

IDAHO'S MISDEMEANOR PROBATION EFFORTS MARK IMPORTANT MILESTONES IN 2010-11



Report to
Governor C.L. "Butch" Otter
and the 2nd Regular Session of
the 61st Idaho Legislature

IDAHO JUDICIARY

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Misdemeanor probation is an integral component of Idaho's criminal justice system and represents a working partnership between counties, the courts and both the Department of Correction and Department of Juvenile Corrections. Idaho's 91 full time and 14 part time misdemeanor probation officers supervise approximately 14,000 misdemeanor offenders at any given time, providing community safety, offender rehabilitation and offender accountability. By supervising offenders in the community, misdemeanor probation provides magistrate judges with sentencing options that help relieve the burden on county jail populations and supports keeping offenders employed and productive. Further, misdemeanor probation officers are key to the success of Idaho's problem solving court efforts, as they provide case management for approximately 240 participants of drug and DUI courts at any given time, as well as providing case management and supervision for misdemeanor offenders of mental health, domestic violence and child protection drug courts.

	2011	2010
Active Cases	14,075 (-14%)	16,328
Probation Officers (Full Time)	91 (+5%)	87
Probation Officers (Part Time)	14 (-39%)	23

Misdemeanor Probation continues to enhance officer professionalism to serve Idaho's communities

Idaho Peace Officer Standards and Training (POST) held the first 2 Misdemeanor Probation Officer Academies in history, graduating 32 officers representing 17 counties. These officers completed a 3 week, closed campus academy, covering 24 instruction topics designed to meet the central functions of misdemeanor probation services identified through job task analysis.

"POST was both a humbling and inspiring experience for all of us. The idea that misdemeanants matter is paramount for the community to understand and for us to prove that we can assist offenders in changing their behaviors to make the community a safe place to live and raise our families." Kim Helmandollar, Ada County Misdemeanor Probation, August 2011 POST Graduate and recipient of Misdemeanor POST Leadership Award.

Misdemeanor Probation Officer POST Academies are funded through revenue collected under Idaho Code § 31-3201D(2), which provides ongoing funding from the cost of supervision paid by misdemeanor offenders to offset the cost to counties. Idaho counties collected almost \$89,000 in FY2011 for the basic training, continuing education and certification of misdemeanor probation officers.

All Judicial Districts adopt statewide Misdemeanor Probation Standards and Professional Responsibilities

Pursuant to Idaho Code § 31-878, all 7 of Idaho's judicial districts have adopted through administrative order the Misdemeanor Probation Standards and Professional Responsibilities developed and recommended by the Idaho Association of Counties Misdemeanor Probation Planning Committee. These Standards and Professional Responsibilities establish the foundation for misdemeanor probation policies and procedures that utilize evidenced based practices and foster continuity of misdemeanor probation services throughout Idaho.

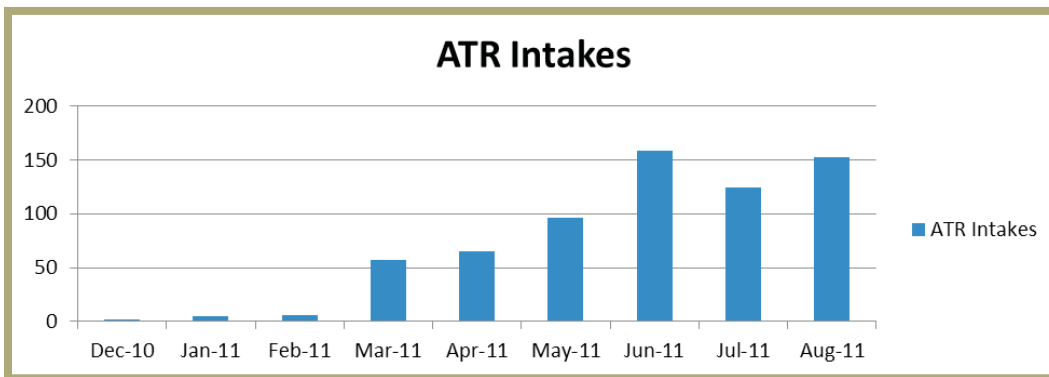
Classification of misdemeanor offenders key to effective supervision strategies

Standards for the community supervision of misdemeanor offenders are based upon risk assessment provided, at a minimum, through the Level of Service Inventory, Revised (LSI-R). The LSI-R is a 54 item assessment that measures an offender's attributes to provide an objective and evidence based foundation for developing a supervision plan. The LSI-R is used to classify an offender generally as low, medium or high risk. Idaho's misdemeanor probation departments have made marked progress in 2011 to meet that standard. Currently, 25 of the 44 counties report that the LSI-R is being used to assess the risks and needs of all or part of the offenders supervised in that county, a 278% increase in implementation from 2010.

	2011	2010
LSI-R (# of Counties Currently Using)	25 (+278%)	9
LSI-R High	936 (20%)	1098 (20%)
LSI-R Medium	2393 (51%)	2863 (53%)
LSI-R Low	1408 (30%)	1400 (26%)

Access To Recovery III Grant provides needed substance use disorder treatment for misdemeanants

Access to Recovery III (ATR III) is a 4 year Substance Abuse and Mental Health Services Administration (SAMHSA) funded grant to provide substance abuse services to specific identified client populations that otherwise would not be funded. ATR III provides \$1.89 million to serve approximately 700 supervised misdemeanants in the first year of funding, with approximately the same funding amount to serve 1,100 to 1,200 misdemeanants in each of the remaining 3 years of the grant. ATR III funds have been allocated to provide each county a proportional share of available funds based upon misdemeanor filings. Supervised adult misdemeanants may be referred for services under ATR III through the Adult Misdemeanor Probation Department in each county. As of August, 2011, 665 misdemeanants in 30 counties had received ATR III funded services.



Misdemeanor Sentencing Advisory Team established to enhance sentencing options for magistrate judges

The Misdemeanor Sentencing Advisory Team (MSAT) is an advisory team of magistrate judges committed to enhancing sentencing options for misdemeanor offenders, particularly through increasing the professionalism and capabilities of adult misdemeanor probation services statewide. The MSAT will work closely with the Idaho Association of Counties (IAC) Misdemeanor Probation Planning Committee and the IAC Misdemeanor Probation Administrators Association to provide a judicial perspective on developments in misdemeanor probation. Further, it is anticipated that the members of MSAT will serve as liaisons between statewide misdemeanor sentencing efforts and the magistrate judges in their respective judicial districts. The 2011 MSAT includes Hon. James Cawthon - Chair (Ada County), Hon. James Stow (Kootenai County), Hon. Jay Gaskill (Nez Perce County), Hon. Dayo Onanubosi (Canyon County), Hon. Ted Isreal (Blaine County), Hon. Paul Laggis (Power County), and Hon. Robert Crowley (Jefferson County).



The Commitment of the Idaho Judiciary

As the Third Branch of Government, the Idaho Judiciary is committed to providing access to justice through the timely, fair, and impartial resolution of cases.

The Idaho Courts stand for:
 Integrity
 Fairness
 Independence
 Respect
 Excellence
 Innovation

The Idaho Courts strive to:

Provide Timely, Fair, Impartial Case Resolution

Ensure Access to Justice

Promote Effective, Innovative Services

Increase Public Trust and Confidence in Idaho Courts

Approved by the
 Supreme Court
 October 31, 2011