

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 19, 2009

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER *J*

SUBJECT: SUBMISSION OF A GRANT APPLICATION FROM THE OFFICE OF THE SHERIFF TO THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR FUNDING TO CONTINUE LOCAL PROBATION AND PRETRIAL SERVICES

ISSUE: Submission of a grant application from the Office of the Sheriff to the Department of Criminal Justice Services for funding to continue local probation and pretrial services.

RECOMMENDATION: That City Council authorize the City Manager to:

- (1) Approve the grant application to the Virginia Department of Criminal Justice Services (DCJS) for continuation funding for the current biennial grant cycle (FY 2010), in the amount of \$459,209 under the Comprehensive Community Corrections Act-Pretrial Services Act (CCCA-PSA);
- (2) Approve the continuation of six full-time positions to deliver the services to be provided under these grant programs. These grant funded positions would terminate upon the expiration of the grant, and the individuals who fill these positions have been notified of this condition of employment;
- (3) Because of severe City budget constraints affirm that no additional City funds would be available to continue this program in future years should grant funding not be available; and
- (4) Execute all documents that may be required.

BACKGROUND: The continuation grant will provide funds for the ninth year of activity for Alexandria Criminal Justice Services (ACJS), which combines the former Alexandria Community Corrections Program (local probation) and pretrial services. Public safety is the primary goal of the grant initiative. The secondary goals reflect three broad purposes:

- (1) Effective sentencing;
- (2) Effective use of public resources allocated for pretrial and correctional purposes; and
- (3) Involvement of local communities in developing and implementing correctional programs for select offenders.

The Alexandria Criminal Justice Services (ACJS) fulfills a statutory mandate by the Comprehensive Community Corrections Act to enhance public and community safety by providing supervision services through a variety of intermediate sanctions and punishments. The ACJS also fulfills a statutory mandate by the Pretrial Services Act to provide defendant background information and recommendations that will assist judicial officers in determining or reconsidering bail decisions and conditions, and to provide supervised release while a defendant awaits trial. Local probation services began in 1995; local pretrial services began in May 2001.

The CCCA-PSA also calls for the establishment of the Alexandria Community Criminal Justice Board. The ACCJB was established by City ordinance on September 16, 1995, to oversee the community corrections and pretrial services available to the judiciary and the criminal justice system for the local offender population. Alexandria's participation in the Peumansend Creek Regional Jail requires that it participate in the CCCA-PSA.

DISCUSSION: Community Corrections - Local Probation: These funds (\$223,847) will continue the constantly increasing local probation work of ACJS. Offenders may be placed on, or sentenced to, local probation supervision, which usually includes specific court-ordered conditions. Probation services enable offenders to be functional members of the community by providing education, training, and treatment while making offenders accountable to the community for their criminal behavior. For many, it provides a successful intervention from a criminogenic lifestyle.

Local Probation Officers supervise criminal offenders in the community, offering structured assistance and counseling while, at the same time, supervising the offenders' behavior and compliance with court-ordered conditions. The clients, most of whom have received suspended jail sentences, are typically court-ordered into local probation for six to twelve months. Participants must report to probation officers for monthly supervision meetings while adhering to court-ordered conditions such as substance abuse education/treatment, community service, anger management, batterers/domestic violence classes, shoplifting class, and mental health counseling. Alexandria's local probation officers expect to supervise at least 525 individuals in FY 2010.

Pretrial Services: This grant will continue to fund pretrial services (\$235,362 for FY 2010) for its eighth year. The purpose of this unit is to assist judicial officers in the difficult task of deciding whether to release an accused person on bail (setting appropriate bail conditions) or to commit the individual to jail. Pretrial staff provides reports to the Court at the defendant's pretrial Court appearance and at subsequent bail hearings. The pretrial screening, interview and background investigation provide the criminal history and community stability of a defendant, including indications of flight risk if released pending trial. The grant funds also provide for language interpretation assistance for non-English speaking defendants.

Pretrial services also provide supervision for some defendants admitted to bail. Pre-trial services staff estimates that it will provide 600 pre-trial reports and supervise 350 defendants admitted to bail in FY 2010.

FISCAL IMPACT: If this grant is approved as submitted, the City will receive from the State \$223,847 to continue local probation services and \$235,362 for pretrial services, making a total of \$459,209 for the period covering July 1, 2009 through June 30, 2010. These amounts were budgeted

as special revenue in the Proposed FY 2010 budget. Although there is no requirement for the City to provide a cash match for these funds, additional funds needed to sustain the program, primarily for full coverage of salary and benefits and rent. The FY 2010 Proposed budget contains \$152,033. The City is responsible for the normal administrative costs associated with the grant. These costs include financial and reporting oversight provided by the administering agency, as well as by the Office of Management and Budget and by the Finance Department.

This grant is awarded on an ongoing basis, and it is unlikely the grant award will increase in future years to cover the cost of normal salary and benefit increases. In that case the total costs of this initiative will be reduced to fit entirely within the current budgeted amount. It is intended, because of severe City budget constraints, that no additional City funds will supplement this program in future years if the State funding does not support all costs of this initiative. The grant-funded positions would terminate upon the expiration of the grant, and the individuals who fill these positions have been notified of this condition of employment.

STAFF:

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