

2000-2001 GRAND JURY REPORT

Riverside County Adult Probation Department

Background

Probation is a vital part of the Riverside County Criminal Justice System. It is the duty and responsibility of Riverside County Probation Officers to implement programs of investigation and supervision for adult probationers and provide pre-sentencing services for felony and misdemeanor arrestees. The probation department takes a leadership role in developing innovative adult correctional and rehabilitative services, such as the Riverside Adult Felon Drug Court Program, the Desert Treatment Day Program, and Domestic Violence Unit. The success of these programs helps prevent recidivism and thereby contributes to enhanced safety for the Citizens of Riverside County.

There are approximately 49 Adult Probation Officers doing full time probation supervision. Some probation supervision is also done by the division directors. There are three levels of probation supervision:

Level I: Intensive Supervision Probation (ISP), weekly face-to-face office and/or field contact.

Level II: Regular, monthly face-to-face contact.

Level III: Monitored, but not actively supervised. Proof of compliance is required of some probationers in this level based upon their crime and the terms of their probation.

Adult probation consists of three divisions and handles approximately 10,000 cases. They are able to actively supervise about 3,000 probationers. The remaining approximately 7,000 probationers receive a minimum or no supervision. Probation maintains constant vigilance endeavoring to make sure that probationers who pose the greatest threat to our community are actively supervised.

The Riverside County Probation Department lost \$4,000,000 of federal funding in fiscal year 1995-1996, which resulted in cutbacks in adult probation. The \$4,000,000 was restored to Riverside County over the ensuing years, but was budgeted for the Sheriff's Department rather than the Probation Department. In addition to these cutbacks, adequate probation monitoring is also affected by the drain of its more seasoned officers leaving to become Parole Officers with the State of California at a salary increase of \$500 to \$600 per month.

Efforts to reduce the crime rate, in recent years, have resulted in increased funding for the Sheriff's Department, various Police Departments, and the District Attorney's Office. When funding is increased for arresting and prosecuting entities of public safety, without a concurrent increase for probation, a "bottleneck" is created at the probation department level.

The shortage of probation officers, combined with increasing numbers of those arrested and adjudicated for probation means that intensive supervision cannot be assigned to every case that warrants it. As new probationers come into the system, the Probation Department continually reviews and makes reassignment of caseloads, between the levels of supervision, to try to make sure the public is protected from those posing the greatest threat. Too often, Level III is used as an "escape valve" to handle case overloads.

A nationwide study tells us that eighty percent of all probationers have had serious substance abuse problems, but fewer than forty percent participate in any type of drug treatment during their sentences. Although courts in Riverside County often make drug treatment a condition of probation, funding for treatment is limited and treatment facilities and/or programs are not available in all areas. The impact of the passage of Proposition 36 is expected to place additional strains on already overburdened treatment facilities and programs. Many more drug users are expected to be placed on probation instead of being incarcerated.

Findings

1. The highest pay, including benefits, for a mid-level probation officer in Riverside County is \$51,882.00. Pay for nearby counties of Orange, San Bernardino, and Los Angeles (all within commuting distance) averages \$59,181.00. Riverside County is 14% lower. Competition with the surrounding counties pay and benefit packages makes it more difficult for the Probation Department to recruit new probation officers.
2. Senior probation clerical personnel are transferring to the court system and other agencies whose salaries are approximately \$600.00 more per month.
3. The Probation Department's Investigative Unit prepares presentencing reports, using their best judgment about public safety, and information regarding the offender's background, for the court's use in sentencing. Their case load is not a factor in preparing the presentencing report so they have no control over the total number of cases they are required to handle.
4. The court determines the length of probation. The minimum sentence is 3

years and the maximum is 5 years. Requests for changes in the length of probation after sentencing requires that a new petition be filed with the court. This is rarely, if ever, done since the District Attorney normally opposes reductions to the length of the sentence.

5. Probation assigns a level of supervision to each case based upon public safety, the probationer's background, and the department's resources. As the caseloads increase, many offenders are assigned or downgraded to lower levels of supervision than the best interests and safety of our community requires. Consequently, many cases that are "banked" (not seen or rarely seen at all) in Level III often include those convicted of the following: battery with serious bodily injury, assault with a deadly weapon, child molestation, manufacturing drugs, selling and/or possessing deadly weapons, sexual battery, inflicting corporal injury on spouse, unlawful sex with a minor, lewd and lascivious act with a child, and rape by force and fear.
6. The department, with its current shortage of probation officers, constantly strives, but never quite achieves the ideal ratio of one probation officer for 50 offenders under Level I supervision, or one probation officer for 100 offenders under Level II supervision. In budgeting for Fiscal Year 2000-2001, management requested ten additional probation officers to meet the increased number of probationers. This request was denied.
7. The vast majority of adults on probation have been abusers of alcohol and drugs. The Adult Felon Drug Court system in Riverside that incorporates drug/alcohol treatment has a success rate of 72%. These drug courts are currently at maximum capacity.

Recommendations

Riverside County Board of Supervisors and Probation Department:

1. Increase the budget to authorize hiring a minimum of 10 additional probation officers so more probationers, who may be a threat to public safety, can be kept in the actively supervised categories. As drug courts and treatment programs expand, more probation officers are needed to staff and facilitate those programs.
2. Increase salary and benefit levels of probation officers to be competitive with nearby counties in Southern California.

3. Initiate action for Probation Department and Human Resources Department to analyze and reclassify probation department clerical personnel to be on a parity with clerical personnel in the court system.
4. Increase funding for additional Adult Felon Drug Court Treatment Facilities in the county for adult probationers.