

*City of Alexandria, Virginia*12  
5-8-01

## MEMORANDUM

DATE: APRIL 24, 2001

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*

SUBJECT: SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO CONTINUE THE COMMUNITY CORRECTIONS AND PRETRIAL SERVICES PROGRAMS UNDER THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT AND PRETRIAL SERVICES ACT (CCCA-PSA)

---

**ISSUE:** City Council consideration of a grant application to the Department of Criminal Justice Services (DCJS) in the amount of \$463,545, to continue the community corrections and pretrial services programs to serve the City of Alexandria under the Comprehensive Community Corrections and Pretrial Services Act (CCCA-PSA). Funding is for the period July 1, 2001 through June 30, 2002.

**RECOMMENDATION:** That City Council authorize the City Manager to:

- (1) Submit a grant application to the Virginia Department of Criminal Justice Services (DCJS) for funding, in the amount of \$463,545, under the Comprehensive Community Corrections Act-Pretrial Services Act (CCCA-PSA). Due to the short turn around time provided by DCJS, the grant application was forwarded to DCJS in accordance with the April 13 deadline, contingent upon City Council's approval at its May 8, 2001 legislative session;
- (2) Approve the continuation of six full-time positions and one part-time position 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 filling these positions will be notified of this condition of employment and sign an agreement of understanding with regard to this condition; and
- (3) Execute all documents that may be required.

**BACKGROUND:** The continuation grant will provide funds for the second year of activity for Alexandria Criminal Justice Services (ACJS), which combines the former Alexandria Community Corrections Program (local probation) and the new pretrial services program, and also includes funds for the ACJS office located in the City's leased Tavern Square space.

ACJS fulfills a statutory mandate by the Comprehensive Community Corrections Act to provide local probation, a form of alternative sentencing, for local offenders for whom the court may impose a jail sentence, but who may benefit from a local community-based probation program. The pretrial services program of ACJS fulfills a statutory mandate by the Pretrial Services Act to provide services to judicial officers related to bail procedures and to provide supervision and services to defendants released on bail to the pretrial program. Local probation began in 1995; pretrial is currently beginning to provide service.

In addition, the grant includes funding for the Commonwealth's Substance Abuse Reduction Effort (SABRE) initiative. Its funding and statutory authority became effective July 1, 2000, and include \$2.5 million to increase the availability of new substance abuse treatment and treatment capacity in CCCA-PSA programs.

Finally, the CCCA-PSA calls for the Alexandria Community Criminal Justice Board, which was established by City ordinance on September 16, 1995, and amended November 18, 2000, 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

The grant seeks to continue the local probation work of ACJS, and to accomplish five primary goals:

- (1) To provide supervision through a variety of punitive intermediate sanctions and punishments;
- (2) To make offenders accountable to the community for their criminal behavior;
- (3) To provide offenders with education, training, and treatment to enable them to become functional members of the community;
- (4) To improve the efficiency and effectiveness of the local criminal justice system; and
- (5) To create partnerships with community organizations beyond the criminal justice system for the purpose of education, collaboration, and inclusion in the decision-making and planning process.

As of March 31, 2001, there had been 269 new placements from court during FY2001 (since July 1, 2000), which is 4.5% more new placements than at this same time last year. The increase is significant when contrasted with declining arrest rates and General District Court dockets in the same time period. Effective July 1, 2000, former program case managers statutorily received officer of the court status, the title of Local Probation Officer, and the authority to seek a *capias* to re-arrest non-compliant probationers. 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 performing court-ordered conditions such as substance abuse education/treatment, community service, anger management, batterers/domestic violence classes, shoplifting program, and mental health counseling. The probation officers are

responsible for supervising and documenting clients' progress, handling violations, and certifying the clients' successful completion of court-ordered conditions to the court. ACJS provides shoplifting classes and batterers intervention program in its offices for court-ordered clients with facilitators hired on a contractual basis.

### Pretrial Services

Pretrial services were not available to Alexandria's court prior to the grant. They include providing information to judges of General District and Juvenile and Domestic Relations Courts at the first appearance (arraignment) for defendants who have been denied bail by the magistrate or who have been admitted to bail, but not released due to an inability to meet the requirements of a secure bond. Staff examine the defendant's criminal history, financial status, family ties, length of residence in the community, and history relating to drug/alcohol abuse and mental health treatment. This information is used to assess the potential risk of defendants to the public safety and to fail to appear for trial. In addition, supervision and services are provided for those defendants found appropriate by the courts and released to the custody of the pretrial program.

The grant seeks to continue the pretrial services program, and to accomplish five primary DCJS-mandated goals:

- (1) Expedite the release of defendants admitted to jail awaiting trial who are determined suitable by the courts.
- (2) Provide defendant background information and recommendations for use by judicial officers in determining or reconsidering the risk to public safety pending trial.
- (3) Increase the utilization of non-secure bond with supervision in lieu of a secure bond, in appropriate cases.
- (4) Reduce failures to appear in court and improve public safety by providing custody and supervision for pretrial defendants.
- (5) Improve court, Commonwealth's Attorney and Public Defender pretrial defendant case management.

Since February, 2001, the two full-time pretrial probation officers have been recruited and the positions filled. In order to stay within the grant budget, the hours of the part-time employee have been reduced from 25 to 10 hours per week. It is expected that this remedy is sufficient for FY 2002. Full implementation of pretrial services for General District Court is targeted for May 1. Planning for implementation with Juvenile & Domestic Relations Court is ongoing. The grant application estimates that in FY 2002 the pretrial program will investigate between 2000 and 2600 defendants awaiting trial, and establish an average daily caseload of 61 defendants on pretrial supervision.

## **SABRE Initiative**

The grant seeks to continue services funded by the SABRE initiative, which commenced with the award by DCJS of funds at the beginning of the grant year for the purpose of increasing substance abuse treatment and treatment capacity in CCA-PSA programs. The three primary goals are:

- (1) Provide screening and assessment using the Simple Screening Instrument (SSI) and Addiction Severity Index (ASI) as required by new substance abuse screening and assessment legislation;
- (2) Provide substance abuse treatment services to offenders/defendants based on the results of the SSI/ASI; and
- (3) Provide enhanced supervision/case management through increased drug and alcohol testing and provision of treatment services to substance abusing defendants/offenders.

ACJS has responded to the SABRE initiative by contracting with the Alexandria Community Services Board to provide an on-site counselor to conduct assessments and provide counseling one day weekly, and to provide a counselor to conduct a once-weekly motivation group for substance abusers in ACJS's office. Other SABRE funds are assisting with clients' costs for the Alcohol Safety Action Program classes and with funding a licensed case manager to work with substance abusing clients. The SABRE funds have provided a qualitative addition to ACJS's resources.

The grant application has received the endorsement of the Alexandria Community Criminal Justice Board.

**FISCAL IMPACT:** If approved as submitted, the City would receive from the State \$181,078 to continue community corrections programming, \$243,019 for pretrial services, and \$39,448 for SABRE, making a total of \$463,545 for operations for the period July 1, 2001 through June 30, 2002. Although there is no requirement for the City to provide a cash match for these funds, the City is responsible for the normal administrative costs associated with this 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. The Department of Criminal Justice Services will provide the program funding.

It should be noted that there are no monies available in the City budget to continue the program once the grant funds are expended. 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.

**ATTACHMENTS:** None. The grant application may be reviewed in the Office of Management and Budget, Room 3600, City Hall, during normal business hours.

**STAFF:** James H. Dunning, Sheriff  
Lillian Brooks, Court Services Unit  
Mondre' Kornegay, Office of Sheriff  
Shennell Coit, Office of Sheriff  
Carol Swinburn, Office of Sheriff  
Morgan Routt, OMB