

# Department of Public Advocacy, Social Worker Pilot Project

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Commonwealth of Kentucky

- *Designed to enhance Public Safety*
- Social Worker Pilot Project
- Commonwealth of Kentucky, Department of Public Advocacy, state-wide public defender system
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- The DPA Social Worker Pilot Project was funded in the amount of \$172,000 by the 2006 Kentucky General Assembly to test whether social workers in public defender offices could decrease the number of persons incarcerated through diversion to treatment, change the lives of those addicted and mentally ill, prevent them from re-offending, and thus save Kentucky money. The funding was used to place four social workers in four Pilot regions covering 17 counties: Bowling Green, Covington, Morehead, and Owensboro. The social workers served 229 adults and juveniles from October 15, 2006 to October 15, 2007 and resulted in substantial savings, treatment and decreased recidivism. (See: UofL *Social Worker Pilot Report*)
- The Pilot began October 15, 2006 and ended October 15, 2007, although social workers are continuing to track the success and failure of persons from the Pilot. (See: *Scope of Services*)
- The program was created to study the effectiveness social workers working side by side with attorneys to divert persons addicted or mentally ill to community-based treatment. Kentucky jails and prisons are 20% over capacity. The number of persons in Kentucky jails and prisons increased 12% according to the Pew Charitable Trust Report, more than any other state in the nation. The cost is eating into education budgets, health budget and other important services. Corrections budget is more than 10% of state budget overall. Many jails do not have money or services to deal with chronically mentally and socially ill individuals and youth. As a result Kentucky inmates are not being rehabilitated. 34% of those released are reoffending. (See: *Pew Charitable Trust Report*) 64% of persons in jail or prison in KY are addicted to drugs or alcohol, 56% show signs of depression or mental illness, 50% are illiterate.
- The Pilot was designed to use social workers to identify persons coming through the public defenders office who are amenable to treatment, find prescribed treatment in the community, provide alternative sentencing plans and other evidence to support recommendation for treatment, where health care providers are more prepared to deal with there problems.
- A committee was formed to design the Pilot, design interview and data collection tools, select the Pilot regions, hire and train the social workers. Three of them were MSW and one was a BSW. The first step of the Pilot was that social workers conducted a *baseline interview* for 229 defendants. Each social worker was appointed early in the case and participated in the client's recovery through the disposition of the case or until the person re-entered the community. Social workers have the training that neither the defense attorneys nor the judges have to connect persons to resources. Social Workers have ethical and professional standards to advocate for defendants with chronic socio-economic problems. They are trained to

understand health and mental health problems, are resourceful in finding necessary treatment and services appropriate for each individual, and are skilled to empower defendants in their successful transition to self-sufficiency. Social workers interviewed defendants and determined the medical, social, and economic barriers to getting out of the criminal justice system. They collected medical records and criminal records (a total of 394 records for the 292 defendants). The social workers:

- Worked with youth and adult clients with drug and alcohol problems and mental illness,
  - Found prescribed treatment in the community, other counties or states that would treat the root problems for each defendant including therapy, medications and/or treatment programs,
  - Wrote interventions that supported a judge or prosecutor's decision to either conditionally release/divert the case or impose alternative sentencing which combined job training and treatment, employment, mental health treatment and GED classes,
  - Created other successful recommendations for pre-trial diversion for adult clients linking poor clients to services they would not have been able to access alone,
  - Created other successful dispositional plans for youth and children in the juvenile justice system which presented reasonable alternatives to detention and commitment, and
  - After six months, social workers surveyed the defendants to measure services, condition, and criminal status. By October 2007, 181 defendants completed a six month follow-up interview to measure the same factors. 229 defendants were served between October 2006 through October 2007, Three social workers served an average of 68 indigent defendants. Roughly 8% of the services that clients received were less intensive "quick action" items, such as referrals. The remaining 92% or 181 were assigned to social workers by court appointment that continued until re-entry. In the majority of cases, courts asked social workers to conduct in-depth assessments and develop alternative sentencing recommendations. If the charges were dismissed or the client was granted parole, the social workers entered into intensive engagement to connect local services with the defendants to help them become fully integrated into their community. (See: Gap in Services Chart)
- The Social Worker Program is a model program being utilized by very few public defenders nationwide and no state-wide public defender systems other than Kentucky. The only states using this model are local city-based defender systems. The University of Louisville's study found that the Pilot has the potential to save Kentucky \$3.1 million net annually if the Pilot is replicated state-wide, and in addition, return the investment made by state. In other words, for every \$50,000 invested in a social worker, Kentucky can recoup that investment and save \$100,000. During this desperate budget crisis as a result of revenue shortage, Kentucky can save money while also changing the lives of defendants and their families. The Pilot was highlighted as an innovative new program in the New York Law School Brennan COD Newsletter, over 25 local Kentucky newspapers, and the Justice Cabinet's ODCP Newsletter. (See: Office of Drug Control Policy Newsletter and Press Articles)
  - The Pilot's start-up costs were \$43,000 per social worker or \$172,000 for (4) social worker. The Education Branch absorbed the cost of training because the training was held during regularly scheduled annual attorney training. We used volunteers to advise the design and implementation of the program and used experts from other states, at no cost. We provided each social worker with an office, a computer, and merit system benefits. These expenses were included in the \$43,000.

- The program’s annual operational costs were \$172,000. We are requesting \$1.8 million in each year of the biennium to fully implement the program. The 2008 Kentucky General Assembly is considering this request as part of HB 406.
- The program was funded by the 2006 Kentucky Legislature. If fully funded, the program will be funded by the 2008 Kentucky General Assembly.
- The Pilot was passed in the 2006 Budget Bill.
- The social worker used a case management tracking form in an ADOBE format called the baseline report and the follow up report by utilizing Microsoft Word. (See: data collection form)
- The Pilot originated in Kentucky. There is no other Pilot or Program like ours in any other state. Ernie Lewis, [ernie.lewis@ky.gov](mailto:ernie.lewis@ky.gov), same address as above, Kentucky’s Public Advocate worked with two individuals to invent this Pilot, Rebecca DiLoreto, attorney and manager in Fayette County, Kentucky, and Dawn Jenkins, an MSW from the University of Louisville and Executive Advisor to the Public Advocate to create the Social Worker Pilot. The Policy, Design, Implementation, data collection, evaluation, reporting, training and job descriptions were all created by the Department of Public Advocacy.
- I am aware of other states utilizing a social worker in this capacity but not a Program.
- This program has not been fully implemented. UofL has written the evaluation, the press has written on the project, DPA has requested full funding, the legislature in Kentucky is considering putting the necessary funding in HB 406.
- The Pilot was effective in several ways:
  1. The recidivism rate of clients who worked with social workers was 15 to 18 percent compared to 34 percent overall in Kentucky.
  2. 93 percent of the adults who received drug or alcohol treatment abstained from those substances.
  3. 80 percent of the clients referred to job training stayed in the training or completed it.
  4. 10,000 days of incarceration were saved by each social worker, equal to 27 years
  5. After accounting for the cost of the social workers and the services used by the clients, the program saved \$3.25 for every dollar invested.
  6. saved \$300,000 and an estimated \$3.1 million if the program is fully funded.
  7. The program “aims at changing the pattern of drug offenders endlessly recycled through the judicial and correctional systems, burdened with felony convictions that make it difficult for them to get work when they eventually rejoin society. It’s a small wager when the stakes are so high and the odds are so good.” (Lexington Herald-Leader, January 27, 2008)
  8. Provided information to judges that they wouldn’t have gotten otherwise in order to make informed decisions about those cases (See: judges’ letters attached)
- Throughout the year the program evolved. The report fully captures the project.
- The most difficult challenge was changing the culture in local public defender offices, training attorney on how to work with non-attorneys to create a different result in criminal cases. Collecting data and evaluation was a challenges and took time and patience.