


*City of Alexandria, Virginia***MEMORANDUM**

DATE: APRIL 29, 2008

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: CONSIDERATION OF GRANT APPLICATION TO THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES TO CONTINUE COMMUNITY CORRECTIONS (LOCAL PROBATION) AND PRETRIAL SERVICES UNDER THE COMPREHENSIVE COMMUNITY CORRECTIONS ACT AND PRETRIAL SERVICES ACT FOR FY 2009/2010.

ISSUE: Consideration of a grant application to continue Community Corrections (Local Probation) and Pretrial Services under the Comprehensive Community Corrections Act and Pretrial Service Act.

RECOMMENDATION: That City Council authorize the City Manager to:

- (1) Approve the grant submittal of FY 2009 funding of \$459,209 from the Virginia Department of Criminal Justice Services (DCJS) for continuation funding for the current biennial grant cycle (FY 2009), 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; and
- (3) 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 began in 1995; pretrial began in May 2001.

The CCCA-PSA also calls for the establishment of the Alexandria Community Criminal Justice Board, which was established by City Council 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 Arlington Jail and the Peumansend Creek Regional Jail requires that it participate in the CCCA-PSA.

Sheriff's Office staff did not submit this docket item for Council consideration prior to the grant due date of April 11 due to an administrative oversight. However, the Sheriff's Office did submit the grant to Richmond by April 11. The Sheriff's Office is instituting new procedures to track grant applications that are being prepared by staff for submittal to grant agencies. This will ensure that in the future such applications are presented to Council prior to submission.

DISCUSSION:

Community Corrections (Local Probation)

These funds 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.

Local Probation Officers exercise their statutory authority as sworn officers of the court to seek a capias to re-arrest non-compliant probationers, to protect the public safety and to assist the criminal justice system. This is accomplished by supervising 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 performing court-ordered conditions such as substance abuse education/treatment, community service, anger management, batterers/domestic violence classes, shoplifting class, and mental health counseling.

Local Probation placed 523 individuals last year. The projected total placements for FY 2008 are expected to be 550 or more. The rate of successful case closure is expected to be 71% or higher.

Total new placements for community service are projected as: 110 for anger management classes and approximately 16 to attend batterers/domestic violence classes. The average daily number of participants for Local Probation is projected to be 500 clients.

Pretrial Services

The grant will continue to fund pretrial services for its seventh year. The purpose is to assist judicial officers in the difficult task of deciding whether to release an accused on bail or to commit to jail, and in setting appropriate conditions of bail. Pretrial staff provides a report containing defendant information to assist in the process, specifically at initial appearance in General District Court 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 or potential criminal activity if released pending trial. The grant funds provide for language interpretation assistance for the non-English speaking defendant.

Supervision services are targeted at defendants arrested and admitted to bail, but detained in jail in lieu of a secure bond. Pretrial supervision is intended to replace a secure bond, and or reduce the amount of the cash bond, with the condition of supervision to the pretrial services agency (ACJS).

Projections for the seventh year of performance are as follows. Total pretrial reports -- based on interview and investigation by pretrial staff -- are projected to be 1100. Total supervision placements for the year are projected at 325. The successful close rate is expected to be 85%. The average number of daily participants for Pretrial is expected to be 75 defendants.

FISCAL IMPACT: If approved as submitted, the City would receive from the State \$222,481 to continue local probation and \$236,728 for pretrial services, making a total of \$459,209 for the period covering July 1, 2008 through June 30, 2009. Although there is no requirement for the City to provide a cash match for these funds an additional amount of approximately \$162,000 will be needed to sustain the program, plus any salary increments that the City may offer. At the time of the Proposed FY 2009 Budget, the grant was expected to be \$444,133, so this reduces the cash match included in the FY 2009 budget by \$15,076. 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. The Department of Criminal Justice Services will provide the service funding.

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:

Dana Lawhorne, Sheriff

Clarke Stearns, Captain Inmate Services, Sheriff's Office

Shennell Coit, Project Director, Sheriff's Office

David Ward, Program Coordinator, Sheriff's Office

Eric Eisinger, Budget/Management Analyst

Karen Winey, Grants Coordinator