

**SUPPLEMENT TO THE SFY 2014 OUTCOME REPORT ON  
THE DEPARTMENT OF PUBLIC ADVOCACY  
ALTERNATIVE SENTENCING WORKER PROGRAM**

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In response to questions from the Office of the Secretary of the Justice and Public Safety Cabinet, a further step was taken in the analysis of DPA ASW data. This step involved examining whether there was any difference in the cost outcomes for the state between those individuals whose ASW plans were accepted versus those whose plans were denied. A random sample of 50 individuals was taken from the ASW plan denied group. Using the same data extraction from KOMS and CourtNet as was used for the ASW sample, a list of charges before the court at the time the plan was filed, along with the sentences and days served in the 12 months following court disposition regarding ASW plans was developed.

In order to keep the comparison structured along similar lines, the adjusted jail per diem rate was applied to the comparison sample as it was with the ASW sample.

Table 1 shows the basic demographics of the two groups. There were no statistical differences in age between the two groups, however gender was statistically different with far more females in the ASW group. The distribution of males in the comparison group is more consistent with the general correctional population and arrest data. Nothing in the data collection can fully clarify why this great a gender difference would exist between the two groups.

**Table 1. Comparison of the ASW sample with the comparison sample of individuals whose ASW plans were denied by the court (n=100)**

	ASW sample (n = 50)	Comparison Group (n = 50)
<b>Demographics</b>		
<b>Average age (in years)</b>	34.4	34.9
<b>Gender*</b>		
<b>Male</b>	56.0%	76.0%
<b>Female</b>	44.0%	24.0%
<b>Race</b>		
<b>White</b>	82.0%	86.0%
<b>Black/African American</b>	16.0%	14.0%
<b>Hispanic</b>	2.0%	0.0%

\*p<.05

Table 2 shows the comparison of sentences and actual time served for the ASW clients whose plans were accepted and those whose plans were denied. The ASW clients had average sentences of 798 days (2.2 years) whereas the individuals whose plans were denied had average sentences of 1,773.8 days (4.9 years). The group whose plans were denied also had a statistically significantly greater concentration of felony offenses (111 versus 48) and revocations and a statistically greater number of overall charges (140 for the ASWs, 216 for the comparison group). These differences may be due to the greater number

of males in the comparison group or may reflect a higher degree of criminality among those whose plans were denied by the court.

**Table 2. Comparison of sentences imposed by the courts and actual days served in the 12 months following disposition (n=100)**

	ASW sample (n = 50)	Comparison Group (n = 50)
<b>Average sentence (in days)***</b>	798.0	1773.8
<b>Average number of days incarcerated in the 12 months after court disposition***</b>	43.49	260.88
<b>Total misdemeanors before the court at the time plan was presented</b>	48	57
<b>Total felonies before the court at the time plan was presented **</b>	66	111
<b>Total violations before the court at the time plan was presented</b>	7	7
<b>Total revocations before the court at the time plan was presented **</b>	19	41
<b>Total all charges before the court at the time plan was presented ****</b>	140	216

\*\* p<.01, \*\*\*p<.001, \*\*\*\*p<.0001

Table 3 shows the differences in cost for the ASW clients by comparison to those whose plans were denied by the court. To calculate the cost differences, the total number of days actually served in the 12 months post disposition was summed for both groups. Then, in order to arrive at the most conservative estimate of cost of incarceration time, the same per diem rate was used for both groups even though more of the comparison group likely served time in prison rather than jails. The rate used for this calculation is the same one that was used in the full annual report on the SFY 2014 sample. The total cost of incarceration days for the ASW sample was \$79,742 and the per client average was \$1,595. For the comparison sample, the total cost of incarceration days was \$488,106 with an average per client cost of \$9,762. This suggests an overall cost difference of \$408,364 and a per client average cost difference of \$8,167.

**Table 3. Comparison of the costs of incarceration for ASW clients and individuals whose plans were denied by the court**

Actual incarceration within the 12-month period	Number of Days	Per diem rate	Total cost (Days X Per diem)	Average per client cost of incarceration
ASW Client Sample	2,131	\$37.42	\$79,742	\$1,595
Comparison Sample – ASW plans denied by the court	13,044	\$37.42	\$488,106	\$9,762

This supplement to the SFY 2014 report on the outcomes of the Alternative Sentencing Worker Program suggests that individuals whose plans are accepted by the courts incur significantly less cost than those whose plans are denied by the courts. The data available for this supplemental report do not explain why these differences are present. While the sample for the comparison group in this analysis contained significantly more males than females, it is unclear whether the crime pattern differences are a function of gender or other factors. In the next annual report, this examination of differences between the two groups will be examined in more detail to see if there are other factors affecting judicial decisions about accepting ASW plans.