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**A Cohort Study of Case Characteristics
And Outcomes of Participants
In Felony ATI Programs**

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FINAL REPORT

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1. Introduction

The purpose of this study is to provide information about defendants mandated to selected City-funded felony Alternative-To-Incarceration (ATI) programs.¹ These programs are: CASES's Court Employment Project (CEP), CCA's Youth Advocacy Program (YAP), Fortune Society's Freedom, DAMAS and FlameTree programs, Osborne Association's El Rio Day Treatment Program, and Project Return's Women Day Treatment Program.² Data will be examined for cases that were mandated in Fiscal Year 1999 (July 1, 1998 to June 30, 1999) and in Fiscal Year 2000 (July 1, 1999 to June 30, 2000). The study will describe participant and case characteristics, ATI program outcomes, in-program rearrest rates and legal outcomes. Unlike in previous activity reports,³ cases will be tracked until they exit the program regardless of when that exit occurs. Most important, the study will provide for the first time data about actual legal outcomes for the mandated cases, and for the most serious in-program rearrests. Furthermore, previously unreported legal information such as prosecutors' offers, and judicial promises for program success or failure will be presented and analyzed in the context of actual legal outcomes.

To summarize briefly the historical background of the New York City Criminal Justice Agency's (CJA) involvement with the ATI programs, from FY98 to FY99, CJA's Centralized Court Screening Service (CCSS) staff was responsible for targeting, interviewing, advocating, and reporting back to court about cases mandated to the ATI programs. Beginning in FY00, the screening, interviewing, advocacy and court reporting functions were returned to the programs. CJA retained the statistical targeting function – meaning the identification of jail-bound cases, based on statistical criteria. This computerized targeting process was used by CCSS, and continues to be used by the felony programs in the form of computer-generated lists. CJA has also retained the roles of data collection and analysis.

Effective FY00, the Office of the Criminal Justice Coordinator's (OCJC) entered into performance-based contracts with the ATI programs and CJA, whereby the ATI programs are paid if they meet specified milestones such as achieving a certain number of intakes, retaining cases for specific time periods, for successfully completing the programs, and for submitting data records to CJA within specified timelines. CJA, in turn, continues to maintain and expand its

¹ See Exhibit A for list and description of the City-funded ATI programs.

² Edwin Gould STEPS to End Family Violence and CCA Crossroads are not part of this study because we do not have data for either program for FY99.

³ See Eckert, Mary A., *Centralized Court Screening Service: Fiscal Year 1998 Report and Centralized Court Screening Service: Fiscal Year 1999 Report*. Eckert, Mary A., and Mari Curbelo. *First Half Fiscal Year 2000: Six-Month Report, Third Quarter Fiscal Year 2000: Third Quarter Report*. New York, NY: New York City Criminal Justice Agency and, Revere, Elyse J., and Mari Curbelo. *End-of-Year Report: Fiscal Year 2000; First Half Fiscal Year 2001: Six-Month Report, Third Quarter Fiscal Year 2001: Third Quarter Report, End-of-Year Report: Fiscal Year 2001*. New York, NY: New York City Criminal Justice Agency.

database on mandated cases and to produce various routine and analytic reports for OCJC and the programs.

Various changes resulted from the return of functions to the ATI programs and as a result of performance-based contracting. Some of these changes, for example, the elimination of administrative discharge⁴ as an exit category, and other changes that occurred as CJA expanded its ATI database and updated targeting models, will be discussed in the appropriate sections of the report. References to previous reports covering these issues will also be provided.

2. Cohort Selection and Data Sources

The selection of cases mandated in FY99 and FY00 is based on the need to allow for program completion and legal disposition of the mandated cases. Most of the ATI programs in this study are funded to provide six months of treatment, and as a result, the program models are designed to be completed within that timeframe. However, YAP and El Rio participants are often required to remain in the program for one year or more in order to receive a positive legal outcome. Thus, even those cases mandated to the longer programs at the end of June 2000, should have been exited by the end of the study period. Moreover, selecting cases mandated no later than FY00 ensures that the vast majority of cases in the sample will have been disposed of by the courts, which allows us to then report on legal outcomes on mandated cases, as well as the most serious in-program rearrests. The cut-off date for collecting data on legal outcomes is May 17, 2002. As a result, there are a few cases where legal outcomes are not available because the case was still active as of May 17, 2002, or because a warrant was issued.

The decision to combine cases mandated in FY99 and FY00 into a single cohort is based on our assessment that there were only slight differences in the demographic and criminal history profiles of mandated cases, program outcomes, and legal outcomes for cases mandated in each fiscal year. For example, initially it appeared that there was some variation in program completion rates across the two fiscal years, but if the administrative discharges from FY99 are combined with the unsuccessfully terminated cases from that year there is virtually no difference when comparing the successful and unsuccessful completion rates to the rates in FY00. (It is assumed that if the administrative discharge exit category had not been available before FY00, most of those cases would have been exited unsuccessfully.) A second reason to combine the two

⁴ The category administrative discharge had been utilized historically by drug treatment programs and their funding sources in an effort to not penalize programs for attempting to give services to defendants who are assessed to require a different, generally more intensive treatment modality, shortly after enrollment. Given that CCSS was a new and separate entity, OCJC, the programs, and CJA agreed to use this exit category for all felony ATI programs. Once the screening and advocacy functions were returned to the ATI programs and performance-based contracts were introduced in FY00, the category of administrative discharge was eliminated. Since payment is now contingent on meeting various time-based milestones, the administrative discharge category became unnecessary.

fiscal years into one cohort is to ensure a sufficient number of cases, particularly for the women specific programs (DAMAS and Project Return), and also to have enough cases to analyze when subdividing cases by YO eligibility, exit status, and violent versus non-violent charges.

A primary source of case information for this study is CJA's Uniform Defendant Inmate Information System (UDIIS), which contains demographic and arrest information on defendants, collected from the police through its On-line Booking System (OLBS) feed. Court-related legal information is collected from the Office of Court Administration's (OCA) information system (CRIMS). Other sources of information include bail-making data from the Department of Corrections, and additional data collected during CJA's pre-arraignment interview. A limitation of the legal outcome data in this report is that our database (UDIIS) is not structured to track resentencing information consistently. It does contain, however, information on cases adjudicated as youthful offender, information not available in a request to OCA. We have supplemented missing legal information from other sources such as court calendars, CCSS case files, and the rap sheets contained therein.

Another source of case information is the forms prepared for all cases mandated to the ATI programs, specifically, the *Target Case Information* (TCI) form and the *Felony Participant Transfer and Exit* (Exit) form. These forms are completed by the court representatives and then submitted for entry in our database generally within a week of mandate or exit. As the ATI database expanded, the TCI form was modified to better capture length of imprisonment offers and threats for program failure given changes in the sentencing statutes, and to clarify relevant dates. More significantly, the Exit form has been modified twice: the first time in February 1999 to add subcategories to the more general successful completion, unsuccessful termination, and non completion categories; and the second time, effective July 1, 2000, to eliminate and add certain exit categories.

As in previous reports, the unit of analysis is a case with a distinct mandated court action date. This means that the same case will be counted more than once if the defendant exits a program unsuccessfully but is mandated subsequently back into the same or a different ATI program on a different date. Because the defendant is required to begin participation anew, the program outcomes are treated as distinct. There are 132 multiple released cases in the Cohort Study.

In the CCSS fiscal year 1999 report, 855 cases were reported as mandated to the ATI felony programs. Of these, ten cases were removed from the Cohort Study because the defendants never enrolled in the programs, and one case was removed because the defendant was actually mandated late in FY98. An additional 43 cases were eliminated from the Cohort Study because they were mandated as a result of a violation of probation and our information system

cannot track resentences consistently. This leaves a total of 801 cases mandated in FY99 that are part of the Cohort Study.

In the ATIIS, End-of-Year Report for Fiscal Year 2000, 818 cases were reported as mandated or reinstated to the selected ATI felony programs, which excludes STEPS and Crossroads. Of these, 25 were removed from the Cohort Study because they were mandated as a result of a violation of probation. An additional case was eliminated because the defendant, though reinstated in FY00, was originally mandated in FY99. This leaves a total of 792 cases mandated in FY00 that are part of the Cohort Study, for a combined total number of 1,593 cases in the cohort from FY99 and FY00.

Listed below are the counts of cases in the cohort in order from most to least:

- CEP---495 cases,
- Freedom---289 cases,
- El Rio---214 cases,
- FlameTree---196 cases,
- YAP---181 cases,
- Project Return---118 cases, and
- DAMAS---100 cases.

Figure 1 displays the relevant percentages.

3. Demographic and Criminal History Characteristics of Defendants Mandated in the Cohort

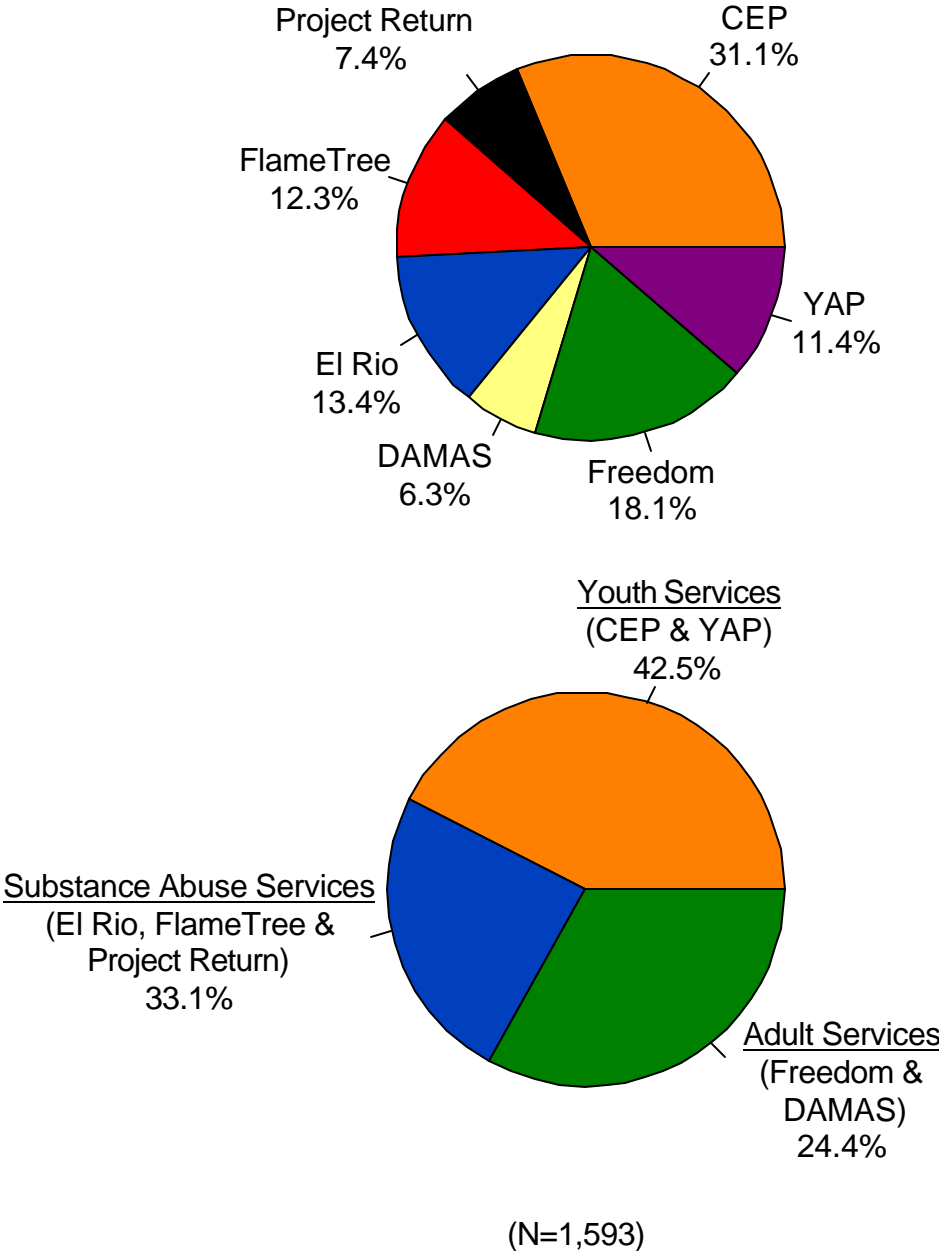
Table 1 displays selected demographic and criminal history characteristics of the defendants in the cohort. Over half (54.0%) of the defendants in the cohort were under 19 years of age at the time of arrest. Most of the defendants mandated to CEP were between 16 and 18 years old (94.1%) at the time of their arrest, and all but one (99.4%) of the defendants mandated to YAP were either 14 or 15 years old when arrested on the instant case. There is a greater range of ages of defendants mandated to the remainder of the felony programs, although the defendants mandated to El Rio and Project Return tended to be older than those mandated to the other programs. One-quarter (25.3%) of the defendants mandated to El Rio were at least 40 years old, as was the case for the women mandated to Project Return, 24.5 percent fell in this upper age range. While two of the seven programs are specifically for female defendants (DAMAS and Project Return), these were the two programs with the smallest populations of defendants. Overall, women represented one-fifth (20.3%) of the defendants mandated in the cohort.

One-fifth (21.5%) of all defendants in the cohort had prior misdemeanor convictions. Due to their younger populations, less than ten percent (7.3%) of the defendants mandated to CEP, and none of the defendants mandated to YAP

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Figure 1

Cases in the Cohort



had prior misdemeanor convictions. El Rio and Project Return, the programs represented by older populations of defendants, also had the greatest proportion of defendants with prior misdemeanor convictions (42.4% and 39.8% respectively).

Overall, a little over ten percent (11.3%) of all defendants in the cohort had a prior felony conviction. The relationship between age and criminal history noted above for prior misdemeanor convictions also holds for prior felony convictions. No defendant mandated to CEP or YAP had a prior felony conviction, while defendants mandated to El Rio and Project Return had the highest proportion of prior felony convictions (27.0% and 24.6% respectively).

4. Targeting, Charge, and Criminal Court Case Profiles of Defendants Mandated in the Cohort

Targeting refers to the identification of cases that are likely to receive a target-range sentence of six months of incarceration or more, as required by the Office of the Criminal Justice Coordinator for the felony ATI programs. In the past, many of the ATI programs identified such cases by relying on the offer made by the judge or the prosecutor to the defense attorney to dispose of the case. The ATI programs also targeted cases based on the court representatives' knowledge of the sentencing statutes, and experience with the court. Some programs, like CEP, had identified more specific criminal justice criteria based on statistical analysis, which they used to guide the court representatives in identifying cases that appeared to have a higher likelihood of incarceration.

As per CJA's CCSS contract with the City, our Research Department developed statistical models for assessing the likelihood of cases receiving the target-range sentence of six months or more when CCSS began its operation in FY98. (See End of Year FY98 report). These models were updated in FY00 as detailed in the appendices to the six-month report FY00. The statistically-derived criteria were computerized to assist the court representatives in identifying targeted cases. CCSS court representatives were instructed to also consider if the actual offer by the judge or prosecutor confirmed that the case was likely to receive an incarcerative sentence of six months or more. The ATI programs continue to receive lists of computer-targeted cases from CJA, but also use other factors to identify cases for further screening.

The original 11 target categories were derived from statistical analyses of detained cases and were based on the defendant's age, sex, charge, criminal history, and bail amount. In FY00 a retargeting analysis was done and new statistical criteria were introduced in February 2000. The new targeting categories included certain non-detained defendants, and excluded from targeting all defendants with prior felony convictions. (See Exhibit B for the lists of target categories). The retargeting analysis also resulted in the elimination of a distinct YO eligible category.

Table 2 presents the information on targeting and Criminal Court processing for the cases in the cohort. Overall, almost two-thirds (63.3%) of all cases in the cohort came from a post-arraignment computer target category. Primarily relying on cases from the now obsolete youthful offender target category (60.8%), CEP had proportionately the lowest number of mandated cases as coming from a pool of referral or manually targeted cases (21.0%). FlameTree, Freedom, and YAP each had approximately one-third of their cases from the referral or manually targeted categories (32.7%, 36.3%, 37.0% respectively). Over two-fifths (44.0%) of the cases mandated to DAMAS came from a pool of referral or manually targeted cases. Almost three-fifths (58.9%) of the cases mandated to El Rio, and two-thirds (65.3%) of the cases mandated to Project Return came from a pool of referral or manually targeted cases. One explanation for the high proportion of non-computer targeted cases mandated to Project Return is that over two-fifths (44.9%) of these defendants were released leaving Criminal Court arraignment, a factor that would have excluded these cases from computer targeting. A second possible reason, and one that may also explain the large proportion of non-targeted El Rio cases, is the high number of defendants with prior felony convictions in both of these programs, a factor that would have kept a case from being computer targeted following the change in targeting. Overall, the youthful offender target category was responsible for over one-quarter (26.4%) of all cases in the cohort. One in seven (14.8%) defendants mandated to felony programs came from the male drug detained category, and another 9.3 percent of mandated defendants were from the male non-drug detained target category.

The proportion of cases mandated to the ATI programs by borough of prosecution has varied over time. In this Cohort Study, cases from the Bronx accounted for the largest percentage (33.0%) of cases, followed by cases from Brooklyn (29.3%). Manhattan accounted for 28.9 percent of cases and Queens had the fewest cases mandated to these programs (8.7%). Due to the location of certain programs and their participation in the Bronx Treatment Court, defendants from particular boroughs are over-represented in the populations of some programs such as El Rio and Project Return, which drew over three-fifths of their mandated cases from the Bronx (70.1% and 80.5% respectively).

Table 2 also presents the Penal Law Article of the highest charge leaving Criminal Court arraignment, by felony ATI program, for cases in the cohort. Overall, the largest proportion (49.8%) of cases had a controlled substance charge. Another 31.9 percent of mandated cases had a robbery charge leaving arraignment. Robbery charges characterize the largest category of cases mandated to CEP and YAP (45.3% and 81.8% respectively). For all the other felony programs, including the general population programs, Freedom and DAMAS, drug cases were the most common ones mandated to the programs.

Over two-thirds (70.4%) of all cases in the cohort had a “B” felony charge leaving Criminal Court arraignment, and another 15.8% had a “C” felony charge on the

mandated case. Over four-fifths (82.2%) of all defendants in the cohort were detained leaving Criminal Court arraignment, primarily as a result of not making bail. Less than one-fifth (17.1%) of defendants were released leaving Criminal Court arraignment, most of who were released on their own recognizance. Almost all (99.7%) cases in the cohort were eventually handled in Supreme Court. As would be expected, only four cases were sentenced in Criminal Court. Three of those cases began as felonies and the defendants subsequently pleaded guilty to A misdemeanors. The fourth case began as an “A” misdemeanor and the defendant was sentenced on the same charge. Three of the four cases disposed in Criminal Court were sentenced to a split sentence of either 30 days in jail or time served, and three years probation. The remaining defendant was sentenced to three years probation. Regarding program outcomes, one case was transferred to a different program, one case was successfully completed, and two were unsuccessfully terminated.

5. Program Outcome of Defendants Mandated in the Cohort

Unlike previous end-of-year reports in which a program status was reported if it happened during the reporting period regardless of when the case was mandated originally, this study tracks all cases mandated during the two-year period and reports on exits regardless of exit date. As was hoped, all cases in the cohort have exited the programs.

Beginning late in FY99, OCJC authorized CEP, DAMAS, FlameTree, and Freedom to reinstate cases. Reinstatements involve defendants who were mandated to a program, but who did not complete the program, and are subsequently mandated again (reinstated) to the same program on the same case. With reinstatements, the original unfavorable exit is overridden by a final exit code that may be successful or unsuccessful. The time in program and the time frame for determining in-program rearrests are adjusted to include the original period of participation and the time from reinstatement until exit, and not the time in between. Drug treatment programs such as El Rio and Project Return, on the other hand, do not reinstate cases because they generally require the participant to begin treatment anew after unsuccessful termination.

As noted earlier in this report, prior to the middle of the third quarter of FY99, the programs were only required to submit a general category exit status for defendants who had been mandated to the program. After February 1999, specific reasons underlying the general exit status category were implemented though not retroactively. Consequently, when the exit status codes are displayed in **Table 3** and **Table 3a**, the subcategory “reason not coded” is sometimes one of the larger subcategories within the more general exit status category.

Table 3 presents the program outcome for all cases in the cohort by felony program. Overall, 1,493 cases, or 90.3 percent of all 1,593 cases in the cohort, completed one of the felony programs, 768 (48.2%) of them successfully and 671

(42.1%) unsuccessfully. Cases are considered to be not completed if the defendant was exited from the program as a “no show,” or “administrative discharge.” Defendants transferred with court approval to another program, those whose cases were abated as a result of death, or where the defendant relocated to another jurisdiction are also considered to be non-completions. Overall, less than ten percent (9.7%) of all cases in the cohort were not completed.

In very few cases (1.8%) did the defendant never show at the program. Very few cases (4.0%) in the cohort were administratively discharged. Transfers without any continued monitoring by the ATI programs only happened with 3.6 percent of all cases in cohort. Project Return had the highest proportion (26.3%) of cases that were exited with a non-completion status. Very few of the defendants mandated to the programs for younger populations, YAP and CEP, exited the program with a non-completion status (3.9% and 4.2% respectively).

Beginning in FY00, programs were permitted to “monitor transfer” cases. This meant that the participant was transferred to another program such as residential drug treatment, but the original ATI program continued to monitor the progress of the participant and reported back to the court on the participant’s status in the second program. The end of monitoring for the original ATI program, however, was not until the participant completed the transfer placement, but for the length of time the participant would have remained in the original placement, whichever ended first. Ultimately, all monitored transfer cases either successfully completed the monitoring period at the transfer placement or were unsuccessfully terminated due to failure at the transfer placement. Of the 53 (not shown) cases in the cohort that were monitored transferred at one point, 40 of the cases completed successfully and the remaining 13 cases were terminated unsuccessfully.

Table 3a displays the program outcome for only those cases from the cohort that completed the program. When only participants in the 1,439 cases completing the programs are examined, 53.4 percent successfully completed the programs, and 46.6 percent of the cases were unsuccessfully terminated from the programs. Overall, Freedom had the highest rate of successful completions (70.0%), followed closely by DAMAS (68.7%). Over half (53.8%) of participants in FlameTree were successful completions, and almost half (48.9%) of El Rio participants successfully completed the program. Almost half of the participants in the programs for the younger defendants successfully completed the program (47.1% in YAP and 46.6% in CEP). Project Return had the lowest proportion (44.8%) of successfully completed participants.

Programs have different practices regarding how and when they exit participants. In some instances, programs notify the court in writing that the participant has satisfied program requirements in advance of the next adjourned date, and therefore, the program is not aware of the court’s response at the point the exit

form is submitted to CJA. In other instances, programs wait until there is a clear indication that the participant will have satisfied court requirements, as well as program requirements, before submitting the exit form to us. Over half (56.6%) of the successfully completed cases in the cohort were based on satisfying program requirements only, and another one-fifth (21.2%) was based on satisfying both program requirements and court conditions. Over four-fifths (84.6%) of successful completions from Project Return were based on satisfying program requirements only, and almost three-quarters (73.3%) of successful completions from CEP were the result of satisfying program requirements only. Over four-fifths (84.1%) of successful completions from YAP were based on satisfying both program requirements and court conditions.

Overall, one-third (33.2%) of the unsuccessful terminations in the cohort were cases that were terminated due to non-attendance, and another one-fifth (20.4%) of the unsuccessful terminations had no subcategory for termination. The proportion of unsuccessful terminations due to non-attendance varied from a high of 44.1 percent for cases in El Rio, to a low of 12.0 percent for cases in YAP. More than one in seven (14.8%) unsuccessful terminations were due to the participant being rearrested while in the program.

6. Time in Program

For the felony programs, time in program was calculated from the date the defendant was mandated to the program until exit from the program. Enrollment in the program usually occurs within a couple of days of the court mandate date. Programs, however, have a responsibility to report to the court about the defendant's success or failure in complying with court and program conditions from the date the defendant is mandated to participate in the program. In some instances, enrollment may be delayed several months while the defendant serves a local jail sentence imposed as a "split" with a probation sentence.

Table 4 displays the length of time in the felony ATI programs by the status of the cases in the cohort. Although administrative discharges were supposed to occur within 30 days of mandate to the program, some cases were administratively discharged during the second month in the program, but the majority (87.5%) occurred within 30 days. Most (85.7%) of no shows occurred within 30 days. There is greater variation in time in program for those cases that were eventually transferred. Over half (53.6%) of the transfers in the cohort occurred within three months, and six transfers (10.7%) did not occur until after one year in the program. Consistent with the length of the program models, successful completion of the programs happened after 180 days of participation in 96.1 percent of the cases. Unsuccessful terminations happen generally more quickly, with four-fifths (80.3%) of them occurring within 180 days of participation. As discussed below, most of the later unsuccessful terminations come from YAP and El Rio, the programs with the longer treatment models.

Table 5 presents the length of time in the programs for only those cases in the cohort that were completed, either successfully or unsuccessfully, separately for each of the felony programs. As expected, the general pattern holds with regard to differences between the time spent in the programs for those successfully completing and those unsuccessfully terminated from the programs.

Consistent with YAP's longer program model, over three-quarters (76.9%) of the participants from the cohort successfully completing the program had been under supervision for over one year, and another one-fifth (19.5%) successfully completed within nine months and one year. The length of time from mandate date to exit for CEP participants is consistent with the program's six-month model of supervision, with 85.5 percent successfully completing between six and seven months in the program. Length of time in Freedom, the other general population program, was similar to that for CEP, reflecting their six-month program model for successful completion. Over four-fifths (86.2%) of participants successfully completing Freedom reached that status between six and seven months in the program. Successful completions from DAMAS also generally occurred between six and seven months in the program (82.5%).

FlameTree participants from the cohort successfully completing their program also tended to exit the program in a six-month period. Over three-quarters (76.9%) of successful completions from FlameTree occurred between six and seven months in the program. Length of time in El Rio reflects its longer program model. Over two-thirds (67.5%) of the participants successfully completing El Rio reached that status after a year in the program, and four of those participants (4.5%) did not successfully complete the program until after two years. Almost three-quarters (74.3%) of Project Return's participants who successfully completed the program did so in over nine months.

Not surprisingly, there is more range in the times to unsuccessful termination. Over half (55.5%) of the cohort participants in YAP who were unsuccessfully terminated had been under supervision for at least six months, including three participants (3.3%) who were unsuccessfully terminated after a year and a half in the program. Most (89.0%) of the participants unsuccessfully terminated from CEP reached that status within 180 days in the program, including 46.3 percent who were unsuccessfully terminated within three months. Most (92.6%) of the participants in Freedom who were unsuccessfully terminated also reached that status within 180 days in the program, including 39.5 percent who were unsuccessfully terminated within three months.

Over two-thirds (69.2%) of unsuccessful terminations from DAMAS occurred within three months. Four-fifths (60.2%) of the unsuccessful terminations from FlameTree also happened within three months. Two-fifths (40.9%) of the participants in El Rio who were unsuccessfully terminated had been under supervision for three months or less, and another 8.7 percent of participants were unsuccessfully terminated from El Rio after one year in the program. Four-fifths

w(60.5%) of the unsuccessful terminations from Project Return happened within three months.

7. Prosecutors' Offers

There have been significant changes to the sentencing statutes in New York State in the last decade. These changes increased the terms of imprisonment for first felony offenders convicted of violent felony offenses (VFO).⁵ To summarize briefly, for a first violent offense committed by an adult on October 1, 1995 through August 30, 1998, the minimum term of state imprisonment was increased from a third of the maximum to half of the maximum. So for example, during that time period, an adult defendant convicted of robbery in the first degree, a "B" level felony, would have faced a minimum sentence of state imprisonment of 3 to 6 years instead of 2 to 6 years. On the highest end, the defendant would have faced 12 ½ to 25 years, as opposed to 8 ⅓ to 25 years in state prison. Sentencing laws for juvenile offenders, those adjudicated as youthful offenders, and first time non-violent offenders remain the same, meaning that if state imprisonment is imposed, the minimum is a third of the maximum. Effective September 1, 1998, adult defendants who commit a first violent offense are subject to a "flat" or determinate sentence. So for example, the above-described adult defendant, convicted of a "B" felony robbery charge, now faces a minimum determinate sentence of five years. The maximum determinate sentence remains 25 years. (See Exhibit C for simplified sentencing charts for first violent felony offenses and juvenile offenses.)

As noted in the Targeting section of this report, prosecutors' and judges' offers to dispose of a case have been considered a factor in assessing if a particular case is jail or prison bound. As part of the targeting or screening process, CCSS and ATI court representatives routinely obtained and recorded these offers in the TCI form. It is important to note that offers can change over time, increasing or decreasing in severity, as the plea bargaining process unfolds. Because of this, the offers recorded in the TCI are not necessarily the highest or lowest, nor first or last, but the ones conveyed to the court representative at some point during the screening process. In fact, there are cases where an offer is either not made or is unknown to the court representative prior to the case being mandated to the ATI program. This scenario happens with some frequency with the younger population. This may be a function of the wider range in sentencing possibilities for YO eligible defendants when compared to those sentenced as adults. It may also be that because many of the YO eligible cases are brought to the court representatives' attention by referral, the initial imprisonment offer is not discussed. Offers are more readily available in cases that are handled through the drug treatment courts and for second drug felony offenders.

⁵ Although the sentencing changes affected second felony offenders convicted of violent offenses, we have not focused our discussion on these cases because there are none in the study.

Table 6 displays separately prosecutors' sentence offers⁶ for YO eligible and non-YO eligible completed cases. Of the 1,439 completed cases, 25 are missing TCI forms because the forms were not completed and sent to our central office for data entry during the transition period from FY99 to FY00. Therefore, the base for analyzing sentence offers contained in the TCI form is 1,414 completed cases. Over half (54.8%) of the sentence offers were attributable to YO eligible cases.

In the Cohort Study, YO eligible cases have been identified as those where the defendant is under the age of 19 at the time of the incident and has no prior adult felony conviction or youthful offender adjudication on a felony. In addition to sealing the record, the sentencing options for cases given youthful offender status on a felony are less severe. The sentencing options include three years conditional discharge, five years probation, a split sentence, or a local jail sentence of a year or less. If state imprisonment is offered, the lowest sentence is 1 to 3 years imprisonment, up to a sentence of 1 ½ to 4 years. Some YO eligible cases, however, are not offered youthful offender status. As a result, the offers for these cases comply with the applicable juvenile offender or adult offender sentencing statutes, which depend on the severity level and nature of the conviction charge. Ultimately, youthful offender status is given at the judge's discretion at the point of sentencing and thus, may be given over the prosecutor's objection and initial offer.

Over three-fifths (62.1%) of YO eligible cases were offered state imprisonment at the time the court representative recorded the information on the TCI form, though only 38.1 percent (not shown) of all offers were more severe than the maximum sentence permissible with YO status, that is 1 ½ to 4 years imprisonment. Over one-tenth (12.4%) of YO eligible cases were offered a split sentence, 3.2 percent were offered a local jail sentence, and over one-fifth (22.3%) had no specific sentence offer. Compared to YO eligible cases, more non-YO eligible cases received offers of state prison (76.7%) and local jail (5.6%). Less than one-tenth (8.8%) of non-YO eligible cases were offered a split sentence, and a smaller proportion of non-YO eligible cases (8.9%) had no specific sentence offer.

Interestingly, as displayed in **Figure 2**, 677 of the 775 YO eligible completed cases (87.4% [not shown]) had entered guilty pleas before or at the point of mandate, 438 (64.7%) of these were to violent felony charges (VFO), and 239 (35.3%) were to non-violent felony charges (non-VFO). For non-YO eligible completed cases, 577 (90.3%) had entered guilty pleas before or at the point of mandate, but only 72 (12.5%) were to VFO charges, and 505 cases (87.5%) to non-VFO charges.

⁶ Unfortunately, specific judges' offers were not provided for many of the cases and therefore, are not included in this report.

New York City Criminal Justice Agency

Figure 2

Percentages of Violent Felony Conviction Charges and Non-Violent Felony Conviction Charges

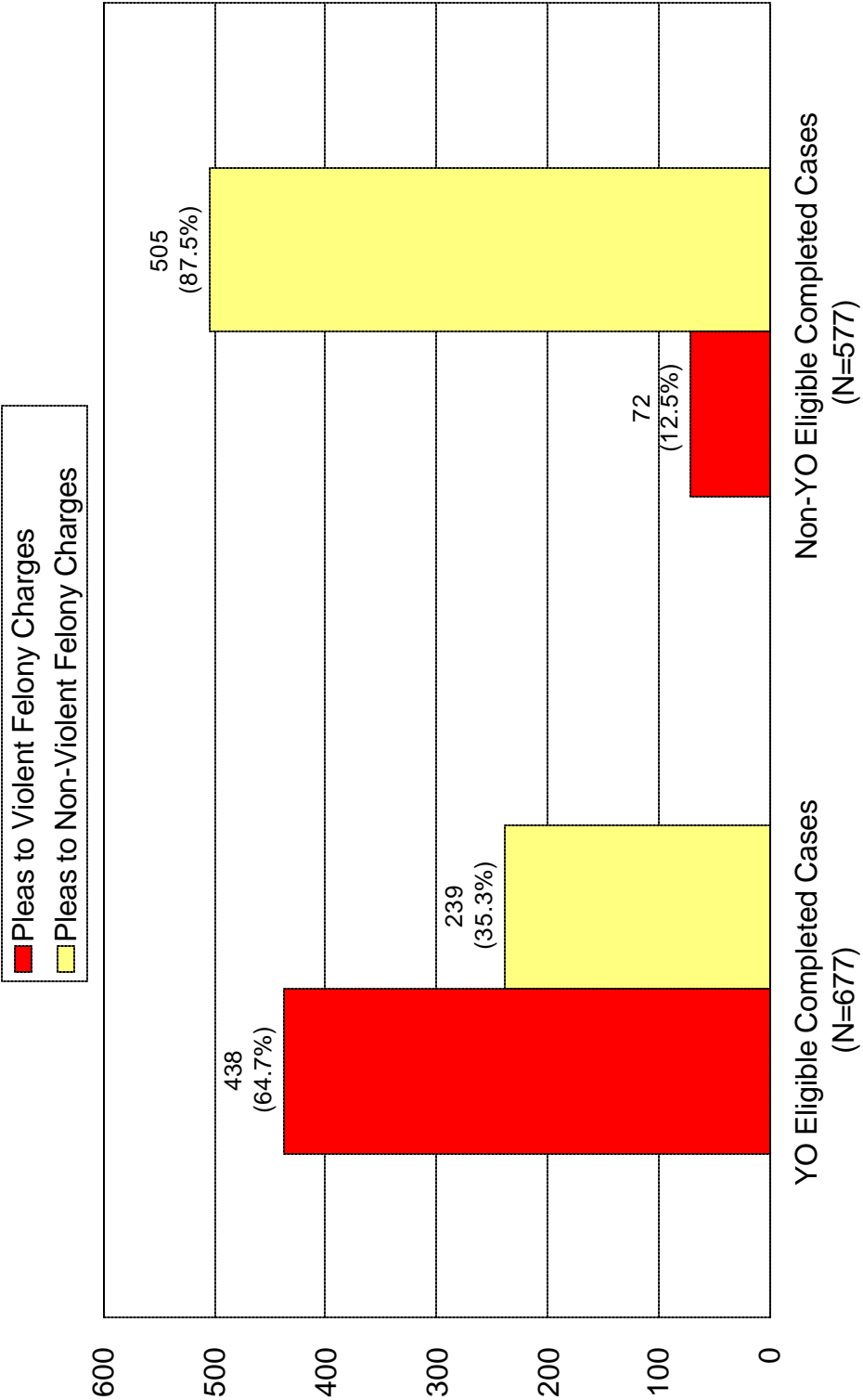


Table 7 and **Table 8** display the prosecutors' sentence offer only for completed cases offered state imprisonment. In Table 7 and Table 8 we further divided the YO eligible and non-YO eligible completed cases in the cohort based on whether or not the conviction charge, entered before or at court mandate, is a violent felony charge (VFO). Since pre-plea cases by definition do not have a conviction charge yet, they cannot be subdivided into VFO or non-VFO, and thus, appear together.

As shown in Table 7, a substantial proportion (61.7%) of the offers of state imprisonment were for cases that pleaded guilty to a VFO charge on or before mandate. In addition, a higher proportion (75.8%) of VFO convicted cases had been offered sentences of state imprisonment above that allowed with YO status, compared to cases where the conviction charge was for a non-violent offense (29.3%). In comparing the youth programs, 36.3% of the offers of state imprisonment for post-plea YAP participants were consistent with YO status. Although only 14.8% of the VFO convicted cases in CEP were offered state imprisonment terms consistent with youthful offender status, when these cases are combined with similar range non-VFO offers, about the same proportion (38.0%) fall within the YO sentencing range. Therefore, it appears that over three-fifths of the YO eligible cases from the youth programs were offered, by the prosecution, a sentence in excess of what is permissible with YO status. Overall, only seven cases that pleaded to non-VFO charges had been initially offered state imprisonment terms that were consistent with a VFO conviction charge.⁷

As shown in Table 8, there was a dramatic difference in the balance of VFO versus non-VFO cases for non-YO eligible completed cases offered state imprisonment, with only 8.0 percent of the cases pleading guilty to a VFO charge on or before mandate. Ninety-seven (not shown) of the non-VFO cases, however, belonged to defendants subject to second felony offender sentencing laws, which carry higher minimum terms of imprisonment, one half of the maximum. As with YO eligible cases, only six (not shown) non-YO eligible cases that pleaded guilty to a non-VFO charge had been initially offered state imprisonment terms that were consistent with a VFO conviction charge.

8. Legal Status at Time of Court Mandate

Characteristics of the legal status of cases at the time of court mandate from the *Target Case Information* (TCI) form are presented in **Table 9**. Across all programs, over four-fifths (84.3%) of defendants mandated to a program entered the program following conviction (plea) but before sentencing. The legal status of another 10.4 percent of the cases of defendants mandated to felony programs was still pre-plea leaving the court appearance at which the court mandated the

⁷ These are the cases where the offers of imprisonment were either determinate or where the minimum is one half of the maximum. An example would be a case with a prosecutor's offer of 3.5 years imprisonment on a robbery in the second degree, a "C" level violent felony, where the defendant ultimately pleaded guilty to robbery in the third degree, a "D" non-violent felony.

defendant to the program. Only 4.4 percent of defendants were mandated on the date of sentence.

Over one-third (35.8%) of defendants mandated to YAP were mandated prior to conviction. Generally, pre-plea mandates to YAP may be attributed to the judge's reluctance to enter into plea negotiations, where YO status will have to be considered and decided as part of the plea negotiation, before seeing how the defendant fares in the program. This is usually not the case with adults where the judge and prosecutor want the "hammer" of the adult sentence on the highest conviction charge in case the defendant fails, but may allow the defendant to re-plea to a lesser charge if the defendant does well at the program.

The remainder of the data presented in Table 9 is based only on the post-plea and sentenced cases because it is only in these cases where explicit and binding promises are made by the judge upon the defendant entering a guilty plea. Almost two-thirds (64.7%) of cases were promised no change in case outcome if they were successful at the program. One-quarter (25.0%) were promised that they would be able to vacate their original guilty plea and re-plead to a lesser, probation-eligible, charge if they were successful at the program. Approximately 90 percent of defendants mandated to YAP and CEP (89.2% and 93.1% respectively) were promised no change in case outcome if they were successful at the program. The high percentage of "no change in case outcome" for cases in YAP and CEP coincides with a promise of YO status for many of these cases because they then can receive a probationary sentence even though they have entered guilty pleas to a "B" or "C" violent felony charge. Over half of the defendants mandated to Freedom and FlameTree (57.6% and 52.2% respectively) were promised no change in case outcome following successful completion of the program, most likely, because they had pleaded guilty to probation-eligible charges.

One-quarter (25.6% [not shown]) of all completed cases that were mandated to a drug program were referred by a drug treatment court or prosecutors' office, where the stated practice includes vacating the plea to the original, non-probation eligible charge, and re-pleading to a lesser charge or dismissal of all the charges upon successful completion of a program. This model, first developed for second felony offenders participating in some of the DTAP programs, is now followed in cases of first time drug and non-drug felony offenders in non-drug court parts. Almost three-fifths (58.1%) of defendants mandated to El Rio were promised that they would be able to re-plead to a lesser, probation-eligible, charge if they were successful at the program. In addition, one-fifth (20.3%) of the defendants mandated to El Rio were promised that their cases would be dismissed if they successfully completed the program. Over three quarters (76.5%) of defendants mandated to Project Return were promised a re-plea to a lesser charge or dismissal of charges if successful at the program.

Two-thirds (66.8%) of completed cases in the cohort who were mandated post-plea or at sentence were promised a sentence of probation if they were successful at the program. Another 12.0 percent were promised a split sentence if successful. Over one-third (34.5%) of the defendants mandated to El Rio were promised a conditional discharge sentence if they were successful at the program. Again, in the Bronx Treatment Court, the promise for successful completion of a program is vacating the original felony plea and entering a plea to a misdemeanor with a sentence of a conditional discharge.

Overall, two-fifths (40.6%) of the completed cases in the cohort that were mandated post-plea or at sentence were promised YO status upon successful completion of the program, and for over one-tenth (11.4%) of the cases YO status was left open. Over two-fifths (44.1%) of the defendants were not eligible for YO status. Not surprisingly, due to the populations of YO eligible defendants in YAP and CEP, most of the defendants mandated to these programs were promised YO status by the judge (79.3% and 70.2% respectively). Of the remaining programs that were not specifically for younger defendants, FlameTree had the highest proportion (26.7%) of defendants who were promised YO status.

9. Legal Outcomes

a. *Successful Completions*

Tables 10-13 present the legal outcomes for completed cases that appeared in Supreme Court, by YO eligibility and exit status. The cutoff date for collecting legal outcome information was May 17, 2002. **Table 10** displays the legal outcomes for YO eligible cases that successfully completed the program, most (94.9%) of whom have been sentenced. Only 2.2 percent of the YO eligible successful completion cases had not yet been disposed by May 17, 2002. All eight of the cases that had not yet been disposed had pleaded guilty and were adjourned for a pre-sentence report and continued court monitoring. Half of those cases warranted after they had pleaded guilty. Of the 354 YO eligible successful completion cases that were sentenced in Supreme Court, most (97.5%) were convicted of a felony charge. Only nine cases were convicted of a misdemeanor charge in Supreme Court; four from Freedom, three from CEP; and two from DAMAS. Four of those nine cases were sentenced to a conditional discharge, three were sentenced to three years probation, and the remaining two were sentenced to an imprisonment sentence of time served.

As expected, most (91.8%) of the YO eligible successful completion cases were granted YO status. All of YAP's successfully completed cases were adjudicated as youthful offenders, as were 91.6 percent of CEP cases. Over three-quarters (78.0%) of the YO eligible successful completions cases that were sentenced on a felony charge in Supreme Court were sentenced to five years probation. One in eight (13.3%) of the cases convicted of a felony charge were sentenced to a

split sentence of imprisonment and five years probation. Only 25 cases, less than ten percent (7.2%), were sentenced to imprisonment.

FlameTree had the highest proportion (18.5%) of YO eligible successful completion cases sentenced to imprisonment on a felony, although there were only five cases, and two of those cases were sentenced to a jail term. While the two cases from YAP, sentenced to imprisonment received jail sentences of six months or less, 13 out of 16 (81.3%) CEP cases sentenced to imprisonment received state prison sentences. The unexpected result of successfully completed cases receiving state imprisonment may be explained by rearrests that occurred before sentence was imposed on the mandated case. Specifically, 15 out of 18 (83.3% [not shown]) of these cases had either an in-program, post-program or combination of rearrests before sentencing. Other possible reasons may include ultimately failing to complete a transfer program, failing to appear in court on an adjourned date, violating other court-imposed conditions like curfew or mandatory school attendance, or receiving a negative pre-sentence report from the Department of Probation.

Table 11 displays the legal outcomes for non-YO eligible cases that successfully completed the program, most (88.6%) of whom have been sentenced. Only 5.1 percent of the non-YO eligible successful completion cases had not yet been disposed by May 17, 2002. All of the cases that had not yet been disposed had pleaded guilty and were adjourned for a pre-sentence report and continued court monitoring. Three of the 19 cases still not disposed warranted after they had pleaded guilty. Compared to the YO eligible successful completion cases, a larger proportion of the non-YO eligible successful completion cases that were sentenced in Supreme Court (19.7%) were convicted of a misdemeanor charge. The proportions of cases convicted of a misdemeanor were highest for the women's programs and the drug treatment programs, most likely as a result of participation in the drug treatment courts and of special arrangements with prosecutors, especially for second felony offenders. Three-quarters (74.5% [not shown]) of the misdemeanor convictions cases from the women's programs and drug treatment programs were either in a drug treatment court part or prosecutor special arrangement case, were a second felony offender, or had a combination of both factors. Over one-third (35.1%) of these misdemeanor cases were sentenced to a conditional discharge, one-third (33.8%) were sentenced to three years probation, and just less than one-third (31.1%) were sentenced to an imprisonment sentence of time served.

Over two-thirds (71.4%) of the non-YO eligible successful completions cases that were convicted of a felony charge in Supreme Court were sentenced to five years probation. Almost one-fifth (18.1%) of the cases convicted of a felony charge were sentenced to a split sentence of imprisonment and five years probation. As in the case of YO eligible successful completion cases, a very small percentage, (5.0%) were sentenced to imprisonment, and an even lower percentage (61.6%) of those non-YO eligible cases that were imprisoned,

received a state prison sentence. Again, this unusual result may be explained by rearrests occurring before sentencing on the mandated case. Specifically, six out of the eight (75.0% [not shown]) cases receiving state imprisonment, despite successfully completing the program, had either a post-program, or a combination of in-program and post-program rearrests before sentencing. Other reasons may include ultimately failing to complete a transfer program, failing to appear in court on an adjourned date or receiving a negative pre-sentence report from the Department of Probation.

b. Unsuccessful Terminations

The legal outcomes for YO eligible cases that were unsuccessfully terminated from the program are displayed in **Table 12**. Most (88.8%) of the cases had been sentenced by May 17, 2002. Most of the cases that had not yet been disposed (9.4%) had pleaded guilty and were adjourned for a pre-sentence report and continued court monitoring. Of the 35 cases that pleaded guilty and were adjourned, 22 of those warranted after they had pleaded guilty. All but two of the 356 YO eligible unsuccessfully terminated cases that were sentenced in Supreme Court were convicted of a felony charge. The two cases convicted of a misdemeanor, one from CEP and one from Freedom, were sentenced to either six or twelve months imprisonment.

Two-thirds (66.4%) of the YO eligible unsuccessfully terminated cases that were convicted of a felony charge in Supreme Court were sentenced to imprisonment, with over two-thirds (70.7%) of YAP cases receiving such a sentence, and a slightly lower proportion (65.4%) from CEP. Interestingly, three-fifths (59.6%) of all YO eligible unsuccessfully terminated cases still received youthful offender status, with YAP having a higher proportion (72.0%) of youthful offender adjudications, despite unsuccessful termination from the program, than CEP (55.5%). However, 93.1 percent of YAP imprisonment sentences were to state prison, as compared to 81.9 percent from CEP, an apparent trade-off between sealing the record for the very young, but still penalizing them with state imprisonment.

Table 13 displays the legal outcomes for non-YO eligible cases that were unsuccessfully terminated from the program. Over three-quarters (78.5%) of these cases had been sentenced by May 17, 2002. Almost one-fifth (18.8%) of the unsuccessfully terminated non-YO eligible cases had pleaded guilty and were adjourned for sentencing as of May 17, 2002, almost half of which warranted following plea. Most of the non-YO eligible unsuccessfully terminated cases that were sentenced in Supreme Court were sentenced on a felony charge. As a result of their participation in the Bronx Treatment Court and special arrangements with prosecutors, El Rio and Project Return had the lowest percentages of convictions on felonies (58.8% and 65.9% respectively). Of the 17 cases that were sentenced to a misdemeanor most (70.6%) were sentenced

to a conditional discharge, most likely, because of successful participation in a different drug treatment program.

Over three-quarters (77.7%) of the non-YO eligible unsuccessfully terminated cases that were sentenced on a felony charge in Supreme Court were sentenced to imprisonment, with FlameTree having the highest proportion (86.5%). Overall, only 16.5 percent of the imprisonment sentences were to local jail terms, with El Rio and Project Return having the lowest proportions (7.5% and 8.3% respectively). Over two-thirds (68.9%) of the state imprisonment sentences were on first felony non-VFO convictions,⁸ as compared to almost one-third (31.1%) on either second felony or VFO conviction charges.⁹ Less than a tenth (9.0%) of all the cases sentenced on a felony charge were sentenced to a split sentence, and over one-tenth (11.2%) were sentenced to five years probation.¹⁰

Table 14 displays the length of time from program exit to legal disposition for completed cases that are disposed in Supreme Court, as a result of either a sentence to a misdemeanor or felony, or because the case was dismissed. Almost one-third (30.2%) of successful completion cases were disposed prior to being exited from the program. The table includes cases in which the defendant was mandated at sentence, and cases in which the defendant was sentenced after mandate, but before exiting the program.¹¹ Almost all (90.9%) of the cases from YAP were exited from the program after their case was finished in Supreme Court. This is the result of YAP's policy for successful completions of not exiting defendants from the program until their case has been sentenced or otherwise disposed.

Overall, almost half (48.0%) of the successful completion cases were disposed within 90 days of program exit. Project Return had the highest proportion (42.0%) of successfully completed cases disposed after the 90-day mark.

In contrast to successfully completed cases, almost one in seven (14.1%) unsuccessfully terminated cases were disposed prior to being exited from the program. YAP again had the highest proportion (31.7%) of cases that were exited after disposition, although it was lower than the proportion for successful completions. Unsuccessfully terminated cases took longer to reach disposition than successfully completed cases, with 55.8 percent of all unsuccessfully terminated cases disposed after 90 days of exit as compared to 21.7 percent of all successfully completed cases. This may be a consequence of the courts

⁸ These are the cases where the minimum term of the state imprisonment sentence is a third of the maximum.

⁹ These are the cases where the minimum term of the state imprisonment sentence is half of the maximum, or the sentences are determinate.

¹⁰ In addition to the possibility that some of these cases successfully completed a different program, which would explain why they still received probation, a split sentence or conditional discharge despite failing the ATI program, it is also possible that we were not able to track the resentences in our database.

¹¹ Not included in the table are the cases that were transferred to Family Court, those that were abated by death, those out on warrants, and those that are still active.

trying to resolve in-program rearrests, or perhaps of giving defendants an opportunity to complete a different program.

10. Threats and Promises

Court representatives record on the TCI form both the judge's promised sentence if the defendant successfully completes the program, and the judge's threatened sentence if the defendant violates the conditions imposed when the defendant is mandated to the program. The data presented in **Table 15** examines the relationship between the judge's promised sentence for success at the time of mandate and the actual sentence imposed on the defendant, for those disposed cases in which the defendant successfully completed the program. Table 15 also presents the relationship between the judge's threatened sentence for program failure at the time of mandate, and the actual disposition of the case, for those disposed cases in which the defendant was unsuccessfully terminated from the program.

Over half (55.2%) of disposed successful completion cases received the sentence that they were promised by the judge. An additional 16.5 percent received a disposition that was less severe than the promised sentence for success. Severity of sentences was ranked as follows in order from most severe to least severe: imprisonment, split, probation, and conditional/unconditional discharge. Additionally, if a case was dismissed and had been promised a sentence upon successful completion of the program, that case was considered to have received a less severe disposition than the promise. Approximately one-tenth (11.6%) of sentenced successful completion cases received a sentence that was more severe than the sentence they were promised by the judge at the time of mandate. However, over half (54.2%) of the cases in this category had been promised probation but received a split sentence. Although split sentences appear to be more severe, the time in custody was most often spent in pretrial detention and thus, from the defendant's standpoint, the sentences are equivalent. Another possible explanation for a more severe sentence are rearrests occurring after successfully completing the program, failures to appear in court or breach of other court-imposed conditions, which negatively affected the disposition of the case. One-sixth (16.8%) of sentenced successful completion cases had no judicial promise for program success, either because the judge made no specific promise to the defendant upon conviction, or because the case was mandated pre-plea or as a result of a bail modification request, and therefore there was no explicit or binding agreement at the point of mandate.

In contrast to the disposed successful completion cases, only one-fifth (19.9%) of disposed unsuccessful termination cases received the judge's stated sentence for program failure. In fact, half (49.1%) of the disposed unsuccessful termination cases received a less severe disposition than the threatened sentence for failure. Less than five percent (4.4%) of disposed unsuccessful termination cases received a more severe disposition than the judge's threatened

sentence for program failure. Over one-quarter (26.6%) of disposed unsuccessful termination cases had no stated judicial threat of a sentence for program failure, either because the judge did not state a specific sentence for failure,¹² or because the case was mandated pre-plea or as a result of a bail modification request, and therefore there would be no specific or binding threat until after conviction.

A possible explanation for this unexpected breakdown of threats and dispositions in unsuccessfully terminated cases is in-program rearrests. In looking at the group of cases where the disposition was more severe than the threat for failure, 72.0 percent (not shown) of those cases had in-program rearrests. In the group where the disposition and the threat were the same, 43.4 percent (not shown) had in-program rearrests, while only about 30 percent (29.4% [not shown]) of those receiving a less severe disposition had in-program rearrests. Another explanation for the high proportion of unsuccessfully terminated cases receiving sentences lower than the threats is that judges often advised young defendants of the terms of imprisonment that would apply without youthful offender status. As mentioned earlier, in the end, most young defendants did receive youthful offender status and as a result the threat of lengthy imprisonment was overstated. Similarly, second felony offenders were threatened with high state imprisonment terms but some were ultimately allowed to re-plea and were sentenced to lower terms of imprisonment. In fact, some unsuccessfully terminated cases that were handled in the drug courts or were referred through special arrangements with the prosecutor were allowed to complete other programs, including residential placements, and thus received a favorable disposition in the end.

11. Rearrests

Table 16 displays the count of prosecuted in-program rearrests by program for completed cases in the cohort. Overall, over one-quarter (27.5%) of all completed cases had an in-program rearrest, including 1.6 percent of cases that had three or four in-program rearrests. Looking at the programs separately there is variation in rearrest rates from almost two-fifths (38.2%) of CEP cases with in-program rearrests, to 4.8 percent of DAMAS cases. FlameTree, El Rio, and Freedom each had over one-quarter of cases with in-program rearrests (31.0%, 30.1%, and 26.0% respectively). The women's programs, DAMAS and Project Return, had very high percentages of cases with no in-program rearrests (95.2% and 89.3% respectively.) Although YAP's percentage of cases without in-program rearrests also appears very high, (86.1%), there were an additional 12 cases (not shown) that had a rearrest for a juvenile delinquency charge, thereby

¹² Specific threats for failure are only provided when the judge promised a specific term of imprisonment (i.e., 1 to 3 years, 4 ½ to 9 years, 5 years). In cases where the judge threatened a defendant with the full range of imprisonment sentences permitted by statute for the severity level of the conviction charge (i.e., 5 years determinate up to the maximum of 25 years), the promise was recoded as no threat for failure specified.

increasing their in-program rearrest rate to 20.8 percent.¹³ Information on the cases that went to Family Court is not available from the CJA database and, as a result, these cases were not included on the tables.¹⁴

Table 17 presents program outcomes for completed cases in the cohort with an in-program rearrest. Of the 389 completed cases with an in-program rearrest, 135 (34.7%) were successful completions, and 254 (65.3%) were unsuccessful terminations. Although DAMAS had only four cases with in-program rearrests, three of those cases were successful completions. Freedom was the only other program with a higher proportion of successful completion cases (55.7%) with in-program rearrests, compared to unsuccessful terminations (44.3%).

Court processing information for the most severe rearrest for completed cases is displayed in **Table 18**. Overall, over one-quarter (28.0%) of the most severe rearrest cases had a controlled substance offense leaving Criminal Court arraignment. Another 9.0 percent of the rearrest cases had a marijuana charge, thereby making the proportion of rearrest cases with a drug charge almost two-fifths (37.0%) of all of the most severe rearrests. Robbery charges accounted for 11.6 percent of the most severe rearrests. About half (45.8%) of the rearrest cases from YAP had a robbery charge. Compared to the types of charges on the cases for which the defendants were mandated to the ATI's, there is more variation in the types of charges on the rearrest cases. Controlled substance offense charges and robbery charges accounted for 81.7 percent of the charges leaving Criminal Court arraignment for all mandated cases, while only 39.6 percent of the most severe rearrests of completed cases were charged with a controlled substance or robbery offense.

Over two-fifths (44.9%) of the most severe rearrest cases had a felony charge leaving Criminal Court arraignment, and another two-fifths (41.2%) of the cases had a misdemeanor charge leaving arraignment. One of the 389 most severe rearrest cases was a direct indictment, and the remaining 13.6 percent of cases had a violation or infraction charge leaving Criminal Court arraignment.

YAP had the highest proportion (83.4%) of most severe rearrest cases with a felony charge leaving Criminal Court arraignment, followed by El Rio with 56.0 percent felony rearrests, and DAMAS, with 50.0 percent felony rearrests. YAP's high proportion of severe rearrests is not surprising because the Family Court, not the Criminal Court, has jurisdiction over less serious offenses for that age group. Almost half (46.7%) of rearrests from CEP, and over one-third (34.6%) of rearrests from FlameTree had felony charges leaving Criminal Court arraignment. Freedom and Project Return had the smallest proportions of felony rearrest (30.0% and 22.2% respectively).

¹³ YAP's rearrest rates may also be understated because not all arrests on juvenile delinquency charges are fingerprinted and linked to their juvenile NYSID number. Similarly, we are not always able to track rearrests after these defendants turn sixteen and are given an adult NYSID number.

¹⁴ CEP also had one additional rearrest on a juvenile delinquency charge.

Overall, almost three quarters (71.5%) of the most severe rearrest cases were disposed in Criminal Court, with over one-quarter (27.0%) being dismissed, or adjourned in contemplation of dismissal, and almost half (44.5%) being sentenced in Criminal Court. Freedom had the highest proportion (84.2%) of cases sentenced or dismissed in Criminal Court, while YAP had the lowest proportion (41.7%), though an additional 12.5 percent of their rearrest cases were transferred to Family Court. Overall, only one-quarter (26.5%) of the most severe rearrests were transferred to Supreme Court, with YAP and CEP having the highest percentages (45.8% and 30.6% respectively).

Of the 173 rearrest cases that were sentenced in Criminal Court, over two-fifths (43.9%) were sentenced to a conditional discharge, 5.2 percent were sentenced to a fine or a sentence of fine or imprisonment, and half (50.9%) were sentenced to imprisonment. Over half (55.7%) of the 88 cases sentenced to imprisonment were sentenced to time served. Only two (2.3%) of the 88 cases were sentenced to a year in jail.

Of the 104 cases handled in the Supreme Court, the vast majority, 85.6 percent were convicted of a felony, and 90.9 percent of these felony convictions were sentenced to imprisonment. State imprisonment sentences were imposed in 70 out of 80 (87.5%) of these cases.

12. Conclusion

The demographic and criminal history information for defendants mandated to the selected ATI felony programs confirms that the programs supervised defendants with serious criminal history profiles. Almost three quarters of all the mandated cases in the cohort left Criminal Court arraignment with “B” level felony charges, and over 80 percent had robbery or controlled substance offenses. Over 80 percent were detained on bail leaving that first appearance and virtually all mandated cases were disposed in Supreme Court. With respect to prior criminal history, while the majority of younger defendants did not have prior criminal convictions, the seriousness of the charges on the mandated cases, most of them violent felony offenses, explained their participation in an ATI program. The high proportion of cases fitting statistical targeting criteria, and prosecutors’ sentence offers of state imprisonment in over 60 percent of the youthful offender eligible cases and over 75 percent for non youthful offender eligible cases, lends further support to this conclusion.

Overall, more than half of the completed cases successfully completed the ATI programs, although there was variation in rates by program, with the Fortune Society programs (Freedom, DAMAS and Flametree) reporting rates as high as 70 percent. Obviously, given specialized populations, (for example, youth and substance abusers) program requirements may have varied and this may explain some of the differences in program outcomes. However, we do not receive data

from the programs to assess their characterizations of such outcomes, and as a result, have attempted to describe the actual legal outcomes of mandated cases and in-program rearrests rates as other measures of program effectiveness.

For successfully completed youthful offender eligible cases, their legal outcomes were very positive. Over 90 percent of these convicted cases received a conditional discharge, probationary or split sentences, and youthful offender status. Similarly, for successfully completed non-youthful offender eligible cases about 90 percent of the convicted cases also received non-imprisonment sentences. The legal outcomes for unsuccessfully terminated cases were more varied, with two-thirds of the youthful offender eligible cases receiving imprisonment sentences and slightly less than three-quarters of the non-youthful offender eligible cases receiving such sentences. These results paralleled the promises for success and threats for failure given by judges at the time the defendants were mandated to the programs.

Overall, in-program rearrest rates averaged around 25 percent of mandated cases, with about two thirds of those cases exiting the programs unsuccessfully. Again, there was variation by program. While this rearrest rate was not insignificant, upon closer examination of the most severe in-program rearrest, over half were misdemeanor offenses leaving Criminal Court arraignment and about three-quarters of the total rearrests were disposed in Criminal Court.

Exhibit A

City-funded Alternative-to-Incarceration Programs

- Court Employment Project (CEP) of CASES which was contracted to provide six months of community-based supervision with in-house educational and vocational services for the sixteen to nineteen year-old population likely to receive an incarcerative sentence of more than six months on a felony conviction (Model C: general population).
- Freedom Program of the Fortune Society which was contracted to provide six months to a year of community-based supervision with in-house educational and vocational services for the nineteen and older population likely to receive an incarcerative sentence of six months or more on a felony conviction (Model C: general population).
- El Rio Day-Treatment Program (El Rio) of the Osborne Association which was contracted to provide six months to a year of day-treatment substance abuse services to the eighteen and older population residing in upper Manhattan and the Bronx and who were likely to receive an incarcerative sentence of six months or more on a felony conviction (Model C: drug program).
- FlameTree Program of the Fortune Society which was contracted to provide six months to a year of day-treatment substance abuse services to the eighteen and older population residents of lower Manhattan, Brooklyn and Queens, and who were likely to receive an incarcerative sentence of six months or more on a felony conviction (Model C: drug program).
- Youth Advocacy Project (YAP) of the Center for Community Alternatives (CCA) which was contracted to provide a year of community-based supervision and other rehabilitative services to the thirteen to fifteen year old population likely to receive an incarcerative sentence of six months or more on a felony conviction (Model C: Juvenile Offender [JO] program).
- DAMAS Program of the Fortune Society which was contracted to provide six months to a year of community-based supervision and other gender-specific services to women likely to receive an incarcerative sentence of six months or more on a felony conviction (Model C: general population women).
- Women's Day Treatment Program of the Project Return Foundation (Project Return) which was contracted to provide outpatient substance abuse treatment services for women likely to receive an incarcerative sentence of six months or more on a felony conviction (Model C: drug program for women).

Exhibit B

CCSS Targeting Categories for Felony Cases Leaving Criminal Court Arraignment Defendant Detained

Juvenile Offenders, not charged with an A Felony or 110/125.25

**Detained leaving 2nd Criminal Court appearance, not transferred to
Family Court**

Youthful Offender - Eligible

16 through 18 years old, no previous felony conviction

Females, 16 and older, not charged with an A felony or 110/125.25:

Drug charge leaving Criminal Court arraignment; non-predicate

Non-drug charge leaving Criminal Court arraignment:

non-predicate, “effective” bail set at \$1001 or more

Non-drug charge leaving Criminal Court arraignment:

predicate, VFO charge leaving arraignment

Males, 16 and older, not charged with an A felony or 110/125.25:

Drug charge leaving Criminal Court arraignment, non-predicate

Non-drug charge leaving Criminal Court arraignment:

“effective” bail set at \$1000 or less, 2 or more prior bench warrants

Non-drug charge leaving Criminal Court arraignment:

non-predicate, “effective” bail set between \$1001 and \$2500

Non-drug charge leaving Criminal Court arraignment:

“effective” bail set at \$2501 or more, no prior prison terms

Non-drug charge leaving Criminal Court arraignment:

“effective” bail set at \$2501 or more, with prior prison term, not a VFO

STEPS

Females, 13 and older, charged with violent felony level offenses

whose charges may be related to a history of domestic violence.

New ATIIS Felony Target Groups

DETAINED JUVENILE OFFENDERS

JUVENILE OFFENDERS (JOs). Category remains unchanged. It includes all JOs held leaving Criminal Court arraignment. **16.2%** of those detained leaving Criminal Court arraignment eventually received a target-range sentence in the third quarter 1998 dataset, if their cases were completed by September 1, 1999.

DETAINED WOMEN

FEMALES charged with specified violent offenses as their first arrest regardless of bail amount. This category is restricted to the STEPS program. **5.0%** of those detained leaving Criminal Court arraignment eventually received a target-range sentence.

FEMALES charged with DRUG offenses. Category remains unchanged. It includes detained cases where bail was set leaving Criminal Court arraignment regardless of bail amount. **26.1%** of those detained leaving Criminal Court arraignment eventually received a target-range sentence.

FEMALES charged with NON-DRUG offenses. Includes only detained cases where charge leaving Criminal Court arraignment is Penal Law (PL) Article 140 (burglary-related offenses) or PL Article 160 (robbery-related offenses). Youthful offender-eligible females (16 to 18 year olds) will now appear in this group. **24.1%** of those detained leaving Criminal Court arraignment eventually received a target-range sentence.

NON-DETAINED WOMEN

FEMALES charged with specified violent offenses as their first arrest. This category is restricted to the STEPS program. The percentage for this category could not be calculated.

FEMALES over 18 charged with DRUG offenses (PL Articles 220 and 221), non-predicates. These cases will appear on target lists once they are scheduled to appear in Supreme Court. This category is restricted to ATI programs providing substance abuse treatment. **22.6%** of those disposed in Supreme Court received a target-range sentence.

DETAINED MEN

MALES charged with DRUG offenses (PL Articles 220 and 221), non-predicates detained on bail set at \$1501 or more at Criminal Court arraignment. Youthful offender-eligible males (16 to 18 year olds) will now appear in this group. **43.3%** of those detained leaving Criminal Court arraignment eventually received a target-range sentence.

MALES charged with certain NON-DRUG offenses, non-predicates detained on bail set between \$1501 and \$2500 at Criminal Court arraignment (Manhattan and Queens only). Offenses falling in Penal Law articles 120, 170, 105, 215, or 145 are *excluded* from this category. Youthful offender-eligible males (16 to 18 year olds) will now appear in this group. **30.8%** of those detained leaving Criminal Court arraignment eventually received a target-range sentence.

MALES charged with certain NON-DRUG offenses, non-predicates detained on bail set between \$2501 and \$5000 leaving Criminal Court arraignment. Offenses falling in Penal Law Articles 120, 170, 105, 215, or 145 are *excluded* from this category. Youthful offender-eligible males (16 to 18 year olds) will now appear in this group. **22.4%** of those detained leaving Criminal Court arraignment eventually received a target-range sentence.

MALES charged with NON-Drug offenses, non-predicates detained on bail set at \$5001 or more leaving Criminal Court arraignment. All felony charges are included in this category. Youthful offender-eligible males (16 to 18 year olds) will now appear in this group. **40.8%** of those detained leaving Criminal Court arraignment eventually received a target-range sentence.

MALES over 18 charged with DRUG offenses (PL Articles 220 and 221), non-predicates detained on bail set at \$1500 or less at Criminal Court arraignment. These cases will only appear on lists once the defendants are scheduled to appear in Supreme Court. The category is restricted to ATI programs providing substance abuse treatment. **22.0%** of those detained leaving Criminal Court arraignment received a target-range sentence; the proportion of those transferred to Supreme Court would be higher.

NON-DETAINED MEN

MALES over 18 charged with DRUG offenses (PL Articles 220 and 221), non-predicates. These cases will appear on target lists once they are scheduled to appear in Supreme Court. This category is restricted to ATI programs providing substance abuse treatment. **23.5%** of those disposed in Supreme Court received a target-range sentence.

Exhibit C

SENTENCING RANGES FOR CONVICTION OF FIRST VIOLENT FELONY (VFO)

<u>SEVERITY LEVEL OF FELONY CHARGE</u>	<u>OFFENSE DATE</u>	<u>OFFENSE DATE</u>	<u>OFFENSE DATE</u>
"A" felony (Murder 2, Kidnap 1 and Arson 1)	PRE 10/1/95	lowest: 15 to life highest: 25 to life	lowest: 15 to life highest: 25 to life
	POST 9/1/98		
"B" felony	Min. is 1/3 of Max.	lowest: 2 to 6 highest: 8 1/3 to 25	Determinate lowest: 5 highest: 25
	Min. is 1/2 of Max.	lowest: 3 to 6 highest: 12 1/2 to 25	lowest: 3 1/2 highest: 15
"C" felony	lowest: 1 1/2 to 4 1/2 highest: 5 to 15	lowest: 2 1/4 to 4 1/2 highest: 7 1/2 to 15	lowest: 2 highest: 7
	lowest: 1 to 3 highest: 2 1/3 to 7	lowest: 1 1/2 to 3 highest: 3 1/2 to 7	lowest: 1 1/2 highest: 4
"D" felony*	lowest: 1 to 3 highest: 1 1/3 to 4	lowest: 1 1/2 to 3 highest: 2 to 4	

*State prison time not mandatory.

For defendants (ages 14 to under 19) who are given Youthful Offender status (YO), sentence options are those available to a defendant sentenced on a first non-violent "E" felony:

Non-VFO "E" felony lowest prison: 1 to 3 other options: definite sentence; 5 years probation; split of up to 6 months/probation; and 3 years conditional discharge.
highest: 1 1/3 to 4

SENTENCING RANGES FOR CONVICTION OF JUVENILE OFFENSES

<u>SEVERITY LEVEL OF FELONY CHARGE</u>	<u>LOWEST PRISON</u>	<u>HIGHEST PRISON</u>
"A" felony (Murder 2)	5 to life	9 to life
"A" felony (Arson 1 and Kidnap 1)	4 to 12	6 to 15
"B" felony VFO	1 to 3 1/3 of max	3 1/3 to 10 1/3 of max
"C" felony VFO	1 to 3 1/3 of max	2 1/3 to 7 1/3 of max
"D" felony VFO	1 to 3 1/3 of max	1 1/3 to 4 1/3 of max

For defendants (ages 14 to under 16) who are given Youthful Offender status (YO), sentence options are those available to a defendant sentenced on a first non-violent "E" felony:

Non-VFO "E" felony lowest prison: 1 to 3 Other options: definite sentence; 5 years probation; split of up to 6 months/probation and 3 years conditional discharge.

highest prison: 1 1/3 to 4

Tables

NEW YORK CITY CRIMINAL JUSTICE AGENCY
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Table 2: Targeting and Criminal Court Processing Information for Defendants

Target Information	CCA		CASES		Fortune Society			Osborne		Project Return		Total		
	YAP		CEP		Freedom	DAMAS	FlameTree	El Rio		Women's Day Treatment				
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Target Category														
Referral or Manual Target	67	37.0%	104	21.0%	105	36.3%	64	32.7%	126	58.9%	77	65.3%	587	36.8%
Misdemeanor Target A*	0	0.0%	0	0.0%	1	0.3%	0	0.0%	0	0.0%	0	0.0%	1	0.1%
Juvenile Offender	104	57.5%	1	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	106	6.7%
Youthful Offender	1	0.6%	301	60.8%	49	17.0%	49	25.0%	4	1.9%	1	0.8%	420	26.4%
Female Drug Detained	0	0.0%	0	0.0%	0	0.0%	2	1.0%	6	2.8%	33	28.0%	60	3.8%
Female Drug Released	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.5%	4	3.4%	6	0.4%
Female Non-Drug Detained	4	2.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	1.7%	23	1.4%
Male Drug Detained**	0	0.0%	43	8.7%	76	26.3%	3	3.0%	64	29.9%	1	0.8%	235	14.8%
Male Drug Released	0	0.0%	0	0.0%	0	0.0%	0	0.0%	6	2.8%	0	0.0%	7	0.4%
Male Non-Drug Detained	5	2.8%	46	9.3%	58	20.1%	0	0.0%	7	3.3%	0	0.0%	148	9.3%
Total	181	100.0%	495	100.0%	289	100.0%	196	100.0%	214	100.0%	118	100.0%	1593	100.0%
Criminal Court Processing Information														
Borough of Prosecution***														
Brooklyn	97	53.6%	168	33.9%	90	31.1%	80	40.8%	1	0.5%	1	0.8%	467	29.3%
Manhattan	70	38.7%	173	34.9%	70	24.2%	41	20.9%	63	29.4%	22	18.6%	461	28.9%
Queens	12	6.6%	59	11.9%	43	14.9%	21	10.7%	0	0.0%	0	0.0%	139	8.7%
Bronx	2	1.1%	95	19.2%	86	29.8%	54	27.6%	150	70.1%	95	80.5%	526	33.0%
Total	181	100.0%	495	100.0%	289	100.0%	196	100.0%	214	100.0%	118	100.0%	1593	100.0%
Charge Leaving Arraignment - Penal Law Article****														
120:Assault and Related Offenses	11	6.1%	20	4.0%	10	3.5%	5	2.6%	0	0.0%	1	0.8%	58	3.6%
140:Burglary and Related Offenses	3	1.7%	24	4.8%	13	4.5%	8	4.1%	4	1.9%	0	0.0%	56	3.5%
160:Robbery	148	81.8%	224	45.3%	65	22.5%	45	23.0%	5	2.3%	1	0.8%	508	31.9%
220:Controlled Substances Offenses	0	0.0%	163	32.9%	142	49.1%	119	60.7%	198	92.5%	113	95.8%	793	49.8%
265:Firearms and Other Dangerous Weapons	7	3.9%	50	10.1%	28	9.7%	2	2.0%	3	1.4%	2	1.7%	98	6.2%
Other*****	12	6.6%	14	2.8%	31	10.7%	13	6.6%	4	1.9%	1	0.8%	80	5.0%
Total	181	100.0%	495	100.0%	289	100.0%	196	100.0%	214	100.0%	118	100.0%	1593	100.0%

*Includes one case originally targeted as a misdemeanor but disposed as a felony.

**Includes four cases of female defendants, three mandated to DAMAS and one to Project Return, who were mistakenly targeted as males. Includes 12 low bail cases.

***Borough of arrest is used for the ten cases that are direct indictments.

****Arrest charge is used for the ten cases that are direct indictments.

*****Other includes offenses in the following Penal Law Articles: Conspiracy (105), Criminal Facilitation (115), Homicide, Abortion, and Related Offenses (125), Sex Offenses (130), Kidnapping, Coercion and Related Offenses (135), Criminal Mischief and Related Offenses (145), Arson (150), Larceny (155), Other Offenses Related to Theft (165), Forgery and Related Offenses (170), Other Offenses Relating to Judicial and Other Proceedings (215), Offenses Involving Marijuana (221), and Vehicle and Traffic Law Offenses (VTL).

	CCA		CASES		Fortune Society						Osborne		Project Return		Total	
	YAP		CEP		Freedom		DAMAS		FlameTree		El Rio		Women's Day Treatment			
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Court Processing Information																
Severity of Charge Leaving Arraignment*																
A Felony	1	0.6%	4	0.8%	2	0.7%	0	0.0%	2	1.0%	0	0.0%	1	0.8%	10	0.6%
B Felony	136	75.1%	280	56.6%	180	62.3%	77	77.0%	140	71.4%	196	91.6%	113	95.8%	1122	70.4%
C Felony	40	22.1%	128	25.9%	42	14.5%	5	5.0%	25	12.8%	9	4.2%	2	1.7%	251	15.8%
D Felony	3	1.7%	74	14.9%	54	18.7%	15	15.0%	21	10.7%	7	3.3%	1	0.8%	175	11.0%
E Felony	0	0.0%	6	1.2%	9	3.1%	1	1.0%	7	3.6%	1	0.5%	0	0.0%	24	1.5%
Misdemeanor	1	0.6%	3	0.6%	2	0.7%	2	2.0%	1	0.5%	1	0.5%	1	0.8%	11	0.7%
Total	181	100.0%	495	100.0%	289	100.0%	100	100.0%	196	100.0%	214	100.0%	118	100.0%	1593	100.0%
Release Status Leaving Arraignment																
Released on Recognizance	14	7.7%	45	9.1%	30	10.4%	19	19.0%	16	8.2%	62	29.0%	49	41.5%	235	14.8%
Bail Made, Defendant Released	3	1.7%	2	0.4%	14	4.8%	4	4.0%	6	3.1%	4	1.9%	4	3.4%	37	2.3%
Bail Not Made, Defendant Detained	159	87.8%	443	89.5%	243	84.1%	77	77.0%	173	88.3%	147	68.7%	65	55.1%	1307	82.0%
Remanded, Defendant Detained	0	0.0%	1	0.2%	2	0.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	0.2%
Warrant Ordered	0	0.0%	1	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.1%
Direct Indictment	5	2.8%	3	0.6%	0	0.0%	0	0.0%	1	0.5%	1	0.5%	0	0.0%	10	0.6%
Total	181	100.0%	495	100.0%	289	100.0%	100	100.0%	196	100.0%	214	100.0%	118	100.0%	1593	100.0%
Disposition in Criminal Court																
Sentenced	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.5%	1	0.5%	2	1.7%	4	0.3%
Transferred to Supreme Court	176	97.2%	492	99.4%	289	100.0%	99	99.0%	194	99.0%	212	99.1%	116	98.3%	1578	99.1%
Warrant Ordered	0	0.0%	0	0.0%	0	0.0%	1	1.0%	0	0.0%	0	0.0%	0	0.0%	1	0.1%
Direct Indictment	5	2.8%	3	0.6%	0	0.0%	0	0.0%	1	0.5%	1	0.5%	0	0.0%	10	0.6%
Total	181	100.0%	495	100.0%	289	100.0%	100	100.0%	196	100.0%	214	100.0%	118	100.0%	1593	100.0%

*Severity of arrest charge is used for the ten cases that are direct indictments.

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Table 3: Program Outcome of Cases

Status	CCA		CASES		Fortune Society						Osborne		Project Return		Total	
	YAP		CEP		Freedom		DAMAS		FlameTree		El Rio		Women's Day Treatment			
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Not Completed:																
<i>No Show</i>	2	1.1%	1	0.2%	3	1.0%	3	3.0%	6	3.1%	9	4.2%	4	3.4%	28	1.8%
<i>Administrative Discharge</i>																
Mental illness	0	0.0%	1	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.1%
Drug use	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.9%	0	0.0%	2	0.1%
Non-attendance	0	0.0%	3	0.6%	4	1.4%	1	1.0%	2	1.0%	0	0.0%	5	4.2%	15	0.9%
Breach of program rules	0	0.0%	1	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.8%	2	0.1%
Reason not coded	1	0.6%	4	0.8%	9	3.1%	10	10.0%	13	6.6%	0	0.0%	7	5.9%	44	2.8%
<i>Transfer:</i>																
Drug use	1	0.6%	6	1.2%	0	0.0%	0	0.0%	2	1.0%	5	2.3%	7	5.9%	21	1.3%
Mental illness	0	0.0%	2	0.4%	0	0.0%	0	0.0%	0	0.0%	1	0.5%	1	0.8%	4	0.3%
Non-compliance with treatment plan	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	1.4%	0	0.0%	3	0.2%
Other	1	0.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	1.4%	4	3.4%	8	0.5%
Reason not coded	0	0.0%	2	0.4%	1	0.3%	2	2.0%	4	2.0%	9	4.2%	2	1.7%	20	1.3%
<i>Abated</i>	0	0.0%	1	0.2%	2	0.7%	1	1.0%	0	0.0%	0	0.0%	0	0.0%	4	0.3%
<i>Relocated to other jurisdiction</i>	2	1.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.1%
Subtotal Not Completed	7	3.9%	21	4.2%	19	6.6%	17	17.0%	27	13.8%	32	15.0%	31	26.3%	154	9.7%
Completed:																
<i>Successful Completion</i>	82	45.3%	221	44.6%	189	65.4%	57	57.0%	91	46.4%	89	41.6%	39	33.1%	768	48.2%
<i>Unsuccessful Termination</i>	92	50.8%	253	51.1%	81	28.0%	26	26.0%	78	39.8%	93	43.5%	48	40.7%	671	42.1%
Subtotal Completed	174	96.1%	474	95.8%	270	93.4%	83	83.0%	169	86.2%	182	85.0%	87	73.7%	1439	90.3%
Total Cohort	181	100.0%	495	100.0%	289	100.0%	100	100.0%	196	100.0%	214	100.0%	118	100.0%	1593	100.0%

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Table 3a: Program Outcome of Completed Cases

	CCA		CASES		Fortune Society						Osborne		Project Return		Total	
	YAP		CEP		Freedom		DAMAS		FlameTree		El Rio		Women's Day Treatment			
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Completed:																
<i>Successful Completion:</i>																
Program requirements only	10	12.2%	162	73.3%	117	61.9%	17	29.8%	42	46.2%	54	60.7%	33	84.6%	435	56.6%
Court conditions only	2	2.4%	2	0.9%	0	0.0%	2	3.5%	1	1.1%	0	0.0%	0	0.0%	7	0.9%
Program requirements and court conditions	69	84.1%	0	0.0%	26	13.8%	22	38.6%	21	23.1%	24	27.0%	1	2.6%	163	21.2%
Transfer placement	1	1.2%	14	6.3%	1	0.5%	7	12.3%	1	1.1%	10	11.2%	5	12.8%	39	5.1%
Court conditions and transfer placement	0	0.0%	1	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	1.7%
Reason not coded	0	0.0%	42	19.0%	45	23.8%	9	15.8%	26	28.6%	1	1.1%	0	0.0%	123	16.0%
Subtotal Successful Completion	82	47.1%	221	46.6%	189	70.0%	57	68.7%	91	53.8%	89	48.9%	39	44.8%	768	53.4%
<i>Unsuccessful Termination:</i>																
Non-attendance	11	12.0%	81	32.0%	31	38.3%	6	23.1%	34	43.6%	41	44.1%	19	39.6%	223	33.2%
Breach of program rules	2	2.2%	11	4.3%	2	2.5%	0	0.0%	3	3.8%	0	0.0%	0	0.0%	18	2.7%
Treatment non-compliance	0	0.0%	35	13.8%	5	6.2%	1	3.8%	10	12.8%	3	3.2%	5	10.4%	59	8.8%
Failed at transfer placement	0	0.0%	3	1.2%	1	1.2%	3	11.5%	3	3.8%	3	3.2%	0	0.0%	13	1.9%
Incarceration	29	31.5%	2	0.8%	7	8.6%	0	0.0%	4	5.1%	14	15.1%	4	8.3%	60	8.9%
Rearrest	14	15.2%	60	23.7%	5	6.2%	0	0.0%	7	9.0%	12	12.9%	1	2.1%	99	14.8%
Warrant ordered	11	12.0%	4	1.6%	2	2.5%	4	15.4%	2	2.6%	4	4.3%	13	27.1%	40	6.0%
Other	8	8.7%	6	2.4%	0	0.0%	3	11.5%	1	1.3%	4	4.3%	0	0.0%	22	3.3%
Reason not coded	17	18.5%	51	20.2%	28	34.6%	9	34.6%	14	17.9%	12	12.9%	6	12.5%	137	20.4%
Subtotal Unsuccessful Termination	92	52.9%	253	53.4%	81	30.0%	26	31.3%	78	46.2%	93	51.1%	48	55.2%	671	46.6%
Total Completed Cases	174	100.0%	474	100.0%	270	100.0%	83	100.0%	169	100.0%	182	100.0%	87	100.0%	1439	100.0%

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Table 4: Length of Time in Felony Programs for Cases

	Administrative Discharge		No Show		Transfer		Abated		Relocated to Another Jurisdiction		Successful Completion		Unsuccessful Termination		Total	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
0-30 days	56	87.5%	24	85.7%	11	19.6%	1	25.0%	0	0.0%	0	0.0%	62	9.2%	154	9.7%
31-60 days	8	12.5%	1	3.6%	9	16.1%	0	0.0%	0	0.0%	4	0.5%	122	18.2%	144	9.0%
61-90 days	0	0.0%	1	3.6%	10	17.9%	0	0.0%	0	0.0%	4	0.5%	117	17.4%	132	8.3%
91-120 days	0	0.0%	0	0.0%	6	10.7%	1	25.0%	0	0.0%	3	0.4%	86	12.8%	96	6.0%
121-180 days	0	0.0%	1	3.6%	10	17.9%	2	50.0%	0	0.0%	19	2.5%	152	22.7%	184	11.6%
181-210 days	0	0.0%	0	0.0%	3	5.4%	0	0.0%	0	0.0%	476	62.0%	49	7.3%	528	33.1%
211-270 days	0	0.0%	1	3.6%	0	0.0%	0	0.0%	0	0.0%	66	8.6%	30	4.5%	97	6.1%
271-365 days	0	0.0%	0	0.0%	1	1.8%	0	0.0%	2	100.0%	60	7.8%	31	4.6%	94	5.9%
366-545 days	0	0.0%	0	0.0%	2	3.6%	0	0.0%	0	0.0%	117	15.2%	16	2.4%	135	8.5%
546-730 days	0	0.0%	0	0.0%	4	7.1%	0	0.0%	0	0.0%	14	1.8%	5	0.7%	23	1.4%
over 730 days	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	5	0.7%	1	0.1%	6	0.4%
Total	64	100.0%	28	100.0%	56	100.0%	4	100.0%	2	100.0%	768	100.0%	671	100.0%	1593	100.0%

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Table 5: Length of Time in Felony Programs for Completed Cases

	CCA		CASES		Fortune Society				Osborne		Project Return		Total			
	YAP		CEP		Freedom		DAMAS		FlameTree		El Rio		Women's Day Treatment		Total	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Successful Completions																
0-30 days	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
31-60 days	0	0.0%	1	0.5%	0	0.0%	1	1.8%	1	1.1%	1	1.1%	0	0.0%	4	0.5%
61-90 days	1	1.2%	2	0.9%	1	0.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	0.5%
91-120 days	0	0.0%	0	0.0%	1	0.5%	0	0.0%	2	2.2%	0	0.0%	0	0.0%	3	0.4%
121-180 days	1	1.2%	6	2.7%	3	1.6%	3	5.3%	4	4.4%	1	1.1%	1	2.6%	19	2.5%
181-210 days	1	1.2%	189	85.5%	163	86.2%	47	82.5%	70	76.9%	4	4.5%	2	5.1%	476	62.0%
211-270 days	0	0.0%	19	8.6%	15	7.9%	3	5.3%	14	15.4%	8	9.0%	7	17.9%	66	8.6%
271-365 days	16	19.5%	3	1.4%	3	1.6%	2	3.5%	0	0.0%	15	16.9%	21	53.8%	60	7.8%
366-545 days	59	72.0%	1	0.5%	3	1.6%	1	1.8%	0	0.0%	45	50.6%	8	20.5%	117	15.2%
546-730 days	3	3.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	11	12.4%	0	0.0%	14	1.8%
over 730 days	1	1.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	4.5%	0	0.0%	5	0.7%
Total Successful Completions	82	100.0%	221	100.0%	189	100.0%	57	100.0%	91	100.0%	89	100.0%	39	100.0%	768	100.0%
Unsuccessful Terminations																
0-30 days	2	2.2%	26	10.3%	7	8.6%	5	19.2%	16	20.5%	3	3.2%	3	6.3%	62	9.2%
31-60 days	6	6.5%	45	17.8%	9	11.1%	10	38.5%	16	20.5%	18	19.4%	18	37.5%	122	18.2%
61-90 days	12	13.0%	46	18.2%	16	19.8%	3	11.5%	15	19.2%	17	18.3%	8	16.7%	117	17.4%
91-120 days	7	7.6%	45	17.8%	9	11.1%	3	11.5%	9	11.5%	8	8.6%	5	10.4%	86	12.8%
121-180 days	14	15.2%	63	24.9%	34	42.0%	2	7.7%	15	19.2%	18	19.4%	6	12.5%	152	22.7%
181-210 days	9	9.8%	22	8.7%	4	4.9%	2	7.7%	2	2.6%	4	4.3%	6	12.5%	49	7.3%
211-270 days	12	13.0%	3	1.2%	1	1.2%	1	3.8%	3	3.8%	8	8.6%	2	4.2%	30	4.5%
271-365 days	19	20.7%	2	0.8%	0	0.0%	0	0.0%	1	1.3%	9	9.7%	0	0.0%	31	4.6%
366-545 days	8	8.7%	1	0.4%	1	1.2%	0	0.0%	1	1.3%	5	5.4%	0	0.0%	16	2.4%
546-730 days	3	3.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	2.2%	0	0.0%	5	0.7%
over 730 days	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	1.1%	0	0.0%	1	0.1%
Total Unsuccessful Terminations	92	100.0%	253	100.0%	81	100.0%	26	100.0%	78	100.0%	93	100.0%	48	100.0%	671	100.0%
Total Completed Cases	174		474		270		83		169		182		87		1439	

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Table 6: Prosecutors' Sentence Offers for Completed Cases

	CCA		CASES		Fortune Society			Osborne		Project Return		Total				
	YAP		CEP		Freedom	DAMAS	FlameTree	El Rio		Women's Day Treatment		Total				
	n	%	n	%	n	%	n	%	n	%	n	%	n	%		
YO Eligible Cases																
Prosecutor Sentence Offer	112	64.7%	245	56.7%	51	68.0%	18	75.0%	48	80.0%	5	71.4%	2	50.0%	481	62.1%
State Prison	15	8.7%	66	15.3%	7	9.3%	3	12.5%	4	6.7%	1	14.3%	0	0.0%	96	12.4%
Split: 6 Months Jail and 5 Years Probation	0	0.0%	3	0.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	0.4%
<i>Local Jail:</i>	1	0.6%	15	3.5%	2	2.7%	0	0.0%	3	5.0%	0	0.0%	1	25.0%	22	2.8%
180 Days	45	26.0%	103	23.8%	15	20.0%	3	12.5%	5	8.3%	1	14.3%	1	25.0%	173	22.3%
365 Days	173	100.0%	432	100.0%	75	100.0%	24	100.0%	60	100.0%	7	100.0%	4	100.0%	775	100.0%
No Offer																
Total YO Eligible Cases																
Non-YO Eligible Cases																
Prosecutor Sentence Offer	0	0.0%	15	38.5%	146	75.3%	45	76.3%	78	72.2%	144	90.6%	62	77.5%	490	76.7%
State Prison	0	0.0%	10	25.6%	23	11.9%	7	11.9%	12	11.1%	4	2.5%	0	0.0%	56	8.8%
Split: 6 Months Jail and 5 Years Probation	0	0.0%	0	0.0%	1	0.5%	0	0.0%	1	0.9%	0	0.0%	0	0.0%	2	0.3%
<i>Local Jail:</i>	0	0.0%	5	12.8%	15	7.7%	3	5.1%	9	8.3%	2	1.3%	0	0.0%	34	5.3%
180 Days	0	0.0%	9	23.1%	9	4.6%	4	6.8%	8	7.4%	9	5.7%	18	22.5%	57	8.9%
365 Days	0	0.0%	39	100.0%	194	100.0%	59	100.0%	108	100.0%	159	100.0%	80	100.0%	639	100.0%
No Offer																
Total Non-YO Eligible Cases	173	471		269	83	168	84	1414								
Total Completed Cases																

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Table 7: Prosecutors' State Prison Plea Offer for YO Eligible Completed Cases

	CCA		CASES		Fortune Society				Osborne		Project Return		Total			
	YAP		CEP		Freedom	DAMAS	FlameTree	El Rio	Women's Day Treatment	Total		Total				
	n	%	n	%	n	%	n	%	n	%	n	%	n	%		
Post-Plea - YO Eligible - VFOs																
1-3 or 1.33-4 Years	33	36.3%	21	14.8%	7	26.9%	2	22.2%	7	28.0%	1	50.0%	1	50.0%	72	24.2%
1.5-3 or 2-4 Years	0	0.0%	7	4.9%	1	3.8%	0	0.0%	1	4.0%	0	0.0%	0	0.0%	9	3.0%
2 Years	0	0.0%	17	12.0%	2	7.7%	1	11.1%	2	8.0%	0	0.0%	0	0.0%	22	7.4%
1.5-4.5, 2-6, or 2.33-7 Years	44	48.4%	3	2.1%	2	7.7%	1	11.1%	0	0.0%	0	0.0%	0	0.0%	50	16.8%
2.25-4.5 Years	0	0.0%	11	7.7%	1	3.8%	1	11.1%	2	8.0%	0	0.0%	0	0.0%	15	5.1%
2.5-5 or 3-6 Years	0	0.0%	14	9.9%	4	15.4%	3	33.3%	4	16.0%	0	0.0%	0	0.0%	25	8.4%
3 or 3.5 Years	0	0.0%	25	17.6%	5	19.2%	1	11.1%	1	4.0%	0	0.0%	1	50.0%	33	11.1%
3-9 or 3.33-10 Years	14	15.4%	0	0.0%	1	3.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	15	5.1%
3.5-7, 4-8, or 5-10 Years	0	0.0%	2	1.4%	2	7.7%	0	0.0%	0	0.0%	1	50.0%	0	0.0%	5	1.7%
4, 5, or 5.5 Years	0	0.0%	35	24.6%	1	3.8%	0	0.0%	8	32.0%	0	0.0%	0	0.0%	44	14.8%
6, 7, 8, or 10 Years	0	0.0%	5	3.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	5	1.7%
7.5-15 or 8-16 Years	0	0.0%	2	1.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.7%
Total Post-Plea VFO Offers	91	100.0%	142	100.0%	26	100.0%	9	100.0%	25	100.0%	2	100.0%	2	100.0%	297	100.0%
Post-Plea - YO Eligible - Non-VFOs																
1-3 or 1.33-4 Years	0	0.0%	69	72.6%	13	59.1%	5	100.0%	15	68.2%	2	66.7%	0	0.0%	104	70.7%
1.5-3 or 2-4 Years	0	0.0%	0	0.0%	1	4.5%	0	0.0%	1	4.5%	0	0.0%	0	0.0%	2	1.4%
1.5-4.5, 2-6, or 2.33-7 Years	0	0.0%	24	25.3%	5	22.7%	0	0.0%	5	22.7%	0	0.0%	0	0.0%	34	23.1%
2.25-4.5 Years	0	0.0%	0	0.0%	1	4.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.7%
2.5, 3, or 3.5 Years	0	0.0%	1	1.1%	2	9.1%	0	0.0%	1	4.5%	0	0.0%	0	0.0%	4	2.7%
5-15 Years	0	0.0%	1	1.1%	0	0.0%	0	0.0%	0	0.0%	1	33.3%	0	0.0%	2	1.4%
Total Post-Plea Non-VFO Offers	0	0.0%	95	100.0%	22	100.0%	5	100.0%	22	100.0%	3	100.0%	0	0.0%	147	100.0%
Pre-Plea - YO Eligible																
1-3 Years	7	33.3%	2	25.0%	0	0.0%	0	0.0%	1	100.0%	0	0.0%	0	0.0%	10	27.0%
1.5-3 Years	0	0.0%	0	0.0%	1	33.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	2.7%
2-6 Years	8	38.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	8	21.6%
2 or 3.5 Years	0	0.0%	3	37.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	8.1%
3-9 or 3.33-10 Years	6	28.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	6	16.2%
4-8 Years	0	0.0%	2	25.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	5.4%
5, 6, or 15 Years	0	0.0%	1	12.5%	2	66.7%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	7	18.9%
Total Pre-Plea Offers	21	100.0%	8	100.0%	3	100.0%	4	100.0%	1	100.0%	0	0.0%	0	0.0%	37	100.0%
Total YO Eligible Cases	112		245		51		18		48		5		2		481	

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Table 8 : Prosecutors' State Prison Plea Offers for Non-YO Eligible Completed Cases

CASES	Fortune Society						Osborne		Project Return		Total			
	CEP		Freedom		DAMAS		FlameTree		EI Rio		Women's Day Treatment			
	n	%	n	%	n	%	n	%	n	%	n	%		
Post-Plea - Non-YO Eligible - VFOs														
1-3 Years	0	0.0%	2	9.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	5.1%
1.5-3 Years	0	0.0%	1	4.8%	0	0.0%	2	22.2%	0	0.0%	0	0.0%	3	7.7%
2 or 2.25 Years	4	57.1%	7	33.3%	0	0.0%	4	44.4%	0	0.0%	0	0.0%	15	38.5%
2-4, 2.25-4.5, or 2.5-5 Years	0	0.0%	3	14.3%	1	50.0%	1	11.1%	0	0.0%	0	0.0%	5	12.8%
3 or 3.5 Years	1	14.3%	3	14.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	10.3%
3-6, 3.5-7, or 4-8 Years	1	14.3%	4	19.0%	0	0.0%	1	11.1%	0	0.0%	0	0.0%	6	15.4%
5, 7, or 8 Years	1	14.3%	1	4.8%	1	50.0%	1	11.1%	0	0.0%	0	0.0%	4	10.3%
Total Post-Plea VFO Offers	7	100.0%	21	100.0%	2	100.0%	9	100.0%	0	0.0%	0	0.0%	39	100.0%
Post-Plea - Non-YO Eligible - Non-VFOs														
1-3, 1.33-4, or 1.5-4.5 Years	6	85.7%	69	60.0%	17	41.5%	31	45.6%	39	30.5%	6	10.2%	168	40.2%
1.5-3 Years	0	0.0%	7	6.1%	1	2.4%	3	4.4%	4	3.1%	1	1.7%	16	3.8%
2-4, 2.25-4.5, or 2.5-5 Years	0	0.0%	5	4.3%	4	9.8%	7	10.3%	6	4.7%	0	0.0%	22	5.3%
2-6 Years	0	0.0%	20	17.4%	13	31.7%	11	16.2%	57	44.5%	36	61.0%	137	32.8%
2.33-7 Years	0	0.0%	4	3.5%	0	0.0%	1	1.5%	0	0.0%	0	0.0%	5	1.2%
3-6 Years	0	0.0%	3	2.6%	0	0.0%	1	1.5%	10	7.8%	0	0.0%	14	3.3%
3-9 or 3.33-10 Years	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	5.1%	3	0.7%
3.5-7 Years	0	0.0%	1	0.9%	0	0.0%	1	1.5%	2	1.6%	1	1.7%	5	1.2%
3.5 Years	0	0.0%	1	0.9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.2%
4.5-9 or 5-10 Years	0	0.0%	5	4.3%	6	14.6%	12	17.6%	10	7.8%	12	20.3%	45	10.8%
5-15 Years	1	14.3%	0	0.0%	0	0.0%	1	1.5%	0	0.0%	0	0.0%	2	0.5%
Total Post-Plea Non-VFO Offers	7	100.0%	115	100.0%	41	100.0%	68	100.0%	128	100.0%	59	100.0%	418	100.0%
Pre-Plea - Non-YO Eligible														
1-3 Years	1	100.0%	2	20.0%	1	50.0%	0	0.0%	6	37.5%	1	33.3%	11	33.3%
1.5-3 Years	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	6.3%	0	0.0%	1	3.0%
2-4 Years	0	0.0%	1	10.0%	0	0.0%	1	100.0%	3	18.8%	0	0.0%	5	15.2%
2.25-4.5 or 3-6 Years	0	0.0%	2	20.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	6.1%
2-6 Years	0	0.0%	1	10.0%	0	0.0%	0	0.0%	3	18.8%	1	33.3%	5	15.2%
2, 5, or 7 Years	0	0.0%	4	40.0%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	5	15.2%
4.5-9 Years	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	18.8%	1	33.3%	4	12.1%
Total Pre-Plea Offers	1	100.0%	10	100.0%	2	100.0%	1	100.0%	16	100.0%	3	100.0%	33	100.0%
Total Non-YO Eligible Cases	15		146		45		78		144		62		490	

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Table 9: Case Processing Information for Completed Cases

	CCA		CASES		Fortune Society				Osborne		Project Return		Total			
	YAP		CEP		Freedom	DAMAS	FlameTree	El Rio	Women's Day Treatment							
	n	%	n	%	n	%	n	%	n	%	n	%	n	%		
Legal Status at Intake																
Bail Modification	9	5.2%	2	0.4%	1	0.4%	0	0.0%	1	0.6%	0	0.0%	0	0.0%	13	0.9%
Pre-Plea	53	30.6%	20	4.2%	23	8.6%	11	13.3%	6	3.6%	16	19.0%	16	19.0%	147	10.4%
Post-Plea	107	61.8%	414	87.9%	236	87.7%	71	85.5%	151	89.9%	66	78.6%	66	78.6%	1192	84.3%
Sentenced	4	2.3%	35	7.4%	9	3.3%	1	1.2%	10	6.0%	2	2.4%	2	2.4%	62	4.4%
Total Completed Cases	173	100.0%	471	100.0%	269	100.0%	83	100.0%	168	100.0%	84	100.0%	84	100.0%	1414	100.0%
Promised Outcome if Defendant is Successful at Program																
Dismissal	0	0.0%	0	0.0%	1	0.4%	2	2.8%	3	1.9%	30	20.3%	4	5.9%	40	3.2%
Plea to Lesser Charge	0	0.0%	10	2.2%	78	31.8%	31	43.1%	60	37.3%	86	58.1%	48	70.6%	313	25.0%
No Promise	12	10.8%	21	4.7%	25	10.2%	10	13.9%	14	8.7%	3	2.0%	5	7.4%	90	7.2%
No Change	99	89.2%	418	93.1%	141	57.6%	29	40.3%	84	52.2%	29	19.6%	11	16.2%	811	64.7%
Total Post-Plea/Sentenced	111	100.0%	449	100.0%	245	100.0%	72	100.0%	161	100.0%	148	100.0%	68	100.0%	1254	100.0%
Promised Sentence if Defendant is Successful at Program																
Conditional Discharge	0	0.0%	1	0.2%	17	6.9%	6	8.3%	18	11.2%	51	34.5%	6	8.8%	99	7.9%
Time Served	0	0.0%	1	0.2%	6	2.4%	3	4.2%	5	3.1%	4	2.7%	9	13.2%	28	2.2%
Probation	69	62.2%	333	74.2%	189	77.1%	46	63.9%	106	65.8%	57	38.5%	38	55.9%	838	66.8%
Split/Jail & Probation	25	22.5%	82	18.3%	19	7.8%	6	8.3%	15	9.3%	1	0.7%	2	2.9%	150	12.0%
Other	1	0.9%	3	0.7%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	2.9%	6	0.5%
No Promise	16	14.4%	29	6.5%	13	5.3%	9	12.5%	14	8.7%	5	3.4%	7	10.3%	93	7.4%
No Sentence, Promise of Dismissal	0	0.0%	0	0.0%	1	0.4%	2	2.8%	3	1.9%	30	20.3%	4	5.9%	40	3.2%
Total Post-Plea/Sentenced	111	100.0%	449	100.0%	245	100.0%	72	100.0%	161	100.0%	148	100.0%	68	100.0%	1254	100.0%
YO Status to be Granted																
Yes	88	79.3%	315	70.2%	47	19.2%	8	11.1%	43	26.7%	6	4.1%	2	2.9%	509	40.6%
No	0	0.0%	25	5.6%	12	4.9%	2	2.8%	9	5.6%	0	0.0%	1	1.5%	49	3.9%
No Promise	23	20.7%	85	18.9%	14	5.7%	9	12.5%	11	6.8%	0	0.0%	1	1.5%	143	11.4%
N/A (19 or Over)	0	0.0%	24	5.3%	172	70.2%	53	73.6%	98	60.9%	142	95.9%	64	94.1%	553	44.1%
Total Post-Plea/Sentenced	111	100.0%	449	100.0%	245	100.0%	72	100.0%	161	100.0%	148	100.0%	68	100.0%	1254	100.0%

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Table 10: Outcomes for YO Eligible Successful Completion Cases

	CCA		CASES		Fortune Society				Osborne		Total			
	YAP		CEP		Freedom	DAMAS	FlameTree	El Rio						
	n	%	n	%	n	%	n	%	n	%	n	%		
Supreme Court Disposition	<i>YO Eligible - Successful Completions</i>													
Dismissed or Dismissed Not Sealed Transferred to Family Court	4	4.9%	2	1.0%	0	0.0%	0	0.0%	1	3.4%	0	0.0%	7	1.9%
Plead Guilty, Adjournd for Sentence	4	4.9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	1.1%
Plead Guilty, Adjournd for Sentence Plead Guilty, Adjournd for Sentence <i>Convicted of:</i>	0	0.0%	2	1.0%	1	2.1%	0	0.0%	1	3.4%	0	0.0%	4	1.1%
Misdemeanor	1	1.2%	2	1.0%	1	2.1%	0	0.0%	0	0.0%	0	0.0%	4	1.1%
Felony	0	0.0%	3	1.5%	4	8.5%	2	14.3%	0	0.0%	0	0.0%	9	2.4%
Total YO Eligible SCs	73	89.0%	188	95.4%	41	87.2%	12	85.7%	27	93.1%	4	100.0%	345	92.5%
Total YO Eligible SCs	82	100.0%	197	100.0%	47	100.0%	14	100.0%	29	100.0%	4	100.0%	373	100.0%
Misdemeanor Sentences in Supreme Court	<i>Misdemeanor Conviction</i>													
Conditional Discharge	0	0.0%	1	33.3%	2	50.0%	1	50.0%	0	0.0%	0	0.0%	4	44.4%
3 Years Probation	0	0.0%	2	66.7%	0	0.0%	1	50.0%	0	0.0%	0	0.0%	3	33.3%
Imprisonment-Time Served	0	0.0%	0	0.0%	2	50.0%	0	0.0%	0	0.0%	0	0.0%	2	22.2%
Total Misdemeanor Sentences	0	0.0%	3	100.0%	4	100.0%	2	100.0%	0	0.0%	0	0.0%	9	100.0%
Felony Sentences in Supreme Court	<i>Felony Conviction</i>													
Conditional Discharge	1	1.4%	2	1.1%	1	2.4%	0	0.0%	1	3.7%	0	0.0%	5	1.4%
5 Years Probation	64	87.7%	140	74.5%	35	85.4%	10	83.3%	16	59.3%	4	100.0%	269	78.0%
Split-Jail and 5 Years Probation	6	8.2%	30	16.0%	3	7.3%	2	16.7%	5	18.5%	0	0.0%	46	13.3%
Imprisonment	2	2.7%	16	8.5%	2	4.9%	0	0.0%	5	18.5%	0	0.0%	25	7.2%
Total Felony Sentences	73	100.0%	188	100.0%	41	100.0%	12	100.0%	27	100.0%	4	100.0%	345	100.0%
YO Status Granted to Sentenced Cases	<i>All Sentenced Cases</i>													
Yes	73	100.0%	175	91.6%	39	86.7%	13	92.9%	21	77.8%	4	100.0%	325	91.8%
No	0	0.0%	16	8.4%	6	13.3%	1	7.1%	6	22.2%	0	0.0%	29	8.2%
Total Sentenced YO Eligible SCs	73	100.0%	191	100.0%	45	100.0%	14	100.0%	27	100.0%	4	100.0%	354	100.0%
Length of Incarcerative Sentence for Felonies	<i>Felonies Sentenced to Split or Imprisonment</i>													
<i>Split:</i>														
Time Served	0	0.0%	4	13.3%	2	66.7%	0	0.0%	0	0.0%	0	0.0%	6	13.0%
1, 20, 30, 45, 60 or 90 days	3	50.0%	11	36.7%	1	33.3%	0	0.0%	2	40.0%	0	0.0%	17	37.0%
4, 5, or 6 months	3	50.0%	15	50.0%	0	0.0%	2	100.0%	3	60.0%	0	0.0%	23	50.0%
Total Split Sentences	6	100.0%	30	100.0%	3	100.0%	2	100.0%	5	100.0%	0	0.0%	46	100.0%
<i>Imprisonment:</i>														
Intermittent;* 6 or 12 months jail	2	100.0%	3	18.8%	0	0.0%	0	0.0%	2	40.0%	0	0.0%	7	28.0%
1-3 or 1.33-4 years prison	0	0.0%	6	37.5%	0	0.0%	0	0.0%	1	20.0%	0	0.0%	7	28.0%
2, 3.5, or 5 years prison	0	0.0%	2	12.5%	1	50.0%	0	0.0%	0	0.0%	0	0.0%	3	12.0%
2-6 years prison	0	0.0%	0	0.0%	1	50.0%	0	0.0%	1	20.0%	0	0.0%	2	8.0%
2.25-4.5, 3-6, or 3.5-7 years prison	0	0.0%	5	31.3%	0	0.0%	0	0.0%	1	20.0%	0	0.0%	6	24.0%
Total Imprisonment Sentences	2	100.0%	16	100.0%	2	100.0%	0	0.0%	5	100.0%	0	0.0%	25	100.0%

*Includes one YAP case sentenced to intermittent imprisonment for 10 weeks.

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Table 11: Outcomes for Non-YO Eligible Successful Completion Cases

	CASES		Fortune Society				Osborne		Project Return		Total	
	CEP		Freedom	DAMAS	FlameTree	El Rio	Women's Day Treatment					
	n	%	n	%	n	%	n	%	n	%	n	%
Supreme Court Disposition												
Dismissed or Dismissed Not Seated Abated	1	4.5%	0	0.0%	0	0.0%	19	26.0%	2	5.6%	22	5.9%
Plead Guilty, Adjourned for Sentence-Warrant Ordered	0	0.0%	1	0.7%	0	0.0%	0	0.0%	0	0.0%	2	0.5%
Plead Guilty, Adjourned for Sentence	0	0.0%	2	1.4%	0	0.0%	0	0.0%	1	2.8%	3	0.8%
<i>Convicted of:</i>	0	0.0%	2	1.4%	1	2.3%	8	11.0%	4	11.1%	16	4.3%
Misdemeanor*	3	13.6%	20	14.2%	11	25.6%	17	23.3%	8	22.2%	74	19.7%
Felony	18	81.8%	116	82.3%	30	69.8%	29	39.7%	21	58.3%	259	68.9%
Total Non YO Eligible SCs	22	100.0%	141	100.0%	43	100.0%	73	100.0%	36	100.0%	376	100.0%
Misdemeanor Sentences in Supreme Court												
Conditional Discharge/Unconditional Discharge	1	33.3%	5	25.0%	2	18.2%	13	76.5%	2	25.0%	26	35.1%
3 Years Probation**	2	66.7%	10	50.0%	5	45.5%	7	46.7%	1	12.5%	25	33.8%
Imprisonment-Time Served***	0	0.0%	5	25.0%	4	36.4%	4	23.5%	5	62.5%	23	31.1%
Total Misdemeanor Sentences	3	100.0%	20	100.0%	11	100.0%	17	100.0%	8	100.0%	74	100.0%
Felony Sentences in Supreme Court												
Conditional Discharge/Unconditional Discharge	0	0.0%	6	5.2%	0	0.0%	5	11.1%	2	9.5%	14	5.4%
5 Years Probation	9	50.0%	85	73.3%	23	76.7%	26	57.8%	17	81.0%	185	71.4%
Split-Jail and 5 Years Probation	7	38.9%	22	19.0%	6	20.0%	11	24.4%	0	0.0%	47	18.1%
Imprisonment	2	11.1%	3	2.6%	1	3.3%	3	6.7%	2	9.5%	13	5.0%
Total Felony Sentences	18	100.0%	116	100.0%	30	100.0%	45	100.0%	21	100.0%	259	100.0%
Length of Incarcerative Sentence for Felonies												
<i>Split:</i>												
Time Served	1	14.3%	3	13.6%	3	50.0%	4	36.4%	0	0.0%	11	23.4%
1, 60, or 90 days	4	57.1%	10	45.5%	2	33.3%	3	27.3%	0	0.0%	19	40.4%
4, 5, or 6 months	2	28.6%	9	40.9%	1	16.7%	4	36.4%	1	100.0%	17	36.2%
Total Split Sentences	7	100.0%	22	100.0%	6	100.0%	11	100.0%	0	0.0%	47	100.0%
<i>Imprisonment:</i>												
Time Served	0	0.0%	1	33.3%	0	0.0%	0	0.0%	0	0.0%	2	15.4%
3 or 12 months jail	0	0.0%	1	33.3%	0	0.0%	2	66.7%	0	0.0%	3	23.1%
1-3 or 1.33-4 years prison	1	50.0%	0	0.0%	1	100.0%	1	33.3%	0	0.0%	4	30.8%
2 years prison	1	50.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	7.7%
2-6 years prison	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	50.0%	1	7.7%
3-6 or 4.5-9 years prison	0	0.0%	1	33.3%	0	0.0%	0	0.0%	1	50.0%	2	15.4%
Total Imprisonment Sentences	2	100.0%	3	100.0%	1	100.0%	3	100.0%	2	100.0%	13	100.0%

*Includes one El Rio case sentenced to a violation.

**Includes one DAMAS case sentenced to one year of probation on a B misdemeanor.

***Includes one FlameTree case sentenced to intermittent imprisonment for four months.

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Table 12: Outcomes for YO Eligible Unsuccessful Termination Cases

	CCA		CASES		Fortune Society				Osborne		Project Return		Total			
	n	%	n	%	Freedom	DAMAS	FlameTree	El Rio	n	%	Women's Day Treatment	n	%	n	%	
Supreme Court Disposition	<i>YO Eligible - Unsuccessful Terminations</i>															
Dismissed or Adjourned Contemplating Dismissal Transferred to Family Court Warrant Ordered	0	0.0%	1	0.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	33.3%	2	0.5%
Plead Guilty, Adjourned for Sentence-Warrant Ordered	5	5.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	5	1.2%
Plead Guilty, Adjourned for Sentence	1	1.1%	1	0.4%	0	0.0%	1	3.2%	0	0.0%	0	0.0%	0	0.0%	3	0.7%
Plead Guilty, Adjourned for Sentence	1	1.1%	12	5.1%	2	7.1%	4	40.0%	1	3.2%	1	33.3%	1	33.3%	22	5.5%
<i>Convicted of:</i>	2	2.2%	9	3.8%	1	3.6%	1	10.0%	0	0.0%	0	0.0%	0	0.0%	13	3.2%
Misdemeanor	0	0.0%	1	0.4%	1	3.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.5%
Felony	82	90.1%	211	89.8%	24	85.7%	5	50.0%	29	93.5%	1	33.3%	1	33.3%	354	88.3%
Total YO Eligible UTs	91	100.0%	235	100.0%	28	100.0%	10	100.0%	31	100.0%	3	100.0%	3	100.0%	401	100.0%
Misdemeanor Sentences in Supreme Court	<i>Misdemeanor Conviction</i>															
Conditional Discharge	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
3 Years Probation	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Imprisonment-6 or 12 months jail	0	0.0%	1	100.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	100.0%
Total Misdemeanor Sentences	0	0.0%	1	100.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	100.0%
Felony Sentences/Resentences in Supreme Court	<i>Felony Conviction</i>															
Conditional Discharge/Unconditional Discharge	1	1.2%	1	0.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.6%
5 Years Probation	13	15.9%	42	19.9%	5	20.8%	2	40.0%	5	17.2%	1	50.0%	0	0.0%	68	19.2%
Split-Jail and 5 Years Probation	10	12.2%	27	12.8%	2	8.3%	1	20.0%	6	20.7%	0	0.0%	0	0.0%	46	13.0%
Unsuccessful Termination of Probation	0	0.0%	3	1.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	0.7%
Imprisonment	58	70.7%	138	65.4%	17	70.8%	2	40.0%	18	62.1%	1	50.0%	1	100.0%	235	66.4%
Total Felony Sentences/Resentences	82	100.0%	211	100.0%	24	100.0%	5	100.0%	29	100.0%	2	100.0%	1	100.0%	354	100.0%
YO Status Granted to Sentenced Cases	<i>All Sentenced Cases</i>															
Yes	59	72.0%	117	55.5%	10	41.7%	5	100.0%	17	58.6%	2	100.0%	1	100.0%	211	59.6%
No	23	28.0%	94	44.5%	14	58.3%	0	0.0%	12	41.4%	0	0.0%	0	0.0%	143	40.4%
Total Sentenced YO Eligible UTs	82	100.0%	211	100.0%	24	100.0%	5	100.0%	29	100.0%	2	100.0%	1	100.0%	354	100.0%
Length of Incarcerative Sentence for Felonies	<i>Felonies Sentenced to Split or Imprisonment</i>															
<i>Split:</i>																
Time Served	1	10.0%	2	7.4%	1	50.0%	0	0.0%	1	16.7%	0	0.0%	0	0.0%	5	10.9%
1, 30, 45, 60 or 90 days	2	20.0%	6	22.2%	0	0.0%	1	100.0%	2	33.3%	0	0.0%	0	0.0%	11	23.9%
4 or 6 months	7	70.0%	19	70.4%	1	50.0%	0	0.0%	3	50.0%	0	0.0%	0	0.0%	30	65.2%
Total Split Sentences	10	100.0%	27	100.0%	2	100.0%	1	100.0%	6	100.0%	0	0.0%	0	0.0%	46	100.0%
<i>Imprisonment:</i>																
6, 9, or 12 months jail	4	6.9%	25	18.1%	5	29.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	34	14.5%
1-3 or 1.33-4 years prison	37	63.8%	63	45.7%	7	41.2%	2	100.0%	14	77.8%	1	100.0%	1	100.0%	125	53.2%
1.5-3 or 2-4 years prison	0	0.0%	4	2.9%	0	0.0%	0	0.0%	1	5.6%	0	0.0%	0	0.0%	5	2.1%
1.5-4.5, 1.66-5, 2-6 or 2.33-7 years prison	12	20.7%	12	8.7%	0	0.0%	0	0.0%	3	16.7%	0	0.0%	0	0.0%	27	11.5%
2.25-4.5, 2.5-5, 3-6, or 3.5-7 years prison	0	0.0%	7	5.1%	2	11.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	9	3.8%
2, 2.5, 3, or 3.5 years prison	0	0.0%	17	12.3%	2	11.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	19	8.1%
3-9 or 3.33-10 years prison	5	8.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	5	2.1%
4, 5, 6, or 12 years prison	0	0.0%	8	5.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	8	3.4%
5-10, 6-12, or 12.5-25 years prison	0	0.0%	2	1.4%	1	5.9%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	1.3%
Total Imprisonment Sentences	58	100.0%	138	100.0%	17	100.0%	2	100.0%	18	100.0%	1	100.0%	1	100.0%	235	100.0%

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Table 13: Outcomes for Non-YO Eligible Unsuccessful Termination Cases

	CASES		Fortune Society				Osborne		Project Return		Total			
	CEP		Freedom	DAMAS	Flame Tree	El Rio	Women's Day Treatment							
	n	%	n	%	n	%	n	%	n	%	n	%		
Supreme Court Disposition	<i>Non-YO Eligible - Unsuccessful Terminations</i>													
Dismissed or Dismissed Not Sealed Abated	0	0.0%	1	1.9%	1	6.3%	0	0.0%	2	2.4%	1	2.3%	5	1.9%
Plead Guilty, Adjourned for Sentence	0	0.0%	2	3.8%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	0.8%
Plead Guilty, Adjourned for Sentence <i>Convicted of:</i>	0	0.0%	2	3.8%	1	6.3%	2	4.3%	13	15.3%	5	11.4%	23	8.8%
Misdemeanor Felony	1	5.9%	3	5.7%	1	6.3%	3	6.5%	11	12.9%	7	15.9%	26	10.0%
Total Non-YO Eligible UTs	0	0.0%	2	3.8%	0	0.0%	4	8.7%	9	10.6%	2	4.5%	17	6.5%
Misdemeanor Sentences in Supreme Court	16	94.1%	43	81.1%	13	81.3%	37	80.4%	50	58.8%	29	65.9%	188	72.0%
Total Misdemeanor Sentences in Supreme Court	17	100.0%	53	100.0%	16	100.0%	46	100.0%	85	100.0%	44	100.0%	261	100.0%
Misdemeanor Conviction														
Conditional Discharge	0	0.0%	1	50.0%	0	0.0%	2	50.0%	7	77.8%	2	100.0%	12	70.6%
3 Years Probation	0	0.0%	1	50.0%	0	0.0%	1	25.0%	0	0.0%	0	0.0%	2	11.8%
Imprisonment-6 or 12 months jail	0	0.0%	0	0.0%	0	0.0%	1	25.0%	2	22.2%	0	0.0%	3	17.6%
Total Misdemeanor Sentences	0	0.0%	2	100.0%	0	0.0%	4	100.0%	9	100.0%	2	100.0%	17	100.0%
Felony Sentences/Resentences in Supreme Court	<i>Felony Conviction</i>													
Conditional Discharge	0	0.0%	1	2.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	0.5%
5 Years Probation	2	12.5%	6	14.0%	1	7.7%	1	2.7%	7	14.0%	4	13.8%	21	11.2%
Split-Jail and 5 Years Probation	3	18.8%	4	9.3%	2	15.4%	4	10.8%	3	6.0%	1	3.4%	17	9.0%
Unsuccessful Termination of Probation	2	12.5%	1	2.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	3	1.6%
Imprisonment	9	56.3%	31	72.1%	10	76.9%	32	86.5%	40	80.0%	24	82.8%	146	77.7%
Total Felony Sentences/Resentences	16	100.0%	43	100.0%	13	100.0%	37	100.0%	50	100.0%	29	100.0%	188	100.0%
Length of Incarcerative Sentence for Felonies	<i>Felonies Sentenced to Split or Imprisonment</i>													
<i>Split:</i>														
Time Served	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	66.7%	1	100.0%	3	17.6%
1 or 90 days	1	33.3%	0	0.0%	0	0.0%	1	25.0%	0	0.0%	0	0.0%	2	11.8%
4, 5, or 6 months	2	66.7%	4	100.0%	2	100.0%	3	75.0%	1	33.3%	0	0.0%	12	70.6%
Total Split Sentences	3	100.0%	4	100.0%	2	100.0%	4	100.0%	3	100.0%	1	100.0%	17	100.0%
<i>Imprisonment:</i>														
Time Served	0	0.0%	1	3.2%	1	10.0%	0	0.0%	0	0.0%	0	0.0%	2	1.4%
3, 6, 9, 10, or 12 months jail	4	44.4%	4	12.9%	1	10.0%	8	25.0%	3	7.5%	2	8.3%	22	15.1%
1-3 or 1.33-4 years prison	4	44.4%	14	45.2%	1	10.0%	5	15.6%	6	15.0%	5	20.8%	35	24.0%
1.5-3 or 2-4 years prison	0	0.0%	3	9.7%	1	10.0%	1	3.1%	1	2.5%	0	0.0%	6	4.1%
1.5-4.5 or 2-6 years prison	0	0.0%	7	22.6%	2	20.0%	6	18.8%	22	55.0%	11	45.8%	48	32.9%
2.5-5, 3-6, or 3.5-7 years prison	0	0.0%	1	3.2%	3	30.0%	3	9.4%	6	15.0%	4	16.7%	17	11.6%
2, 3.5, or 5 years prison	1	11.1%	0	0.0%	0	0.0%	3	9.4%	0	0.0%	0	0.0%	4	2.7%
4-8 or 4.5-9 years prison	0	0.0%	1	3.2%	1	10.0%	5	15.6%	2	5.0%	2	8.3%	11	7.5%
5-15 years prison	0	0.0%	0	0.0%	0	0.0%	1	3.1%	0	0.0%	0	0.0%	1	0.7%
Total Imprisonment Sentences	9	100.0%	31	100.0%	10	100.0%	32	100.0%	40	100.0%	24	100.0%	146	100.0%

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Table 14: Length of Time from Program Exit to Legal Disposition for Completed Cases Disposed in Supreme Court

	CCA		CASES		Fortune Society				Osborne		Project Return		Total			
	YAP		CEP		Freedom	DAMAS	FlameTree	El Rio	Women's Day Treatment		Total					
	n	%	n	%	n	%	n	%	n	%	n	%	n	%		
Disposed Before Program Exit	70	90.9%	39	18.1%	42	23.2%	17	30.9%	24	27.3%	22	31.9%	2	6.5%	216	30.2%
	7	9.1%	119	55.3%	107	59.1%	26	47.3%	36	40.9%	33	47.8%	16	51.6%	344	48.0%
	0	0.0%	19	8.8%	18	9.9%	2	3.6%	11	12.5%	9	13.0%	4	12.9%	63	8.8%
	0	0.0%	21	9.8%	7	3.9%	6	10.9%	12	13.6%	1	1.4%	7	22.6%	54	7.5%
over 365 days	0	0.0%	17	7.9%	7	3.9%	4	7.3%	5	5.7%	4	5.8%	2	6.5%	39	5.4%
Total Disposed Successful Completions	77	100.0%	215	100.0%	181	100.0%	55	100.0%	88	100.0%	69	100.0%	31	100.0%	716	100.0%
Unsuccessful Terminations																
Disposed Before Program Exit	26	31.7%	24	10.5%	10	14.1%	0	0.0%	9	12.9%	9	14.3%	2	5.9%	80	14.1%
	30	36.6%	68	29.7%	22	31.0%	10	52.6%	17	24.3%	13	20.6%	11	32.4%	171	30.1%
	6	7.3%	36	15.7%	8	11.3%	2	10.5%	14	20.0%	6	9.5%	6	17.6%	78	13.7%
	11	13.4%	60	26.2%	14	19.7%	2	10.5%	17	24.3%	10	15.9%	7	20.6%	121	21.3%
over 365 days	9	11.0%	41	17.9%	17	23.9%	5	26.3%	13	18.6%	25	39.7%	8	23.5%	118	20.8%
Total Disposed Unsuccessful Terminations	82	100.0%	229	100.0%	71	100.0%	19	100.0%	70	100.0%	63	100.0%	34	100.0%	568	100.0%
Total Disposed Completed Cases	159		444		252		74		158		132		65		1284	

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Table 15: Threats and Promises for Completed Cases Disposed in Supreme Court

	CCA		CASES		Fortune Society			Osborne		Project Return		Total				
	YAP		CEP		Freedom	DAMAS	FlameTree	ElRio	Women's Day Treatment		Total					
	n	%	n	%	n	%	n	%	n	%	n	%				
Promises for Success																
Disposition and Promise for Success the Same	29	37.7%	141	65.6%	112	61.9%	27	49.1%	42	47.7%	31	44.9%	13	41.9%	395	55.2%
Disposition More Severe than Promise for Success	3	3.9%	29	13.5%	20	11.0%	4	7.3%	20	22.7%	4	5.8%	3	9.7%	83	11.6%
Disposition Less Severe than Promise for Success	6	7.8%	20	9.3%	25	13.8%	14	25.5%	16	18.2%	28	40.6%	9	29.0%	118	16.5%
No Promise*	39	50.6%	25	11.6%	24	13.3%	10	18.2%	10	11.4%	6	8.7%	6	19.4%	120	16.8%
Total Disposed Successful Completion Cases	77	100.0%	215	100.0%	181	100.0%	55	100.0%	88	100.0%	69	100.0%	31	100.0%	716	100.0%
Threats for Failure																
Disposition and Threat for Failure the Same	4	4.9%	36	15.7%	18	25.4%	3	15.8%	24	34.3%	19	30.2%	9	26.5%	113	19.9%
Disposition More Severe than Threat for Failure	7	8.5%	13	5.7%	1	1.4%	0	0.0%	1	1.4%	3	4.8%	0	0.0%	25	4.4%
Disposition Less Severe than Threat for Failure	43	52.4%	123	53.7%	27	38.0%	15	78.9%	26	37.1%	28	44.4%	17	50.0%	279	49.1%
No Threat for Failure Specified	28	34.1%	57	24.9%	25	35.2%	1	5.3%	19	27.1%	13	20.6%	8	23.5%	151	26.6%
Total Disposed Unsuccessful Termination Cases	82	100.0%	229	100.0%	71	100.0%	19	100.0%	70	100.0%	63	100.0%	34	100.0%	568	100.0%
Total Disposed Completed Cases	159		444		252		74		158		132		65		1284	

*Includes two cases (1 CEP and 1 YAP) that were promised a disposition of "other".

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Table 16: Count of Completed Cases with Prosecuted In-Program Rearrests

Rearrest Count	CCA		CEP		Fortune Society						Osborne		Project Return		Total	
	YAP				Freedom		DAMAS		FlameTree		El Rio		Women's Day Treatment		Total	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
1	21	12.1%	131	27.8%	56	20.8%	3	3.6%	36	21.4%	35	21.1%	9	10.7%	291	20.6%
2	3	1.7%	38	8.1%	11	4.1%	1	1.2%	11	6.5%	11	6.6%	0	0.0%	75	5.3%
3	0	0.0%	10	2.1%	3	1.1%	0	0.0%	4	2.4%	3	1.8%	0	0.0%	20	1.4%
4	0	0.0%	1	0.2%	0	0.0%	0	0.0%	1	0.6%	1	0.6%	0	0.0%	3	0.2%
Subtotal	24	13.9%	180	38.2%	70	26.0%	4	4.8%	52	31.0%	50	30.1%	9	10.7%	389	27.5%
none	149	86.1%	291	61.8%	199	74.0%	79	95.2%	116	69.0%	116	69.9%	75	89.3%	1025	72.5%
Total	173	100.0%	471	100.0%	269	100.0%	83	100.0%	168	100.0%	166	100.0%	84	100.0%	1414	100.0%

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Table 17: Program Outcome of Completed Cases with In-Program Rearrests

Status	CCA		CASES		Fortune Society						Osborne		Project Return		Total		
	YAP		CEP		Freedom		DAMAS		FlameTree		El Rio		Women's Day Treatment				
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%	
Completed:																	
Successful Completion	4	16.7%	53	29.4%	39	55.7%	3	75.0%	20	38.5%	16	32.0%	0	0.0%	135	34.7%	
Unsuccessful Termination	20	83.3%	127	70.6%	31	44.3%	1	25.0%	32	61.5%	34	68.0%	9	100.0%	254	65.3%	
Total All Rearrested Cases	24	100.0%	180	100.0%	70	100.0%	4	100.0%	52	100.0%	50	100.0%	9	100.0%	389	100.0%	

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Table 18: Court Processing Information for the Most Severe Rearrest Case for Defendants with a Prosecuted Rearrest

Court Processing Information	CCA		CASES		Fortune Society				Osborne		Project Return		Total	
	YAP		CEP		Freedom	DAMAS	FlameTree	El Rio	Women's Day Treatment		n		%	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Charge of Most Severe Rearrest Leaving Criminal Court Arraignment - Penal Law Article														
120:Assault and Related Offenses	1	4.2%	14	7.8%	7	10.0%	0	0.0%	7	13.5%	3	6.0%	1	11.1%
140:Burglary and Related Offenses	0	0.0%	14	7.8%	7	10.0%	2	50.0%	2	3.8%	4	8.0%	2	22.2%
160:Robbery	11	45.8%	23	12.8%	0	0.0%	1	25.0%	7	13.5%	3	6.0%	0	0.0%
165:Other Offenses Relating to Theft	0	0.0%	16	8.9%	12	17.1%	1	25.0%	7	13.5%	1	2.0%	1	11.1%
220:Controlled Substances Offenses	4	16.7%	44	24.4%	18	25.7%	0	0.0%	14	26.9%	26	52.0%	3	33.3%
221:Offenses Involving Marijuana	1	4.2%	19	10.6%	8	11.4%	0	0.0%	6	11.5%	1	2.0%	0	0.0%
240:Offenses Against Public Order	0	0.0%	27	15.0%	5	7.1%	0	0.0%	1	1.9%	3	6.0%	2	22.2%
Other*	7	29.2%	22	12.2%	13	18.6%	0	0.0%	8	15.4%	9	18.0%	0	0.0%
Direct Indictment	0	0.0%	1	0.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total Most Severe Prosecuted Rearrests	24	100.0%	180	100.0%	70	100.0%	4	100.0%	52	100.0%	50	100.0%	9	100.0%
Charge Severity of Most Severe Rearrest Leaving Criminal Court Arraignment														
A Felony	0	0.0%	1	0.6%	1	1.4%	0	0.0%	0	0.0%	2	4.0%	0	0.0%
B Felony	13	54.2%	55	30.6%	12	17.1%	0	0.0%	13	25.0%	16	32.0%	2	22.2%
C Felony	5	20.8%	8	4.4%	3	4.3%	1	25.0%	3	5.8%	3	6.0%	0	0.0%
D Felony	1	4.2%	15	8.3%	2	2.9%	1	25.0%	2	3.8%	5	10.0%	0	0.0%
E Felony	1	4.2%	5	2.8%	3	4.3%	0	0.0%	0	0.0%	2	4.0%	0	0.0%
A Misdemeanor	3	12.5%	47	26.1%	33	47.1%	1	25.0%	26	50.0%	16	32.0%	5	55.6%
B or U Misdemeanor	1	4.2%	16	8.9%	9	12.9%	0	0.0%	3	5.8%	0	0.0%	0	0.0%
Violation or Infraction**	0	0.0%	32	17.8%	7	10.0%	1	25.0%	5	9.6%	6	12.0%	2	22.2%
Direct Indictment	0	0.0%	1	0.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total Most Severe Prosecuted Rearrests	24	100.0%	180	100.0%	70	100.0%	4	100.0%	52	100.0%	50	100.0%	9	100.0%
Last Disposition in Criminal Court														
Sentenced/Resentenced	4	16.7%	73	40.6%	33	47.1%	1	25.0%	26	50.0%	29	58.0%	7	77.8%
Transferred to Supreme Court	11	45.8%	55	30.6%	10	14.3%	1	25.0%	11	21.2%	13	26.0%	2	22.2%
Transferred to Family Court	3	12.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Warrant Ordered	0	0.0%	3	1.7%	1	1.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Dismissed/Adjourned Contemplating Dismissal/Sealed	6	25.0%	48	26.7%	26	37.1%	2	50.0%	15	28.8%	8	16.0%	0	0.0%
Direct Indictment	0	0.0%	1	0.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total Most Severe Prosecuted Rearrests	24	100.0%	180	100.0%	70	100.0%	4	100.0%	52	100.0%	50	100.0%	9	100.0%
Sentence in Criminal Court														
Conditional Discharge	1	25.0%	35	47.9%	13	39.4%	0	0.0%	13	50.0%	12	41.4%	2	28.6%
Fine	0	0.0%	1	1.4%	4	12.1%	0	0.0%	1	3.8%	1	3.4%	0	0.0%
Fine or Imprisonment	0	0.0%	0	0.0%	1	3.0%	0	0.0%	0	0.0%	1	3.4%	0	0.0%
Imprisonment***	3	75.0%	37	50.7%	15	45.5%	1	100.0%	12	46.2%	15	51.7%	5	71.4%
Total Sentenced Rearrests	4	100.0%	73	100.0%	33	100.0%	1	100.0%	26	100.0%	29	100.0%	7	100.0%
Jail Sentence														
Time Served	0	0.0%	22	59.5%	9	60.0%	1	100.0%	8	66.7%	7	46.7%	2	40.0%
1, 3, 5, 7, or 10 days	0	0.0%	4	10.8%	1	6.7%	0	0.0%	2	16.7%	2	13.3%	2	40.0%
15, 20, or 30 days	1	33.3%	9	24.3%	4	26.7%	0	0.0%	2	16.7%	1	6.7%	0	0.0%
40, 45, 60, or 90 days	2	66.7%	1	2.7%	0	0.0%	0	0.0%	0	0.0%	4	26.7%	1	20.0%
365 days	0	0.0%	1	2.7%	0	0.0%	0	0.0%	0	0.0%	1	6.7%	0	0.0%
Total Rearrests Sentenced to Imprisonment	3	100.0%	37	100.0%	15	100.0%	1	100.0%	12	100.0%	15	100.0%	5	100.0%

*Other included offenses in the following Penal Law Articles: Criminal Facilitation (115), Homicide, Abortion and Related Offenses (125), Sex Offenses (130), Criminal Mischief and Related Offenses (145), Larceny (155), Forgery and Related Offenses (170), Escape and Other Offenses Relating to Custody (205), Other Offenses Relating to Judicial and Other Proceedings (215), Gambling Offenses (225), Offenses Relating to Children and Incompetents (260), Firearms and Other Dangerous Weapons (265), Public Health Laws, and Vehicle and Traffic Law Offenses (VTL).
**Includes one FlameTree case with a Public Health Law charge.
***Includes one El Rio case sentenced to imprisonment and three years probation.

	CCA		CASES		Fortune Society				Osborne		Project Return		Total			
	YAP		CEP		Freedom		DAMAS		FlameTree		El Rio		Women's Day Treatment		Total	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Supreme Court Disposition																
Dismissed or Adjudged Contemplating Dismissal	0	0.0%	3	5.4%	0	0.0%	0	0.0%	2	18.2%	0	0.0%	0	0.0%	5	4.8%
Transferred to Family Court	2	18.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	1.9%
Warrant Ordered	0	0.0%	0	0.0%	1	10.0%	0	0.0%	0	0.0%	1	7.7%	0	0.0%	2	1.9%
Adjudged Without Plea	0	0.0%	2	3.6%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	1.9%
Plead Guilty, Adjudged for Sentence	0	0.0%	1	1.8%	0	0.0%	0	0.0%	0	0.0%	1	7.7%	0	0.0%	2	1.9%
<i>Convicted of:</i>																
Misdemeanor	0	0.0%	0	0.0%	1	10.0%	0	0.0%	1	9.1%	0	0.0%	0	0.0%	2	1.9%
Felony	9	81.8%	50	89.3%	8	80.0%	1	100.0%	8	72.7%	11	84.6%	2	100.0%	89	85.6%
Total	11	100.0%	56	100.0%	10	100.0%	1	100.0%	11	100.0%	13	100.0%	2	100.0%	104	100.0%
Misdemeanor Sentences in Supreme Court																
Conditional Discharge*	0	0.0%	0	0.0%	1	100.0%	0	0.0%	1	100.0%	0	0.0%	0	0.0%	2	100.0%
Total Misdemeanor Sentences	0	0.0%	0	0.0%	1	100.0%	0	0.0%	1	100.0%	0	0.0%	0	0.0%	2	100.0%
Felony Sentences/Resentences in Supreme Court																
Conditional Discharge	1	11.1%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	1.1%
5 Years Probation	0	0.0%	2	4.0%	0	0.0%	1	100.0%	1	12.5%	0	0.0%	0	0.0%	4	4.5%
Split-Jail and 5 Years Probation	0	0.0%	4	8.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	4.5%
Imprisonment	8	88.9%	44	88.0%	8	100.0%	0	0.0%	7	87.5%	11	100.0%	2	100.0%	80	89.9%
Total Felony Sentences/Resentences	9	100.0%	50	100.0%	8	100.0%	1	100.0%	8	100.0%	11	100.0%	2	100.0%	89	100.0%
Length of Incarcerative Sentence for Felonies																
6 Month Split	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	100.0%
Total Split Sentences	0	0.0%	4	100.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	4	100.0%
<i>Imprisonment:</i>																
3 or 9 months jail	1	12.5%	1	2.3%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	2	2.5%
12 months	0	0.0%	5	11.4%	1	12.5%	0	0.0%	0	0.0%	1	9.1%	1	50.0%	8	10.0%
1-3 or 1.33-4 years prison	3	37.5%	11	25.0%	1	12.5%	0	0.0%	2	28.6%	1	9.1%	1	50.0%	19	23.8%
1.5-4.5, 1.66-5 years prison	0	0.0%	1	2.3%	0	0.0%	0	0.0%	1	14.3%	0	0.0%	0	0.0%	2	2.5%
2-6 years prison	2	25.0%	8	18.2%	1	12.5%	0	0.0%	0	0.0%	5	45.5%	0	0.0%	16	20.0%
2-4, 2.5-5 years prison	0	0.0%	1	2.3%	2	25.0%	0	0.0%	1	14.3%	1	9.1%	0	0.0%	5	6.3%
2, 2.5, 3, 3.5, 4 years prison	0	0.0%	10	22.7%	1	12.5%	0	0.0%	3	42.9%	1	9.1%	0	0.0%	16	20.0%
3-6, 3.5-7 years prison	0	0.0%	1	2.3%	0	0.0%	0	0.0%	0	0.0%	1	9.1%	0	0.0%	2	2.5%
5, 5.5, 8, 12 years prison	1	12.5%	6	13.6%	1	12.5%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	8	10.0%
20 or 25 years to life	0	0.0%	0	0.0%	1	12.5%	0	0.0%	0	0.0%	1	9.1%	0	0.0%	2	2.5%
Total Imprisonment Sentences	8	100.0%	44	100.0%	8	100.0%	0	0.0%	7	100.0%	11	100.0%	2	100.0%	80	100.0%

*Includes one case disposed as a violation for FlameTree.