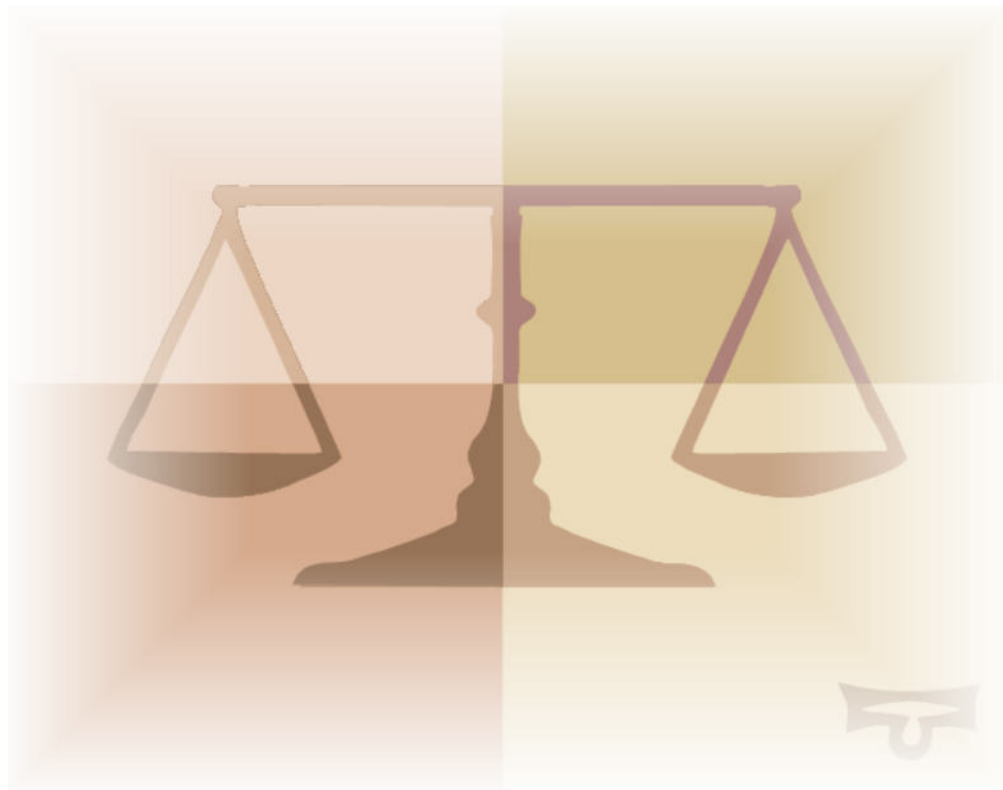


**Palm Beach County Criminal Justice
Commission
Annual Monitoring Report
Of**



**Pride Misdemeanor
Probation Services**

October 1, 2002 – September 30, 2003

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Data for this report was collected by and collated into report form by Michael Rodriguez, Sr. Criminal Justice Analyst and presented to the Probation Advisory Board on June 3, 2004.

PURPOSE

To monitor the County professional services contract with Pride Integrated Services, Inc., for the provision of misdemeanor probation services to Palm Beach County.



William Bollinger
Chair

History

In 1993, the Board of County Commissioners, through a Request for Proposal (RFP) process, selected Pride Integrated Services, Inc. as the sole misdemeanor probation service provider.

The County Professional Services contract required the creation of a Probation Advisory Board to monitor and ensure compliance with the terms of the probation contract with Pride and to report to the BCC.

An annual program audit is conducted on all four Pride offices to ensure terms of the contract are being adhered to in the delivery of misdemeanor probation services.

TYPICAL PROFILE MISDEMEANOR OFFENDER ON PROBATION

Male
Caucasian
Age 18 – 25
Single
Less than 12th grade education
No prior convictions
Employed
Drugs/Alcohol involved

MEMBERS

Ted Booras
State Attorney's Office

Steven A. Cohen
Private Defense Attorney

Virginia Cataldo
U.S. Probation

Justine Patterson
Florida Dept. of Corrections

John Rivera
Assistant Public Defender

Linda Rondone
Clerk of Court's Office

2003 ACTIVITIES

- ✦ Conducted a random programmatic audit on 384 terminated probation cases
- ✦ Transferred PAB staffing responsibility from Gerald Wardrop, Criminal Justice Manager to Michael Rodriguez, Sr. Criminal Justice Analyst in the CJC

- ◆ Internal Audit by the Internal Auditor of Palm Beach County, Mr. Michael O'Brien, was completed and accepted by PAB and CJC, with "no corrective action necessary"

**PROBATION ADVISORY BOARD
PRIDE MISDEMEANOR PROBATION SERVICES
2003 AUDIT REPORT**

In accordance with F.S. 948.15, the Board of County Commissioners (BCC) with approval of the Chief Judge is required to oversee the delivery of misdemeanor probation services for the 15th Judicial Circuit County Court. On December 7, 1993, the Palm Beach County Board of County Commissioners through a "Request for Proposal" (RFP) process and by resolution selected Pride Integrated Services, Inc., (Pride) as the provider of misdemeanor probation services to County Court. A requirement in the Professional Services contract between the BCC and Pride was the creation of a Probation Advisory Board (PAB) to monitor and report annually to the BCC via the Criminal Justice Commission of their findings. The PAB is required to perform an annual random audit on selected Pride terminated probationer case files as a way of assessing the timeliness, quality and accuracy in the delivery of probation services. The present reporting period for the most recent audit is October 1, 2002, through September 30, 2003. A total of 4793 probation clients were terminated during this period. That represents an 11% decrease in probation terminations over the previous year. A random sampling of approximately 8% of those 4793 client files were audited totaling approximately 384 from all four Pride offices that include West Palm Beach, Delray Beach, Belle Glade and Lake Park. A summary of the office breakdown is as follows:

1) West Palm Beach Office

A total of 2975 clients were terminated at this office during the above period. A random selection resulted in 265 cases being audited.

2) Delray Beach Office

A total of 909 clients were terminated at this office during the above period. A random selection resulted in 58 cases being audited.

3) Lake Park Office

A total of 628 cases were terminated at this office during the above period. A random selection resulted in 41 cases being audited.

4) Belle Glade Office

A total of 281 cases were terminated at this office during the above period. A random selection resulted in 20 cases being audited.

The audit data was collected through the Probation Audit Form adopted by the PAB. The audit criteria were extrapolated from the Contract for Professional Services existing between Pride and Palm Beach County. On December 6, 2002, Pride entered into a three-year contract with the

County that remains in effect until December 5, 2005. The following is a synopsis of the audit findings, recommendations, and statistical data derived from the audit.

SUMMARY

Contract Requirements	Compliance Status
1) Intake Process <ul style="list-style-type: none"> • Orientation & conditions of probation • Personal history information • Offense information & prior criminal history • Assessment of family and economic problems, alcohol or drug related problems and medical and psychiatric problems 	Yes Yes Yes Yes
2) Enforce monthly reporting by probationer	Yes
3) Maintain monthly written record of probationer activities <ul style="list-style-type: none"> • Maintain probable cause affidavits • Maintain victim contact & information • Conduct local criminal history checks (AKA Palms) • Document violation of probation filings 	Yes Yes Yes Yes Yes
4) Enforcement of court ordered conditions including: <ul style="list-style-type: none"> • Fines, court costs, restitution & supervision costs • Community service & prescribed treatment 	Yes Yes Yes
5) Verification of residence	Substantial
6) Verification of employment	Substantial
7) Determination of financial hardship	Yes
8) Referral to vocational, job training, literacy assistance & other social services as needed	Substantial
9) Maintain appropriate office hours	Yes
10) Maintain probation officer standards	Yes
11) Prepare & submit quarterly & annual reports	Yes
12) Maintain probation officer case-load parity	Yes
13) Annual monitoring payment to the County	Yes
14) Maintain certificate of insurance	Yes
15) Assessment, collection, disbursement, & transfer of Monies	Yes
16) Provide operational & financial records when requested	Yes

FINDINGS:

- The Professional Services Contract with the County requires Pride to maintain a Probation Officer in every County Criminal Court division. This ensures immediate contact after sentencing between a Pride Probation Officer and the offender. Probation conditions are detailed in a Probationer's Handbook and those conditions are explained to the offender during this initial contact and verified by the offender's signature. The probationer is then given a reporting date for their initial Pride office visit, usually within seven days.
- In addition to the Cost of Supervision (COS) waived by the court at the time of sentencing, it is important to note that an additional 10% of the COS are waived by the judiciary post-sentencing and by Pride itself.
- During the initial office visit, a general history form is completed on every probationer. The Probation Officer once again provides an explanation of the probation requirements including fines, court costs, restitution, treatment and supervision costs.
- Pride enforced all court ordered treatment and probation conditions. Non-compliance with probation conditions or re-offending resulted in a violation of probation (VOP) being filed with the court. It was noted the court exercised numerous options in handling probation violations including reinstatement of probation or revocation of probation and a sentence to include jail time.
- Pride enforced and verified all community service and restitution conditions. As a matter of Pride program policy, treatment and community service obligations require a letter of completion from the treatment provider or the recipient of the community service. According to the data collected, approximately 68% of probationers completed their community service hours.
- Pride was very timely in their quarterly and annual reporting as required by the county professional services contract. Copies of probationer and financial reports are mailed concurrently to the Chief Judge of the 15th Judicial Circuit, the Chair of the Probation Advisory Board and CJC staff assigned to the PAB.
- Pride is currently in compliance with the requirement to maintain a certificate of insurance of general liability and automobile policies with Palm Beach County included as additional insured. The present coverage extends until 8/7/04.
- In the original 1993 Pride-County Professional Services contract, Pride agreed to reimburse the County the sum of five thousand dollars per year (\$5,000), payable in two semi-annual installments, to offset the cost to the County of monitoring the contract. This continues in effect.
- Probation violations continue to be a source of collaborative research between Pride and the PAB. Research has indicated that re-arrests and failure to report as ordered for treatment/probation are the primary causes of violations being filed. The PAB and Pride needs to continue research on the VOP issue in order to identify any remedies that can be implemented to reduce the total number of probation violations being filed. Increased legislatively mandated

court costs and conditions contribute to the difficulty in successfully completing all conditions of probation.

RECOMMENDATIONS

● Section I, item 22 of the Scope of Work of the Professional Services contract requires Pride to “encourage and assist unemployed probationers in-order to improve their employability through education and training”. According to the data collected during this audit period, 21.4% of the probationer’s reported they were unemployed and another 5% failed to respond. The PAB and Pride recognize the need to provide social service assistance to probationers in addition to ensuring they are meeting court ordered probation conditions.

A self-reporting instrument is provided to probationers at their first meeting with a Probation Officer and depending on the need requested; the client is given a referral to the appropriate service. Currently, probationers citing a need for counseling, job assistance, substance abuse treatment, basic living essentials, etc., are provided the name and phone number where to obtain the desired service. It is then up to the probationer to follow through.

An important component that is not currently available is a dedicated staff person to liaison with outside agencies and follow through on referrals for probationers who indicated a need for services on the needs assessment. To their credit, Pride has submitted numerous grant applications to several agencies to fund the position. It is also noted that Pride Probation Officers do have substantial contact with various treatment agencies, community service organizations, victim impact panels and cognitive/behavioral programs that have been ordered by the Court as a condition of probation. This case management has improved with the individualized supervision of assigned probation officers and teams. It is also noteworthy that 81% of the audited cases had treatment ordered and therefore would have required contact with the agency on the part of the Probation Officer

Also see the PRIDE PROGRESS section for additional information.

● Verification of residency through rent/mortgage receipts or utility bills is a requirement of the County contract. Data collected for this report indicated that Pride has achieved a 77.7% verification rate. This represents a significant increase over last year’s 56.5% verification of residency rate. Problems continue due to the contractual necessity of the proof required. If the offender does not have a lease or mortgage in his/her name or the utilities in their name they are unable to meet the level of proof needed. This year with the decrease in age of the average probation the problem is increased. Emphasis should continue in accomplishing this requirement and the PAB should investigate other possibilities for proof during the next contract period.

● Employment verification is also a requirement of the County contract and has improved substantially since it was brought to the attention of Pride. Pay stub receipts are required for verification. Data collected for this report indicated Pride has been able to verify employment in 81% of the cases. This represents a significant increase over last year’s 72.8% verification of job

rate. Emphasis should continue in accomplishing this requirement and the PAB should consider alternatives for the next contract period.

PROBATIONER PROFILE: N = 384 (7.8% of total terminated probation cases)

Demographic	Probationers		Percentages
Gender	Male	302	78.6%
	Female	82	21.4
Race	White	295	76.8%
	Black	76	19.8
	Hispanic	8	2.1
	Other	5	1.3
Age	18 – 25	119	31.0%
	26 – 35	96	25.0
	36 – 45	103	26.8
	46 – 55	40	10.4
	56 >	26	6.8
	No Response	0	
Marital	No Response	39	10.2%
	Married	74	19.3
	Single	187	48.7
	Divorced	72	18.8
	Widowed	6	1.6
	Other	6	1.6
Employed	Employed	255	66.4%
	Unemployed	82	21.4
	Other (ret/disabled)	27	7.0
	No response	20	5.0
Employment verified	Yes	207	81.1%
	No	48	18.9
Residence verified	Yes	226	56.5%
	No	174	43.5
Education	<12 th grade	121	31.5%
	12 th grade	114	29.7
	12>	108	28.1
	Technical school	12	3.1
	No response	29	7.6
Palms check	Yes	384	100%
	No		
Early termination Successful termination Unsuccessful termination		52	13.5%
		186	48.4
		144	37.0
Prior convictions	None	215	56.0%
	1	61	15.9

	2 or more	108	28.1
Drugs/Alcohol involved	Yes	226	58.9
	No	158	41.1
Present charge	DUI	173	45.0%
	Violence	81	21.0
	Traffic	18	4.6
	Drugs	24	6.2
	Misc	88	22.9
Community service Ordered	Yes	256/384	66.7%
Community service completed	Yes	175/256	68.3%
Treatment ordered	Yes	314/384	81.8%
Treatment completed	Yes	238/314	69.4%
Treatment type	DUI/ Driving school	188	59.8%
	Substance abuse tx	29	9.2
	Domestic violence & anger mgt	61	19.4
	Miscellaneous inc jail tour/morgue tour/aids awareness	36	11.4
Supervision type	Minimum	335	87.2%
	Administrative	26	6.7
	Maximum	13	3.3
	PTI	10	2.6
Restitution ordered	Yes	37	9.6%
	No	347	90.4
COS Waived by Court at time of sentencing	Yes	9	2.3%
	No	375	97.7

PROBATIONER DEMOGRAPHICS MEAN

N = 384

Gender	Male	78.6%
Race	White	76.8%
Age	18 - 25	31.0%
Marital	Single	48.7%
Employment	255 out of 384	66.4%
Education	Less than 12 th grade	31.5%
Prior convictions	No prior convictions	56.0%

Drugs/Alcohol	Involved in present charges	58.9%

PRIDE PROGRESS

Advisory Board

Pride established the Probation Services Community Advisory Board (PSCAB) in 2002. The mission of the PSCAB is to provide a forum to discuss and assess misdemeanor probation services, the needs of those individuals on probation as well as various services offered in the community that may address these needs. This effort will result in greater utilization of current resources as well as identify areas where more assistance and services are needed. Effective communication has been established with various aspects of the criminal justice system, including the Judiciary, State Attorney and Public Defender’s Office, The Sheriff’s Office, Clerk’s Office and several community organizations. Currently there are seventeen active members of the PSCAB, which meets on a quarterly basis.

Financial Officer Position

This position was developed to assist the clients with meeting their financial obligations. For many Pride clients, meeting the financial conditions of probation is overwhelming to them without a plan of action. The Financial Officer is not function in the capacity of a Probation Officer, but functions as trained support staff who will meet with clients to assist with the review of financial conditions, the development of payment plans and/or the completion of a financial affidavit to be considered for reductions, if necessary. The Probation Officer remains primarily accountable for the supervision of all conditions, but the Financial Officer will provide additional assistance to clients with meeting their financial conditions only. The intent of the position is to also allow additional time for the Probation Officer to follow up with other conditions and issues that may be posing problems for the client. Currently this position is only being used in the West Palm Beach Office with Domestic Battery clients. This clientele has the largest non-compliance rate.

Digital Client Photographs

Pride has begun taking photos of clients and having the images stored in their client database. This will assist Probation Officers with accurate client identification. Pride is currently working to have this photograph placed on the Sheriff Information Sheet in the event a warrant affidavit is processed.

Formalized referral process to PEG

In response to a recommendation by the PAB on the prior audit report, Pride in conjunction with the PEG Program has established a formal referral procedure which allows for feedback to Pride on whether or not clients follow through with the referral to PEG. Pride has been meeting with PEG staff on a frequent basis to ensure ongoing communication and sits on the PEG Advisory Board. This process began during this audit year, but statistical accountability has only been

accurate with regard to Pride since December 2003. Since that time, 57 clients have been referred to PEG. 2 clients have successfully completed PEG. 8 clients failed to appear for either their orientation or their initial appointment. 29 clients were referred to PEG, but PEG was unable to make contact with those clients. 17 clients have been contacted by PEG and are currently receiving services or have an initial appointment set up. 1 case was closed for an unknown reason.

Collection of restitution

Pride Probation Officers establish contact with crime victims when the Court has identified them. One of the duties of the Probation Officer is to support and protect victims by notifying them of any contact restrictions that the court may have imposed as well as giving them contact telephone numbers to call if they feel that order has been violated. In addition, Pride collects any restitution that may have been ordered by the Court and forwards that amount directly to the victim. Pride is now collecting restitution from the client, and depositing the funds into a separate Pride Restitution Account. A Pride check is then written to the victim within a two-week timeframe, in accordance with the contractual requirement. This process allows for greater accountability of these funds and assists with resolving any discrepancies that may occur. If Pride is unable to locate the victim, the funds are then forwarded to the Crimes Compensation Trust Fund in Tallahassee.

CONCLUSION

This audit finds that Pride is in compliance with the provisions of the probation services contract with Palm Beach County. Actual investigation of Pride files reveal the difficulties encountered by probation officers in their ability to accomplish more with their clientele beyond enforcement of court ordered conditions. Pride estimates that an average monthly visit lasts approximately 15 minutes. Initial appointments are usually longer in length as are some subsequent monthly visits if needed. The largely mandatory costs, classes, employment and residence verification leave little time for actively engaging probationers in additional program referral and follow up for social service needs. In addition to the time constraints the fact that these additional social service needs are not conditions of probation adds another layer of difficulty in enforcing additional social service referrals. The Probation Advisory Board supports Pride's delivery of service to its clients.