

**Comprehensive Community Corrections Act and Pretrial Services Act**

# **ANNUAL REPORT TO THE LEGISLATURE**

**July 2005–June 2006**



**Prepared December 2006**



**DEPARTMENT OF CRIMINAL JUSTICE SERVICES**  
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# ANNUAL REPORT TO THE LEGISLATURE

## Comprehensive Community Corrections Act and Pretrial Services Act

**July 2005–June 30, 2006**  
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*As required by Item 430, paragraph C3 of the 2005 Appropriations Act, this report summarizes the efforts of the Department of Criminal Justice Services (DCJS) to continue the implementation and development of the Comprehensive Community Corrections Act for Local Responsible Offenders (CCCA) and the Pretrial Services Act (PSA) for the period of July 1, 2005 to June 30, 2006. FY2006 year-end summary data is also included.*



Prepared by

**Virginia Department of Criminal Justice Services**  
**Correctional Services Section of the Division of Programs and Services**

**Leonard G. Cooke, Director**

# ANNUAL REPORT TO THE LEGISLATURE

## FY06 LOCAL COMMUNITY-BASED PROBATION AND PRETRIAL SERVICES

Local community-based probation and pretrial service populations continued to experience significant growth during FY06. With only three additions<sup>1</sup> to community corrections and none to pretrial services programming in FY06 and a decline in the rates of many crimes, the continued growth can be attributed to increases in judicial utilization and in length of supervision. For FY06, the legislature increased the statewide appropriation for Comprehensive Community Corrections Act (CCCA) and Pretrial Services Act (PSA) by \$500,000 with the expectation that the funds would be used for new local probation and pretrial officers to provide capacity for additional referrals. Unfortunately this did not provide any relief for those locations that already have high caseloads. However, the additional funds and officers have allowed for growth in agencies that had been artificially “capped” by excessively large caseloads.

Many localities contribute funding in support of these agencies, recognizing, along with members of the judiciary, the important role that pretrial services and local community-based probation play in ensuring public safety. Unfortunately, local agencies in some areas still experienced difficulty meeting increased demands. This has led 21 of 37, or 57% of the local community-based probation agencies<sup>2</sup> to collect supervision/intervention fees to augment their operations. The Average Daily Caseloads (ADC) of most agencies significantly exceeded the minimum staff to defendant/offender ratio of 1:40 for pretrial supervision and the case management ratio of 1:60 for local community-based probation supervision. Several local community-based probation agencies

continue to carry caseloads that exceed a ratio of 100 offenders for each probation officer.<sup>3</sup>

Despite their best efforts, the persistent strain of excessive caseloads and funding restrictions continue to have a negative impact in some localities. With only a slight increase in funding for FY05, most localities were unable to offset the budget strain produced by increased caseloads, overhead, personnel related costs (such as merit/cost of living raises and increased retirement and health insurance contributions), and the drug screening and assessment requirements in the Code of Virginia §19.2-299.2. Some agencies have had to reduce staffing, limit drug testing, cut back on needed staff training, and choose other strategies to cope with limited funding in the face of increasing costs. Notwithstanding these pressures, the directors and staff of these local agencies continue to maintain highly professional services and provide for public safety in their communities.

<sup>1</sup> The new localities which were provided probation services in FY06 were: Buckingham, Cumberland, and Danville.

<sup>2</sup> Pretrial services agencies may not collect intervention fees from defendants.

<sup>3</sup> Ratios are based on active cases only. Inactive and monitoring cases, which also consume agency resources, are not included in the calculations of active cases. The minimum ratio is a staffing benchmark set by DCJS for state funding.



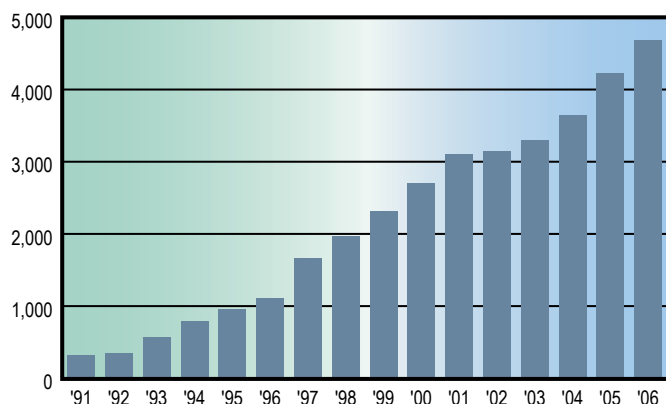
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## PRETRIAL SERVICES

The Pretrial Services Act became effective on July 1, 1995. The primary responsibilities of pretrial services agencies are to provide information to judicial officers (magistrates and judges) to assist them with bail decisions (release or detain defendants) and to provide supervision and services to defendants as ordered by a judicial officer. Pretrial services are available in 80 of the 134 localities in Virginia. Many localities not funded for pretrial services continue to express an interest in implementing them.

The ADC of pretrial defendants under supervision has increased by almost 322% since the passage of the PSA. This is due, in part, to the fact that the number of agencies providing pretrial services has more than doubled since 1996. Additionally, all pretrial services agencies continue to experience growth. The ADC increased by 10.5%, from 4,233 in FY05 to 4,677 in FY06. As suggested before, there is a very real potential for even more growth if more localities were to receive funding to implement services. As local jail populations continue to grow, supervised pretrial release is an important tool to assist localities in managing their jail populations. Several localities that do not have pretrial services are experiencing extreme crowding of their jails.

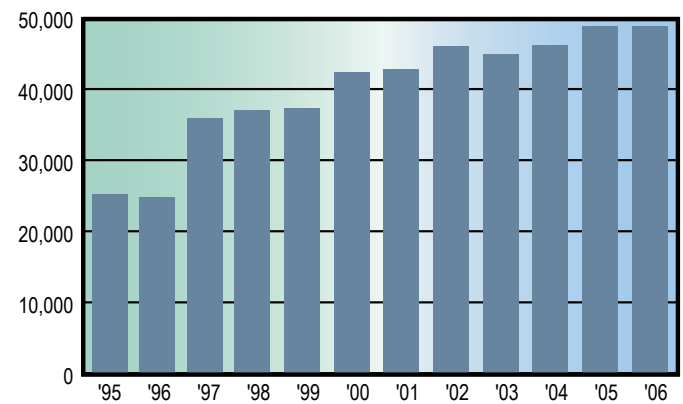
### Pretrial Services Average Daily Caseload



Placements on pretrial supervision increased by 7.8% (n=18,267 placements in FY06 and n=16,944 in FY05). During FY06, 28.2% of misdemeanor and 36% of felon placements had to meet a condition of a secure bond before being released to pretrial supervision, an increase from FY05. While combinations of terms and conditions of bail—specifically, secure bond plus pretrial supervision—are permitted by statute, since 1989 the intent and purpose of pretrial services in Virginia has been to provide information to judicial officers to encourage the use of pretrial release (supervision) as a term of bail as an alternative to the use of secured bond. Judicial officers' continued reliance on secured bond combined with pretrial supervision results in a duplication of effort: it holds defendants responsible to two custodial agents and makes pretrial officers responsible (via supervision) for assuring defendants' appearance in court and for assuring public safety, although bondsmen are required to do this as surety on secured bonds. This practice therefore undermines the intent of pretrial services to reduce the need for secure bond.

The greatest growth in pretrial investigations occurred between FY96 and FY97 when most of the newly established pretrial services agencies became fully operational. More recently, pretrial investigations appear to have stabilized with 48,821 conducted in FY06, 51 fewer than in the previous year.<sup>4</sup>

### Pretrial Services Investigations



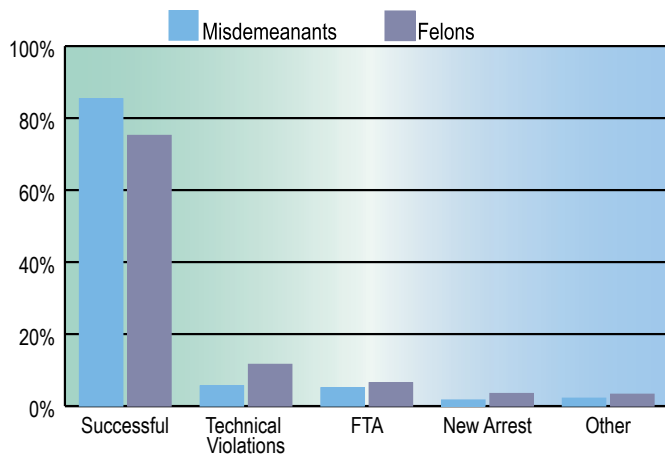
<sup>4</sup> Data are from automated Pretrial Services Monthly Reports submitted to DCJS.



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Defendants placed on pretrial services supervision continue to have an excellent success rate. Of the 7,348 misdemeanor placements closed during FY06, 85% (n=6,278) were successful, down slightly from FY05. About 1.7% of the placements were closed due to a new arrest, about the same as in FY05 and FY04. The remaining closures were due to technical violations (5.6%), failure to appear for court (FTA; 5.1%) and other (2.2%); all but the FTA category reflect slight reductions from FY05. Of the 9,236 felony placements closed during FY06, 75.2% (n=6,941) were successful, nearly the same as in FY05. About 3.5% placements were closed due to a new arrest; also the same as in FY05. The remaining closures were due to technical violations (11.6%), FTA (6.5%), and other (3.3%), slight reductions from FY05 in all categories except FTA.

## Pretrial Services Closure Types<sup>5</sup>

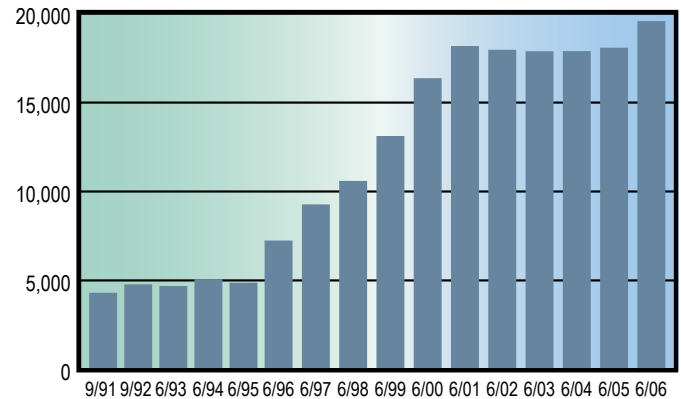


## LOCAL COMMUNITY-BASED PROBATION SUPERVISION

Since the establishment of the CCCA, the number of offenders under local community-based probation supervision has almost tripled and this population continues to increase. Since the passage

of the CCCA in late 1994, caseloads have increased approximately 288% (from n=5,043 to n=19,548 on supervision at the end of the fiscal year).<sup>6</sup>

## Community-based Probation Caseloads (Point in Time)



Although the growth was not as dramatic this year compared to that experienced between FY96 and FY01, supervision cases continued to increase in number over the previous year. On June 30, 2006, there were 19,548 offenders under active supervision compared to 18,057 one year earlier.<sup>7</sup> Local probation agencies experienced an increase in their ADC of about 400 offenders between FY05 and FY06. The ADC for FY06 was 18,802 compared to 18,419 for FY05. Again, this growth in diversions is partly a reflection of the impact of the resources added during FY06.

In addition to the average caseload of offenders under active supervision, there were an average of 659 offenders per month reported in a “monitoring only” status. Monitoring offenders is done as a courtesy to the judiciary as these offenders do not meet the criteria for CCCA supervision placement. “Monitoring only” cases include those required to do community service in lieu of fines and costs. These cases are not held to the same supervision criteria as active cases nor are they included in caseload

<sup>5</sup> Other pretrial services closures not depicted include those closed as returned to sending jurisdictions. The number of these cases is considered to be too low to have any impact on overall closure calculations. Cases reinstated to supervision after a previous closure are backed out of the calculations.

<sup>6</sup> Data are from automated Community Corrections Monthly Reports submitted to DCJS by Local Community-based Probation Agencies. The caseloads reported here are based on point in time figures.

<sup>7</sup> Utilizing the beginning and ending figures reported on the Community Corrections Monthly Reports submitted to DCJS by Community Corrections Agencies.



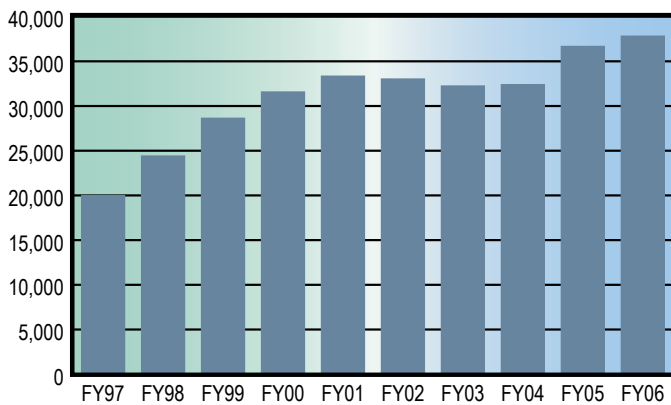
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calculations. “Monitoring only” is a service provided as directed by court order, but it is not statutorily required nor funded with state funds.

On average, there were 4,060 offenders per month reported in an “inactive” status.<sup>8</sup> While there are fewer responsibilities associated with inactive and monitoring cases when compared to active cases, they still require staff resources. However, neither monitoring nor inactive cases are included in determining minimum probation officer-to-offender ratios or eligibility for state funding.

FY06 statistics demonstrate continued strong judicial support for the CCCA based on the volume of placements and agency utilization. In FY06, the courts placed 37,823 offenders on local probation supervision.<sup>9</sup> This is an increase of 3.1% compared to FY05 (n= 36,677).

## Community-based Probation Court Placements

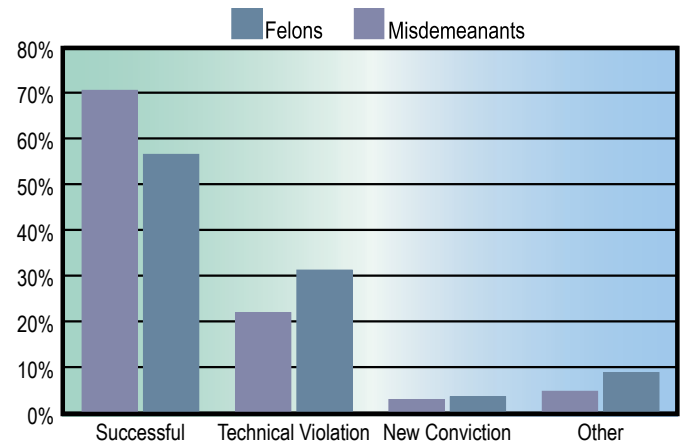


The average length of supervision continues to increase for the misdemeanor population. However, the average length of time under supervision for felons remains within the DCJS recommendation of twelve months. As recently as FY00, misdemeanants averaged only 4.8 months under supervision and felons averaged 8.3 months. In contrast, the average

length of supervision for misdemeanants increased to just over six months and for felons to 8.3 months in FY06. The increase in time under supervision is due to the increase in domestic violence cases, longer treatment requirements, waiting lists for treatment, and increases in mandatory community service time, all requiring longer periods under supervision and resulting in higher caseloads.

The local community-based probation agencies continue to experience very good success rates with offender supervision. As with pretrial services, failures under supervision are offender failures and should not necessarily be considered failures of the agency. Defendants and offenders are accountable for their behavior under supervision. Failure to comply with the conditions of supervision results in removal from supervision, as the behavior is considered indicative of a potential for new criminality (this accounts for the rate of failure due to technical violations).

## Local Community-based Probation Closure Types<sup>10</sup>



Of the 32,697 total misdemeanor placements closed during FY06, almost 71% (n=23,059) were successful. Of the 1,289 total felon placements closed in FY06, about 57% (n=729) were successful. The most common “unsuccessful” closures for both

<sup>8</sup> The “inactive status” includes, but is not limited to, cases that are transferred out and reported active by another locality. These cases are not double counted as active or included in supervision day or average daily caseload calculations.

<sup>9</sup> This is the actual number of offenders placed under supervision, not the court placements which was 40,612 in FY06.

<sup>10</sup> Community Corrections closures are based on those closed successfully, due to a technical violation, due to a new conviction, and for “other” reasons. Cases closed that are returned to sending jurisdictions are not included with “other” closures and are only counted once in the originating jurisdiction. However, cases reinstated to supervision after a previous closure have not been backed out. Therefore, closures due to technical violations and other reasons may be modestly over reported.



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misdemeanant and felon placements continue to be due to technical violations of supervision; 21.9% (n=7,150) for misdemeanant and 31.2% (n=402) for felons. In FY06, only 2.9% (n=962) of the misdemeanants and 3.5% (n=45) of the felon placements were closed due to a conviction for a new offense. Closures for “other” reasons were 4.7% (n=1,526) for misdemeanants and 8.8% (n=114) for felons.

Local community-based probation agencies also tested offenders for substance use and placed offenders in a variety of treatment programs throughout the year. Substance abuse services utilized included short-term detoxification, outpatient treatment, education, and other substance abuse counseling programs. Figures reported for FY06 indicate:

- 15,660 Offenders were assigned community service work
- 11,044 Offenders were drug tested (does not include multiple tests)
- 4,307 Offenders were placed in substance abuse counseling
- 4,157 Offenders were ordered into anger management counseling
- 3,409 Offenders were placed in substance abuse education
- 3,194 Offenders were ordered into domestic violence counseling
- 860 Offenders were ordered to attend shoplifting prevention sessions
- 147 Offenders were ordered to attend financial responsibility sessions
- 106 Offenders were ordered into sex offender treatment
- 78 Offenders were placed in long term inpatient treatment

- 21 Offenders were placed in short term detoxification
- 9 Offenders were placed on electronic monitoring
- 5 Offenders were placed in home detention
- 4,247 Offenders were required to participate in some other service or program

The “other” services ordered varied. The most common services in the “other” category were: substance abuse assessments, mental health evaluations, mental health counseling, enrollment in parenting classes, enrollment in a 12-step program, participation on a victim impact panel, and domestic violence assessment.

All agencies placed offenders in work sites to complete community service. For FY06, local community-based probation agencies reported that offenders performed 644,870 hours of community service work. At the minimum wage of \$5.15/per hour, this translates into a little over \$3.32 million worth of community service work. However, this may be considered a conservative figure as local government pay scales would pay more than the minimum wage for the type of community services provided by the offenders. In addition to their required duties and responsibilities, most local community-based probation agencies also assist the courts and Commonwealth’s Attorneys by *facilitating* payments of fines, costs, and restitution owed by the offenders under their supervision. In FY06, agencies facilitated just over \$1.9 million in restitution payments and almost \$1.37 million in owed fines and costs. In total, local community-based probation agencies generated almost \$6.6 million in services and payments to communities.<sup>11</sup>

<sup>11</sup> Actual figures: 644,870 hours of community service work (\$3,321,083), \$1,902,510 in restitution, \$1,374,373 in fines and costs, totaling \$6,597,966.



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## LEGISLATIVE ACTIVITY

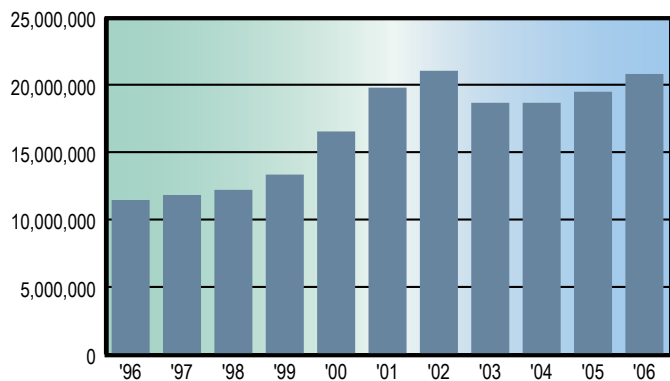
### Legislation

There were no legislative changes affecting local community-based probation and pretrial services agencies during FY06. With the exception of a budget request to the Assembly, the Virginia Community Criminal Justice Association (VCCJA) did not present a legislative agenda on behalf of local community-based probation and pretrial services agencies.

### Funding

The General Assembly appropriated a little over \$20.7 million for FY06 for operations for CCCA and PSA. This includes an additional \$1,319,000: \$819,000 for continuation of the new probation positions established in FY05 and \$500,000 for an additional share amount to each agency and nine additional positions (five pretrial and four probation positions) awarded on July 1, 2005, to those agencies identified with critical needs.

### Comprehensive Community Corrections and Pretrial Services Act Appropriations History



While funding continues to be needed for treatment, it is more urgently needed for the expansion of supervision capacity/reduction of caseloads. Increases in the number of cases in the previous six years (reflecting expanded utilization and trust by the courts), increasing

length of supervision (reflective of the treatment time required for substance abuse and domestic violence cases, and increased requirements for community service), and additional demands on the available supervision time of local agency staff (screening and assessment work; training on issues of substance abuse, domestic violence, MIS use), substantiate the need for additional resources in support of expanding current supervision capacity. Some agencies continue to have offender-to-staff ratios just under 100:1 and many agency caseloads continue to grow. Additional supervision capacity is necessary to ensure community safety and the continued effective operations of the agencies.

## EVIDENCE-BASED PRACTICES: PLANNING, DEVELOPMENT, AND IMPLEMENTATION

A sizable body of research conducted in the last 30 years has determined that corrections can be effective in reducing recidivism by using programs, services, and practices that have been empirically tested and proven to work. To that end, four local community-based probation agencies assumed the task of implementing Evidence-Based Practices in March 2005.<sup>12</sup> In January 2006, six additional pilot sites were added.<sup>13</sup> In addition to adding new EBP sites, the VCCJA formed a statewide committee with members from each of the local pilot sites, the Virginia Department of Criminal Justice Services, and Virginia Commonwealth University to focus on EBP issues specific to local probation and legal and evidence based practices (LEBP) specific to pretrial services.

In FY06, the primary focus was on the development of a strategic plan and timeline in each locality to implement EBP with the local probation and pretrial agencies forming partnerships with local service providers and the Department of Corrections

<sup>12</sup> The original four sites are Colonial Community Corrections in Williamsburg, Lynchburg Community Corrections and Pretrial Services, OAR-Jefferson Area Community Corrections Program in Charlottesville and, Old Dominion Community Corrections in Winchester.

<sup>13</sup> The six additional sites are Blue Ridge Court Services in Staunton, Chesterfield CC & PT Services, Hampton/Newport News Criminal Justice Agency, Henrico County Community Corrections, Piedmont Court Services in Mecklenburg, and Rappahannock Regional Jail Community Corrections in Fredericksburg.





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(DOC) Probation & Parole district offices. These partnerships have continued and each pilot site continues to hold meetings to discuss ongoing issues and the necessary steps toward achieving these goals. However, the primary initiatives for FY06 have been to identify an appropriate risk/needs assessment instrument and to formalize a statewide strategic plan to educate, develop a curriculum, and implement EBP at the local level in the ten pilot sites and eventually statewide. The EBP initiative is a continuing process which is supported by both DCJS and VCCJA.

## PTCC SOFTWARE AND COMMUNICATIONS INFRASTRUCTURE

During FY06, DCJS addressed two significant components of the Pretrial and Community Corrections Case Management System (PTCC). The first was an upgrade to the software application to provide case management tools that could help pretrial and local probation officers better manage defendant and offender contacts. The other was the network infrastructure. Improvements to the network infrastructure would result in an increase in the connection speed to the 38 servers throughout the Commonwealth, in addition to satellite offices. The completion of this project would also result in a significant cost reduction by eliminating the need for ISDN lines which are slow and expensive.

Prior to beginning this project, pretrial and local probation officers had no way to be alerted to cases that failed to make scheduled contacts in a timely fashion. With growing caseloads and other demands placed on officers, the need to leverage the power of PTCC became a priority. As a result, DCJS devoted software development resources to provide a solution. DCJS reached out to pretrial and local probation officers that use PTCC every day and, based on their feedback, specifications for enhanced case management features were

developed. Using existing software development resources, DCJS made significant modifications and additions that resulted in the latest version of PTCC v2.6.16.

To ensure the success of the roll-out of PTCC v2.6.16, DCJS pilot tested the new application in three local agencies. PTCC v2.6.16 was beta tested in Fairfax, Fredericksburg, and Hampton/Newport News. Upon completion of the beta testing, DCJS provided statewide training for the new functionality in PTCC. Shortly after the statewide training, the full release was completed. PTCC v2.6.16 is now fully utilized throughout the Commonwealth.

The primary enhancement includes functionality that notifies the assigned officer when an offender/defendant has not checked in as scheduled. This allows the officer to take swift action when contact requirements are not met and helps officers to keep up with the numerous defendant/offender contacts they manage each day. The result is an enhanced capacity to hold defendants/offenders accountable during supervision which helps to assure public safety.

In addition to the software upgrades, DCJS began an upgrade project to modernize the PTCC network infrastructure. Currently DCJS uses ISDN lines to connect to each local agency to pull and push data that is used by DCJS and the local agencies. This is a very time consuming and costly process. The new standard for connectivity is to exchange data by creating a Virtual Private Network (VPN). This leverages the existing high speed connection infrastructure already in place at the state and local levels.

This project is currently under way and it is anticipated to be complete by FY07. DCJS has purchased the network routers necessary for this project and pilot testing has been completed. The PTCC network engineer will visit each local agency and configure and install the equipment.



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Some coordination will be needed from each local Informational Technology (IT) department.

## EDUCATION & TRAINING

### *Local Community-based Probation & Pretrial Services Agencies*

In October of 2005 and March and May of 2006, a total of 64 new local community-based probation and pretrial services employees successfully completed the weeklong Basic Skills course offered by DCJS. Once again these classes were held at the Roslyn Center in Henrico County. Topics included:

- An Overview of the Criminal Justice System
- Offenders with Substance Abuse Issues
- Self-defense
- Street Smart (Officer Safety)
- Supervision Theory
- Standards of Supervision
- Criminal History Investigation
- Overview of Pretrial Services/Screening/Interviewing
- Offenders with Mental Health Issues
- Liability Issues
- Community Service and Restitution
- Domestic Violence
- Sex Offender issues, and
- Ethics and Professionalism

In May of 2006, DCJS sponsored in-service training on Evidence-based Practices (What Works) for local probation and pretrial personnel and other criminal justice professionals in Christiansburg, Chesterfield, and Waynesboro. An additional “summary” training was held in Charlottesville for local agency directors only. DCJS contracted with Mr. Ray Ferns, a national expert, to provide these one-day workshops.

The training covered such matters as:

- What is Best Practices?
- Targets for Change
- Offender Management: Risk Control and Risk Reduction Strategies
- Steps to Using the Skills
- Five Basic Skills, and
- Techniques to Elicit Self Motivating Statements

Evaluations collected at the individual venues indicated that the trainer was knowledgeable and the information was interesting, helpful, and well-delivered.

VCCJA also presented a separate in-service training for clerical employees in June of 2006 at the Henrico Training Academy which included mini-sessions on Local Community Corrections and Pretrial Services Minimum Standards and the PTCC caseload management tool.

### *Judicial Training*

DCJS participated in the annual Pre-Bench Orientation Program conducted by the Supreme Court from April 3–6, 2006. Training was provided to ten new or recently appointed juvenile and domestic relations judges, nine general district court judges, and six circuit court judges for a total of 25 judges. This was the first time DCJS presented to all of the judges in a setting appropriate for training. DCJS prepared and presented a new Powerpoint presentation entitled the “Least Known and Most Misunderstood Components of the Criminal Justice System: Pretrial Services & Local Probation.” The presentation was designed to respond to requests for technical assistance or frequently asked questions from agency directors, judges, and Commonwealth’s Attorneys related to the provision of these services. Rather than focus solely on the location and performance of local pretrial and community-based



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probation services, the presentation was geared to respond to policy issues related to the intent and purpose of the services and their appropriate use by the judiciary.

The District Court Forms Advisory Committee of the Committee on District Courts holds two, one-to-two day work sessions annually. The Spring Session generates or amends forms required by changes in the law from the recent session of the General Assembly, while the Fall Session focuses on recommended changes and system improvements. DCJS is the only non-judicial criminal justice agency participating in this committee and has been a standing member of this committee for the past seven years. Last year the Committee was comprised of eight judges, four magistrates, and six clerks of district courts. The sessions on developing new court forms present an excellent venue for discourse with judicial officers on the operations, requirements, and needs of pretrial and local probation services.

## OTHER ACTIVITIES

### *Virginia Community Criminal Justice Association (VCCJA)*

A record number of participants attended the tenth Annual Virginia Community Criminal Justice Association (VCCJA) Training Conference, "Working Smarter for Safer Communities," held on November 2-4, 2005, in Portsmouth, Virginia. This conference marked the tenth anniversary of the association.

The Bureau of Justice Assistance (BJA), the National Institute of Corrections (NIC), the Department of Criminal Justice Services (DCJS), the Hampton-Newport News Criminal Justice Agency, and the VCCJA sponsored this conference which began with a day of intensive trainings on:

- Pretrial 202
- Staff Sexual Misconduct, and

- Understanding the Power of Culture in Creating an Outline for Organizational Change.

Following this was the keynote speaker, VCU Professor Faye Taxman, with a session on "Being a Critical Contributor to the Development of Knowledge in Correctional Practice" and two days of workshops:

- Stress Stopping You: A Gentle Guide to Moving Through Your Day
- Communication Tools and Working with the Offender
- Boundaries with Offenders and Defendants-Guidance on Avoiding the Line
- Re-entry Issues: A Panel Discussion
- The Importance of First Things First (time management)
- Managing Today's Multigenerational Workforce
- Cultural Awareness Training
- Media Resources to Engage Your Community in Reentry
- The Rippling Effect of Domestic Violence, and
- Mental Health Courts.

### *A Final Note*

Throughout this report, we have stressed that local probation caseloads, pretrial caseloads, pretrial investigations, and the benefits of community services, continue to grow. That the rapid growth in these areas in the late 1990s paralleled the increased provision of state funding and quality resources suggests that divertible populations have not been "maxed out," but rather that growth has been limited by the availability of state funding. This further suggests that an infusion of funds into this least costly part of the criminal justice and corrections system will result in the greatest expansion of system capacity at the lowest cost. Expansion of capacity-anywhere in the system -reduces pressure on all other parts of the system: jails and prisons. Therefore, a measured



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but substantial investment in community corrections, both in *local* probation and pretrial services and in state probation and parole, promises not just a cost-effective expansion of correctional capacity, but also long term cost avoidance as research-based interventions are applied to abort criminal careers at the right time (early) and in the right place (the community).

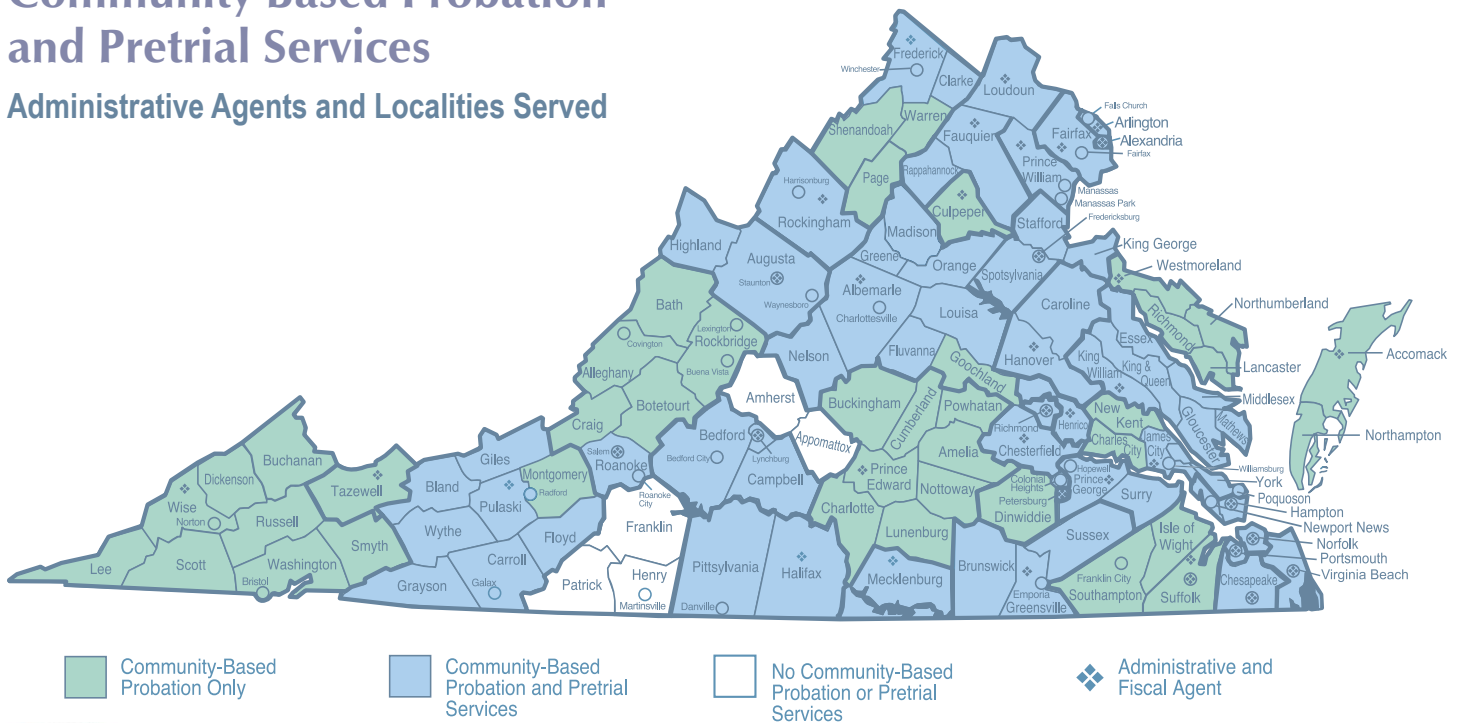
This report also makes the point that level-funding is, in fact, a reduction. As the costs of personnel, benefits, office space, supplies, etc., increase, level-funding forces reductions in other parts of agency budgets. Adding these local, but primarily state-supported, agencies to the Department of Planning and Budget's "local computation," so that there is a built-in cost-of-living adjustment, would be a logical and immediate remedy to address this problem. It should be noted that other classes of state-supported local employees, such as those

supported through juvenile block grant funds and juvenile court service units, are routinely included in these computations.

The report also points out that there are unserved populations within current service areas as a result of inadequate staffing. More officers are needed to meet the supervision and treatment demands of more offenders and defendants within effective and reasonably sized caseloads. This suggests that one avenue to increased diversion from more expensive, secure facilities is an increase in staffing to accommodate more clients under community-based supervision. Another obvious strategy to increase diversions statewide is to make pretrial services available statewide. Currently only 80 of Virginia's 134 local units of government are funded to provide pretrial services. A significant amount of the crowding in Virginia's jails is the result of defendants and offenders from a locality

## Community-Based Probation and Pretrial Services

### Administrative Agents and Localities Served



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with a severely crowded jail being transferred to a locality with a less crowded jail. Implementation of pretrial services in localities currently without such services can help reduce jail crowding, even in other localities. According to the Offender Population Forecast, recently published by the Secretary of Public Safety, the un-sentenced awaiting trial category has accounted for the largest increase in local jail populations.

While it is obvious that a significant investment in expanded services is needed and that it will not be inexpensive, it should be apparent that investing in diversion programs is much less expensive than building and operating new secure prisons and jails. And, given the good success rates of these agencies managing offenders and defendants in the community the expansion of diversion capacity will still protect public safety, provide appropriate sanctions to offenders, protect the principle of the pretrial “presumption of innocence,” and help the Commonwealth build a stronger and more rational system of justice.



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