

# Probation

## FY 2011-12 Performance Plan

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### **I. MISSION STATEMENT**

The mission of the Marin County Probation Department is to further justice and community safety; to hold offenders accountable while promoting their rehabilitation; to reduce the impact of crime and conflict on victims and the community; and to employ best practices in providing balanced, effective services as directed by the court and in collaboration with other agencies and the community.

### **II. DEPARTMENT OVERVIEW**

Under the authority of law and the Marin County Courts, the Probation Department is organized into three operational divisions, as well as a departmental Management unit:

- Adult Probation Services' core functions are to assist the Courts in making decisions through the conducting of investigations and preparation of court reports, as well as providing supervision and treatment to approximately 2,300 adults on probation. Recent restructuring efforts have reduced the department's involvement in non-mandated functions, such as those programs designed to reduce over-crowding in the Marin County Jail. As a result, the department now coordinates with private organizations to provide both Own Recognizance and County Parole services, and the department is preparing to re-design how Adult Offender Work Program services are provided.
- Juvenile Probation Services' care functions include the screening of all referrals for both criminal and status offenses; assisting the Juvenile Court in making detention and sentencing decisions through conducting investigations and preparation of Court reports; and providing supervision and treatment to the approximately 300 juveniles on probation at any given time.
- Juvenile Hall core functions include providing secure detention for youth arrested for crimes and awaiting disposition. Those specific services include housing, food, medical (provided by Public Health), mental health, education (provided by Marin County Office of Education), counseling, recreation, assessments and supervision. The average daily population of Juvenile Hall in 2010 was 21.9.

The Probation Department serves to protect the community through its role in conducting investigations and working with the courts on decisions pertaining to sentencing matters, and in providing alternatives to incarceration for qualified offenders. The department is charged with supervising adult and juvenile offenders in the community and works collaboratively with law enforcement agencies and community-based organizations to ensure that court orders are enforced.

Within the above Divisions, the Probation Department manages the following six programs:

- Adult Probation Services
- Collaborative Justice
- Juvenile Hall
- Juvenile Probation Services
- Juvenile Drug Court
- Administration

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### III. ACCOMPLISHMENTS FOR FY 2010-11

- Conducted a staff survey, an employee focus group, 360-assessments of the management team, and a management planning meeting to improve communication and to anticipate kicking off a strategic planning initiative in spring 2011
- Focused on restructuring in order to eliminate or reduce non-mandated, non-core programs and services, resulting in the successful absorption of the Mediation Services program by the District Attorney's Office, transfer of primary responsibility for both Own-Recognizance (OR) and County Parole services to private providers, and a continued reduction of administrative support services
- Contracted with The Burns Institute, a nationally-renowned consultant in Disproportionate Minority Contact (DMC) research, to review practices, policies and data to search for ways to reduce disparities in juvenile justice that adversely impact youth of color
- Completed long-overdue infrastructure investments in departmental facilities, including ergonomic improvements, painting of the Juvenile Hall interior, accessibility upgrades, and computer upgrades throughout the department

### IV. GOALS AND KEY INITIATIVES FOR FY 2011-12

Countywide Goals				
I. Healthy Communities	II. Safe Communities	III. Sustainable Communities	IV. Environmental Preservation	V. Community Participation
VI. Excellent Customer Service	VII. Employer of Choice	VIII. Effective Communication	IX. Managing for Results	X. Financial Responsibility

#### GOAL I

**Reduce recidivism and increase the percentage of clients who successfully complete their conditions of probation**

#### FY 2011-12 Key Initiatives

Initiatives	Countywide Goals
1. Improve outcomes in the department's adult division through the use of Improving Probation Outcomes Through Science (IPOTS), which is a state-funded initiative designed to apply best practices to adult probationers at high risk of going to prison	IX. Managing for Results

#### GOAL II

**Improve the effectiveness and efficiency of Probation programs**

#### FY 2011-12 Key Initiatives

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## FY 2011-12 Key Initiatives

Initiatives	Countywide Goals
1. Increase capacity to track outcomes in both Adult and Juvenile Divisions by continuing to invest in improved management information systems	X. Financial Responsibility

### GOAL III

**Utilize training and staff development opportunities to ensure high level of employee performance**

## FY 2011-12 Key Initiatives

Initiatives	Countywide Goals
1. Undertake a strategic planning initiative that will involve all staff in an effort to create a plan for the department's direction and focus over the next five years	IX. Managing for Results

### GOAL IV

**Promote the values and principles of community justice**

## FY 2011-12 Key Initiatives

Initiatives	Countywide Goals
1. Investigate further opportunities to implement restorative justice programs, particularly in high crime neighborhoods	II. Safe Communities

## **V. KEY CHALLENGES AND OUTSTANDING ISSUES**

The primary challenge facing the Probation Department relates to budgetary uncertainty for FY 2011-12. Early reports from the State of California related to the FY 2011-12 state budget are particularly dire, as one might expect given the growing budget gap California is experiencing. Specifically, a number of state-funded programs at risk of elimination or reduction include the following grants:

Juvenile Justice Crime Prevention Act (JJCPA, aka AB1913)	\$646,938
Youthful Offender Block Grant (YOBG)	\$638,412
Juvenile Probation and Camps Funding (JPCF)	\$660,976
<u>Juvenile Accountability Block Grant (JBAG)</u>	<u>\$17,940</u>

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TOTAL	\$1,964,266
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Major reductions in any of these state revenue sources will decrease the department's capacity to deliver core services that reduce delinquency. However, because of the severity of the losses, and the fact that they come after several years of reductions, they will have impact beyond simply the programs they are designed to support. The impacts could result in the elimination of capacity for pursuing opportunities in restorative justice, as well as reductions in support for managing serious offenders in juvenile justice, services to victims, and in overall community safety.

### **VI. OVERVIEW OF PROGRAMS**

#### **1. ADULT PROBATION SERVICES**

The core functions of the Adult Probation Services are to:

- Conduct investigations and provide written investigations to the courts to assist in making sentencing decisions for adults convicted of violent misdemeanor and felony crimes
- Provide supervision to adults placed on probation by the courts and enforce court orders, collect restitution for victims, and ensure referral and retention of clients in treatment programs that will reduce the likelihood of new criminal offenses

Adult Probation Services also includes jail alternative programs that were established by the County as part of the master planning for County Jail facilities and provide alternatives to incarceration in the Jail for adults convicted and charged with both misdemeanor and felony offenses. These are discretionary services that support other criminal justice agencies and help mitigate incarceration costs to the County.

County Parole is a program of intensive supervision and treatment for clients in lieu of incarceration in jail. The program includes a commitment to residential treatment facilities for some inmates, and electronic monitoring and tracking.

The Adult Offender Work Program includes screening and placement of clients in community services in lieu of incarceration. Probation staff supervises and monitors these placements and provides periodic reports to the courts.

#### **2. JUVENILE PROBATION**

The core functions of Juvenile Probation are mandated by state law and include:

- Screening all crimes and status offenses of juveniles referred by law enforcement, schools and others
- Assisting the Juvenile Court in making detention and dispositional decisions
- Supervising youth placed on probation in either the community or foster care
- Enforcing the orders of the Juvenile Court, collecting restitution for victims, monitoring school attendance and performance, coordinating community service, referring and monitoring participation and treatment, and reporting to the court

Other duties and responsibilities of the Juvenile Program include:

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- Collaborating with the courts, District Attorney, and Public Defender to engage youth identified as needing substance abuse treatment into the Juvenile Drug Court Program
- Partnering with the Marin County Office of Education and Bay Area Community Resources to utilize Juvenile Justice Crime Prevention Act (AB 1913) funds to implement programs such as the Phoenix Academy and County Community School, which are aimed at reducing juvenile crime
- Coordinating a variety of rehabilitation services for youth and families in need of drug, alcohol and/or mental health treatment through Programs of Responsive Treatment and Linkages (PORTAL)

### **3. COLLABORATIVE JUSTICE**

Through collaboration, the Probation Department, the Marin County Superior Court, the District Attorney, Public Defender, Sheriff-Coroner, and Health and Human Services departments have implemented Collaborative Justice Court models including the Adult Drug Court, Juvenile Drug Court, the Support and Treatment After Release (STAR) Mentally Ill Offender Court and Treatment Program, and a Proposition 36 Court. These collaborative courts help to coordinate the rehabilitation and treatment of offenders by focusing on health and social issues that are often the underlying causes of crime.

Offenders must meet acceptance guidelines to participate in each court, and enrollment is limited. Participants must follow a treatment program and meet certain goals and standards to "graduate" from the court. Participating departments meet weekly with the presiding judge to discuss the progress of participants prior to holding weekly sessions where participants check in with the judge and may face penalties for violating the program's requirements.

For more information about Collaborative Justice, please reference the following program descriptions:

- Health and Human Services: Support and Treatment After Release (STAR) Program, Proposition 36 Court, Adult Drug Court
- Public Safety: Juvenile Drug Court

### **4. JUVENILE DRUG COURT**

The Juvenile Drug Court is a collaborative effort between the courts, District Attorney, Public Defender, Probation and community-based treatment programs. The program provides intensive court monitoring, probation supervision and long-term intensive drug treatment for youth and their families. The program operates countywide and serves high-risk youth who abuse alcohol and other drugs and are on probation. The program also serves family members and parents.

### **5. JUVENILE HALL**

The Marin County Juvenile Hall is a 24-hour-per-day detention facility for youth arrested for crimes and awaiting Juvenile Court. Juvenile Hall services include housing, medical, educational, counseling, recreation, food, assessments and supervision. State law mandates that counties provide secure detention for juveniles charged with crimes, in accordance with Titles 15 and 24.

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## 6. ADMINISTRATION

Administration is composed of senior departmental managers and fiscal staff. This unit's core functions include overall departmental management, budget development and management, accounting, collections, contract administration, and personnel coordination and management.

## VII. PERFORMANCE MEASURES

### ADULT PROBATION SERVICES

**Objective: Increase the number of clients successfully completing probation**

MEASURES	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Target	FY 2011-12 Target
<b>Workload Measures</b>					
Number of cases supervised	2,978	3,174	2,754	2,470	2,300
<b>Efficiency Measures</b>					
Average number of cases served per probation officer over the year	199	212	197	154	144
Average number of cases per probation officer at any given time during the year	98	98	103	100	90
<b>Effectiveness Measures</b>					
➔ Percent of clients successfully completing probation	56%	53%	56%	60%	60%

➔ Indicates Key Measure

#### **Story Behind Performance:**

The number of Deputy Probation Officer staff assigned to provide supervision services has varied between 13 and 15. Only this year has the Adult Division been able to achieve full staffing in the supervision units, and will now be calculated with 16.0 FTE.

**Objective: Reduce number of probationers sentenced to prison through Improving Probation Outcomes Through Science (IPOTS)**

MEASURES	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Target	FY 2011-12 Target
<b>Workload Measures</b>					
Number of cases with execution of sentences suspended (ESS)	n/a	n/a	n/a	155	155
<b>Efficiency Measures</b>					
Total number of IPOTS participants per Probation Officer served over the year	n/a	n/a	n/a	45	45

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MEASURES	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Target	FY 2011-12 Target
<b>Effectiveness Measures</b>					
Total number of probationers terminated from probation and sentenced to prison	n/a	n/a	n/a	n/a	3

### Story Behind Performance:

The IPOTS program is one caseload that is designed as a “laboratory” for applying evidence-based practices to high risk cases. One Deputy Probation Officer with training in evidenced-based practices has been assigned the caseload, and parts of the program remain under development. While the goal is to eventually serve 45 probationers, it may take more time to get to that milestone.

### Objective: Reduce the numbers and rate of adult probationers whose probation is terminated and are sentenced to state prison

MEASURES	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Target	FY 2011-12 Target
<b>Effectiveness Measures</b>					
➔ Number of adult probationers sentenced to state prison	n/a	n/a	19	26	20
➔ Rate of adult probationers sentenced to state prison	n/a	n/a	1.8%	2.4%	2.0%

➔ Indicates Key Measure

### Story Behind Performance:

The average rate of adult probationers sentenced to state prisons is eight percent across all California counties between 2006 - 2008 Marin County's average over the period 2006 - 2008 was 2.6 percent.

The Probation Department supervises defendants convicted of crimes who are placed on probation, and many of these probationers could receive a prison sentence if they fail to comply with the terms of their grant of probation. The department has spent the last several years investing in the quality of its supervision services, and expects to have improved outcomes as a result of that effort. Failed probation cases that result in a prison sentence, and do not represent a threat to public safety, adversely impact the community in a number of ways. Often times, these cases involve victims, and the ability to pay victim restitution is severely diminished while inmates are incarcerated. In addition, the costs associated with a state prison sentence are much greater than those for community supervision, which is absorbed by the taxpayers. The degree that the Marin County Probation Department can reduce the numbers and rate of probation cases that terminate with a prison sentence, without jeopardizing public safety, is beneficial to the community. This will reduce taxpayer costs associated with prisons, and it minimizes impact on victims of crime.

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## JUVENILE PROBATION

**Objective: Increase percentage of cases that successfully complete probation and experience a reduction in risk for recidivism**

MEASURES	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Target	FY 2011-12 Target
<b>Workload Measures</b>					
Number of High and Very High Risk cases supervised in Juvenile Division Supervision Units	294	224	260	219	220
<b>Efficiency Measures</b>					
Total number of High and Very High Risk cases served per probation officer	32.7	32.7	24.9	24.3	25.1
Average number of cases per probation officer at any given time during the year	20	20	n/a	25	24
<b>Effectiveness Measures</b>					
Percentage of assessments for High and Very High Risk cases which indicated a reduction in risk score for recidivism	49%	40%	49%	50%	50%
➔ Percentage of High and Very High Risk cases that successfully completed probation	60%	73%	70%	76%	75%

➔ Indicates Key Measure

### Story Behind Performance:

The numbers of cases supervised in the Juvenile Division are reducing due to the department's use of alternative diversion programs and an overall reduction in referrals. The cases that remain are high risk cases, which require more intensive supervision services.

**Objective: Maintain a juvenile detention facility in which detainees are safe and well treated**

MEASURES	FY 2007-08 Actual	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Target	FY 2011-12 Target
<b>Effectiveness Measures</b>					
Number of youth surveyed after detention	323	448	537	532	500
➔ Rate of youth reporting they felt safe during detention	97.2%	97.1%	98.7%	98.5%	98.0%
➔ Rate of youth reporting they were treated with respect during detention	96.9%	95.8%	98.1%	99.2%	98.0%

➔ Indicates Key Measure

### Story Behind Performance:

The Probation Department has been conducting surveys of youth detained in its Juvenile Hall for nearly seven years. As youth are released from the facility, they are asked to complete the survey, which asks a variety of questions about their experience while in detention. The key questions in the



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survey instrument are whether the child felt safe and whether they felt they were treated respectfully. Since the inception of the survey, the answers to these questions have been positive at least 95 percent of the time.

The Probation Department prides itself on operating a safe, effective and efficient juvenile hall facility. There are a number of ways this can be tested, but surveying the youth who are detained in Juvenile Hall may be the most important. Capturing this input has been gratifying for staff who work in the facility, and can be reassuring for parents whose children are detained.