

20 N. Pennsylvania Avenue
Penn Place Building – Suite 235
Wilkes-Barre, Pa 18701-3509

OFFICE OF THE PUBLIC DEFENDER
LUZERNE COUNTY
Steven M. Greenwald, Esq., Chief Public Defender

(570) 825-1754
Fax: (570) 825-1846
TDD: (570) 825-1860



Table of Contents

Demographics.....	2
Breakdown by Services Received.....	4
Inpatient Drug and Alcohol Treatment.....	4
Home Plan.....	7
Specialty Court.....	8
Records.....	9
Competency.....	10
Community Services.....	11
Other Reason for Case to be Closed.....	12
Recidivism.....	14
Financial Savings.....	15
Limitations.....	17
Discussion.....	17

Social Work Department Adult Data Report

May 11, 2021

The following report consists of the Luzerne County Public Defender's Social Work Department's entire adult (over the age of 18) caseload from January 1st, 2017 to December 31st, 2020. It includes all of the open and closed cases with the breakdowns for various categories and their descriptions. The Social Work department has worked on a total of 1,321 adult referrals and cases during that time. With a large majority of these cases now closed by the department, there is still one-sixth of open data that will not be reflected in the breakdown of services portion of this report.

Demographics

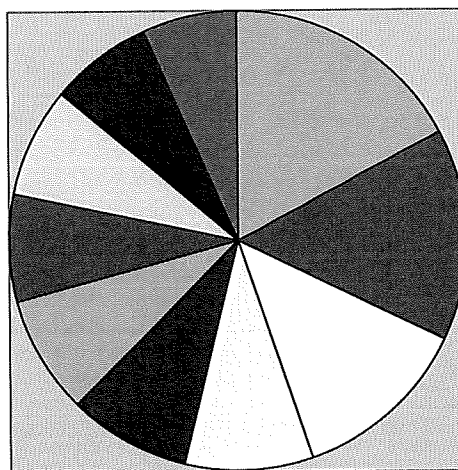
The following information was collected from each referral/case: gender, homelessness status, veteran status, pregnancy, client's location at the time of referral, age, days each case was open, the social worker assigned to the case, the attorney who submitted the referral, services each client received, and recidivism. A further breakdown in each service category was completed to better understand the impact the department has on clients. A few significant statistics include 75% of all clients being male, 78% of clients were located in Luzerne County Correctional Facility (LCCF) at the time of referral, and 14% were homeless. Table 1 shows the analysis of these demographics by year. Table 2 shows the number of referrals each social worker has had. Vanessa Durland, LSW has been the assigned social worker on 53% of cases and Jacklyn Vaxmonsky has been assigned to 44.7% of all cases. The top ten attorneys to place social work referrals were also collected. This information can be found in Table 3. The top ten referring attorneys account for 55.8% of all referrals to the Social Work department. Matthew Clemente accounts for 9.6% of all attorney referrals with Christine Trout accounting for 8.3% of attorney referrals. It is important to note that all attorneys have different employment start and some end dates that have influenced the amount of referrals received.

Table 1- Demographics

	2017	2018	2019	2020	Total
Total Cases	332	367	346	276	1321
Closed Cases	327	354	328	235	1244
Average Age of Client	37	36	35	37	36
Male	238	254	232	204	928
Female	94	111	113	72	390
Homeless	59	46	47	25	177
Veteran	9	6	6	7	28
Pregnant	9	3	2	1	15
In LCCF	264	270	267	176	977
Reoffend	152	148	113	5	418

Table 2-Demographics: Social Work Cases Assigned

	2017	2018	2019	2020	Total
Vanessa Durland	223	179	166	134	702
Jacklyn Vaxmonsky	85	186	179	141	591
Paul McDonough	8	2	1	1	12
Megan Fisch	17	0	0	0	17

Table 3-Demographics: Attorney Referrals

■	Clemente-127
■	Trout-110
□	Singer-93
□	Donovan-68
■	Wong-63
■	Blum-61
■	Stanton-56
□	Harris-56
■	Hislop-53
■	Palubinsky-50

Breakdown by Services Received

Inpatient Drug and Alcohol Treatment

Our primary focus in completing the data was to examine the individuals admitted to drug and alcohol treatment from LCCF. We examined the total number of individuals sent to treatment, those who completed treatment, recidivism rates, Judge's approval or denial of treatment for clients, and the financial impact of getting clients out of the Luzerne County Correctional Facility and into treatment. Table 4 provides the breakdown of these cases.

Attorneys made 379 referrals to the Social Work department for clients that were interested in drug and alcohol treatment. After the client was clinically evaluated, the Luzerne County Drug and Alcohol Program recommended 346 individuals for inpatient treatment, 23 for Intensive Outpatient Treatment, and 2 clients did not meet the clinical criteria to receive treatment. Five individuals were recommended to inpatient treatment but did not attend. The following data is based on the clients that were clinically appropriate, approved by a Judge, and attended inpatient treatment. Of the 379 referrals for clients seeking drug and alcohol treatment, 341 clients or 89.9% of the referrals were clinically appropriate to transfer from LCCF to an inpatient drug and alcohol facility.

Of the 341 individuals clinically approved to attend inpatient treatment, Judges approved 295 motions that allowed clients to transfer to treatment and denied 29 motions. Further breakdown of the prominent four Criminal Court Judges (Judge Lupas, Judge Gartley, Judge Vough, and Judge Skylarosky) showed that they oversaw 73% of all inpatient drug and alcohol cases that the Social Work department worked on. These Judges represented 94% of approvals and 93% of treatment denials. Of the Judges, Judge Gartley (who is no longer doing criminal court) statistically denied the greatest percentage of clients motioning for a treatment transfer by denying 18% of the motions held

before her. Judge Vough denied the lowest percentage of individuals at only 5.4% of the cases he oversaw. Judge Lupas denied 11%, and Judge Skylarosky denied 9.4%. Further breakdown including all of the Judges can be found in Table 5.

Table 4-Inpatient Treatment

	2017	2018	2019	2020	Total
Total Cases	106	89	108	76	379
Individuals sent from LCCF	93	84	100	75	352
Approved by Judge	77	75	93	50	295
Denied by Judge	9	8	5	7	29

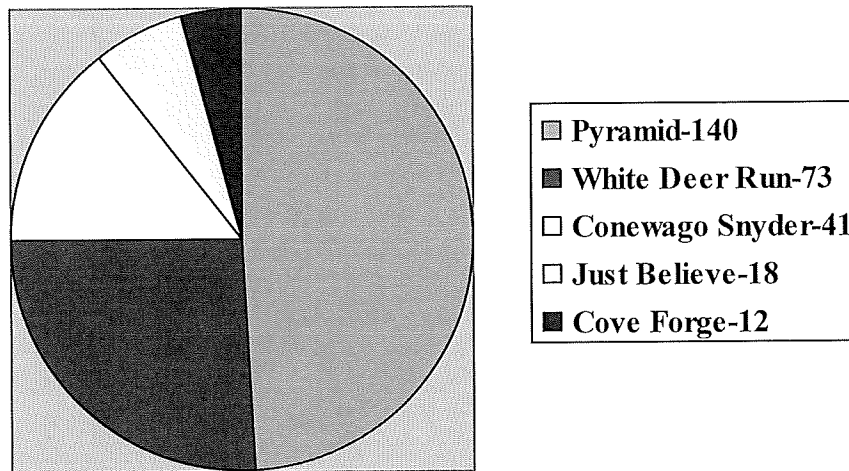
Table 5- Inpatient Treatment: Judges Acceptance and Denial

	2017	2018	2019	2020	Total
Amesbury	1	1	1	1	4
Approved	1	1	1	1	4
Denied	0	0	0	0	0
Augello	0	4	4	0	8
Approved	0	4	4	0	8
Denied	0	0	0	0	0
Gartley	18	7	4	4	33
Approved	14	7	4	2	27
Denied	4	0	0	2	6
Lupas	15	17	31	17	80
Approved	13	16	29	13	71
Denied	2	1	2	4	9
Mundy	3	2	0	0	5
Approved	3	2	0	0	5
Denied	0	0	0	0	0
Pierantoni	5	5	0	2	12
Approved	5	5	0	2	12
Denied	0	0	0	0	0
Skylarosky	22	19	24	9	74
Approved	20	15	23	9	67
Denied	2	4	1	0	7
Vough	18	22	32	20	92
Approved	18	20	30	19	86
Denied	0	2	2	1	5

*Please note, judges who saw less than 3 cases were not included in this chart. These judges include: Judge Burke (2 cases, approved 2), MDJ Carmody (2 cases, approved 2), MDJ Christopher (1 case, approved 1), Judge Gelb (2 cases, approved 2), Judge Hughes (2 cases, approved 2), Judge Ludgate (1 case, approved 1), MDJ Kravitz (1 case, approved 1), Judge Lieberman (1 case, approved 1), Judge Smith (2 cases, approved 1, denied 1), and MDJ Tupper (2 cases, approved 2)

Another area examined was the provider of inpatient treatment. We discussed the completion rates and the relationship between the overall number of individuals who completed treatment and recidivism. Please note, there is a great deal of data pending for the number of individuals who completed treatment. A client must sign a release of information form once they arrive at the treatment facility in order for the department to obtain completion data. Without a signed form, HIPAA prevents the data from being shared. Many clients are also currently in treatment so their completion is still pending. Table 6 examines the top five locations that clients were sent for inpatient treatment.

Table 6-Inpatient Treatment: Locations



Of the 295 individuals approved by a Judge to receive treatment, 102 individuals completed treatment, 19 did not complete treatment, and 182 are unknown at this time. It can be estimated that nearly 184 individuals have completed treatment. Though definite statistics are not available for the purpose of this report, only those who were confirmed to complete treatment were included in this portion of the data. Seeing how so many cases are unknown, we cannot make a reliable or valid conclusion at this time regarding treatment completion.

With using the data of 102 individuals who completed treatment and 19 known to have not completed treatment (total of 121), an analysis of the recidivism rate was completed. Fifty individuals who completed treatment did not reoffend in the Commonwealth of Pennsylvania, while 40 individuals who completed treatment did reoffend. Of the total 346 individuals referred to the Social Work department for inpatient treatment, regardless of whether they received treatment or not, 154 individuals reoffended in the state of Pennsylvania, 145 individuals have not reoffended, and 77 are unknown, or their case was closed too recently to determine. More information regarding recidivism can be found on page 14.

Home Plan

Along with inpatient drug and alcohol cases the department also worked to find individuals housing for the homeless and low-income individuals. For this population of incarcerated clients, a Judge will release them, but only once they have an address. This plan can include a homeless shelter, but in Luzerne County, there is not a stable male homeless shelter available. Coordinating to determine if the client has the funds to pay for low-income housing can be challenging because if an individual has been incarcerated and they are receiving any form of government funding, their funds are not active or being sent to them while they are incarcerated for an extended period. Table 7 shows the five most common locations that an individual is connected with for housing.

Incarcerated individuals have to have their addresses approved by a Judge before release. Historically, Judges have denied only two home plans in the gathered data, and both occurred in 2017. Judge Vough has been presented and approved nearly one-third of the total home plan motions the Social Work department and Public Defender's have presented. In comparison, Judge Skylarosky has approved 24% of all home plans. Judge Gartley and Judge Lupas are the only two Judges to deny home plans. Table 8 provides further detail regarding the Judges who have approved home plans.

Table 7-Home Plan

	2017	2018	2019	2020	Total
Total Cases	13	8	10	8	39
Casey House	4	5	0	3	12
Ruth's Place	3	0	0	1	4
Salvation Army	3	3	4	0	10
VA	0	0	0	1	1
Other	1	0	6	3	10

Table 8-Home Plan: Judges

	2017	2018	2019	2020	Total
Augello	1	0	0	0	1
Accepted	1	0	0	0	1
Denied	0	0	0	0	0
Carmody	1	0	0	0	1
Accepted	1	0	0	0	1
Denied	0	0	0	0	0
Gartley	1	2	1	1	5
Accepted	0	2	1	1	4
Denied	1	0	0	0	1
Lupas	3	0	3	2	8
Accepted	2	0	3	2	7
Denied	1	0	0	0	1
Mundy	1	1	0	0	2
Accepted	1	1	0	0	2
Denied	0	0	0	0	0
Skylarosky	0	3	3	2	8
Accepted	0	3	3	2	8
Denied	0	0	0	0	0
Vough	4	2	2	2	10
Accepted	4	2	2	2	10
Denied	0	0	0	0	0

Specialty Court & Treatment Court

According to the data collected, 57% of the Public Defender clients who have applied through the Social Work Department have been accepted to Treatment Court and 45% of individuals who have applied have been admitted to Mental Health Court. Table 9 represents the breakdown of each type of court and the acceptance rates.

Table 9-Speciality Court

	2017	2018	2019	2020	Total
Treatment Court	3	14	15	18	50
Accepted	3	12	7	7	29
Denied	0	2	8	11	21
Mental Health Court	6	18	23	8	55
Accepted	5	7	10	3	25
Denied	1	11	13	5	30

Records

Records requests are the second most common type of request following inpatient treatment. Records can be collected from locations such as hospitals, schools, mental health facilities, drug and alcohol facilities, Luzerne County Correctional Facility (LCCF), or clients. In the last four years, there have been records obtained and reviewed for 295 cases. Table 10 further explains the most common locations records are obtained from. Documents were requested from additional locations that are not presented in the data though in many cases, the information was not available, or the department did not receive records. LCCF is the most common location that records are obtained from followed by Wilkes Barre General Hospital and Geisinger. Though only 18% of the records were further summarized and a formal report was written by the Social Work department, these reports can include a summary of records or a timeline, a Biopsychosocial Assessment, or a Needs Assessment. Table 11 shows the statistics regarding formal reports that have been written based on records obtained. A legal summary of all of the records requested account for 56% of the written reports, while Biopsychosocial Assessments accounted for 33.33% and Needs Assessments accounted for 5.5%.

Table 10-Records

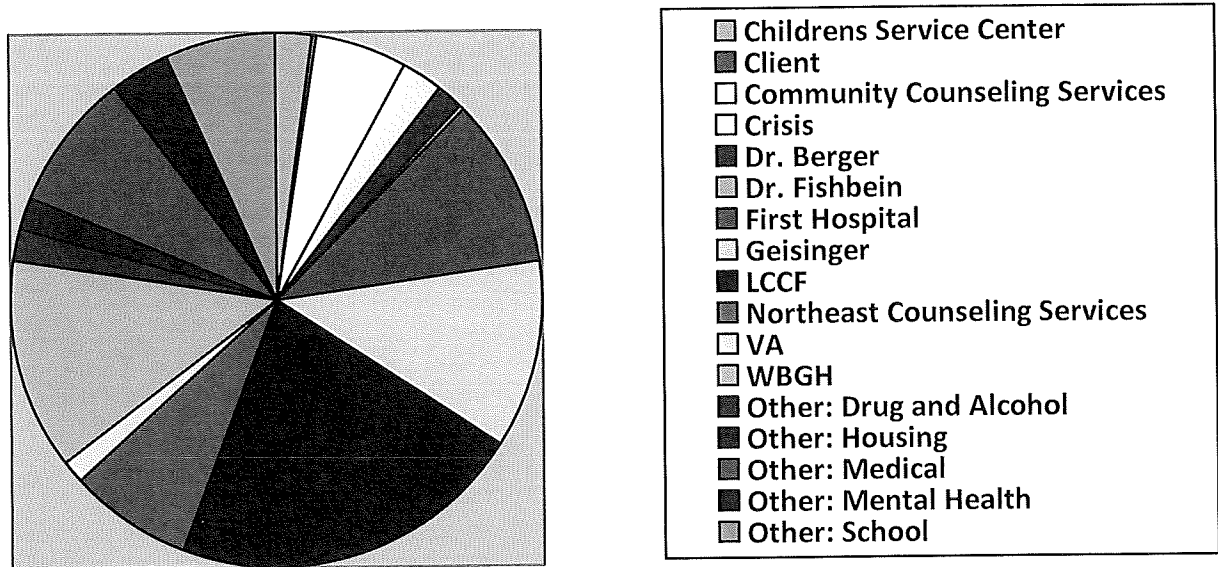


Table 11-Records: Reports

	2017	2018	2019	2020	Total
Report Written					
Yes	6	16	26	8	56
No	69	71	55	32	228
Type of Report					
Biopsychosocial	2	6	7	3	18
Needs Assessment	0	2	1	0	3
Summary	4	8	18	5	35

Competency

The Social Work department assisted attorneys in assessing the legal competency of clients.

Competency referrals are broken down into two categories. Initially, it is determined if the individual is competent and if so, the competency referral is closed. Alternatively, if the individual is not competent, they are set up with services to restore competency. Then, after an extended time, it is determined if competency can be restored or not. Table 12 shows the statistics regarding individuals who a psychiatrist or a psychologist evaluated for competency and then if the individual was deemed

not competent. If the client is not competent, the table also shows how many clients competency was eventually restored. Table 13 provides information regarding the services or state hospitals individuals were sent in an attempt to restore competency. Please note that some clients are still involved with the competency process and specific data may not be reflected in the chart.

Table 12-Competency

	2017	2018	2019	2020	Total
Total Cases	25	19	18	12	74
Competent?					
Yes	13	11	17	9	50
No	12	8	0	3	23
Competency Restored					
Yes	2	2	0	0	4
No	5	0	0	1	6
Unknown/Still in Treatment	5	4	1	0	10

Table 13-Competency: Services to Determine if Client Restorable

	2017	2018	2019	2020	Total
Clark Summit State Hospital	3	1	0	0	4
Norristown State Hospital	3	0	1	0	4
SCI Camphill	0	2	0	0	2
Torrance State Hospital	1	1	0	0	2

Community Service Referrals by Social Work Department

Connecting individuals with community services such as FACT, mental health services, or drug and alcohol outpatient treatment provides additional support for the individuals both while going through the legal process and once their court case is closed. Table 14 shows the most common services individuals are linked with in the Luzerne County community. A client can be linked with services while incarcerated pending release or while they are already in the community on bail. The Social Work Department completes referrals with clients for specific programs such as FACT, programs

through the VA, Salvation Army, housing referrals, etc. Once a client is linked and accepted into a program, the Social Work file is closed.

Table 14-Community Services

	2017	2018	2019	2020	Total
Total Cases	28	9	1	4	42
FACT	5	1	0	0	6
VA	2	1	0	0	3
Mental Health Services	6	2	0	2	10
Housing	7	0	0	0	7
Drug and Alcohol Treatment	5	3	1	0	9
Other	8	2	0	2	12

Other Reasons for Case to be Closed

Other reasons for a social work referral to be closed include:

- The client was conflicted to conflict counsel
- Obtained private counsel
- Have a detainer in another county
- Services are no longer needed
- The client was unable to be contacted
- Legal
- The client is not interested in services.

Further explanation regarding a case being closed because services are no longer needed could include the client being released from LCCF prior to referral completion or attorneys choosing a different defense plan. Social workers will only close a case if they cannot contact a client after multiple attempts have been made at various times throughout the day for an extended period, such as three months. Referrals that are placed for an individual to receive inpatient treatment but the client does not want to go to treatment are closed. Similarly, if a client is referred for inpatient treatment services but

has a detainer in another county, the social worker can do nothing more until the detainer is lifted.

Table 15 further examines the statistics regarding the reasons named above for a case to be closed.

Table 16 examines the recidivism rates relating to closed, as named above. When reviewing the statistics, it is essential to note that many individuals have not reoffended. This is solely based on the fact that the individuals have not had additional cases in the Unified Judicial System (UJS), but this does not mean that the individuals are in the community. They could be incarcerated, in another state, or deceased, but that information was not available.

Table 15-Other Reasons for Case to be Closed

	2017	2018	2019	2020	Total
Total Cases	62	91	84	55	292
Conflicted	6	3	9	5	23
Detainer in Another County	3	2	2	0	7
Legal	0	2	0	0	2
Client Not Interested in Services	8	10	5	3	26
Private Attorney	3	7	18	11	39
Services No Longer Needed	23	52	34	29	138
Unable to Contact	19	14	16	7	56

Table 16-Other Reasons for Case to be Closed: Recidivism Rates

	2017	2018	2019	2020	Total
Conflicted					
Reoffend	1	2	3	0	6
NOT Reoffend	5	1	6	0	12
Unknown	0	0	0	5	5
Detainer in Another County					
Reoffend	0	2	1	0	7
NOT Reoffend	3	0	1	0	3
Unknown	0	0	0	0	4
Legal					
Reoffend	0	0	0	0	0
NOT Reoffend	0	2	0	0	2
Unknown	0	0	0	0	0
Client Not Interested in Services					
Reoffend	6	3	3	0	12
NOT Reoffend	2	7	2	0	11
Unknown	0	0	0	3	3

Private Attorney					
Reoffend	2	7	8	0	17
NOT Reoffend	1	0	8	1	10
Unknown	0	0	2	10	12
Services No Longer Needed					
Reoffend	12	15	11	0	38
NOT Reoffend	11	37	22	0	70
Unknown	0	0	1	29	30
Unable to Contact					
Reoffend	7	3	4	0	14
NOT Reoffend	12	11	12	0	35
Unknown	0	0	0	7	7

Recidivism

Recidivism was tracked if an individual reoffended in Pennsylvania using the Unified Judicial System (UJS). Unfortunately, we were only able to track recidivism in the Commonwealth of Pennsylvania as this was the only data available. We defined recidivism as any charge obtained after the individual's case was closed with the Social Work unit of the Public Defender's Office. Any additional charges the individual received while there was an open case for that client were not counted. Of the 1,321 cases for 308 cases, it is unknown if the client has reoffended as the case is open or closed too recently to obtain the information. For the remaining 1,013 cases, 418 individuals have reoffended. This accounted for individuals who reoffended more than once. Of the individuals who reoffended in Luzerne County more than once, 331 of the recidivism cases were by 152 individuals. These individuals required at least one additional social work referral, though some individuals have had up to four referrals. Social work intervention has allowed for nearly half of the departments clients to remain crime free after receiving services. This is a noticeable achievement that benefits the county both immediately and long term as individuals continue to receive services and additional individuals are not reoffending over time. See Table 17 for a more significant breakdown of recidivism. For a further analysis of recidivism by services provided, see Table 18.

Table 17-Recidivism

	2017	2018	2019	2020	Total
Total Cases Reoffended	152	148	113	5	418
Total Cases Not Reoffend	162	190	192	0	544
Not Reoffend due to incarceration	11	13	8	9	41
Not Reoffend due to Deceased	2	3	3	3	11
Unknown	5	13	30	260	307

*Cases noted as Unknown are still open or were closed too recently to obtain the information. Specifically many of the 2020 cases are still open

Table 18-Recidivism: Broken down by Services

	2017	2018	2019	2020	Total
Inpatient Treatment					
Reoffend	58	50	43	3	154
NOT Reoffend	48	36	60	1	145
Unknown	0	2	3	72	77
Home Plan					
Reoffend	3	4	2	0	9
NOT Reoffend	10	4	8	0	22
Unknown	0	0	0	8	8
Specialty Court					
Accepted Reoffend	2	4	4	0	10
Accepted NOT Reoffend	6	15	13	0	34
Denied Reoffend	0	2	8	0	10
Denied NOT Reoffend	0	9	11	0	20
Unknown	1	2	2	25	30
Community Services					
Reoffend	19	4	0	0	23
NOT Reoffend	8	5	1	0	14
Unknown	0	0	0	4	4
Other					
Reoffend	28	33	30	0	91
NOT Reoffend	34	58	51	1	144
Unknown	0	0	3	54	57

*Note: For the Other category it is solely reliant on if the individual appeared in UJS again as we do not know if they were sentenced if they obtained private council or did not continue to receive services

Financial Impact

When the Social Work department assists with getting a client released from of the Luzerne County Correctional Facility (LCCF) and into a program, it saves the county approximately \$100 per day per individual. However, it is nearly impossible to track the number of individuals who have not been

sentenced to track precisely how many days the individual would have been incarcerated to determine savings to the county. In the data collected and examined, 91 individuals were not sentenced prior to their release to inpatient treatment. Thus, the data that follows only represents the individuals who were sentenced. For clients sentenced, we used the transfer bed date and the sentence minimum and maximum dates to determine the amount saved for the county. For example, when examining Inpatient Treatment, Home Plan, and Community Services, the department got 58 people out before their minimum dates and 202 individuals released from LCCF before their maximum dates. Table 19 shows the breakdown of the number of clients the department got out of LCCF before their minimum or maximum dates. Table 20 shows an analysis of savings for each category and year.

Due to COVID-19 pandemic, the Public Defender's Office motioned for approximately 250 individuals to be released from LCCF. Of those individuals, many were referred to the social work department but due to them being released because of the pandemic, their cases were closed. There is not an accurate measure to track the exact savings or the potential savings from the 2020 year that the Social Work Department would have provided. However, even with the COVID-19 pandemic, significant savings to the county occurred due to the early release of many clients.

Table 19-Financial: Out Before Minimum/Maximum Dates

	2017	2018	2019	2020	Total
Inpatient: Out before Min	15	12	23	2	53
Inpatient: Out before Max	53	47	59	23	182
Home Plan: Out before Min	2	1	2	0	5
Home Plan: Out before Max	5	6	5	4	20
Community Services: Out before Min	1	0	0	0	1
Community Services: Out before Max	4	1	0	0	5
Total out before Min	18	13	25	6	59
Total out before Max	62	54	64	27	207

Table 20-Financial: Minimum/Maximum Savings to County

	2017	2018	2019	2020	Total
Inpatient: Minimum Savings	\$240,300	\$68,100	\$165,600	\$9,000	\$438,000
Inpatient: Maximum Savings	\$1,384,500	\$1,245,300	\$1,871,500	\$897,700	\$5,399,000
Home Plan: Minimum Savings	\$21,900	\$700	\$59,400	\$0	\$82,000
Home Plan: Maximum Savings	\$124,200	\$190,000	\$127,400	\$109,600	\$551,200
Community Services: Minimum Savings	\$18,800	\$25,500	\$0	\$0	\$44,300
Community Services: Maximum Savings	\$53,400	\$25,500	\$0	\$0	\$78,900
Total Minimum Savings	\$487,700	\$447,700	\$453,600	\$133,200	\$1,522,200
Total Maximum Savings	\$1,562,100	\$1,460,800	\$1,998,900	\$1,007,300	\$6,029,100

Limitations

Multiple factors have limited the extensiveness of this data:

1. Recidivism was only able to be examined in Pennsylvania. Some of the individuals reviewed may have reoffended in other states, but that is not included in the data.
2. There are still approximately a sixth of the cases open. As these cases begin to close, there will be adjustments in the statistics. These cases are represented across the four years that were examined though 2020 cases are primarily open.
3. The COVID-19 pandemic had a noticeable impact on the Social Work department referral numbers. Approximately 250 individuals were released from LCCF before working with them, and there were not as many referrals for the department as in previous years. Without the pandemic, it can be estimated that data in each category would have increased as more clients would have been working with the Social Work Department.

Conclusion

When examining the statistics as a whole, there is a clear positive impact by the Social Work department on the office and the county. Being one of only a handful of Public Defenders Offices in the Commonwealth of Pennsylvania with social workers in the office, we hope that these statistics will

encourage other counties to adopt similar programs to Luzerne County. Not only are there direct financial benefits, there are also long-term benefits to having Social Workers provide services for clients. The recidivism rates show an overall decline, and hopefully, this trend will continue.

Coordinating community services with inpatient drug and alcohol treatment, housing, and the community has saved over \$6 million for the county currently and saves the county additional funding over time. As more clients are being linked with services and not reoffending, many individuals will not return to jail.

For additional information regarding this report or the data please feel free to contact Kendra Mattice at matticekk@gmail.com or Vanessa Durland, LSW at vanessa.durland@luzernecounty.org.