

# COMPREHENSIVE COMMUNITY CORRECTIONS ACT AND PRETRIAL SERVICES ACT REPORT

July 1, 2012–June 30, 2013



Prepared January 2014



VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES  
[www.dcjs.virginia.gov](http://www.dcjs.virginia.gov)

# **Report on the Comprehensive Community Corrections Act for Local-Responsible Offenders and Pretrial Services Act**

**July 1, 2012 – June 30, 2013**

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The purpose of this report is to keep stakeholders informed about the activities of local probation and pretrial services agencies established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (CCCA) and the Pretrial Services Act (PSA), and developments affecting their work.



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## FY2013 Local Community-Based Probation and Pretrial Services

Local community-based probation agencies were created in 1995 by the Comprehensive Community Corrections Act (CCCA, [§§9.1-173](#) et seq. COV). They were created to provide an alternative to incarceration for persons convicted of certain misdemeanors or non-violent felonies for which sentences would be 12 months or less in a local or regional jail. Local probation agencies give courts the option of assuring that these types of offenders are held accountable without resorting to the use of institutional custody. There are now 37 local probation agencies operating in Virginia, serving 127 of 133 localities.

Pretrial services were first created in Virginia in 1989, pursuant to authorizing language in the Appropriations Act. In 1995, pretrial services agencies were authorized by statute with the passage of the Pretrial Services Act (PSA, [§§19.2-152.2](#) et seq. COV). Pretrial services agencies provide information and investigative services to judicial officers (judges and magistrates) to help them decide whether persons charged with certain offenses and awaiting trial need to be held in jail or can be released to their communities. In the latter case, the agencies provide supervision and services to defendants if ordered by judicial officers. There are currently 31 pretrial services agencies in Virginia serving 97 of 133 localities.

Local community-based probation caseloads remained steady while pretrial services caseloads increased during FY2013. With a decline in the rates of many crimes in Virginia, the sustained caseload can be attributed to continued and consistent use of these services by judges and magistrates as well as longer periods of supervision. In addition, agencies continue to experience increasing workloads with additional duties and responsibilities beyond only supervision of offenders and defendants (drug testing, monitoring offenders, DNA testing responsibilities, and other expectations of the courts).

The General Assembly appropriated \$23.4 million for FY2013 operations under the CCCA and PSA, the same amount as in FY2012. An additional \$800,000 was appropriated to expand pretrial services and enhance local probation services in

localities served by the Southwest Virginia Regional Jail and the Central Virginia Regional Jail.

Despite the state appropriation remaining steady for existing CCCA and PSA services, many local agencies saw reductions in funding at the local level as local governments faced the mandatory reduction in state aid to localities. However, many local governments provide matching funds or in-kind resources to support 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. In addition, 28 of the 37 local probation agencies, over 75%, have been collecting supervision/intervention fees to augment their operations. Unfortunately, even with fees, many local agencies still experience difficulty meeting high workload and system demands, especially with the local reduction in state aid implemented by the state starting in FY2009 and continuing through FY2013. This reduction was eliminated for FY2014.

The average daily caseloads (ADC) of most agencies significantly exceeded the minimum staff-to-defendant/offender ratio established by DCJS of 1:40 for pretrial supervision and the case management ratio of 1:60 for local probation supervision. Several local probation agencies continue to carry active supervision caseloads that exceed a ratio of 100 offenders on probation supervision for each probation officer.<sup>1</sup> Even with many agencies adopting evidence-based practices and administrative supervision, workloads in many local agencies continue to be excessive.

Because costs have increased and workload and caseloads have remained high, some agencies have had to reduce staffing, limit drug testing, cut back on offender services, reduce needed staff training and choose other strategies to cope with limited funding in the face of increasing costs. In spite of these continuing pressures, the directors and staff of these local agencies continue to maintain highly professional services and are committed to providing for public safety in their communities.

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<sup>1</sup> Ratios are based on active supervision 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.

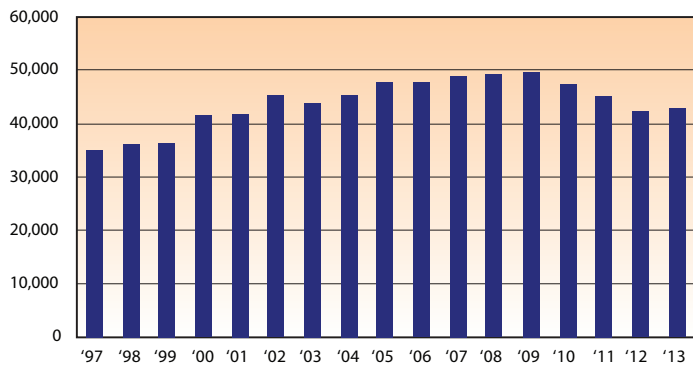


## Pretrial Services

The primary role of pretrial services agencies in Virginia is to provide information to judicial officers to assist with bail decisions and to monitor conditions of bail and provide supervision services to defendants. Pretrial services agencies also provide judicial officers with alternatives to detention by identifying detained defendants that can be safely released to the community. There are currently 31 pretrial services agencies in Virginia, providing services in 97 of the 133 localities in the Commonwealth. During FY2013, pretrial services were implemented and expanded to the localities served by the Southwest Regional Jail and the Central Virginia Regional Jail. All localities not funded for pretrial services continue to express interest in implementing a program. Pretrial services for thirty additional localities are included in the community plans developed as a result of new jail construction or expansion,<sup>2</sup> but due to the lack of additional appropriations, they have not been funded.

One of the services provided by pretrial services agencies is pretrial investigations<sup>3</sup>. In FY2013, there were 44,160 pretrial investigations conducted, a 1.6% increase from FY2012 when 43,444 investigations were conducted,<sup>4</sup> despite a 1% decrease in the number of pretrial commitments to jail during the same period.

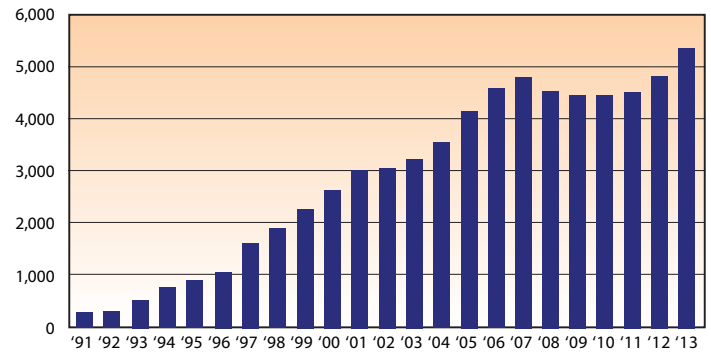
Pretrial Services Investigations



The statewide average daily caseload<sup>5</sup> (ADC) of pretrial services agencies increased nearly 11% from FY2012 to FY2013, from 4,926 in FY2012 to 5,457 in FY2013. Supervised pretrial release

continues to be an ongoing tool to assist localities in managing their jail populations. This is achieved by assessing risk and providing the judiciary with a viable alternative to jail for defendants that may be safely supervised in the community, thus leaving jail beds available for the highest risk defendants.

Pretrial Services Average Daily Caseload



**Placements on pretrial supervision increased 9%, from 18,919 in FY2012 to 20,649 in FY2013.** During FY2013, 48.8% of defendants charged with misdemeanors and 69.4% of those charged with felonies had to meet a condition of a secure bond before being released to pretrial supervision, an increase from FY2012 and a growing trend from previous years. While combining secure bond with pretrial supervision is permitted by statute, the intent of pretrial supervision is to provide judicial officers with a non-financial pretrial release option as an alternative to jail. Combining a secure bond and supervision can delay the defendant's release from jail.

A recent study in Virginia found that defendants released on pretrial supervision with non-financial conditions had higher appearance rates and lower rearrest rates when compared to defendants released to pretrial supervision with a secure bond.<sup>6</sup> Increasing the number of defendants released to pretrial supervision on non-financial conditions will reduce the average length of stay at local jails, thereby providing some jail crowding relief or a reduction in operational expenses, such as medical costs, while maintaining public safety and the integrity of the judicial process.

<sup>2</sup> The Code of Virginia under [§53.1-82.1](#) requires a plan for the development and implementation of pretrial services for all jail construction projects approved by the Board of Corrections.

<sup>3</sup> A pretrial investigation is a report that includes a face-to-face interview with the defendant, full criminal history, verification with community contacts, administration of the Virginia Pretrial Risk Assessment Instrument (VPRAI), and a bond recommendation.

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

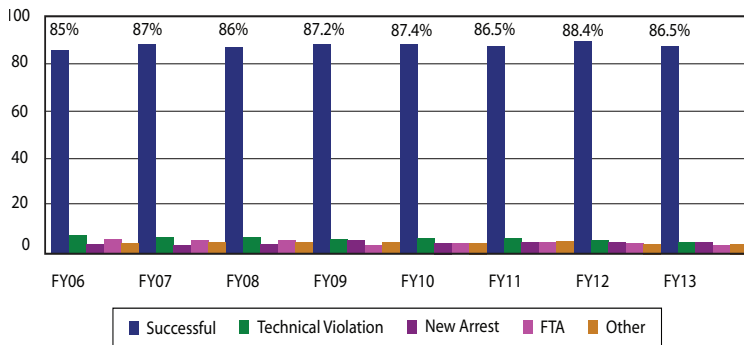
<sup>5</sup> Average Daily Caseload is the average number of supervised defendants during FY2013.

<sup>6</sup> VanNostrand, M., Rose, K. J., & Weibrecht, K. (2011). State of the Science of Pretrial Release Recommendations and Supervision, Pretrial Justice Institute.

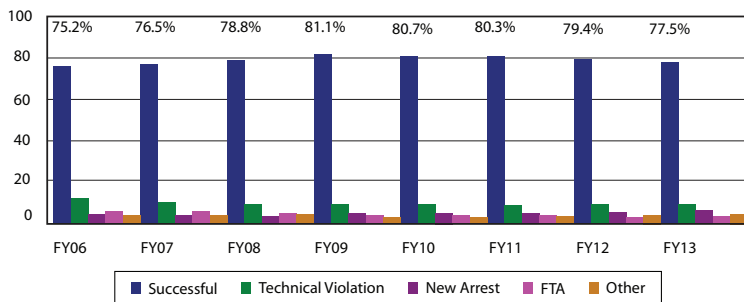


Defendants placed on pretrial supervision have high appearance, public safety and compliance rates. Success for pretrial supervision is defined as successfully appearing for court as required, not getting arrested for new crimes, and not violating any conditions of pretrial release. As the graphs below show, the success rates for both misdemeanor and felony pretrial defendants have been very consistent over the years.

Misdemeanor Pretrial Closures FY2006–FY2013



Felony Pretrial Closures FY2006–FY2013

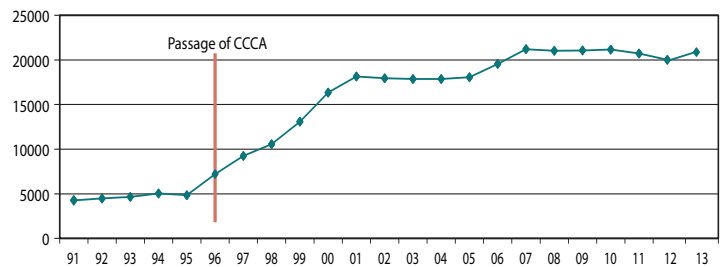


Of the 8,321 misdemeanor placements closed during FY2013, over 86.5% were successful, down slightly from FY2012. About 3.4% of the placements were closed due to a new arrest, 3.8% due to technical violations, 3.4% for failure to appear (FTA) for court and 2.9% for other reasons. Of the 11,112 felony placements closed during FY2013, 77.5% were successful. About 5.6% of the felony placements were closed due to a new arrest. The remaining closures were due to technical violations (8.5%), FTA (3.4%), and other (4.0%).

## Local Community-Based Probation Supervision

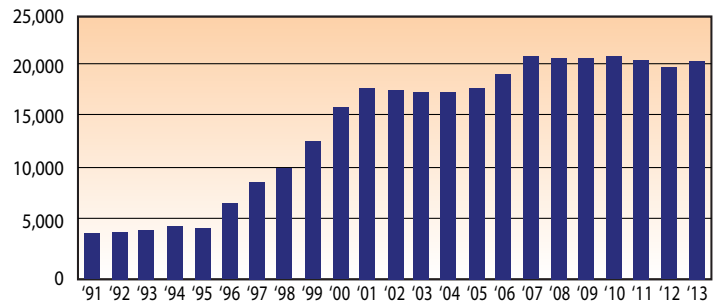
Since the establishment of the CCCA in 1995, the number of offenders supervised by local probation agencies has more than tripled. Caseloads have increased, from 5,043 to 20,756 at the end of FY2013. There are now 37 local probation agencies in operation, serving 127 of 133 localities. Four more localities are now mandated<sup>7</sup> to provide local probation services due to new regional jail construction or expansions to existing jails; without state funding for this purpose, the services will not likely be established.

Community-Based Probation Caseloads (Point in Time)



The Average Daily Caseload (ADC) on local probation supervision increased slightly over the previous year, from 20,154 in FY2012 to 20,773 in FY2013.

Community-Based Probation Average Daily Caseloads (ADC)



In addition to offenders under active probation supervision, on average, 567 offenders per month were reported to be in a “monitoring only” status, a significant reduction over the previous year<sup>8</sup>. Monitoring offenders is done as a courtesy to the court, as these offenders do not meet the criteria for supervision by local probation agencies and funding for monitoring is not provided by the state. “Monitoring only” cases include cases where offenders are required to complete community service in lieu of paying fines and costs. These cases are not held to the same supervision criteria as active cases, nor are they included

<sup>7</sup> The mandate to provide these services is found in the Code of Virginia under [§53.1-82.1](#) which requires a plan for development and implementation of local probation and pretrial services for all jail projects approved or pending approval. The four (4) localities are Amherst, Appomattox, Henry, and Martinsville. Franklin and Patrick Counties have elected not to participate in local probation or regional jails.

<sup>8</sup> This may be due in part to the [Hernandez v. Commonwealth](#) decision and the DCJS guidance that all misdemeanors may be appropriate placements.

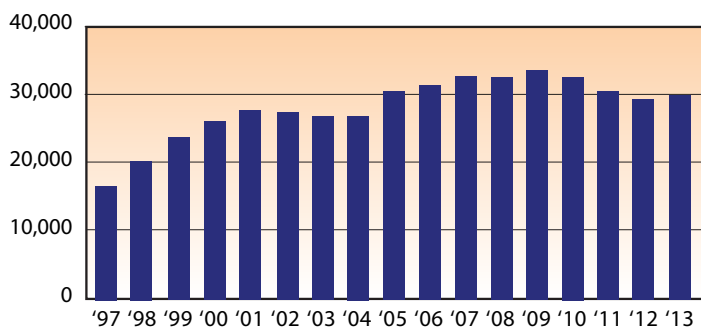


in caseload calculations. "Monitoring only" is a service provided as directed by court order; it is not statutorily required.

On average, there were 4,383 offenders per month reported in "inactive" status,<sup>9</sup> a slight increase from FY2012. 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.

**FY2013 statistics demonstrate continued judicial support for the CCCA, based on the volume of placements and agency utilization while overall crime in Virginia continued to decrease.** In FY2013, the courts placed 35,909 offenders on local probation supervision,<sup>10</sup> a slight increase compared to the 35,208 offenders placed in FY2012.

Community-Based Probation Court Placements

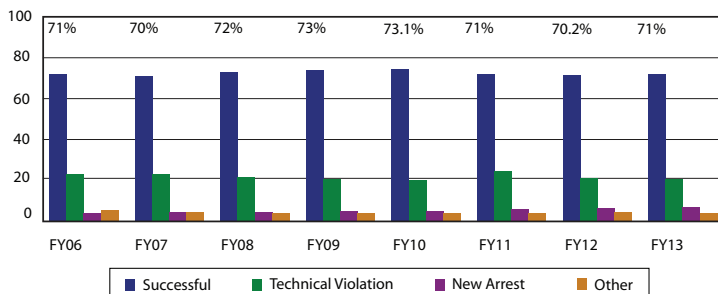


Local community-based probation caseloads increased slightly during FY2013. With a decline in the rates of many crimes in Virginia, the sustained caseload may be attributed to continued and consistent use of these services by judges as well as longer periods of supervision. In addition, agencies continue to experience increasing workloads with additional duties and responsibilities beyond only supervision of offenders (drug testing, monitoring offenders, DNA testing responsibilities, and other expectations of the courts).

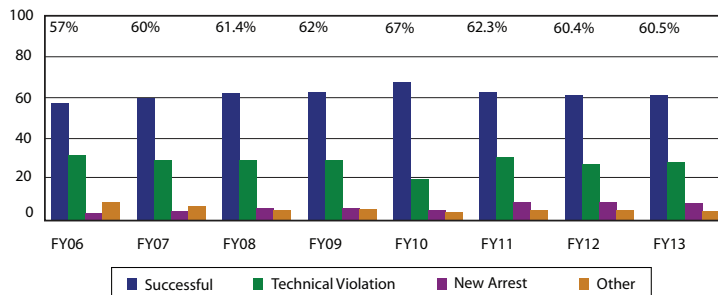
The average length of supervision (ALOS) for misdemeanants is 6.9 months, just above the recommended average of 6 months. The average length of time under supervision for felons remains within the DCJS recommendation of twelve (12) months, at 8.6 months.<sup>11</sup>

As the following graphs indicate, the local community-based probation agencies continue to demonstrate very good success rates with offender supervision. Successful case closure is defined as complying with all conditions of probation, including not committing any new crimes and completing court ordered conditions. As with pretrial services, failures under supervision are offender failures and should not necessarily be considered failures of the supervising agency. Offenders are held accountable for their own behavior while under supervision. Failure to comply with the conditions of supervision results in removal from supervision, (this accounts for the rate of failure due to technical violations).

Misdemeanor Probation Closures FY2006–FY2013



Felony Probation Closures FY2006–FY2013



<sup>9</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>10</sup> This is the actual number of offenders placed under supervision and not the total court placement events which was 38,433 in FY2013, 37,788 in FY2012 and 36,920 in FY2011.

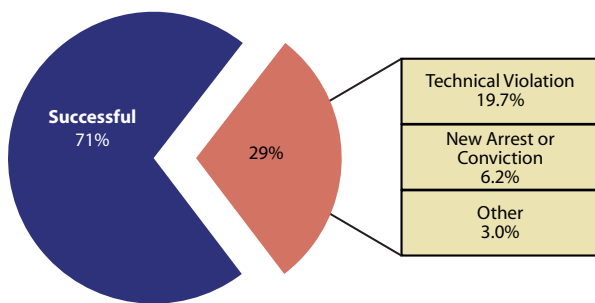
<sup>11</sup> The increase in the average length of supervision for misdemeanants may be due to the increase in domestic violence cases being placed on probation for longer periods, longer treatment requirements associated with those cases, waiting lists for treatment and increases in mandatory community service time. All of these have resulted in longer periods on supervision and resulted in higher workloads.



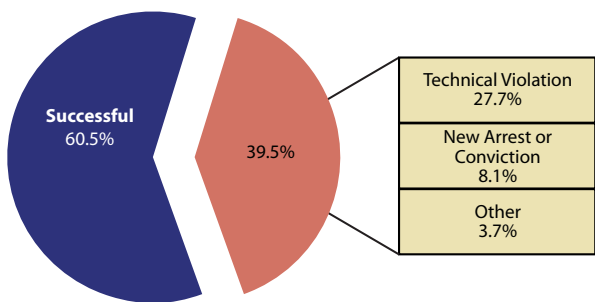
Of the 31,430 total misdemeanor placements closed during FY2013, 71% were successful in completing all requirements of supervision. Of the 1,210 total felon placements closed, 60.5% were successful. The most common “unsuccessful” closures for both misdemeanor and felon placements continue to be due to technical violations of supervision: 19.7% for misdemeanants and 27.7% for felons. Technical violations are violations of terms and conditions of supervision that are not considered law violations<sup>12</sup>. In FY2013, only 6.2% of the misdemeanants and 8.1% of the felon placements were closed due to an arrest or conviction for a new offense. Closures for “other” reasons were 3.0% for misdemeanants and 3.7% for felons.

### Local Community-Based Probation Closure Types<sup>13</sup>

Probation Misdemeanor Placement Closures



Probation Felony Placement Closures



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

programs. Figures reported for FY2013 indicate that offenders were placed, ordered, assigned or sent for the following interventions or services:

12,779	community service work
11,500	drug tested (does not include multiple tests)
4,558	screened for substance abuse problems
3,763	substance abuse education
3,366	assessed or evaluated for substance abuse problems
2,864	anger management counseling
2,453	substance abuse counseling
2,389	domestic violence counseling
1,995	shoplifting prevention sessions
1,649	assessed for domestic violence issues
1,630	tested for alcohol use
662	screened or evaluated for mental health issues
552	participated in Victim Impact Panels or conflict resolution
571	mental health counseling
571	screened, assessed or evaluated for alcohol abuse
471	parenting or fatherhood classes
398	financial responsibility sessions
310	alcohol treatment
174	AA or NA meetings or both
169	cognitive skill building
95	employment counseling or training
91	sex education classes
80	sex offender treatment
66	long-term inpatient treatment
58	life skills courses
58	marriage or family counseling
50	general counseling
36	driver improvement courses
31	obtain their GED or attend school
22	john's program
20	short-term detoxification
19	relapse prevention
17	electronic monitoring
14	firearm safety class
10	prostitution program
2	home detention
28	other service or program

All agencies placed offenders at public or non-profit work sites to complete community service. For FY2013, offenders performed 482,708 hours of community service work in

<sup>12</sup> Technical violations may include failure to attend mandated programs, failure to report as instructed or failing alcohol testing or other intractable behaviors not considered a violation of law.

<sup>13</sup> Community Corrections closures are based on those closed successfully, due to a technical violation, due to a new arrest or 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 removed. Therefore, closures due to technical violations and other reasons may be somewhat over-reported.



Virginia. At the minimum wage of \$7.25 per hour, this translates into almost \$3.5 million worth of community service work. However, this is likely to be a conservative figure, as local governments would pay more than the minimum wage for some of the types of community services provided by the offenders. In addition to their required duties and responsibilities, many local 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 FY2013, agencies facilitated just under \$1.8 million in restitution payments and \$1.23 million in fines and costs. In total, local probation agencies accounted for over \$6.5 million in services and payments to communities.<sup>14</sup> This translates to almost a 30% return on the investment by the state (\$6.5 M / \$21.9 M awarded).

## Evidence-Based Practices

Since 2005, Virginia has made great strides toward implementing an evidence-based framework in local probation and pretrial services agencies that relies on empirical evidence to guide community corrections policies and practices. One emerging issue in the field of community corrections is safely managing probationers in the community through the adoption of a Risk/Need/Responsivity (RNR) model for community criminal justice decisions and supervision. The RNR model provides a structure for local probation agencies to be efficient and cost-effective by targeting supervision and community resources to match the risk and needs of individual probationers in a way that increases compliance with conditions of probation and reduces future criminal activity.

### *Legal and Evidence-Based Practices for Pretrial Services*

Virginia has led the nation in pretrial risk assessment research with the development and implementation of the Virginia Pretrial Risk Assessment Instrument (VPRAI). In FY2013, DCJS continued work through a grant from the Bureau of Justice Assistance (BJA) to evaluate strategies to more fully utilize the VPRAI, including ways to help inform judges making release decisions and guide how defendants are supervised in the community. The purpose of the project is to test risk-based decision making and risk-based supervision strategies during the pretrial stage that will lead to improved pretrial outcomes—appearance in court and public

safety. The LEBP research project began in October 2012, and included all pretrial services agencies in Virginia. Pretrial agencies were randomly assigned to three test groups and one control group for research purposes.

Data collection for the LEBP Pretrial Project began in April 2013 and will continue for 12 months. The researchers will complete their analysis of the data and provide DCJS with a final report that addresses release recommendations and supervision.

### *Evidence-Based Local Probation Services*

The body of research supporting the use of evidence-based practices and a Risk/Need/Responsivity (RNR) model identifies core practices that produce observable improvements in the behaviors of those placed on probation supervision. The core principles suggest that criminal justice systems establish a foundation for assessing risk factors most directly and strongly related to criminal behavior: criminal history, pro-criminal thinking and attitudes, pro-criminal peer relationships, problematic family relationships, substance abuse, education and financial/vocational instability.

Programs operating with a foundation in risk are better able to determine what group of probationers would benefit the most from supervision services, and target specific services within that group to produce positive behavior changes. DCJS continues to support agencies in implementing and operationalizing principles of effective correctional interventions proven to reduce recidivism.

### *Evidence-Based Practices Implementation*

To date, twenty (20) of Virginia's local probation agencies assess risk for criminal re-offending (criminogenic risk factors) through the use of validated, actuarial risk and needs assessments: the Modified Offender Screening Tool (MOST) and the Offender Screening Tool (OST). Many have also had their staff trained in case planning and effective communication strategies and adopted a system of differential supervision levels tied to the MOST/OST results. In order to assist the 17 local probation agencies not yet using EBP, DCJS coordinated an EBP Kick-Off meeting for those agency directors in December 2012, and reviewed implementation planning activities, including organizational assessments and available resources. Several of these agencies will receive training in risk/needs assessments and other EBP components in the coming year.

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<sup>14</sup> Actual figures: \$3,499,633 of community service work, \$1,798,172 in restitution, \$1,234,760 in fines and costs, totaling \$6,532,565.



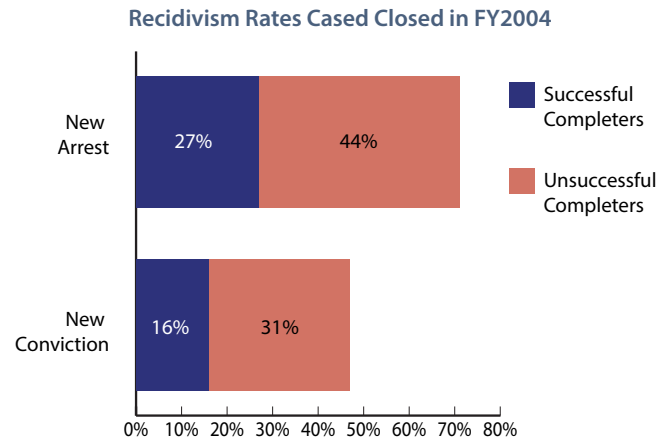


DCJS continued to support the evidence-based practices work in the 20 current EBP sites through technical assistance to further incorporate risk assessments for local probation. DCJS purchased “The Carey Guides” in electronic and/or paper versions for all local probation agencies to enhance supervising officers’ ability to focus on criminogenic risk factors for recidivism during supervision contacts through structured exercises and problem-solving sessions with probationers. DCJS issued policy and procedural guidance for implementing Case Planning and Differential Supervision Levels in the active EBP probation agencies to support reducing offender risk and recidivism. Local agencies and Virginia Community Criminal Justice Association (VCCJA) also continued to train staff, collect data and inform local criminal justice officials and other stakeholders.

### Recidivism and Measuring Performance

In FY2012, VCCJA applied for and was awarded a grant through the Byrne Justice Assistance Grant (Byrne JAG) Program to conduct a recidivism study and develop performance measures in local probation. The definition for recidivism for the local probation population included two key measures: 1) a new arrest within the three years following exit from local probation supervision and 2) a new criminal conviction within the three years following exit from local probation supervision. During FY2013, VCCJA was awarded a continuation of the Byrne JAG grant to continue the work on measuring performance by conducting an initial assessment of local probation agencies at the case, agency, and system levels against key indicators of EBP implementation, and impacts on probation outcomes and recidivism. DCJS has worked closely with the VCCJA Quality Assurance (QA) Committee to support work conducted by the National Center for State Courts (NCSC) through the Byrne JAG grants, and received a baseline recidivism study for cases closed during FY2004. Additional work during FY2013 included another recidivism study for cases closed in FY2010 to evaluate changes in recidivism as local probation agencies began introducing practices and strategies based on principles of recidivism reduction. The initial sample of 4,705 probationers was randomly chosen by the NCSC of those who completed probation in FY2004, and key findings included “the recidivism rate, as measured by a new arrest for a criminal offense three years post-exit, was 26.5% for successful completers and 44.2% for unsuccessful completers” and “[t]he recidivism rate,

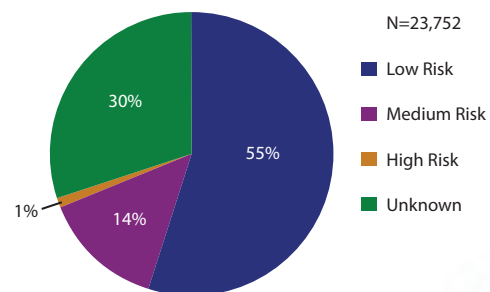
as measured by a new conviction for a criminal offense three years post-exit, was 16.2% for successful completers and 31.1% for unsuccessful completers” (NCSC, 2013, p. 10).<sup>15</sup>



### Risk among the Local Probation Population

The MOST and OST provide probation staff with reliable and concrete information related to criminogenic risk and needs for each probationer. With the assessment results, probation officers are better able to develop case plans and employ supervision strategies proven to reduce the likelihood that a probationer will reoffend while on supervision and after release from supervision. The targeting of supervision strategies to those probationers that represent the greatest risk for future criminal behavior helps the local criminal justice system and treatment agencies make the most responsible use of often scarce community resources. From the risk and needs assessment data obtained during FY2013 from the pilot sites, DCJS is able to provide specific information to local agencies to help them identify the risk levels of probationers receiving services, match probationers to an appropriate frequency and intensity of supervision, and determine appropriate community resources and interventions to reduce the risk of future criminal activity.

### Statewide Risk Distribution for All Cases Active in FY2013



<sup>15</sup> Cheesman, F., & Kunkel, T. (2013). Virginia Community Corrections: Baseline Recidivism Study. Denver: National Center for State Courts.



## Risk Screening

The MOST is the initial screening tool used by local probation agencies that identifies those probationers that are considered low risk for reoffending and those requiring further assessment to determine risk and needs. In the 20 agencies utilizing the risk assessment, there were 23,752 total cases active during FY2013, of which 18,660 were assessed using the MOST. Approximately 65% of the probation population was assessed as low risk and 35% needed further assessment to determine risk.

When looking at data from the last three years, risk levels using the MOST among the local probation population have varied slightly at 60%, 57%, and 65%, with FY2013 having the highest percentage of low risk.

**MOST Risk Level Distributions for the Past 3 Years**  
(Statewide Totals from 20 sites)

Risk Level	FY2011	FY2012	FY2013
Low (0-2)	60%	57%	65%
Further Assessment (3-8)	40%	43%	35%
Total	100%	100%	100%

Any probationer scoring 0-2 on the MOST is designated as low risk for reoffending, and probation agencies will develop supervision strategies that limit this group of probationers' involvement in the criminal justice system to that which is necessary to ensure public safety and completion of court ordered requirements of probation supervision. Those probationers scoring 3-8 on the MOST are designated as requiring further assessment utilizing the OST to determine a more detailed risk level associated with future criminal behavior.

**MOST Risk Level Distributions in FY2013**  
(Statewide Totals from 20 sites)

Risk Level	Number	%
Low (0-2)	12,153	65%
Further Assessment (3-8)	6,507	35%
Total	18,660	100%

## Risk and Needs Assessment

The OST is a reliable predictor both of risk and needs in the Virginia local probation population. From the group of probationers (6,507) scoring 3-8 on the MOST, 4,472 were subsequently assessed with the full risk and needs assessment.

From that subgroup, the overall risk for reoffending is reflected in the following table.

**OST Risk Level Distributions**  
(Statewide Totals from 20 sites)

Risk Level	Frequency	Percent
Low (0-6)	939	21%
Medium (7-20)	3363	75%
High (21-44)	171	4%
Total	4,472	100%

In addition to the overall risk level for the local probation population, the OST assesses a probationer's needs for treatment or intervention that correlates to the strongest individual risk factors for reoffending. The probation officer uses both the risk levels and need scores to guide case planning and supervision strategies. The table below reflects the presence of needs among medium and high risk probationers.

Additionally, the OST assesses other key factors related to a probationer's ability to successfully participate in and complete supervision activities, including physical and medical conditions, mental health status, and residential circumstances.

**Presence of Need for Medium and High Risk Population**

OST Domain*	Risk Factor(s) Measured	No Level of Need	Some Level of Need
Attitude**	Pro-criminal Thinking Temperament	<b>37.8%</b>	<b>62.2%</b>
Family & Social Relationships**	Pro-criminal Peer Associations Family and Marital Relationships Leisure Activities	<b>5.0%</b>	<b>95.0%</b>
Alcohol Use	Substance Abuse	<b>64.1%</b>	<b>35.9%</b>
Drug Use	Substance Abuse	<b>37.7%</b>	<b>62.3%</b>
Education	Education	<b>37.6%</b>	<b>62.4%</b>
Vocational/ Financial	Employment Financial Stability	<b>17.4%</b>	<b>82.6%</b>
Physical & Medical	Stabilization Factor	<b>10.0%</b>	<b>90.0%</b>
Mental Health	Responsivity Factor	<b>65.8%</b>	<b>34.2%</b>
Residence	Stabilization Factor	<b>23.3%</b>	<b>76.7%</b>

\*Domains and Risk Factors Measured are reported in order of predictive strength for reoffending

\*\*Attitude and Family & Social Relationships represent the strongest predictors of future risk for reoffending



## Implication of Needs Report

The OST scores for medium and high risk offenders can provide local agencies critical information about the intervention and service needs among the probation population and thus the need for services and community resources. The local probation population in the table above shows the greatest need for resources that target the pro-criminal peer associations and family relationships. Among the risk factors with less predictive strength, the greatest need exists in the Vocational/Financial domain related to employment and financial stability. Localities in Virginia can use the OST domain scores to match the criminogenic needs of individual offenders with specific interventions and services proven to reduce future criminal behavior, and help assess gaps in community resources that would most benefit the needs of the local population.

## Legislative Activity

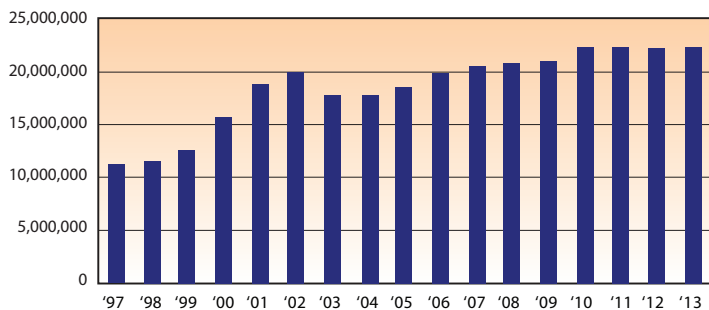
### Legislation

There were no significant statutory changes affecting local community-based probation and pretrial services agencies that became effective in FY2013.

### Funding

The General Assembly appropriated \$23.4 million for FY2013 operations under the CCCA and PSA.

Comprehensive Community Corrections and Pretrial Services Act Appropriations History<sup>16</sup>



While caseloads have remained steady, increases in length of supervision (reflective of the treatment time required for substance abuse and domestic violence cases, increased requirements for community service, and longer probation sentences), and additional workload demands on the available

supervision time of local agency staff (screening and assessment work; training on issues of substance abuse, domestic violence, MIS use, and implementation of EBP), indicate that these agencies are utilized by the courts and needed in the localities. Some agencies still have active offender-to-staff ratios of over 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.

## Education & Training

DCJS continues to provide and support professional development and training opportunities for staff employed in the Virginia pretrial and local probation agencies. In the past year, DCJS conducted a comprehensive review of the Basic Skills training for newly hired local staff, and coordinated other training to support the quality use of effective practices in pretrial and local probation services.

DCJS coordinated two one-day workshops on Leading Change in April 2013 for all local probation and pretrial agency management staff to support change initiatives in their agencies. DCJS also provided a complete risk assessment training lesson plan to approved trainers, developed a two-hour introductory training and four-hour risk assessment refresher training in coordination with the core risk assessment trainers, and met at least quarterly with risk assessment trainers to provide assistance in the delivery of training modules. DCJS offered two risk assessment trainings for new staff and coordinated two risk assessment refresher trainings, provided performance feedback to trainers and made revisions to the curricula.

DCJS worked in partnership with VCCJA to deliver case planning training and coaching for case planning in August 2012 for all probation staff in the twenty (20) active EBP sites, with an additional coaching for case planning training offered in October 2012. DCJS secured a contract with The Carey Group in coordination with VCCJA and the case plan trainers to complete a full case planning training program to be used by local agency trainers, as well as participate in the development of a case planning coaching checklist and a case plan coaching manual.

<sup>16</sup> The increase in appropriations for FY2001-2002 was due to additional funding for SABRE which was NOT allowed to be used to build capacity—rather, it was intended to be used for screening and assessment of pretrial defendants and probationers and to increase substance abuse treatment services for probationers.



### ***Training Advisory Group***

During FY2013, the DCJS Training Advisory Group was created and received recommendations from the statewide, cross representative group for comprehensive training plans for probation and pretrial officers, as well as agency management. As a result of the recommendations and a project done cooperatively with Virginia Commonwealth University (VCU), a comprehensive basic skills training program for local probation and pretrial staff was developed. For many years, DCJS has coordinated a classroom-style Basic Skills training, required for all newly hired local probation and pretrial services officers and managers. In order to improve the training, develop research-based curricula and maximize training time and local agency resources, DCJS staff worked closely with VCU on this project. The work included a review of relevant literature and research for core correctional skills and practices applied by officers; a focus group for probation staff and for pretrial staff;

developing and administering a needs assessment to local agency supervisory staff regarding performance expectations and gaps; a review of and development of orientation modules for basic skills training; and for the first time, providing the local agencies with access to approved on-line learning, through the Relias Learning Management System with over 200 online learning modules for community supervision staff.

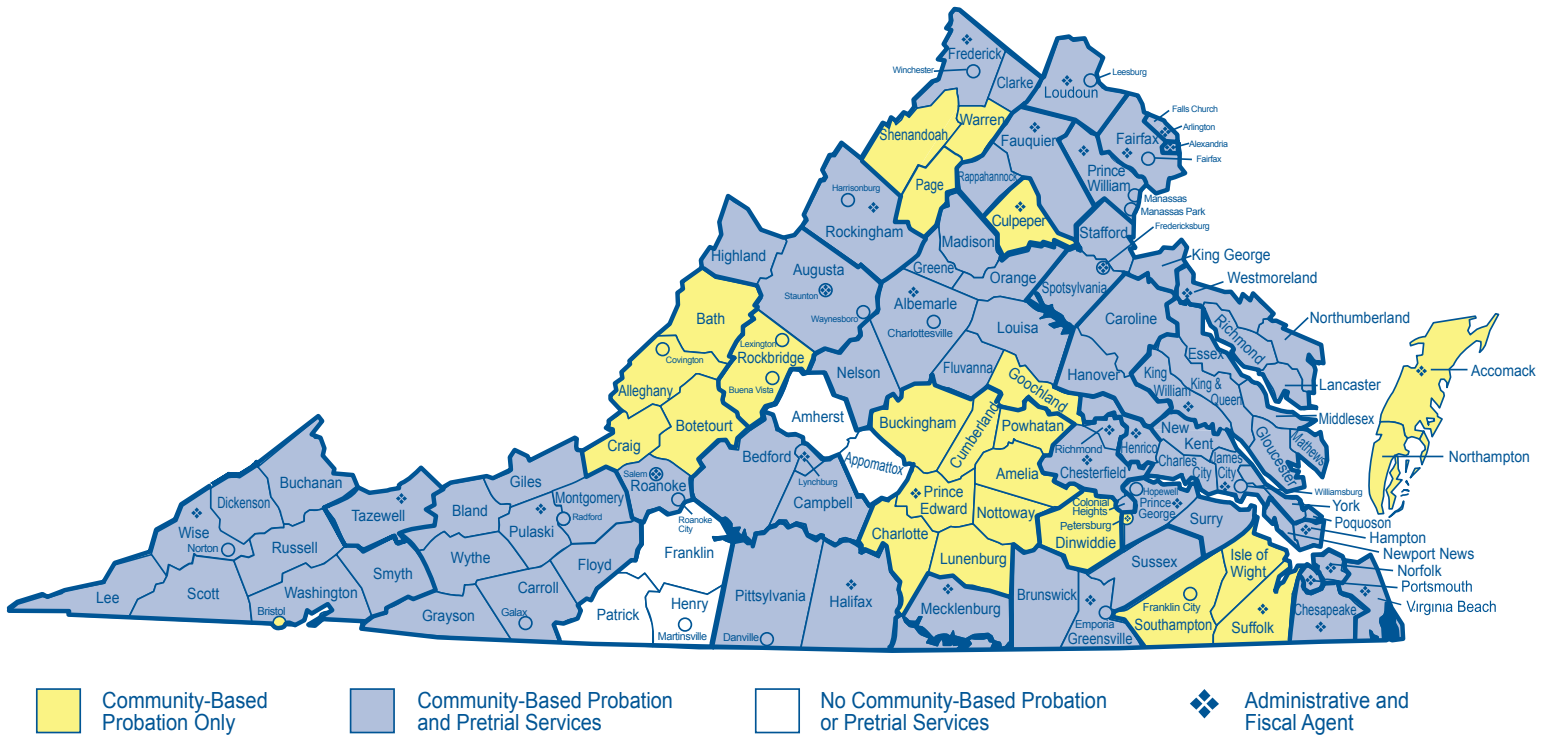
### ***Judicial Training***

In conjunction with the Office of the Executive Secretary of the Supreme Court of Virginia and VCCJA, DCJS conducted a Pre-Bench Orientation Program for new judges on the services available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders. The program was conducted in Richmond in May 2013 for about 40 newly appointed judges.



# Community-Based Probation and Pretrial Services

## Administrative Agents and Localities Served





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