

**Program #50040 - Alternative To Misdemeanor Bench Probation - Pilot**
**6/19/2017**

**Department:** Community Justice                      **Program Contact:** Jay Scroggin  
**Program Offer Type:** Innovative/New Program                      **Program Offer Stage:** As Adopted  
**Related Programs:**  
**Program Characteristics:** One-Time-Only Request

**Executive Summary**

Misdemeanor Bench Probation is a form of supervision where the offender is supervised by the Court. This is used for those Misdemeanor offenders who DCJ does not supervise. The vast majority of these cases complete their court ordered sentence without incident. Those who do not follow orders eventually are brought back before the Court and may be sentenced for up to 1 year in jail. This pilot would expand DCJ's supervision of some bench probation cases in an effort to reduce use of jail beds and improve success rates of those on supervision.

**Program Summary**

The Court currently manages over 3,000 cases on bench supervision. A number of cases are transferred to DCJ for supervision. A recent comparison of the impact of these two forms of supervision showed that those on bench probation on average spend 11.9 days in jail while those on DCJ supervision spend 3 days. We are currently reviewing the failure rate but we believe we will find similar results.

Bench probation was established to fill in for reductions in County funding and the decision to reduce the number of people under supervision. This resulted in a collateral impact of using more jail bed days and providing less services and supervision to those who demonstrated a need for either.

For the County this has resulted in an unintended cost both in dollars and community safety. The analysis referenced above found that the difference between those on bench probation and those misdemeanor cases managed by DCJ resulted in the use of 27,000 additional bed days last year for those on bench probation. This translates into over 70 jail beds per day. At a cost of a jail bed at \$100 this would equal \$2.7 million a year.

This pilot program would expand the practice of DCJ managing misdemeanor cases rather than placing them on bench probation. Using a cost benefit model and utilizing Risk and Needs Assessments when appropriate, DCJ would track the effect on both jail use and success for those placed under DCJ supervision.

DCJ would work with Court leadership to identify roughly 300 cases over the next year and place them on DCJ supervision rather than bench supervision. These cases would be those determined to be the cases that could benefit from more structure and support than bench supervision provides. They would typically be those an assessment shows at higher risk to fail without greater structure and support.

**Performance Measures**

<b>Measure Type</b>	<b>Primary Measure</b>	<b>FY16 Actual</b>	<b>FY17 Purchased</b>	<b>FY17 Estimate</b>	<b>FY18 Offer</b>
Output	Number of individuals under supervision	NEW	NEW	NEW	300
Outcome	Average length of sanction bed days imposed by DCJ	NEW	NEW	NEW	5

**Performance Measures Descriptions**

Revenue/Expense Detail

	Proposed General Fund	Proposed Other Funds	Proposed General Fund	Proposed Other Funds
Program Expenses	2017	2017	2018	2018
Personnel	\$0	\$0	\$249,298	\$0
Materials & Supplies	\$0	\$0	\$702	\$0
<b>Total GF/non-GF</b>	<b>\$0</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$0</b>
<b>Program Total:</b>	<b>\$0</b>		<b>\$250,000</b>	
<b>Program FTE</b>	0.00	0.00	2.70	0.00

Program Revenues				
<b>Total Revenue</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Explanation of Revenues

County General Fund

Significant Program Changes

Last Year this program was:

This program offer adds \$250k in OTO funding.