either costs or benefits. There is, however, considerable national evidence to demonstrate the effectiveness of adult drug courts. In 2009 the Washington State Institute for Public Policy (Drake, Aos and Miller, 2009) published a report that updated a 2006 study (Aos, Miller and Drake, 2006) in which they compiled 545 rigorous comparison-group evaluations of adult corrections, juvenile corrections and prevention programs. They synthesized the results into estimates of benefits, costs and program effect on crime. There were more studies of adult drug court (57) than any other adult program. The results showed an average decrease in crime outcomes of 8.7 percent. It also showed long term net benefits (benefits minus costs measured as net present value in 2007 dollars) per participant of \$8,514. Benefits included both crime victim and taxpayer benefits. There is no reason to believe that Sedgwick County Drug Court will not experience similar benefits once implementation issues are resolved and case loads are stabilized.

Day Reporting

The Day Reporting Program is divided between sanction and treatment tracks. Three estimates of net benefits are calculated. The benefit estimates do not include likely jail days saved due to a reduction in recidivism even though the sample indicated a reduction in average jail days served in the 12 month period following participation in the program. We did this in order to preserve the conservative nature of the estimates and because the sample data are not experimental. The low estimate assumes jail day savings based on average length of stay of the housing sample and the proportion of offenders jailed based on the booking sample. That estimate shows that costs exceed benefits by \$128,564. The intermediate estimate assumes that 95 percent of all day reporting participants would have been in jail for the average length of stay for their offender class. It shows total savings of \$2,208,787, well in excess of 2009

program costs of \$1.3 million. This is a reasonably likely scenario since it is fairly certain that all sanctions participants would have been in jail and a significant majority of treatment participants also would have. Given that the judges are aware of the jail alternative nature of the program, it is not likely that significant numbers of people who would not otherwise have been in jail would be referred to the program.

The third estimate is based on actual program days experienced by the sample. It assumes that all sanction days and 90 percent of all treatment days would have been jail days and shows total savings of nearly \$4.5 million. This scenario is an accurate description of program participation and is a likely scenario only *if* it can be assumed that individuals do not participate in Day Reporting longer than they would have been in jail. All but the most conservative estimate show significant net benefits to the Day Reporting program.

Table 41

Benefits and Costs of Day Reporting			
	Low*	Medium**	High***
Jail Days Saved	20,930	40,189	81,384
Jail Costs Saved	\$1,150,313	\$2,208,787	\$4,472,865
Program Cost 2009	\$1,278,877	\$1,278,877	\$1,278,877
Net Savings	-\$128,564	\$929,910	\$3,193,988
* Assumes jail day savings based on average length of stay for most serious offense and use of booking sample to determine proportion jailed.			
** Assumes 95 percent of all participants in day reporting services would have been jailed based on average length of stay of most serious offense.			
*** Uses actual program days for the 6-month sample annualized assuming all sanction track and 90 percent of treatment track days would have been jail days.			

These conclusions should be reassessed following completion of 2010. Actual participation in the program has increased dramatically. It is less certain that all referrals would otherwise have been in jail. The program budget will be stretched if this trend continues.

There is national data to support the effectiveness of cognitive behavior therapy, the method used by BI in the Day Reporting program. WSIPP estimates that cognitive behavior therapy reduces crime outcomes by 6.9 percent and has net long-term benefit per participant of \$15,361. These findings are based on 25 controlled studies.

Conclusions

The benefits calculated in this study consider only jail days saved. Actual benefits, as have been measured by more rigorous controlled experimental studies, would also include changes in recidivism and subsequent changes in police and court costs that result from changes in crime rates. Benefits would also include the monetary value of the victim costs saved when a program reduces crime. As a result, the benefits reported here are very conservative estimates. In addition, the study uses net direct cost per inmate per day to estimate the value of a jail day saved. This assumption was made because indirect cost estimates are not available for the alternative programs. The assumption makes the estimates of program benefits even more conservative.

Jail alternative programs in Sedgwick County appear to be working very well. Nearly all estimates show positive net benefits even when measuring benefits only as jail days saved. Overall, the programs are saving taxpayers a minimum of between \$4 million and \$5 million annually. Only Day Reporting, under the most conservative assumptions, and Drug Court, which is not yet fully implemented, show small negative savings. In both cases, substantial national evidence exists that these programs will have significant positive long-term benefits.

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Further Opportunities

Background

Sedgwick County has a successful collaborative criminal justice effort based in the Criminal Justice Coordinating Council. That body, referred to as the CJCC, includes a large number of the stakeholders in Sedgwick County. By bringing a comprehensive view of every issue related to criminal justice, there is a chance for maximum feasible participation of all the players in the system. Everyone gained an appreciation for their mutual dependency and the need for a collaborative approach to use of the jail as a resource for the entire community. Any opportunities to expand efforts to control the jail population should be filtered through CJCC for maximum feasible participation in crafting solutions acceptable to all.

For purposes of discussion, the opportunities will be discussed in three categories: those that constitute improvements to existing programs, those that constitute the introduction of a new program, and those that are really a call for change to state legislation. Some of these ideas emerged in earlier studies of the jail population, others have been the subject of CJCC meetings. The purpose here is to review all the apparently viable ways to provide additional relief for the Sedgwick County Adult Detention Facility population.

There are many possible opportunities to consider, but some fit more closely with current efforts in Sedgwick County. It is worthwhile to keep an observant eye on the national scene because innovation is a constant process that can lead to improvement. At this time a relatively limited number of opportunities appear to be a good fit locally.

Improving Existing Programs

Expeditors

There are innumerable reasons for offenders eligible for release still sitting in jail. Some of those reasons can be overcome with systemic moves, such as new policies on journal entries and their review. Other reasons are much more individual, and need to be addressed on a case by case basis. The Criminal Justice Coordinating Council Workgroup recommended the adoption of a comprehensive population management plan that includes the use of two or more population expeditors to case manage the jail population on a daily basis by coordinating, communicating, and facilitating movement. Their main function would be to gather information and then notify a Judge (either one designated for this purpose, or the Judge in the case in question) if an inmate could be moved.

Another issue that expeditors could solve is assessing risk of re-offending. Some of the programs, particularly the treatment track of the Day Reporting Center, would be well served by receiving people who are moderate to high risk of re-offending. Currently the municipal courts and district court do not conduct a risk assessment as part of pre-sentence investigations. The expeditors could be certified in use of the Level of Service Inventory-

Revised (hereafter LSI-R) or the screening version of that instrument, so they could make a risk level determination on convicted residents of the jail, thereby establishing their need for treatment.

SCRAM

The Secure Continuous Remote Alcohol Monitor (SCRAM) device is a transdermal alcohol monitoring system that is used in conjunction with a GPS tracking device. It provides 24 hour/7 day a week monitoring of an offender's alcohol intake. It is primarily used to deter offenders from violated court ordered abstinence, thereby improving accountability for any use of alcohol. Trials to date show good impact on success rates when used for drug court cases, and for a variety of alcohol-related offenses. It adds a measure of security to having alcoholics on any form of release from jail. The concern is always that they will drive while intoxicated and injure others; the SCRAM makes it unlikely that alcohol use will be undertaken, since the SCRAM offers proof positive whenever the subject drinks.

The cost of installation (\$50-100) and daily monitoring (\$10 approximately) is cheaper than incarceration, and may be set up as an offender-pay program, with some accommodation for lower income individuals.

Adult Residential Program Expansion

On any given day there are at least forty (40) males and seven (7) females in the jail awaiting a bed at the Adult Residential facility. On August 31, 2010 the average wait for males was 40 days while the average wait for females was 36 days. If the Sedgwick County Youth Program (SCYP) were removed from the adult residential facility, it would be possible to house 45 additional adult offenders. Given the information over the past year about an average of 45 males and 7 females waiting in the jail, it appears the expanded beds would be used, and would help.

From a cost savings perspective, the use of the adult residential program is nearly on a par with the jail, when it comes to per diem. The difference is in the long term prospects of the person served by the adult residential program. Jail does not improve future prospects for recidivism, but treatment programs do reduce recidivism.

Expand availability of Cognitive Behavioral Treatment

Cognitive Behavioral Treatment (CBT) has long enjoyed a reputation for dramatically improving the likelihood of success for offenders, whether offered while incarcerated or in the community. According to the Washington State Institute on Public Policy, it returns more than \$15,000 for every participant. The Day Reporting Center treatment track offers all offenders CBT, and adds other treatment for those with substance abuse problems. If offenders referred for treatment were more often in the moderate to high risk range (as shown by the LSI-R or LSI-SV), and were given a dose of CBT set by their risk level (higher risk gets longer treatment) the probably benefit to the community would be substantial. CBT strategically provided could substantially reduce recidivism, thereby cutting demand for jail beds. This form of treatment would seem to be the most effective choice in dealing with condition violators, if assigned with risk in mind.

Local Courts Review Case Flow

Both municipal and city courts can be a source of jail days when case flow processing gets bogged down for any reason. A recent example the CJCC uncovered was the length of time from journal entry to execution of action. By adding a staff person in the appropriate position, and by changing the process of review, a large number of jail days were saved. At the current time the District Court is reviewing the impact of continuances on probation violation cases. It is not known if problems exist, but data is being analyzed and appropriate action will ensue upon findings about the impact of continuances in these probation violation cases. Both the municipal courts and District court are encouraged to continue this process of improving case flow time by selected step review.

New Programs or Initiatives

Work Center

Employment is one of the strongest weapons against recidivism, according to the studies reviewed by the Washington State Institute on Public Policy. They consistently rate the cost/benefits of vocational programs very high. Since the rate of unemployment in the Sedgwick County Adult Facility population studied herein is above 50%, it would appear this issue is worth attention. In the 2005 jail study included a recommendation for a work center, where offenders in the custody of the sheriff could gain work experience under close supervision. Such work centers are existent in Reno, NV and Medford, OR as well as a number of other cities. Such work centers perform valuable tasks for local government, and train offenders lacking in basic job skills. The type of work typically undertaken includes office cleaning, lawn work, and any other jobs where the skills are at an entry level. The cost of such programs typically runs above that of work release, but below that of regular jail housing, because offenders typically reside in a work center with dormitory style accommodations. The cost/benefits on this type of program are probably on a par with that of correctional industries, where the offender learns some basic skills and acquires some specific knowledge that increases their prospects of employment.

Engage a Consultant to Assist with Computer Guided Placements

As the menu of jail alternatives has expanded, it is clear that finding the right people for the right programs will become increasingly valuable. While it is clear that Tulsa has as many offenders in their community, it is also clear that they have more participants in all their jail programs. The effort to control the jail population requires good information to form a basis for good decision on use of jail alternatives for offenders. An effort is under way to improve the information sharing system, so all needed information becomes readily available to staff in the various agencies of the criminal justice system. A consultant in computer guided placement recommendations could be valuable in making sure all needed information is considered in selecting an alternative to the jail for any given offender. Dr. Sue Abdinnour of WSU is a specialist in decision models using computer capability to speed decisions. Once the information is available, it would be possible to get a very quick report on which alternatives might be suitable. A Judge would still need to make a final decision, but it would be of great

value to see where the individual might best fit if we hope to get maximum effect from use of alternatives. Use of such a consultant would be most appropriate once Sedgwick County has some sort of comprehensive population management plan that guides assessment of the convicted offender and their eventual movement.

Legislative Action

Every year the Kansas Legislature tackles issues that produce prison crowding. They look for ways to reduce the flow of offenders to prison. Some of those efforts to control prison crowding result in jail crowding. An example is having felony DUI cases serve their time in jail, rather than prison.

Sedgwick County needs to petition the Kansas Legislature to tackle some of the issues that produce jail crowding. One important tool in managing the jail population is the availability of good time credit. If good time is a respected means to encourage good behavior in the prison setting, it could be equally valuable in the jail setting. Good time credit in jail would help to relieve crowding, and would encourage inmates to behave well for early release.

Another important consideration is the ability of a Judge to modify sentences for felons serving time in local jails. This would involve DUI cases and domestic violence cases, as well as forgery, and any other new legislation that might move other felons out of the prison population and into the jail population. Some balance is necessary to afford local control of these moves from state facilities to county facilities.