

Probation and Parolee Monitoring Made Easy
Alternative methods for corrections and city cops to monitor probationers
and parolees

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The Command College Futures Professional Article is a study of a particular emerging issue of relevance to law enforcement. Its purpose is not to predict the future; rather, to project a variety of possible scenarios useful for strategic planning in anticipation of the emerging landscape facing policing organizations.

This article was created using the futures forecasting process of Command College and its outcomes. Defining the future differs from analyzing the past, because it has not yet happened. In this article, methodologies have been used to discern useful alternatives to enhance the success of planners and leaders in their response to a range of possible future environments.

Managing the future means influencing it—creating, constraining and adapting to emerging trends and events in a way that optimizes the opportunities and minimizes the threats of relevance to the profession.

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You attend line up after your weekend. You learn there were several residential burglaries within a small area in your beat. You review the reports and find all of the residences were entered in the same manner and all items taken were very similar. The “Realignment” of convicted felons after Assembly Bill 109 has put a large number of new probationers on the street; some are living in your beat area. You check your list of probationers and learn there is a new subject living just blocks away from the area of the burglary series who has a similar criminal background. In fact, his last incarceration was for residential and auto burglary. Early in your shift, you use your computer to learn the subject’s whereabouts and make contact. During your conversation, he admits to the burglaries in question. Case closed!

Scenarios like this may seem too easy and farfetched, but imagine if you had the resources and technology to know exactly where your assigned probationers were at all times, who they’re with, and even if they were consuming an illegal drug. Also imagine you have the ability to provide the skills, counseling and other resources to keep these same subjects from reoffending and have the opportunity to be productive members of the community. Now imagine being able to do this at the tip of your fingers from your desk or car computer or a “one-stop shop” location. In counties across America, such locations exist, and they could be a viable solution to the way we will manage the realignment of prisoners and parolees throughout California.

In early 2011, the U.S. Supreme Court upheld a decision by a vote of 5-4 declaring the overcrowding of California prisons unconstitutional. The massive build up in California prisons in recent decades is the result of punitive policies such as “three strikes and you’re out” and the administration of ineffective parole revocation policies. (Biskupic 2011) This resulted in a State prison system that was, on average, operating 180% of design capacity or 34,000 more than the

established limit. To alleviate the overcrowding, in April of 2011 Governor Jerry Brown signed Realignment Bill AB109 into law, which authorized the transfer of 40,000 state inmates in California's 33 prisons to local jails and county probation offices. Adherence to the mandate has and will cause an influx of probationers into county systems and cities large and small throughout the state. California corrections will have to reduce the number of those incarcerated to a maximum of 137.5 percent design capacity by May 3013 in accordance to the Supreme Court order. With California Department of Corrections (CDCR) not having jurisdiction over the Post Release Community Supervised (PRCS) subjects, counties and probation are now forced to look to new ways to supervise, monitor and track the initial 40,000 new prisoners and parolees, and then the ongoing numbers of probationers. In reality, they will do so with the same, if not less, staffing. This though, is not the first time such a phenomena has occurred.

In the early 1970's, Great Britain faced a similar problem, from which they developed and introduced the concept of Daily Reporting Centers (DRC). The plan was developed to alleviate their prison overcrowding issues by making the DRC's an alternative to incarcerating older petty criminals. The Criminal Justice Act of 1982 formalized the existence of day treatment centers, and by the mid 1980s there were more than 80 centers in England and Wales. (Mair, 1990) Based on the swell of the British model, the concept spread to the USA.

In 1986, the first DRC opened in the United States in Hampden County, Massachusetts as an early release program for selected county jail inmates. Since 1986 several more counties throughout the country have also adopted the DRC framework and as a result have experienced lower recidivism rates, higher numbers of subjects gaining jobs and lower numbers returning to the use of illegal drugs. Cook County, Illinois opened a DRC in 1993 and has graduated more than 11,000 persons from the program. According to the Cook County website, the concept and

goal of the program is to acclimate the subjects to a strictly supervised environment where they are expected to adhere to a schedule and engage in productive activities to learn discipline and life skills. Today there are DRC's in operation in a number of States, including Utah, Oregon, Massachusetts, Illinois, Georgia and others. Georgia alone has 13 current DRC's in operation throughout the state.

Establishing a DRC is no small task, since even to open one takes a great deal of planning and funding. It's not simply going into a community, opening the doors and saying, "we're open!" Planning and development teams comprised of a Judge, County Sheriff, Chief Probation Officer, District Attorney, Chief of Police, Public Defender, Director of Social Services and community leaders would be required in any county that might wish to pursue the concept. These committees are essential to each DRC's success, as they oversee funding and adherence to every city's in that county. For instance, each community within a county may have specific mandates concerning where halfway homes or centers such as DRC's can be opened in proximity to schools, child care centers and parks. Community stakeholders will demand safety to remain a top priority.

In 1995, Guilford and Davidson counties in North Carolina conducted a comparison study of the implementation of their respective DRC's. Guilford implemented their DRC approximately 5 months after Davidson County, which was due to community resistance to the first site selected. Resistance to the first site also pushed back the start dates by one month. (Brunet, 2002) Proper planning and communication with community stakeholders would have revealed potential opposition to the center's location and eliminated the delay. Committee planning will also identify funding needs well before program implementation.

Funding is a major issue for continued community safety and DRC operations. Governor Brown's signing of AB109 allocated \$409 million from the California state budget to assist the counties as they adhere to the law. This \$409 million allocation has to be divided amongst all 58 counties according to population size. Larger counties such as Los Angeles County will receive \$112 million with San Bernardino and San Diego counties receiving the second highest at \$25 million. Some counties with similar populations, such as Alameda and Riverside, are to receive disproportionate amounts of \$9 million and \$21 million respectively. This is mainly due to Riverside receiving a larger number of Post Released Community Supervised (PRCS) subjects to their county system than Alameda based on the manner in which the State returns PRCS to their county of commitment.

Daily Reporting Centers can be a viable and cost effective solution to California's challenge to provide the proper supervision to the many PRCS subjects. In Alameda County alone, 680 PRCS subjects have entered its system with very few probation officers added forcing the existing officers to handle larger caseloads. Properly staffed DRC's strategically placed at easily accessible locations can help to alleviate some of the burden each probation officer holds. On average most counties in the US operating DRC's have only one established center. By providing essential programs to assist PRCS subject can help alleviate some of the burden probation officers now feel. Counties developing DRC's can design programs as they see fit to fit the needs of their clients. The District of Columbia for example offers programs in the following areas:

- Self Awareness
- Life Skills
- Family Dynamics

- Substance Abuse
- Domestic Violence
- Victimization
- Volunteerism
- Entrepreneurship
- Certificate in Home Repair
- Financial Management
- Introductory to Computer Skills

Each DRC site will require staff to oversee the progress of each probationer, monitoring and supervision. Cook County Illinois require a minimum of 3 caseworkers, a site director, a pre-trial release coordinator, a probation officer, a surveillance officer and counselors to administer each program area to function at a maximum level.

Today, California budgets \$9.19 billion to state prison to fight the war on drugs (Smith, 2011). With many state prisoners now being remanded to the county system, much of this funding could be released to county and local agencies to assist in program development. The 2012 average cost in California to house a prisoner in a county jail is \$84 dollars per day, or \$30,660 a year. If Alameda County alone were to release its 680 PRCS subjects to probation, it would save more than \$20 million in housing each year, which would more than pay the funds needed to staff DRC's and perform the full range of duties noted above. If only half of the subjects were released to probation, Alameda County could realize a savings of more than \$10 million in housing costs, enabling it to reallocate funds to other programs and services to sustain public safety in ways beyond the warehousing of prisoners in its facilities.

Research has shown DRC's in other states have allowed agencies large and small to experience a drop in crime and recidivism. Cook County Illinois and Clackamas County, Oregon who have established DRC's have demonstrated DRC's if properly funded and staffed can have a positive effect on the community as many of the probationers were able to stay clean and out of prison. Reporting Centers should not be looked at as a panacea to California's probation problem as it takes full participation on the part of the probationer. Salt Lake City, Utah who has an established DRC program reported clients spent an average of 69.7 days in their 321 day program with 12% of probationers never reporting. (Van Valet, Hickert, Becker 2006)

Beyond the creation of a DRC, it is important to note the DRC does not have to be an arm of county or state government. Privatization of DRC's is viable options for executive committees to consider. Private companies such as BI Incorporated have established themselves as a strong alternative to county officials having to take on the burden of establishing DRC's. (BI Incorporated 2009) Privatizing eliminates startup capital cost allowing agencies to generate immediate impact to the community. Tracking and monitoring of probationers through electronic monitoring is also provided through private companies. For instance, BI Incorporated utilizes 3 GPS systems to monitor and track subjects. Clackamas County, Oregon contracts with BI Incorporated for this service. They also require offenders to pay up to 100% of electronic monitoring cost, which is a tremendous savings to County coffers. According to BI Incorporated's case study on the Clackamas County day reporting center, it typically monitors 55 clients and 650 annually reducing pressure on the 434-bed county jail. (BI Incorporated 2009)

The use of DRC's operated by the County or private companies will and can make monitoring, supervising and tracking probationers much easier. Operationally, these one-stop locations will allow probationers to meet with a counselor, caseworker and probation officer on a

daily basis. Daily contact between probationers with their caseworkers, counselors and probation officers will create more accountability on the part of the probationer and will help to establish open communication. There, though, anchors of operation for DRC's that should be strongly considered if your jurisdiction elects to create one:

- It is imperative for caseworkers to first introduce the probationer to an 8-day orientation upon entry, after which the counselor will evaluate the probationer to learn of their personal needs and place them on a designated program.
- Each program should be designed to fit the each subject's needs and to move to the point where they are drug and alcohol free, gainfully employed or employable, attending school or specialized training.
- To allow better control and accountability all probationers released to county probation under PRCS should be required to attend the DRC's not as an alternative, but as a mandate. Many of these subjects were in state prison and are only being released to county jail or probation to alleviate prison overcrowding. Although they were remanded to the county level because their crimes were considered non-serious, non-sexual or non-violent, they require a high level of supervision and monitoring to be successful in staying out of prison.
- Another benefit is officers will also learn much quicker if a probationer violates the terms of the probation by consuming drugs or alcohol, as they will be tested on a daily basis.

Local officers can take advantage of the DRC by taking more opportunities to meet with subjects living within in their beat areas. The DRC's provide other benefits to the Probation Department, such as it allows each probation officer to meet with larger numbers of probationers on each given day while receiving frequent reports of their progress. Knowledge of each

probationer living within their reporting areas will allow beat officers to conduct better informed investigations, quicker identifications and make quicker arrest. Effective monitoring is a factor in the success of DRC's and the probationer successfully being released at the end of their term. Today, most PRCS and regular probationers being electronically monitored are done by way of ankle monitors. There is no mandate for PRCS subjects to be electronically monitored upon their release from jail. Monitoring is only initiated at the request of the assigned probation officer if the subject is deemed to be a flight risk or their last conviction was borderline serious. The decision to not monitor all PRCS subjects as a mandate is due mostly to cost and the amount of man-hours it would take to monitor each subject. There are emerging technologies that could be employed, but the most promising might also create the greatest opposition.

Bio-chipping, the process of surgically implanting a RFID locator under the skin of a subject has been frowned upon as a way to track and monitor the movements and behavior of humans. Some with strong religious views have strongly looked at bio-chipping as the mark of the beast and have opposed its use. (Watkins, 1999) Although intrusive, it can be a tremendous aid to law enforcement to provide community safety. If it were a mandate for each PRCS subject upon their release from jail to be injected with a bio-chip, it would allow probation officers and the police to monitor subjects on a real time basis. The bio-chip, along with web base tracking, would allow officers to check on the probationer by simply turning on their computers, tablets or smart phones. The chip could immediately inform the officer if the subject consumed illegal drugs, was outside of their restricted area or if they were in the company of another parolee or probationer. Having access to the information would allow local officers to monitor probationers living in their communities and to better assist probation. The efficiency of patrol can only increase, since the officer will have quicker access to criminal activity and whereabouts

of subjects after reported crimes. This would be especially helpful to smaller agencies that have fewer resources.

The use of better tracking technology, along with the creation of DRC's, can prove to be enormous assets to California counties and local police agencies. Probation and local officers of tomorrow will have greater ability to work as a team to monitor and control the actions of supervised subjects while affording them the ability to become productive citizens. There are six factors that must be considered for DRC's to be considered successful; perceived importance of program, congruence between stakeholder and program goals, integration of program into local court system, is the appropriate population targeted, is the staff working towards its established goals, and the resources and strength of stakeholder support for the program. Once these processes are codified, and the DRC is in operation, better control and supervision can only be a win as parolees and their communities learn to merge their presence into a safer place for all.

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