

Arizona Supreme Court, Administrative Office of the Courts Adult Probation

CONCLUSION: The Arizona Supreme Court, Administrative Office of the Courts (AOC), is responsible for providing state-wide administration and oversight of Arizona's adult probation system. The AOC has implemented processes to help administer and oversee the State's 15 adult probation departments, including implementing evidence-based practices, state-wide standards and guidelines, and conducting operational reviews of adult probation departments. We found that the AOC can strengthen its oversight 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. Although efforts to address this population's specific needs have been primarily confined to the adult probation department in Maricopa County, the AOC has begun a series of long-term projects to address this population's needs state-wide. The AOC should complete the development and implementation of these projects and take additional steps to assist adult probation departments in meeting this population's needs.

AOC oversees Arizona's state-wide adult probation system

Probation is a sentencing option in which someone convicted of a crime may have a jail or prison sentence suspended and agrees to comply with certain court conditions, including supervision, rather than going to jail or prison. The AOC is responsible for providing state-wide oversight of Arizona's 15 adult probation departments located in each of Arizona's 15 counties. These adult probation departments supervise and monitor probationers in their counties to help ensure compliance with probation conditions. Standard conditions of probation include actively participating in assigned treatment or rehabilitative services; paying court-ordered restitution, fines, and fees; providing probation officers access to residence; not possessing illegal drugs or controlled substances; and not knowingly associating with any person engaged in criminal behaviors. The AOC provides administrative oversight and ensures state monies are used in accordance with statutory and judicial requirements. For example, the AOC oversees each adult probation department through several activities, including providing technical assistance, guidance, and training to probation department staff; performing research and reporting on various program statistics; and performing periodic evaluations of adult probation department program operations, which are called operational reviews.

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

AOC implemented processes to help oversee adult probation departments—The AOC has implemented processes to help administer and oversee adult probation in the State, including implementing evidence-based practices (strategies that current, scientific research has shown lead to a reduction in recidivism—a relapse into criminal behavior) state-wide, developing and implementing state-wide standards and guidelines for adult probation departments, conducting operational reviews of these departments to assess compliance with the state-wide standards, providing a certification academy for probation officers, and monitoring adult probation departments' expenditures of state monies.

AOC can further improve its oversight—The AOC can further improve its oversight practices in two areas to help improve program outcomes and to further ensure that adult probation departments comply with various requirements. Specifically, the AOC should:

- **Better use its data to improve the State's adult probation system**—Although the AOC has developed some measures to assess adult probation departments' use of evidence-based practices, it has not fully used the data it collects to determine how well probation programs and services have been implemented and whether they yield the desired outcomes. Specifically, the AOC should develop and monitor/track outcome measures that are consistent with American Correctional Association and Pew Center on the States guidance in areas such as reduction in new criminal activity, success in maintaining employment, reduction in the use of illegal drugs, and compliance with

restitution orders; determine baseline levels for the outcome measures; establish benchmarks or goals for future improvement; and adjust them as needed to guide improvement of the adult probation system. In addition, the AOC should evaluate key aspects of the State's adult probation system or partner with others to do so.

- **Strengthen its operational review process**—Although the AOC's operational reviews provide a comprehensive assessment of adult probation departments, it should improve these reviews in several areas. Specifically, the AOC should enforce compliance requirements or revise its compliance policy, develop a formal follow-up process that requires its staff to follow up on corrective actions as well as recommendations listed in operational review reports, and develop a formal process for identifying and addressing common areas of noncompliance.

Recommendations

The AOC should:

- Develop and track outcome measures, determine baseline levels for the outcome measures, establish benchmarks or goals for future improvement, and adjust them as needed to guide improvement of the adult probation system;
- Evaluate key aspects of the State's adult probation system or partner with others to do so; and
- Strengthen its operational review process by consistently enforcing or revising compliance requirements for operational reviews, developing and implementing follow-up policies and procedures that require its staff to follow up on corrective actions as well as recommendations listed in operational review reports, and developing and implementing a formal process for identifying and addressing common areas of noncompliance.

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

State's adult probation departments supervise an increasing number of recently imprisoned, higher-risk probationers—The AOC refers to probationers who are released from prison directly to probation as reentry probationers. Information from the Arizona Department of Corrections indicates that the number of releases from prison to probation each year has increased from more than 2,200 reentry probationers in fiscal year 2012 to approximately 3,400 reentry probationers in fiscal year 2016, an increase of nearly 52 percent. As of February 2017, the AOC estimates that approximately 15,300 persons currently in prison will serve a probation sentence after their release from prison. Various research indicates that reentry probationers are at a higher risk for committing new criminal acts than those who have not been incarcerated and that reentry probationers face several challenges that contribute to their higher risk.

Efforts to address reentry probationer population have been primarily confined to Maricopa County—

The Maricopa County Adult Probation Department (MCAPD) is the State's only adult probation department that has implemented a formal program to address the reentry population's specific needs. As part of its reentry program, MCAPD probation officers begin working with future reentry probationers before they are released from prison to create transition plans that address substance abuse and mental health treatment needs and employment and housing issues; and assist reentry probationers in obtaining basic identification documents.

AOC should further address reentry probationer population needs—The AOC initially was not aware of the growing reentry population and did not separately track the reentry population or know how many reentry probationers each adult probation department supervised. Beginning in 2016, the AOC began a series of long-term projects to help adult probation departments address the reentry probationer population, such as improved information and tracking of reentry probationers within its adult probation database, and creating a reentry workgroup to revise the Arizona Code of Judicial Administration to help adult probation departments address this population's specific needs. In addition to continuing these actions, the AOC should develop long-term projections of reentry probationer releases from prison, as well as develop policies and procedures to help adult probation departments address the reentry probationer population's specific needs, including requiring transition planning.

Recommendations

The AOC should:

- Continue its efforts to develop a state-wide approach for handling reentry probationers;
- Establish a process for developing long-term projections of reentry probationer releases from prison; and
- Develop and implement policies and procedures for how adult probation departments should address reentry probationers' treatment and supervision needs.