



CHIEF PROBATION OFFICERS
OF CALIFORNIA

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CALIFORNIA PROBATION'S APPROACH TO SAFETY THROUGH ACCOUNTABILITY AND OPPORTUNITY:

An Overview by the Chief Probation Officers of California

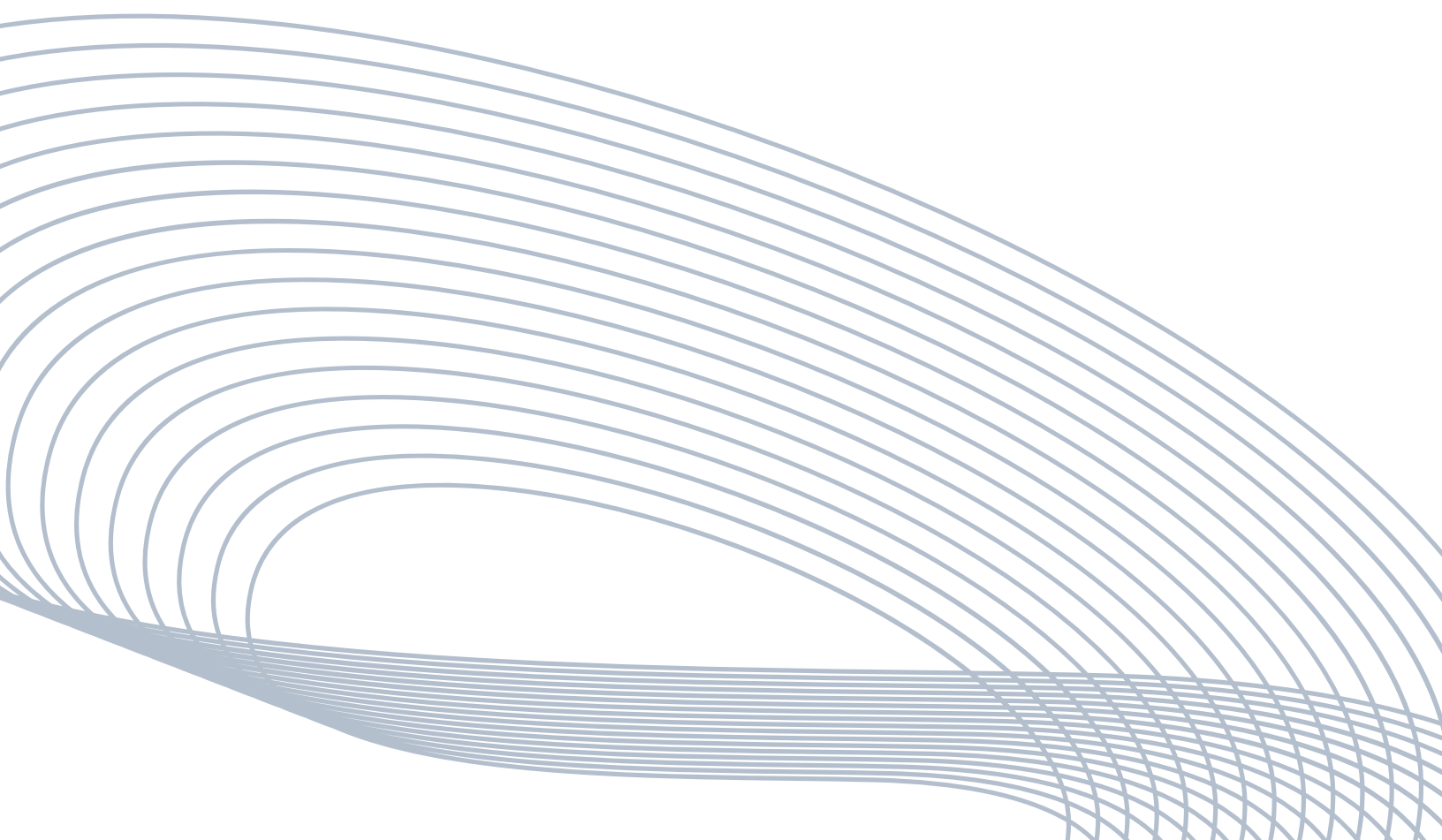




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THE ROLE OF PROBATION

Probation protects the community, supports the court, assists victims, and helps rehabilitate individuals. Probation serves the critical role of being a connector in the justice system – both as a connector of system partners as well as a connector of services and supervision to address the needs of the probationer.

Probation Departments have a unique role in California because the probation infrastructure creates the critical connections among California courts, the communities we serve and both state and local services. Probation Departments are part of local county government yet they serve the state court system directly, creating opportunities for advancing the hallmarks of probation - innovation, local responsiveness, and targeted community engagement. Probation officers, who are California peace officers pursuant to Penal Code Section 830.5, are primarily responsible for the enforcement of court orders.

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THIS IS CALIFORNIA PROBATION

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Who are Probation Officers?

51% of probation officers are **FEMALE**

Race/Ethnicity	Percentage
Latino	41.3%
White	26.8%
Black or African American	21.7%
Asian/API	6.8%
American Indian and Native Alaskan	.6%
Two or more races	3%

*Totals do not equal 100% remaining identified as Other.
**Data reported from all 58 counties as of January 2021.

- ✓ Majority with 4-year college degrees
- ✓ Many probation departments employ former system-involved individuals
- ✓ 350 hours of training in first two years; at least 40 hours annually thereafter.

Additional training includes:

- trauma-informed care
- cognitive behavioral therapy
- therapeutic and strength-based care
- emotional intelligence

Probation is trained to safely connect system-involved individuals to the supports they need

PROBATION

Community

Local Government

Courts

Law Enforcement

Schools

Social Services

Health and Wellness Services

Supervision

Education/ Employment

Family Support

Evidence-Based Programs and Rehabilitation

Mentoring/ Pro-Social Activities

Why Probation Works

Probation is the alternative to incarceration

Probation is made up of trained experts prepared to successfully manage trauma and other needs of the adults and youth we serve

Probation connects service and need in order to enhance safety and restoration

Probation delivers sustainable collaborative community safety

Probation provides a multifaceted, integrated safety model through accountability and opportunity to address the behavior of individuals through supervision, and linkages to programs and services. These services often include workforce development, substance use treatment, mental health services, family engagement, and education, among others. Probation's multi-dimensional approach to community safety includes:



Holding clients accountable through community supervision.



Preventing crime by changing criminal thinking.



Objectively assessing the law and facts for individuals coming before the Court.



Restoring victims and preventing future victimization.



Rehabilitating our clients with evidence-based strategies that change their behavior.

ADULT PROBATION SERVICES

Probation is a term of community supervision that a defendant can agree to serve in lieu of incarceration, if eligible. Conditions of supervision are set forth by the sentencing court. Probation utilizes an integrated services model in supervising individuals for compliance with court orders and providing rehabilitative services to individuals to address identified criminogenic needs. There are several jurisdictional types of supervision. With the exception of some specific misdemeanor cases such as domestic violence or DUI, most active probation supervision is related to felony offenses.

PRETRIAL

Probation departments are working in collaboration with courts to implement SB 129 (2021) through local pretrial programs to operationalize the *In re Humphrey* decision. Activities are focused on supporting individuals in the court process, including assistance with court reminders and requirements as well as providing referrals to programs and services. This monitoring takes place prior to adjudication.

FELONY PROBATION

As an adult criminal justice sanction, probation is an alternative to incarceration that holds people convicted of crimes accountable, coupled with intentional work aimed at successfully moving people out of the system by overseeing their rehabilitation using evidence-based strategies. Evidence-based practices are supported by scientific research to reduce recidivism.

MANDATORY SUPERVISION

As part of 2011 Public Safety Realignment, probation is responsible for providing community supervision services to individuals convicted of felonies under Penal Code 1170(h)(5) and ordered by the court to serve a portion of their local time, following a period of custody in county jail, under the supervision of the probation department. Referred to as split sentences, an order of mandatory supervision allows for targeted interventions upon release from custody to create linkages to programs and services to reduce re-offense.

POST-RELEASE COMMUNITY SUPERVISION

With 2011 Public Safety Realignment, probation is responsible for individuals released from state prison onto Post-Release Community Supervision (PRCS). These individuals, prior to 2011, would have been supervised by state parole. This is a post incarceration supervision, different from in lieu of incarceration. These populations often need high levels of service and intervention to address acute needs and risk factors.

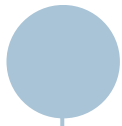
REENTRY

Reentry services are a critical component provided by probation departments to support an individual's release from custody for all of the populations described above. Housing, employment, and behavioral health/substance use resources are particularly critical to help an individual meet their rehabilitative goals which has a direct impact on community safety. Linkages between the detention entity (jails or prison) and the rehabilitation programming offered during incarceration must be coordinated to provide seamless re-entry that supports not only community safety but also successful and sustainable transition to life outside of the criminal justice system. Identifying, treating, and providing stabilization for justice-involved adults with mental health and substance use related issues is critical to helping individuals address factors that contribute to their rehabilitation.



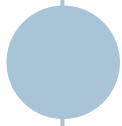
JUVENILE PROBATION SERVICES

County probation departments are involved in all parts of the juvenile continuum and have responsibility in serving youth and families from diversion, to working with youth in the community, to secure settings, and foster care. We work closely as a connector with other community, county, and state entities to coordinate and integrate youth and family supports. Access to strong behavioral health, education, skills development, and child welfare programs yield the benefit of reducing referrals to the juvenile and criminal justice systems.



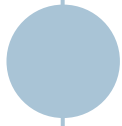
PREVENTION/DIVERSION

Probation develops, administers, and supports prevention and diversion programs when appropriate to address a youth’s behavior. Probation departments provide a network of referrals as well as direct services to assist youth and their families. Further, of the 71,000 referrals to probation in 2018, over 67 percent were diverted.



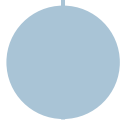
SUPERVISING AND SERVING YOUTH IN THE COMMUNITY

Probation departments are engaging and supporting youth with 90 percent of youth served by probation while in the community. Courts and probation continue to focus on the least restrictive settings within the juvenile justice continuum to meet safety and rehabilitation needs. Additionally, probation practices reflect individualized and trauma-informed approaches to serving youth.



WORKING WITH YOUTH IN SECURE SETTINGS

Probation departments provide for the safety, security, and services for youth in which a judge has determined that a period of detention in a secure setting is necessary. Probation departments oversee and administer county juvenile halls, camps, and ranches as well as Secure Youth Treatment Facilities (SYTFs) established as part of SB 823 DJJ Realignment. Probation is responsible for the treatment and service needs of youth, providing them with skills and resources, while balancing safety considerations for both the youth and the community. Since 2007, juvenile detention usage is down 60 percent and reserved for youth who have committed very serious offenses but are not transferred to adult court as determined by a court.



FOSTER YOUTH

Through our work with foster youth, probation departments have been actively engaged in the implementation of the Continuum of Care Reform as well as the Family First Prevention Services Act. Whenever possible, probation seeks to maintain youth at risk of removal, in their family home when safe and appropriate, utilizing wraparound services and referrals to other programs as needed to avoid removal from the family home.

COURT SERVICES

REPORTS TO COURTS

Probation serves as a neutral party to the courts to provide the judge with the most current information pertaining to a juvenile petition or the filing of an adult criminal charge.

Probation prepares pre-sentence investigation reports ordered by the judge to assist the sentencing court in criminal justice proceedings. Probation departments also work closely with the courts to provide targeted interventions and develop case plans for youth.

COLLABORATIVE COURTS

Probation departments work with courts on collaborative court programs to address specific needs of justice-involved individuals. Examples of collaborative courts include drug courts, veterans' courts, gender responsive courts, and homeless courts among others.

PRETRIAL PROGRAM ADMINISTRATION

Probation departments are also working throughout the state to support Courts in implementing pretrial programs following the passage of SB 129 and following the *In re Humphrey* decision to maximize the safe release of defendants and return to court for accused individuals.

SB 678

Probation departments work closely with the judiciary in carrying out the goals set forth in SB 678 (2009) to increase the use of evidence-based practices and enhance public safety while reducing returns to prison. SB 678 has enabled probation and courts to integrate these practices throughout the criminal justice system and focus on approaches informed by research and data.

MAJOR STATE REFORMS IMPLEMENTED BY PROBATION

SB 678

The Community Corrections Performance Incentives Act of 2009 – Senate Bill 678 – transformed California’s probation system by providing resources for probation departments to reduce caseloads and invest in evidence-based supervision and treatment interventions. The legislation aligned county and state incentives toward the shared goals of maintaining public safety, reducing the size of the incarcerated population, and reducing correctional costs. Since inception, SB 678 is estimated to have saved over \$1 billion and resulted in reductions in revocation to prison by more than 23 percent in the first year.

2011 REALIGNMENT (AB 109)

In 2011, in response to a significant US Supreme Court decision which could have led to arbitrary early release of tens of thousands of prison inmates among other factors, California enacted historic changes to the criminal justice system pursuant to CPOC-supported AB 109. As part of 2011 Realignment, county probation departments assumed responsibility for two new populations – Post Release Community Supervision (PRCS) and Mandatory Supervision. Individuals on PRCS are eligible for local supervision if their most recent conviction was a non-violent, non-serious, and non-sex offense. It is important to note that while the PRCS population may not have a recent serious or violent offense, many are still assessed as high-risk to reoffend, could have a sex offense in their criminal history, and often have high needs and risk.

Additionally, there are individuals who, pursuant to AB 109, now serve their sentences in county jails, rather than state prison, and many will serve a portion of their local time under the supervision of the probation department on Mandatory Supervision.

PROPOSITION 57 (2016)

CPOC supported this policy specifically to improve implementing evidence-based rehabilitation programs in prisons and to incentivize people to participate in programs as well as to give the juvenile court judge the authority to determine when a juvenile case could be transferred to adult court. CPOC has remained consistent in the assertion that the focus should be on promoting an environment that fosters a demonstrated *readiness* for release, not simply the question of *when* a person is released from custody. It is paramount that implementation of Proposition 57 be done to fidelity. While CPOC supported the program framework, it is imperative that Proposition 57 be implemented in a way that ensures that state prison programs are evidence-based and that program *completion*, not just *participation* is required.

AB 1950: ADULT PROBATION TERMS

AB 1950 (2020) reduced the length of all felony probation terms to two years, and misdemeanor terms to one year, except for limited offenses specified in statute. Research shows working with individuals using evidence-based supervision, services and supports within the first two years of their probation term is the best way to change their behavior and reduce recidivism. To meet this desired outcome, it’s imperative that the reduction to the length of terms be aligned with a comprehensive approach that enhances robust and sustainable programs and treatment during this time to address core criminogenic needs.

PRETRIAL

Probation departments are working throughout the State to support the courts in their constitutional duties and implementation of SB 129 (2021) as well as the *In re Humphrey* decision. Probation serves the court as a neutral party, accountable to the courts and the public, to provide judicial officers with information prior to arraignment or earlier. This assistance allows the court to maximize the safe release of defendants and provides a level of accountability for the accused to return to court. Probation's role as both a county department and as an arm of the court enables accountable, transparent, and efficient connection to the services a specific client needs to enhance safety.

SB 81: JUVENILE JUSTICE REALIGNMENT OF 2007

Juvenile Justice Realignment in 2007 shifted the responsibility to counties for the care, treatment, and custody of all but the highest-need juveniles. Probation departments worked hard to divert youth from detention settings through a myriad of services and programs tailored for youth and/or their families and by partnering with community-based agencies. The result of successfully maximizing the diversion of youth from detention facilities means that the youth who are sent to facilities present with high and often complex needs and present a high risk to public safety and/or to themselves.

FOSTER YOUTH CONTINUUM OF CARE

CPOC has been implementing the Continuum of Care Reform (CCR) pursuant to AB 403 (2015), which emphasizes the importance of utilizing home-based family care when youth are placed into foster care and reserves placement into Short-Term Residential Therapeutic Programs (STRTPs) in lieu of group homes. Further, it requires the creation of child and family teams in an effort to build lasting natural supports for the youth and family that will exist beyond the youth's involvement with the juvenile justice system.

DIVISION OF JUVENILE JUSTICE (DJJ) REALIGNMENT

SB 823 (2020) realigned the entirety of the juvenile justice system to counties. SB 92 (2021) established the Secure Youth Treatment Facilities (SYTF) track for youth and a DJJ closure date of June 30, 2023. Youth transferring back to counties upon DJJ's closure, as well as current youth who have been ordered by the court to an SYTF, present with the most complex needs and high-risk factors. Many require sex behavior treatment programs and serious behavioral health needs. The relative older age of the population presents specific needs both for programming while in a secure setting, but also in relation to their transitional reentry needs for housing, education, and employment.



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