

June 13, 2016
Incarceration Prevention Reduction Task Force
Legal and Justice System Committee

Questions and answers

1. Would an increased use of probation reduce jail population?
 - a. Possibly. It depends on how probation might be used.
 - i. Probation may be appropriate for pretrial defendants not currently being supervised by probation.
 - ii. There may be conditions or activities that are court ordered that probation can monitor that will allow the release of the defendant to the community.
 - b. **DECISION MAKERS:** Recommendations are made by prosecutors and defense attorneys. The final decision is made by a Judge or Commissioner.
2. What are best practices for probation services?
 - a. This was reviewed during Bruce's second presentation to the group.
 - b. In summary:
 - i. Recidivism is reduced when the frequency of contact between the Probation Officer and the defendant increases.
 1. District Court Probation has created three units that promote increased frequency of contact with high risk offenders.
 - a. Intake Unit. This unit streamlines the intake process and allows for the defendant to be assigned to the appropriate Probation Officer or unit more quickly.
 - b. Behavioral Health Unit. The two Probation Officer positions staffing this unit have reduced caseloads. This allows them to both increase frequency of contact with the defendant as well as work closely with community treatment providers, family, and others providing services to the defendant.
 - c. Domestic Violence Unit. The Probation Officer staffing this unit has a reduced caseload. This unit supervises the highest risk domestic violence offenders being supervised by the department. The reduced caseload allows for more frequent contacts with the defendant as well as close monitoring of treatment activities.
 - ii. Defendants supervised by Probation are held accountable through the monitoring of the activities of the defendant. Court ordered conditions can include both activities they are required to engage in, as well as abstain from.
 - iii. Behavior change is most likely to take place when treatment activities are ordered by the court. The most common treatment programs include substance abuse, domestic violence, and mental health treatment. Other court ordered activities have included parenting classes, CPS conditions, and job education/search activities.
 - iv. Transportation is difficult for many defendants. Implementation of new case management software will allow for Probation Officers to conduct full appointments at any of the municipal courthouses and in other public areas with free WIFI. The new software should be ready sometime during the fourth quarter of 2016.

- v. The department is exploring the option for creating a new caseload. Options being looked at include a:
 - 1. "Last chance" caseload
 - 2. High risk DUI caseload
 - 3. Expanding the DV unit.
 - 4. Expanding the Intake unit
 - vi. The current practice of recommending sanctions for probation violations is being analyzed. Once this process has been completed a brainstorming discussion will take place regarding what, if any, additional and/or more effective options can be used.
 - vii. The department is exploring the option of creating a monthly presentation regarding available community resources and how to access them.
3. How can probation services be expanded appropriately while ensuring public safety?
 - a. See answer to #1.
 - b. This question should also be asked of the prosecutor and defense attorneys.
 4. Does Probation need more staff to achieve Ideal Probation services?
 - a. Additional staff would reduce caseload sizes and allow for more frequent contact with general caseload defendants.
 - b. Additional staff would allow for the creation of additional specialized caseloads.
 5. How many people on probation are also required to go through a treatment process?
 - a. There is no way to get actual numbers out of our current case management software which is a nearly 25 year old MS Access database.
 - b. After having reviewed this question with numerous staff it appears that the vast majority of defendants referred for alcohol/driving and domestic violence offenses are required to have an assessment and comply. Other cases involve the determination and monitoring of payment of restitution, or attendance at activities such as parenting classes, and etc.
 6. In a given time, how many people are convicted and how many of those are put on probation?
 - a. The current software is unable to compile this kind of data.
 7. BONUS QUESTION. What services or resources may assist the defendant in being compliant with a court order? Here are some ideas*:
 - a. Funding (or subsidy) to pay for indigent defendant
 - i. Domestic violence and/or substance abuse evaluations
 - ii. Domestic violence and/or substance abuse treatment
 - iii. Female Domestic violence perpetrator treatment provider (there are currently no female treatment providers in the county, however, there is one who will complete evaluations)
 - iv. Electronic monitoring including EHM/D, SCRAM, and portable breath testing equipment
 - v. Increased ease of getting to the jail alternative programs (there are limited buses at this time)
 - vi. Free or reduced cost bus passes
 - b. This is a good question to ask prosecutors and defense attorneys.

**These are just ideas. Those that make public policy recommendations and those that make final public policy decisions will have to decide which ideas are good ones, and which are worthy of public funding.*