

The June 2017 Arizona Supreme Court, Administrative Office of the Courts (AOC)—Adult Probation Performance Audit found that the AOC should strengthen its administration and oversight of the State’s 15 adult probation departments by more effectively using the data it collects to improve program outcomes and by improving its operational review process. In addition, Arizona’s adult probation departments are supervising an increasing number of probationers who have been released from prison to probation and who are at a higher risk for committing new crimes, known as the reentry probationer population. The AOC had begun a series of long-term projects to address this population’s needs State-wide and we recommended it complete the development and implementation of these projects and take additional steps to assist adult probation departments in meeting this population’s needs. The AOC’s status in implementing the recommendations is as follows:

Status of 22 recommendations

Implemented: 22

Unless otherwise directed by the Joint Legislative Audit Committee, this report concludes our follow-up work on the AOC’s efforts to implement the recommendations from the June 2017 report.

Finding 1: AOC has implemented processes to help oversee adult probation departments and can further improve oversight

1.1 The AOC should develop and track outcome measures that are consistent with ACA and Pew guidance. These should include the following outcome measures:

- The percentages of probationers who commit new crimes, abscond, or violate their conditions of probation;
- Employment rates of standard and intensive probationers and the employment status of individuals exiting probation;
- The percentage of substance abuse tests that are negative;
- The percentage of probationers exiting probation with total restitution paid; and
- The percentage of probationers exiting probation who successfully completed their probation term for each adult probation department for comparison to other adult probation departments and the State-wide rate.

Implemented at 48 months

1.2 After outcome measures have been developed and in collaboration with adult probation departments, the AOC should:

- a. Determine baseline levels for each outcome measure, establish benchmarks or goals for future improvement, and establish a process for periodically reviewing and revising benchmarks and goals;

Implemented at 48 months

- b. Develop action plans for meeting the established benchmarks or goals, including making revisions to processes or practices that are not producing the desired outcomes;

Implemented at 48 months

- c. Develop a plan to track and communicate progress toward those goals; and

Implemented at 48 months

- d. Provide training on the outcome measures for those probation department staff who need to interpret data, facilitate data discussions, and apply data to improve their departments' operations.

Implemented at 48 months

1.3 The AOC should evaluate key aspects of the State's adult probation system by:

- a. Reviewing its outcome data and determining which trends or outcomes should be analyzed further to yield the most valuable information regarding the reasons for such trends or outcomes.

Implemented at 48 months

- b. Using the information gained from analyses of trends or outcomes to target improvement efforts such as identifying and expanding successful practices or identifying potential issues and taking steps to address them.

Implemented at 48 months

- c. Performing this review periodically such as annually or biennially and documenting both the methods used to determine the most important aspects to evaluate and the steps taken to target improvements.

Implemented at 48 months

1.4 If the AOC determines it does not have the resources or expertise to analyze trends and outcomes to determine the reasons for such trends or outcomes, the AOC should consider forming partnerships or entering into contracts with institutions of higher education or other qualified organizations, such as the Arizona Criminal Justice Commission, for assistance with data analysis and research.

Implemented at 36 months

1.5 To help strengthen its operational review process, the AOC should:

- a. Revise its Operational Review Policies and Procedures Manual to allow for some flexibility, including providing guidance for staff on specific circumstances that would not require a corrective action plan when 100 percent compliance is not met and how such determinations should be documented. Alternatively, it should require its staff to enforce the 100 percent compliance requirement and require corrective actions as outlined in its Operational Review Policies and Procedures Manual.

Implemented at 6 months

- b. Develop and implement follow-up policies and procedures that require its staff to follow up on corrective actions as well as recommendations listed in its operational review reports until compliance issues have been fully addressed. In addition, the AOC's follow-up policies should include procedures for documenting the follow-up work.

Implemented at 6 months

- c. Develop and implement a formal process to regularly review its adult probation operational reviews to identify common findings, such as annually or at the end of each 3-year review schedule. This process should include developing a resource document that includes recommendations for addressing common findings and distributing the resource document to the adult probation departments.

Implemented at 6 months

Finding 2: AOC should continue addressing growing reentry probationer population to ensure public safety

2.1 The AOC should continue its work in the following areas to develop a State-wide approach for handling reentry probationers. Specifically, the AOC should:

- a. Continue the reentry workgroup's efforts to revise the judicial code.

Implemented at 18 months

- b. Continue its efforts to address the challenges of providing services to geographically dispersed reentry probationers while they are in prison by exploring the possibility of either seeking the statutory authority to hire its own probation officers or reimbursing adult probation departments for hiring additional probation officers to begin working with probationers while in prison. The AOC should also work with adult probation departments and Corrections to determine if other communication methods (such as phone calls, letters, web-based communications, etc.) are a viable alternative for beginning to work with reentry probationers while in prison in addition to face-to-face meetings with inmates.

Implemented at 36 months

- c. Continue its efforts to establish a data-sharing-agreement with Corrections that would allow all adult probation departments to access relevant information in Corrections' AIMS database. In working with Corrections on a data-sharing agreement, the AOC should also work with adult probation departments to determine what information will be most beneficial to adult probation officers.

Implemented at 36 months

2.2 The AOC should establish a process for developing long-term projections of reentry probationer releases from prison by:

- a. Completing its testing of the APETS update and, once this testing is completed, developing the capability to calculate the total number of inmates who will be released to probation during a specified period of time.

Implemented at 6 months

- b. Working with Corrections and the MCAPD to obtain information to help improve the reliability of its long-term projections, such as requesting that Corrections provide projected release dates for reentry probationers more than 90 days in advance of their release.

Implemented at 18 months

2.3 The AOC should assist adult probation departments to address the treatment and supervision needs of reentry probationers by:

- a. Developing and implementing policies and procedures within the judicial code for how adult probation departments should address the specific needs of the reentry probationer population both in prison and on probation.

Implemented at 36 months

- b. Requiring adult probation departments to create transition plans for reentry probationers. These plans should address obtaining basic identification documents, reviewing and approving housing arrangements, providing treatment for substance abuse and mental health issues, and assisting probationers to obtain employment as needed. The AOC should also develop templates or guidance documents to help adult probation departments develop their transition plans.

Implemented at 36 months

- c. Consistent with its training practices, providing training to adult probation departments on new and revised policies and procedures.

Implemented at 36 months

2.4 As the AOC develops its reentry population policies and procedures, it should assess the resources and staffing needed to appropriately address the specific needs of the reentry probationer population, which would include the implementation of the recommendations made in this finding. This assessment should include an analysis of the efficiency of the AOC's and the adult probation departments' current use of adult probation monies. It should also include a documented workload analysis that compares the AOC's and the adult probation departments' workload, including long-term projections of reentry probationer releases from prison to estimate future workload, with the AOC's and the adult probation departments' staff resources. The AOC should then take appropriate action based on the results of this analysis. If the AOC determines that additional funding is needed, it should first identify additional resources and/or monies that might be available to help address the specific needs of the reentry probationer population, such as federal grant monies. Then, if necessary, it could work with the Legislature through the appropriation process to secure additional funding, as appropriate.

Implemented at 6 months

2.5 Once the AOC has implemented the previous recommendations related to developing and implementing policies and procedures within the judicial code for how adult probation departments should address the specific needs of the reentry probationer population both in prison and on probation, the AOC should then review the adult probation departments' compliance with these policies and procedures during its operational review process.

Implemented at 48 months