

COMPREHENSIVE COMMUNITY CORRECTIONS ACT  
AND PRETRIAL SERVICES ACT REPORT  
July 1, 2013–June 30, 2014



Report on The  
Comprehensive Community Corrections Act for Local-Responsible Offenders  
and Pretrial Services Act

July 1, 2013 – June 30, 2014

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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## LOCAL COMMUNITY-BASED PROBATION AND PRETRIAL SERVICES 2013-2014

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 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 29 pretrial services agencies in Virginia serving 97 of 133 localities.

Local community-based probation caseloads remained relatively steady while pretrial services caseloads increased during the state fiscal year July 1, 2013 through June 30, 2014 (FY14). With a decline in the rates of many crimes in Virginia, the sustained caseload can be attributed to consistent use of these services by judges and magistrates, longer periods of supervision and workload increases with the implementation of evidence based practices. Agencies have responsibilities in addition to supervision of offenders and defendants, such as drug testing, monitoring offenders, DNA testing responsibilities, and other expectations of the courts.

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%, collect supervision/intervention fees to augment their operations. Unfortunately, even with fees, many local agencies still experience difficulty meeting high workload and system demands. 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>

Because costs have increased, 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 and the fact that workload and caseloads have remained high, 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. DCJS is committed to support local agencies by using a data-driven decision making process to guide planning, training, research, funding and technical assistance.

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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.

## 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 (LEBP)*

Virginia has led the nation in pretrial risk assessment research with the development and implementation of the Virginia Pretrial Risk Assessment Instrument (VPRAI). In FY2014, 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 closed December 31, 2014 and a final report will be completed by June 2015.

### *Evidence-Based Local Probation Services*

The body of research supporting the use of evidence-based practices and a Risk/Need/Responsivity 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. Probation supervision that adheres to the research evidence about what works to reduce recidivism rates, the Risk-Need-Responsivity Model and evidence-based practices and interventions can significantly decrease

recidivism rates for probationers who are medium and high risk. Probation supervision has the potential to be harmful to low risk probationers, meaning that intensive involvement and supervision on probation for that population can actually produce increases in recidivism rates.

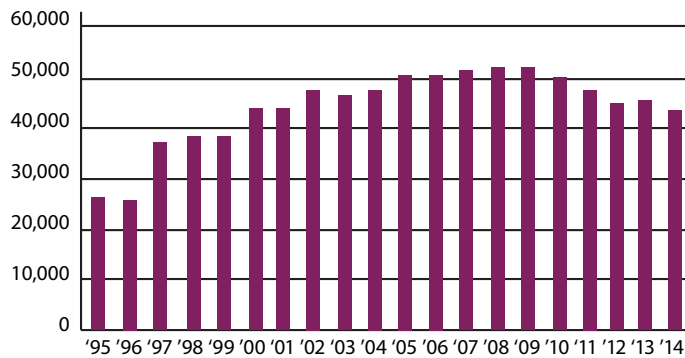
Overall, probation supervision and programming that incorporate none of the elements of the RNR Model have produced increases in recidivism rates for all risk levels. Probation supervision achieves the greatest impact on reducing recidivism when targeted to those with medium and high risk to reoffend. Recent program utilization data indicates that overall there is a decrease in the percentage of low risk probationers placed on supervision by the courts and an increase in the percentage of medium risk probationers. This is promising in that it reflects a move toward the best use of the local community-based probation programs as an alternative to incarceration that can have a significant impact on public safety in Virginia's communities. DCJS continues to support agencies in implementing principles of effective correctional interventions proven to reduce recidivism.

# PRETRIAL SERVICES

The primary role of pretrial services agencies in Virginia is to provide information to judicial officers to assist with bail<sup>2</sup> 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.

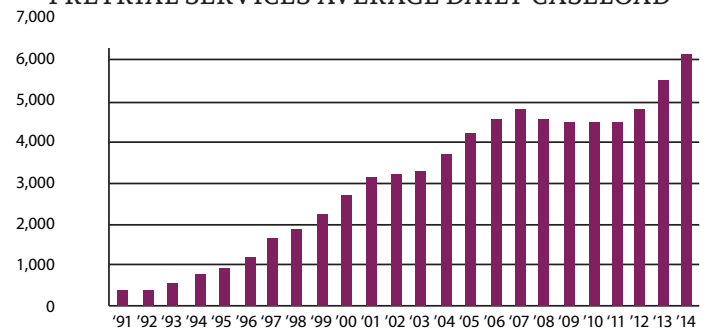
One of the services provided by pretrial services agencies is pretrial investigations<sup>3</sup>. Pretrial investigation reports provide the judge with valuable information about defendants to assist in making bond decisions. The number of investigations conducted will vary due to several factors that determine the number of defendants admitted to jail and the number of eligible defendants in jail available to be interviewed at the time of investigation. These factors include crime rates, arrest rates and magistrate decisions to commit defendants to bond or deny bail. In FY14, there were 42,066 pretrial investigations conducted, a 4.7% decrease from FY13 when 44,160 investigations were conducted<sup>4</sup>.

PRETRIAL SERVICES INVESTIGATIONS



The statewide average daily caseload<sup>5</sup> (ADC) of pretrial services agencies increased 14% from FY13 to FY14, from 5,457 in FY13 to 6223 in FY14. 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 7%, from 20,649 in FY13 to 22,136 in FY14. During FY14, 47% 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, a decrease from FY13. 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.

Defendants placed on pretrial supervision have high appearance, public safety and compliance rates. Success for pretrial supervision is defined as appearing for court as required, not getting arrested for new crimes, and not violating any conditions of pretrial release. FY14 case closures (shown below) present a slight increase in cases closed in the “other” category and an associated decrease in “successful” closures. This change is related to new data definitions that changed how cases are closed and captured in the database and caused some transfer cases to be coded incorrectly. The coding issue will be corrected prior to next year’s report.

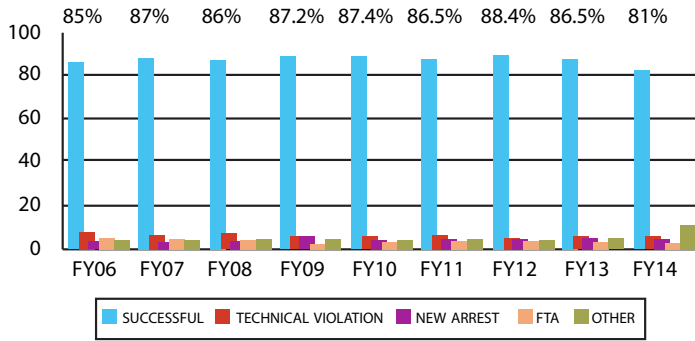
<sup>2</sup>As defined in the Code of Virginia, §19.2-119, bail means the pretrial release of a person from custody upon those terms and conditions specified by order of an appropriate judicial officer. Release on bail can be non-financial or financial conditions. <http://law.lis.virginia.gov/vacode/title19.2/chapter9/section19.2-119/>

<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.

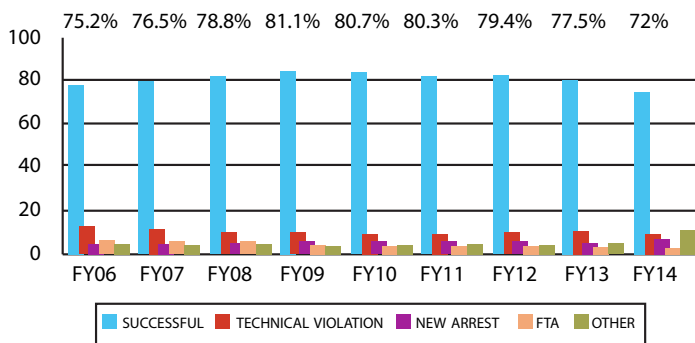
<sup>4</sup>Data are from automated Pretrial Services Monthly Reports submitted to DCJS.

<sup>5</sup>Average Daily Caseload is the average number of supervised defendants during FY2014.

## MISDEMEANOR PRETRIAL CLOSURES FY2006–FY2014



## FELONY PRETRIAL CLOSURES, FY2006–FY2014

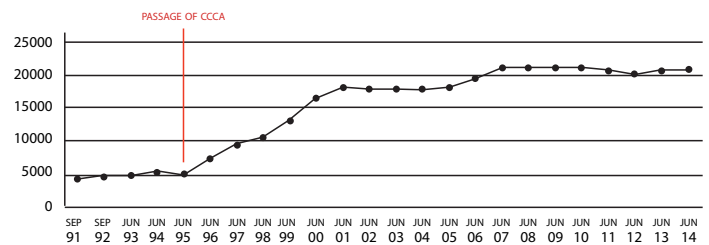


Although there are limitations to the data as mentioned above, of the 10,174 misdemeanor placements closed during FY14, over 81% were successful, down slightly from FY13. About 3% of the placements were closed due to a new arrest, 4% due to technical violations, 3% for failure to appear (FTA) for court and 9% for other reasons. Of the 14,203 felony placements closed during FY14, 72% were successful. About 6% of the felony placements were closed due to a new arrest. The remaining closures were due to technical violations (9%), FTA (3%), and other (10%).

## LOCAL COMMUNITY-BASED PROBATION SUPERVISION

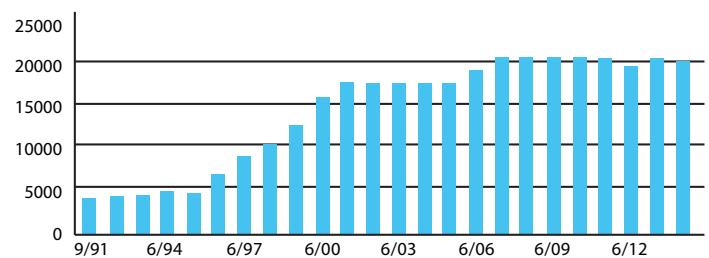
The Comprehensive Community Corrections Act (CCCA) was established in 1995. Since then, the number of probationers supervised by local probation agencies has quadrupled. Caseloads have increased from 5,043 to 20,833 at the end of FY14. There are now 37 local probation agencies in operation, serving 127 of 133 localities. Four more localities are now mandated<sup>6</sup> to provide local probation services due to new regional jail building or expansions to existing jails; however, 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 decreased slightly over the previous year, from 20,773 in FY13 to 20,542 in FY14, but remained higher than FY12 with an ADC of 20,154.

### COMMUNITY-BASED PROBATION AVERAGE DAILY CASELOADS (ADC)



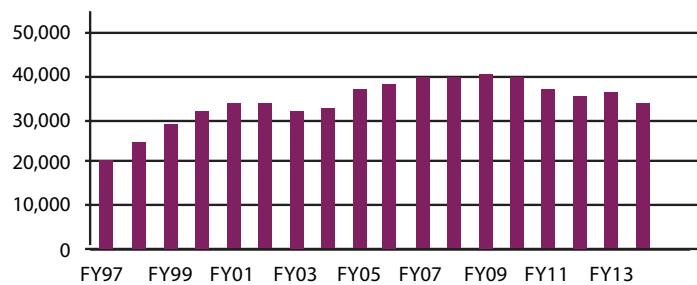
In addition to offenders under active supervision, 493 offenders per month on average were reported to be in a “monitoring only” status, a reduction from the previous year. Monitoring offenders is performed as a courtesy to the court, as these offenders do not meet the criteria for supervision by local 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 in caseload calculations.

<sup>6</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.

On average, there were 4,231 probationers per month reported in “inactive” status,<sup>7</sup> a slight decrease from FY13. 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.

In FY14, the courts placed 33,978 probationers on local probation supervision.<sup>8</sup> Of these, 96% were misdemeanants and 4% were non-violent felons.

### COMMUNITY-BASED PROBATION COURT PLACEMENTS



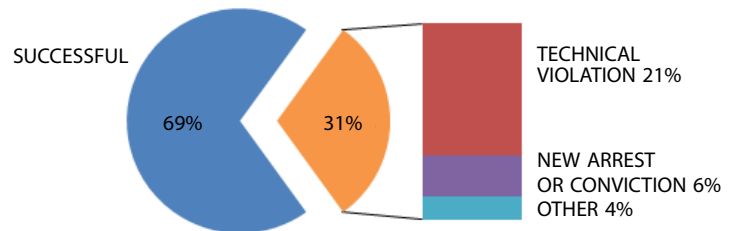
Court placements of offenders on local community-based probation decreased slightly during FY14 compared to the 35,909 offenders placed in FY13. This may be a reflection of the decline in the rates of many crimes in Virginia. The sustained caseload may be attributed to consistent use of these services by judges and magistrates as well as longer periods of supervision. In addition, agency staff workloads continue to increase with duties and responsibilities beyond only supervision of offenders and defendants (drug testing, monitoring offenders, DNA testing, added responsibilities related to implementing evidence-based practices and other expectations of the courts).

The average length of supervision (ALOS) for misdemeanants is 7.2 months, which is 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 9.2 months.<sup>9</sup>

Of the 31,263 total placements closed during FY2014, 69% were successful in completing all requirements of supervision. Only 6% were closed as unsuccessful due to a new offense. Twenty-one percent of the cases closed were unsuccessful due to technical violations of supervision. Technical violations are violations of terms and conditions of supervision that are not considered law violations<sup>10</sup>.

### Local community-based probation closure types<sup>11</sup>

#### PROBATION PLACEMENT CLOSURES



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. Defendants and offenders are held accountable for their own behavior while under supervision. Failure to comply with the conditions of supervision, which can result in removal from supervision, accounts for the rate of failure due to technical violations.

<sup>7</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.

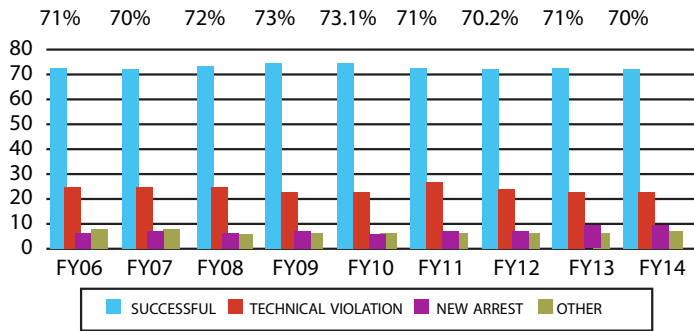
<sup>8</sup>This is the actual number of offenders placed under supervision and not the total court placement events which was 36,350 in FY2014, 38,433 in FY2013, 37,788 in FY2012 and 36,920 in FY2011.

<sup>9</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 higher workloads.

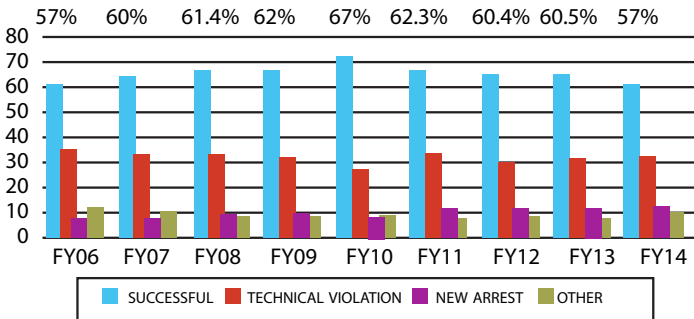
<sup>10</sup>Technical violations may include failure to attend mandated programs, failure to report as instructed or failing alcohol testing or other intractable behaviors not considered a violation of law.

<sup>11</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.

**MISDEMEANOR PROBATION CLOSURES**  
(FY2014=29,977)



**FELONY PROBATION CLOSURES**  
(FY2014=1,286)



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 FY14 indicate that offenders were placed, ordered, assigned or sent for one or more of the following interventions or services:

- community service work
- drug testing (does not include multiple tests)
- screening for substance abuse problems
- substance abuse education
- assessment or evaluation for substance abuse problems
- anger management counseling
- substance abuse counseling
- domestic violence counseling
- shoplifting prevention sessions
- assessment for domestic violence issues
- testing for alcohol use
- screening or evaluation for mental health issues
- participation on Victim Impact Panels or conflict resolution
- mental health counseling
- screening, assessment or evaluation for alcohol
- parenting or fatherhood classes
- financial responsibility sessions
- alcohol treatment
- AA and / or NA meetings
- cognitive skill building
- employment counseling or training
- sex education classes
- sex offender treatment
- long term inpatient treatment
- life skills courses
- marriage or family counseling
- general counseling
- driver improvement courses
- obtain their GED or attend school
- john's program
- short term detoxification
- relapse prevention
- electronic monitoring
- firearm safety class
- prostitution program
- home detention
- other service or program not specified



All agencies placed offenders at public or non-profit work sites to complete community service. For FY14, offenders performed 458,845 hours of community service work in Virginia. At the minimum wage of \$7.25 per hour, this translates into just over \$3.3 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 verifying payments of fines, costs, and restitution owed by the offenders under their supervision. In FY14, agencies verified the collection of just over \$1.7 million in restitution payments and \$1.2 million in fines and costs. In total, local probation agencies accounted for over \$6.2 million in services and payments to communities.<sup>12</sup>

### *Evidence-Based Practices Implementation*

During FY14, DCJS formed a Joint Implementation Team with the Virginia Community Criminal Justice Association (VCCJA) to lead the continued implementation of evidence-based probation services in Virginia's 37 local probation agencies. With a primary focus on the seventeen agencies not included in the initial pilot phases, the team set implementation targets for key program components, to include completing organizational assessments, establishing required training plans, coordinating training, and supporting use of a validated risk and needs assessment and a risk-informed case supervision plan.

By the end of FY14, the team had successfully coordinated implementation plans for the seventeen local probation agency management staff. Nearly three-fourths of the agencies had completed the initial required trainings and organizational assessments. The team continued to plan for the technical assistance needed to support use of the Modified Offender Screening Tool (MOST) and the Offender Screening Tool (OST), the approved local probation risk and needs assessment tools, with the target of the seventeen agencies having the tools in place by the end of calendar year 2014.

The twenty agencies already using the MOST and OST conducted case supervision planning during FY14. They also participated in a planning session that identified four target areas to focus on through September 2016, and formed several planning teams to continue expansion of evidence-based probation supervision practices. Staff worked to enhance the quality of risk assessments and risk-informed case supervision planning. They also offered to support their peers in the other seventeen probation agencies with mentoring and guidance activities.

### *Evaluation of Implementation and Probation Outcomes*

In FY12, VCCJA applied for and was awarded a grant through the Byrne Justice Assistance Grant (Byrne) 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.

Continuing work with the National Center for State Courts and the VCCJA Quality Assurance Committee, a Byrne Continuation Grant in FY14 supported a large scale evaluation of the thirty-seven local probation agencies' progress toward implementing the Risk/Need/Responsivity (RNR) model for supervision and specific evidence-based probation practices. Organizational assessments were conducted and results analyzed by the NCSC to provide a comprehensive evaluation of the local probation agencies' progress in the areas of organizational development, application of evidence-based principles and practices, and collaboration with their local stakeholders. The assessments included a probationer survey to determine how probationers view the probation services received and the approach of probation officers; a staff survey that examined components of organizational functioning such as leadership, innovation, training, and use of evidence-based practices; and a stakeholder survey that examined available services in local communities, the working relationships between probation and court officials and community treatment providers.

Overall, the results indicate that local probation services in Virginia are moving in the right direction to provide effective probation services that reduce the risk of reoffending. Additional assessment in the next year will include a comparison of the organizational assessments to probation outcomes and recidivism rates. A baseline recidivism study conducted during the previous fiscal year was also utilized to conduct a follow-up comparison of recidivism rates, and will lead to a ten-year study of rates for each year from FY04 through FY11. This multi-year analysis is expected to be completed and available during FY15.

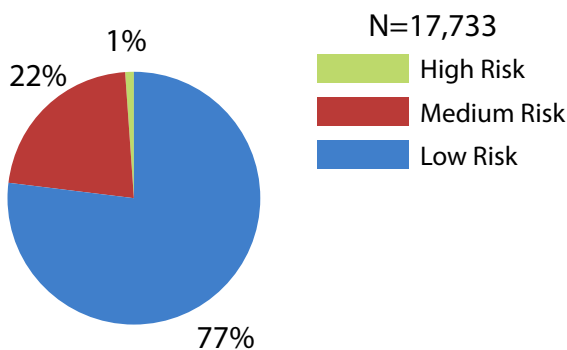
<sup>12</sup>Actual figures: \$3,326,627 of community service work, \$1,674,755 in restitution, \$1,213,468 in fines and costs, totaling \$6,214,850.

### Risk among the Local Probation Population

The Modified Offender Screening Tool (MOST) and the Offender Screening Tool (OST) provide probation staff with reliable 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.

During FY14, local probation agencies increased the percentage of probationers assessed for risk of reoffending, resulting in an enhanced risk and need profile for the local probation population. Among the twenty agencies, the risk assessment completion rate increased from 70% in FY13 to 78% in FY14. Also, the risk profile of cases placed under supervision by the courts changed slightly. Low risk cases decreased from 79% to 77% of the total, with a corresponding increase in the percentage of medium risk probationers, from 20% in FY13 to 22% in FY14<sup>13</sup>.

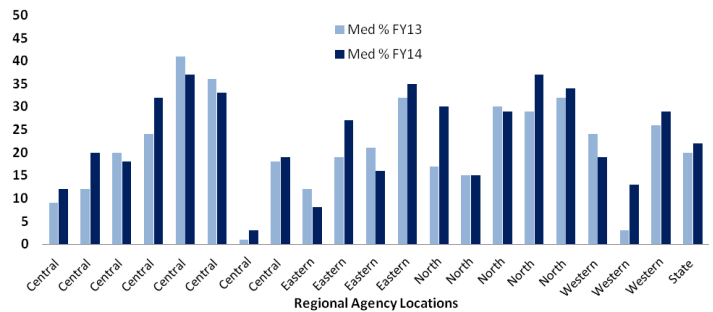
#### STATEWIDE RISK PROFILE FOR ALL CASES ACTIVE IN FY2014



### Changes to the Risk Profile in the Local Agencies

While there were only slight differences in the average statewide risk profiles from FY13 to FY14, individual agencies experienced some significant changes in risk profiles for their caseloads. Changes in risk levels impact the work required of probation officers. Medium and high risk offenders are seen more often than low risk probationers and require more intensive assessment. Probation Officers work with higher risk cases to develop individualized case supervision plans that target the criminogenic risk areas for the offender and set up intervention services to reduce the risk to reoffend once probation is completed.

#### OFFENDERS ASSESSED AS MEDIUM RISK (FY13 TO FY14)



### Risk Screening (MOST)

The MOST is the initial screening tool used by local probation agencies to identify those probationers considered to be at a low risk for reoffending and those requiring further assessment to determine risk and needs. Any probationer scoring 0-2 on the MOST is designated as low risk for reoffending, unless there are aggravating factors present that indicate more intensive probation intervention is appropriate. Probation agencies develop supervision strategies that limit low risk probationers' involvement in the criminal justice system to the extent necessary to ensure public safety and completion of court ordered requirements. The percentage of all probationers scoring as low risk remained relatively the same in FY14, with 64% assessed as low risk on the MOST. 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 for the Past 4 Years (Statewide Totals from 20 sites)

RISK LEVEL	FY2011	FY2012	FY2013	FY2014
Low (0-2)	60%	57%	65%	64%
Further Assessment (3-8)	40%	43%	35%	36%
Total	100%	100%	100%	100%

<sup>13</sup>OST Validation Study: The risk distribution for the statewide averages reflects those scoring 0-2 on the MOST and 0-6 on the OST as low risk, those scoring 7-20 on the OST as medium risk, and those scoring 21-44 on the OST, as indicated from the assessment score ranges in the validation report.

## Risk and Needs Assessment (OST)

The OST, the full risk and needs assessment, is a reliable predictor both of risk and needs in the Virginia local probation population. From the group of probationers scoring 3-8 on the MOST, 75% were subsequently assessed with the full risk and needs assessment. From that subgroup, on average 22% were low risk, 75% were medium risk, and 3% were high risk.

In addition to the overall risk level for the local probation population, the OST assesses a probationer's needs that correlate 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.

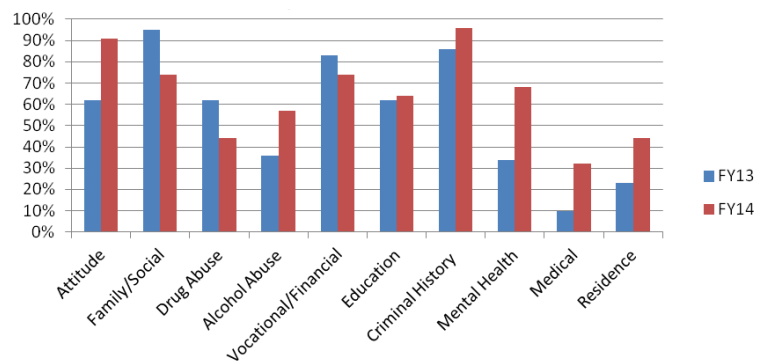
### RISK FACTORS MEASURED IN OST DOMAINS

OST Domain <sup>14</sup>	Risk Factor(s) Measured
Attitude	Antisocial Thinking Antisocial Personality/Temperament
Family & Social Relationships <sup>15</sup>	Pro-criminal Peer Associations Dysfunctional Family and Marital Relationships Lack of Prosocial Leisure and Recreational Activities
Alcohol Use	Substance Abuse
Drug Use	Substance Abuse
Education	Lack of Education/Financial/ Vocational Achievement
Vocational/Financial	Lack of Education/Financial/ Vocational
Physical & Medical	Stabilization Factor
Mental Health	Responsivity Factor
Residence	Stabilization Factor

The table below reflects the percentage of medium and high risk probationers with some level of risk in each of the OST Domains from FY13 to FY14. 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.

As probation officers work to help probationers reduce the likelihood of reoffending, key factors are targeted throughout the supervision period. While these rates have varied by fiscal year as they are unique to each individual, the FY14 probation population showed an increase in several of the risk factors measured.

### PERCENTAGE OF MEDIUM AND HIGH RISK PROBATIONERS WITH RISK/NEED IN OST DOMAINS



### Implication of Risk Factors Present and Needs Reported

The OST scores for medium and high risk offenders can provide local agencies critical information about the treatment needs among the probation population and thus the need for services and community resources. 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 local population.

<sup>14</sup>Domains and Risk Factors Measured are reported in order of predictive strength for reoffending

<sup>15</sup>Attitude and Family & Social Relationships represent the strongest predictors of future risk for reoffending

# LEGISLATIVE ACTIVITY

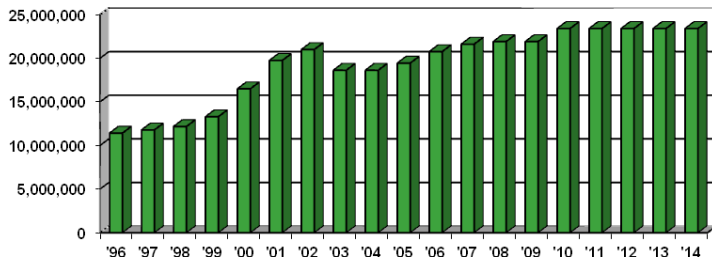
## Legislation

There were no significant statutory changes in FY2014 affecting local community-based probation and pretrial services agencies.

## Funding

The General Assembly appropriated \$23.4 million for FY14 operations under the CCCA and PSA.

### COMPREHENSIVE COMMUNITY CORRECTIONS AND PRETRIAL SERVICES ACT APPROPRIATIONS HISTORY<sup>16</sup>



Courts and government agencies rely on local probation and pretrial staff to provide services essential to the cost effective functioning of the local justice system and safety of the public. As state funding has remained flat in recent years, most localities provide some funding and/or in-kind support, and over 75% of the probation agencies collect fees from probationers to help fund their services. However, 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 effectiveness of agency operations.

<sup>16</sup>The increase in appropriations for FY 2001-2002 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. Beginning FY2013, an additional \$825,000 was awarded for jail expansion in Wise County (\$600,000) and Orange County (\$225,000).

## EDUCATION & TRAINING

DCJS continues to provide professional development and training opportunities for staff employed in the Virginia pretrial and local probation agencies. During FY14, DCJS coordinated training sessions for newly hired local probation and pretrial officers, risk assessment training for the seventeen implementing agencies, and case plan refresher courses for the other twenty agencies to support effective practices in pretrial and local probation services.

### *Basic Skills*

Implementation of the revised Basic Skills Training for Local Probation and Pretrial Officers, developed through a cooperative project between the DCJS Training Advisory Group and Virginia Commonwealth University (VCU), began during FY14. Rather than a single classroom event, this new program has several distinct phases, and features a blended format of both computer-based learning and traditional classroom training. Officers are assigned specific courses to complete through on-line learning divided into E-Learning Part 1 and E-Learning Part 2. In addition, there are two phases of classroom training: Classroom Part 1 - Essential Skills and Classroom Part 2 - Specialized Skills.

Forty-nine local probation and pretrial staff participated in online learning through the Relias Learning Management System during FY14, completing a total of 788 courses. These courses provided participants with foundational knowledge of the criminal justice system, legal and liability issues, minimum standards, supervision issues and strategies for working with special populations and other topics relevant to their work as local probation or pretrial services officers. Classroom Part 1 - Essential Skills was conducted in June 2014, with twenty-five participants from thirteen local agencies. The first two days consisted of combined sessions for pretrial and probation officers covering the following topics: Case Management in Pretrial and Probation, Effective Communication and Establishing Working Alliances, Effective Communication and Interviewing Skills, and Working Effectively with the Justice-Involved Individual. The final day consisted of risk assessment training with break-out sessions providing instruction and practical exercises in the Virginia Pretrial Risk Assessment Instrument (VPRAI) for pretrial officers and the MOST and OST for probation officers.

Throughout the implementation period, DCJS has sought feedback through focus groups, online surveys, and other group forums in order to assess the effectiveness of the revised training. These responses will inform decision making by DCJS and the DCJS Training Advisory Group concerning curriculum modification and future enhancements.

### *Other Training Initiatives*

One day topic-focused training sessions were scheduled in support of the statewide goals established by the DCJS/VCCJA Joint Implementation Team. The team identified risk assessment training as a priority for the seventeen local probation agencies implementing evidence-based community supervision practices. Two events for each of the four regions were scheduled during FY14 and FY15.

To support ongoing implementation efforts in the initial twenty agencies, the case planning curriculum and training design were revised through a joint effort of DCJS, VCCJA and the Carey Group. The revisions provide a more comprehensive approach as well as practical exercises for applying effective supervision strategies focused on each individual probationer. Case planning targets interventions and services to those at higher risk for reoffending, and targets those factors that are known to affect that risk. DCJS worked in partnership with VCCJA to deliver one day case planning refresher course training for the twenty agencies. The first of three training events for those agencies without an onsite trainer was conducted in June 2014, and the remaining sessions will be completed in FY15.

# COMMUNITY-BASED PROBATION AND PRETRIAL SERVICES ADMINISTRATIVE & FISCAL AGENTS AND LOCALITIES SERVED

