

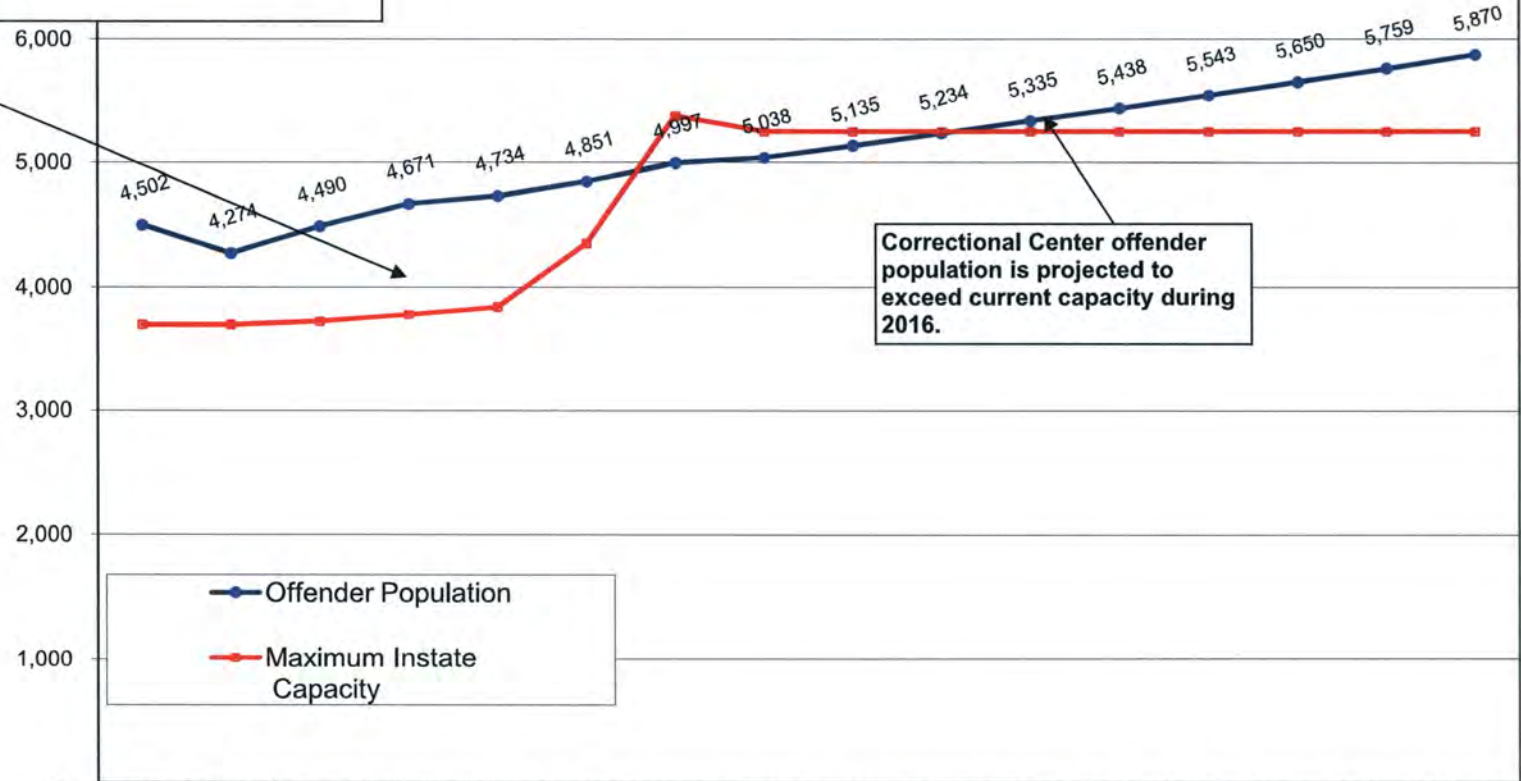
HB

22

<TARGET><BILL>HB 22</BILL><SUBJECT>HB
22</SUBJECT><COMM>HSTA29</COMM></TARGET>

Alaska Institutional Inmate Population FY07-FY22

Excess institutional inmate population was contracted to out-of-state prisons until Goose Creek Correctional Center became fully operational in FY14.



Correctional Center offender population is projected to exceed current capacity during 2016.

	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22
Offender Population	4,502	4,274	4,490	4,671	4,734	4,851	4,997	5,038	5,135	5,234	5,335	5,438	5,543	5,650	5,759	5,870
Maximum Instate Capacity	3,696	3,696	3,722	3,778	3,840	4,353	5,376	5,248	5,248	5,248	5,248	5,248	5,248	5,248	5,248	5,248
Over (Under) Capacity	(806)	(578)	(768)	(893)	(894)	(498)	379	210	113	14	(87)	(190)	(295)	(402)	(511)	(622)
GF Budget FnlBud Column (in millions)	\$210.4	\$218.4	\$227.5	\$247.5	\$256.2	\$271.6	\$305.6	\$313.9	\$312.9	\$314.9	\$314.9	\$314.9	\$314.9	\$314.9	\$314.9	\$314.9

*FY16-FY22 budget projections assume FY16 Adjusted Base amount with no increases.

Based on the approximate 2.7% population growth rate experienced in recent years, the institutional inmate population is expected to reach 5,870 by FY22.



Representative Chris Tuck

House Minority Leader

Alaska State Legislature

District 23 - Representing Dimond Estates, Foxridge, Taku,
Campbell, Northwood and Windemere

Sponsor Statement House Bill 22 Probation and Parole Officer Caseload

In Alaska, two-thirds of offenders return to prison within three years. Legislators and communities have been dedicated to reducing the high rate of recidivism, but we have missed the important piece of supporting our probation officers. Probation and parole officers provide key services that can help recently-released offenders re-enter society smoothly and reduce recidivism. However, many probation officers are seeing an increase in caseloads which diminishes the amount of time spent with each individual.

According to a study by The PEW Center on the States, success rates among offenders are not high. More than 40% of probationers and more than half of parolees do not complete their supervision terms successfully. In fact, parole violations account for almost 35% of admissions in state prisons, and nearly half of local jail inmates were on probation or parole when they were arrested.

In recent years, the number of duties for probation officers has grown to include the taking of DNA samples, ensuring the offender's compliance with the Sex Offender Registry and conducting home visits and address confirmation checks. Corrections populations have also experienced tremendous growth for the past two decades. In an attempt to alleviate jail and prison crowding, probation caseloads are being populated with offenders that potentially pose greater community safety threats. These offenders may be gang members, sex offenders, or domestic violence offenders, and require more officer time to provide adequate supervision, treatment, and enforcement of conditions in order to effectively modify their behavior.

A number of studies have examined practices of probation officers and have demonstrated that medium and high-risk offenders garner the most benefit from intensive correctional interventions. Pro-social modeling and reinforcement, problem solving, and cognitive techniques are core skills for reducing recidivism in probation supervision. If probation officers are spending less time with each individual due to high caseloads, their ability to help offenders develop these skills is severely hampered.

House Bill 22 will limit the number of cases for each probation officer to 60. By passing this bill, Alaska will join 11 other states that limit probation officer caseloads to increase public safety and assist offenders with successful re-entry into society.

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Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: HB 22
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB022-DOC-OC-02-21-15
Title: PROBATION AND PAROLE OFFICERS'
CASELOADS
Sponsor: TUCK
Requester: House State Affairs

Department: Department of Corrections
Appropriation: Administration and Support
Allocation: Office of the Commissioner
OMB Component Number: 694

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	***	FY 2016	***	***	***	***	***
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	***	0.0	***	***	***	***	***

Fund Source (Operating Only)

None							
Total	***	0.0	***	***	***	***	***

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? NO
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

This is the initial fiscal note.

Prepared By:	April Wilkerson	Phone:	(907)465-3460
Division:	Administrative Services - Department of Corrections	Date:	02/21/2015 11:00 AM
Approved By:	Remond Henderson	Date:	02/21/15
Agency:	Department of Corrections		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. HB22

Analysis

This legislation addresses the caseload of a probation officer supervising probationers and/or the combined caseload of a probation officer or parole officer supervising probationers and persons on parole. The intent is to not exceed 60 cases per probation officer.

Currently, the Department of Corrections has probation and parole officers in various areas of the department such as: Probation and Parole, Institutions, Electronic Monitoring, and the Parole Board. The duties of the probation officers in each area varies from; community supervision, institution classification and programming, furlough eligibility, electronic monitoring, to administering the functions of the parole board. Additionally, the probation officers within each of these entities must deal with large caseload sizes and the growing threat of a diverse population of offenders. This has led to probation officers responding to offenders who pose greater community safety threats and have more criminogenic needs, than in the past. They may be gang members, sex offenders, or domestic violence offenders, and require more probation officer time to provide adequate supervision, treatment, and enforcement of conditions, as well as behavior change.

This bill would ensure that caseload sizes throughout the department are capped to allow each of the areas the opportunity to implement evidence-based practices that will lead to successful offender outcomes and ultimately improve public safety. Additionally, national research on evidence-based practices have shown that reduced caseloads and increased supervision intensity for medium and high risk offenders actually result in higher probation officer job retention, greater identification of offender treatment needs, increased access to resources for those offenders with the greatest need, and an overall reduction in criminal recidivism.

The department currently supervises the following types of caseloads:

Generic: A default supervision category that includes anyone placed on probation or parole, excluding sex offenders. Offenders are categorized by risk and supervised consistent with policy guidelines.

Interstate: Parole and probation supervision cases that have been referred for supervision to the State of Alaska through the Interstate Compact.

Mental Health: Offenders that have been diagnosed with an Axis I diagnosis, have an active mental health condition, or who have been identified as a mental health offender.

Domestic Violence: Offenders whose present offense is of a domestic violence nature.

PACE: Offenders who have an identified substance abuse issue or whose crime of conviction may have centered on substance abuse issues. Offenders must have conditions that include prohibiting the possession or use of alcohol and drugs, testing for alcohol and drugs, and substance abuse treatment.

Pre-sentence: Caseload consists of all new pre-sentence report orders generated by the superior court.

Sex Offender: Offenders placed on probation or parole supervision for a sexual offense or those that have sex offender treatment conditions.

Administrative Bank: Low-risk offenders who do not have a reporting requirement and are managed by Criminal Justice Technicians.

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. HB22

Analysis Continued

The department uses the *Level of Service Inventory – Revised* (LSIR) as the primary assessment tool to determine the overall risk of the offender and to identify the offender’s program needs. The LSI-R assesses each offender as high-, medium-, or low-risk in terms of likelihood to engage in further criminal behavior. Consistent with national practices, the department utilizes the results of this assessment for the purpose of planning the level of required supervision.

Guidelines developed by the National Institute of Corrections for the generic caseloads are:

<u>CASE TYPE</u>	<u>CASE TO STAFF</u>
Intensive	20:1
Moderate to High	50:1
Low Risk	200:1
Administrative	No Limit

Source: American Probation & Parole Association

A review is needed to be able to apply a realistic maximum caseload by incorporating a range based on risk levels and not total cases.

The fiscal impact of this legislation cannot be accurately determined at this time. However, the estimated annual cost for each Adult Probation Officer II position needed would be \$111,577.00 for salary and operating costs excluding the one-time start-up costs.



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House Minority Leader

Alaska State Legislature

District 23 - Representing Dimond Estates, Foxridge, Taku, Campbell, Northwood and Windemere

Resources & Studies

House Bill 22: limiting probation and parole officers caseloads

- From the American Probation and Parole Association: "Probation and Parole's Growing Caseload and Workload Allocation" (2007). <http://www.appa-net.org/eweb/docs/appa/pubs/SMDM.pdf>; and "Caseload Standards for Probation and Parole" (2006). www.appa-net.org/eweb/docs/APPA/stances/ip_CSPP.pdf.
- Bureau of Justice Statistics: "Characteristics of State Parole Supervising Agencies (2006). www.bjs.gov/conect/pub/pdf/cspsa06.pdf.
- Urban Institute: "Putting Public Safety First" (2008). www.urban.org/UploadedPDF/411800_public_safety_first.pdf.
- Minnesota Department of Corrections: "Adult Felony Workload Study" (2013). http://www.doc.state.mn.us/PAGES/files/4313/9084/6228/Adult_Felon_Workload_Study_2013_.pdf
- New York State Division of Probation and Correctional Alternatives: "Probation Staffing and Caseload Survey" (2007). <http://dpc.state.ny.us/pdfs/2007dpcacaseadstudy.pdf>
- Federal Probation, a journal of correctional philosophy and practice. Volume 77, Number 2: "**Reducing Recidivism Through Probation Supervision: What We Know and Don't Know Four Decades of Research**" Chris Trotter, Monash University, Australia. <http://www.uscourts.gov/uscourts/FederalCourts/PPS/Fedprob/2013-09/reducing-recidivism.html>
- Federal Probation, a journal of correctional philosophy and practice. Volume 70 Number 3: "**Adhering to the Risk and Need Principles: Does It Matter for Supervision-Based Programs?**" Lowenkamp, Christopher, Ph.D. Center for Criminal Justice Research, University of Cincinnati. Pealer, Jennifer. Department of Political Science & Criminal Justice, Northern Kentucky University. Smith, Paula. Division of Criminal Justice, University of Cincinnati. Latessa, Edward. Division of Criminal Justice, University of Cincinnati. <http://www.uscourts.gov/uscourts/FederalCourts/PPS/Fedprob/2006-12/adhering.html>

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Research Brief

TO: Representative Chris Tuck
FROM: Tim Spengler, Legislative Analyst
DATE: December 26, 2014
RE: Caseloads of Adult Probation Officers
LRS Report 15.125

You asked about caseloads for adult probation officers (POs) in Alaska.¹ Specifically, you wished to know the average caseload for a PO; how many hours per week POs generally spend on duties pertaining to their caseloads; and whether there are any statutes or regulations that limit caseloads. Additionally, you wished to know if other states have such limits.

Statewide, approximately 93 adult probation officers serve in 13 probation offices in Alaska located in Anchorage, Barrow, Bethel, Dillingham, Fairbanks, Juneau, Kenai, Ketchikan, Kodiak, Kotzebue, Nome, Palmer, and Sitka.² A rough estimate of the average caseload for POs statewide was 66.³ It is important to note that as a result of myriad factors—including staff turnover, offender release, unfilled vacancies, and shifting caseloads—enumerating precise averages is highly problematic. For this reason, we urge you to use the estimates in Table 1 with caution.

Table 1: Estimate of Average Caseloads for Probation Officers in Selected Alaska Communities, Fiscal Year 2014			
Probation Office	Average Total Office Caseload	Number of Probation Officers	Average Probation Officer Caseload
Anchorage	3,100	43	72
Barrow	71	1	71
Bethel	290	5	58
Fairbanks	705	11	64
Juneau	243	6	41
Nome	76	1	76
Palmer	716	11	65
Statewide	6,111	93	66

Notes: Caseload averages are rough estimates as staff turnover, offender release, unfilled vacancies, and shifting caseloads, among other factors, make enumerating precise averages highly problematic.
Sources: We received the average caseload per office figures from Sherrie Daigle, legislative liaison, Department of Corrections (907.465.4645). We identified the number of probation officers per office from the Department of Corrections website www.correct.state.ak.us/probation-parole/offices.

The Department of Corrections (DOC) estimates that probation officers spend between 80 and 85 percent of their time on their caseload each month.⁴ The DOC estimate is based on interviews with supervisors and POs.

¹ While a number of states use the title “parole officer,” the job class in Alaska that you were interested in uses the title “probation officer.”

² Probation officers in these 13 offices supervise individuals throughout the entire state.

³ In Fiscal Year 2014, the average number of individuals on probation statewide was 6,171 at any time.

⁴ Information provided by Alaska Department of Corrections legislative liaison Sherri Daigle. Ms. Daigle can be reached at (907) 465-4645.

There are no statutes, regulations, or policies in Alaska that limit the caseloads of probation officers. We identified eleven states, however, that do limit their PO's caseloads in some way, which we summarize in Table 2.⁵ Some of these statutes are specific and others quite general. You will also note that in a number of states the limits are specific to POs providing supervision to high risk or dangerous individuals.

Table 2: Adult Probation and Parole Officer Caseload Statutes		
State	Statute	Summary
Arizona	12-251	Deputy probation officers will supervise no more than 65 individuals.
	13.916(b)	A two person intensive probation team will supervise not more than 40 individuals.
Connecticut	54-105(d)	In high-level supervision situations, probation officers will have not more than 35 probationers.
Florida	947.1405	For some released offenders deemed dangerous, caseloads may be restricted to 40 offenders.
	948.001(5)	Drug offender probation caseloads are limited to 50.
Idaho	20-219(4)	Subject to funding, caseloads for officers supervising moderate to high risk individuals will not exceed 50.
Kentucky	439.3101(1)	Caseload guidelines are to be based on risk levels and take into account departmental resources.
Minnesota	244.13	For intensive supervision, caseload should not exceed 30 offenders for every two officers.
Nebraska	83-1,103	The parole service should be large enough to assure that no officer's case load is unmanageable.
New Mexico	31-21-13.1	Maximum caseload for intensive supervision programs is 40.
North Carolina	15A-1343.2c)	Caseloads should not exceed an average of 60 offenders.
Texas	508.1142	Various caseload maximums (from 11-60) depending on the degree of supervision needed.
Vermont	28 § 105-106	Officers working with offenders 21 years of age and younger will have caseloads up to 25. Other probation officer's caseloads are capped at 45.

Sources: Westlaw, National Conference of State Legislatures.

Below we list and provide a link to a number of studies/reports on the topic of probation caseloads that you may find of interest.

- From the American Probation and Parole Association: "Probation and Parole's Growing Caseload and Workload Allocation" (2007), www.appa-net.org/eweb/docs/appa/pubs/SMDM.pdf, and "Caseload Standards for Probation and Parole" (2006), www.appa-net.org/eweb/docs/APPA/stances/ip_CSPP.pdf.
- Bureau of Justice Statistics: "Characteristics of State Parole Supervising Agencies" (2006), www.bjs.gov/content/pub/pdf/cspsa06.pdf.
- Urban Institute: "Putting Public Safety First" (2008), www.urban.org/UploadedPDF/411800_public_safety_first.pdf.
- Minnesota Department of Corrections: "Adult Felony Workload Study" (2013), www.doc.state.mn.us/pages/files/4313/9084/6228/Adult_Felon_Workload_Study_2013_.pdf.
- New York State Division of Probation and Correctional Alternatives: "Probation Staffing and Caseload Survey" (2007), <http://dpca.state.ny.us/pdfs/2007dpccaseloadstudy.pdf>

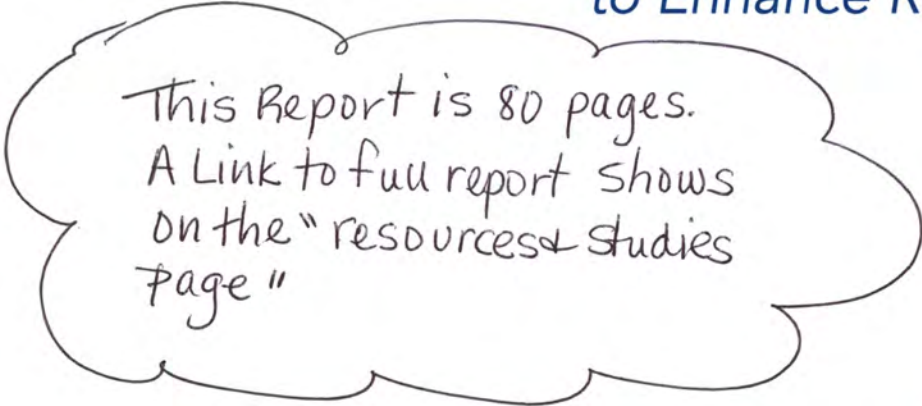
We hope this is helpful. If you have questions or need additional information, please let us know.

⁵ While we believe our search to be thorough, it is possible that other states limit probation officer's caseloads.



Putting Public Safety First

*13 Parole Supervision Strategies
to Enhance Reentry Outcomes*



This Report is 80 pages.
A link to full report shows
on the "resources & studies
page"

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THE URBAN INSTITUTE
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EXAMPLES FROM THE FIELD

Recognizing that surveillance alone was ineffective at reducing recidivism, the **Oregon** state legislature has begun requiring that the Department of Corrections spend at least 75 percent of its state funding on evidence-based programs. The result of a 2005 law, the statute defines evidence-based practices as those that are based on scientific research, cost-effective, and “reduce the propensity for someone to commit a crime” (Oregon Senate Bill 267, 2003). In **Missouri**, supervision case plans routinely include monitoring activities, such as requirements for drug testing, but also prescribe treatment for substance abuse and mental health when those are identified as criminogenic needs.

For more information, see Oregon Senate Bill 267 at <http://www.leg.state.or.us/03orlaws/sess0600.dir/0669ses.htm> or Carter et al. (2007) at http://www.ojp.usdoj.gov/BJA/pdf/SVORI_CEPP.pdf.

10. Involve Parolees to Enhance their Engagement in Assessment, Case Planning, and Supervision

Traditional parole practice is contact-driven, focusing on monitoring and surveillance and the quantity of office and field visits rather than the quality of these interactions. The evidence is clear that increasing the number of contacts does not produce better outcomes for parolees (Petersilia and Turner 1993; Taxman 2002, 2007). Evidence-based practices suggest that supervision should evolve from a contact-driven system to a behavioral management model where the parolee is an active participant in developing the supervision and treatment plan (Burke 2004; Taxman 2006; Taxman, Shepardson, and Byrne 2004). In a behavioral management approach, the routine interaction between parole officers and parolees is reframed as an intervention in itself, one in which effective communication is central (Burrell 2008; Taxman 2002, 2007:). With the techniques of motivational interviewing and positive reinforcement, parole officers can enhance engagement by clearly communicating conditions of supervision, reviewing assessment information and developing case plans with parolees, working with parolees to update and modify goals and supervision case plans as appropriate, and explaining the reasoning behind such adjustments.

Recent data from the Urban Institute’s *Returning Home* study have shown that the majority of parolees have remarkably positive attitudes toward their parole officers. Most parolees report that their officer is helpful, trustworthy, professional, and treats them with respect (La Vigne, Visher, and Castro 2004; Yahner, Visher, and Solomon 2008). In fact, parolees have high expectations about the ways their parole officer can

help with their transition. Although such expectations are often unmet, these findings highlight the importance of officer–parolee interactions and the critical role the supervision process could play in facilitating positive behavior change. In fact, a recent parole study by the Pennsylvania Department of Corrections found that successful parolees were substantially more likely than violators to indicate having a positive relationship with their parole officer (Bucklen 2006).

A number of parole agencies employ practices that focus on more-meaningful measures that engage parolees in their supervision process. For example, motivational interviewing is a technique that many parole agencies are exploring, and parole officers are receiving increased training in this area. A broader behavioral management approach has been implemented and evaluated in Maryland, and findings suggest that such an approach can reduce the likelihood of new crimes and issuance of warrants that result from technical violations (Taxman 2007).

EXAMPLE FROM THE FIELD

The state of Maryland instituted their **Proactive Community Supervision (PCS)** program to increase parolee engagement, sustain meaningful behavior change and help the parolee become a successful, law-abiding citizen. Employing behavioral management strategies, the PCS model stresses the parolee–parole officer relationship and goal-centered interactions. The model emphasizes engaging the parolee in the change process and uses supervision and treatment interventions to address criminogenic factors, involve informal networks, and facilitate pro-social activities such as job training, counseling, and education programs. According to Faye Taxman, who collaborated with the Division of Parole and Probation on the design and evaluated the PCS model, “all of this is what the reentry movement is trying to accomplish—identifying a responsive model to engage the offender in the change process. This model of supervision does that, and it provides a framework that serves to facilitate offender change” (Taxman 2007, 101).

For more information, see Taxman (2007) at http://www.dpscs.state.md.us/publicinfo/publications/pdfs/dpp_corrections_today.pdf.

11. Engage Informal Social Controls to Facilitate Community Reintegration

Interactions with their parole officer comprise only a small fraction of parolees’ time, even under the more intensive supervision regimes. The vast majority of a parolee’s time is spent with family, friends, employers, or alone—just like the rest of us. En-