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**DESK REFERENCE  
TO  
INTERMEDIATE SANCTIONS  
IN  
MARICOPA COUNTY**

150457

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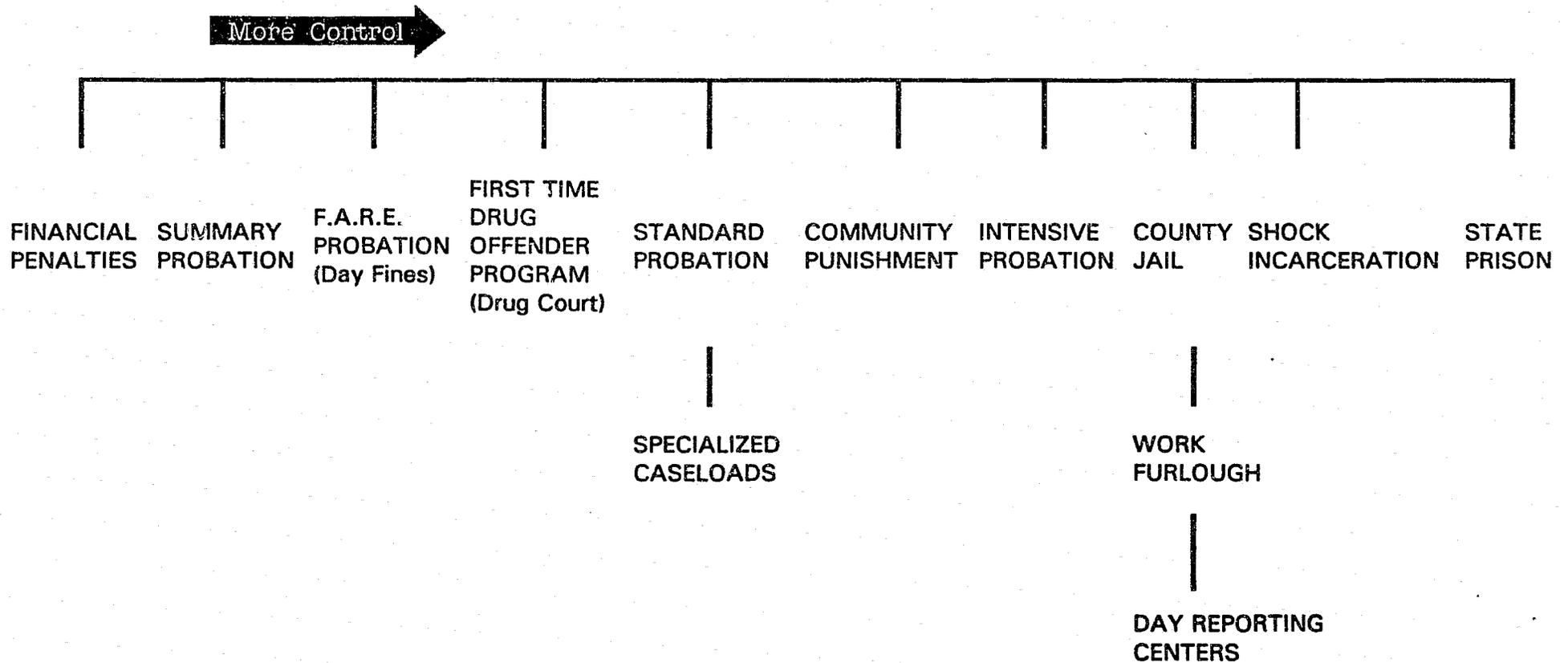
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**SUPERIOR COURT  
ADULT PROBATION DEPARTMENT  
APRIL 1993**

# Superior Court in Maricopa County



## Sentencing Continuum



# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: F.A.R.E. PROBATION

### CONTROL MECHANISMS

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- ◆ Supervised by a probation officer with minimum supervision.
- ◆ Payment of financial assessments monitored and progressive collection and enforcement strategies are utilized.
- ◆ Defendants are returned to court for violations.

### TYPICAL DEFENDANT CHARACTERISTICS

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- ◆ Probation eligible.
- ◆ Not in need of formal supervision, i.e.:
  - Does not appear to pose a threat to the community.
  - Is not prone to violence.
  - Is not a chronic offender.
- ◆ Not suffering from any major personal and/or social problems which would require treatment, training, education i.e.:
  - Does not suffer from substance abuse problems.
  - Does not suffer from any major emotional, sexual, mental health problems.
  - Is employable.
- ◆ Restitution does not exceed financial assessment amount.

### PROGRAM CHARACTERISTICS

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- ◆ Defendant's primary responsibility to the Court is to pay a financial assessment.
- ◆ Defendant's financial assessment is based on a Day-Fine System, which takes into account an offender's ability to pay as well as the severity of the offense.
- ◆ Goal is to demonstrate the feasibility and utility of the Day-Fine concept as an intermediate sanction and to determine whether an automated collection system will enhance collections.
- ◆ Fills the void between summary and standard probation, ensuring payment of financial sanctions and saving standard probation resources for those who need supervision and services.
- ◆ Defendants on standard probation may be modified to F.A.R.E. probation upon completion of all terms except for monetary obligations.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: STANDARD PROBATION

### CONTROL MECHANISMS

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- ◆ Office/Field supervision.
- ◆ Regular reporting.
- ◆ Specialized caseloads.
- ◆ Urinalysis/Alcohol testing.
- ◆ Address verification.
- ◆ Employment verification.
- ◆ Community Restitution
- ◆ Search and seizure without warrant when appropriate.
- ◆ No association with anyone violating the law, who has a criminal record, or who is on probation or parole, unless permitted by the probation officer.

### TYPICAL DEFENDANT CHARACTERISTICS

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- ◆ Persons in need of varying levels of supervision.
- ◆ Defendants often in need of specialized treatment.
- ◆ Limited financial resources, low job skills, low self esteem, low educational level.
- ◆ In need of problem clarification and intervention.

### PROGRAM CHARACTERISTICS

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- ◆ Reporting instructions ordered for field and office visits, community treatment.
- ◆ Financial responsibility fostered, including restitution, fines, assessments, reimbursement and probation service fees.
- ◆ Appropriate placement in community programs of assistance, counseling and/or therapy.
- ◆ Drug use prohibited and monitored.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: REMEDIAL EDUCATION CLASSES

### CONTROL MECHANISMS

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- ◆ Classroom observation.
  
  - ◆ Verification of attendance.

### TYPICAL DEFENDANT CHARACTERISTICS

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- ◆ Lack of high school diploma or equivalent.
  
  - ◆ For LEARN, defendant must read below the sixth grade level.
  
  - ◆ Low functioning, poor employment history.

### PROGRAM CHARACTERISTICS

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- ◆ Involves the use of computers and trained tutors to teach literacy skills to offenders who read below the sixth grade level.
  
  - ◆ Classes in Adult Basic Education (ABE) and GED preparation are also available.
  
  - ◆ Touch typing and word processing.
  
  - ◆ LEARN labs are located in Glendale, Phoenix, Mesa, and El Mirage.
  
  - ◆ Evening and Saturday classes are available.
  
  - ◆ WRAT assessment is given to each defendant at presentence stage, determining reading level.
  
  - ◆ Additional education assessments are given by each education provider.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: COMMUNITY RESTITUTION (CRP)

### CONTROL MECHANISMS

- ◆ Attendance records from agencies submitted on a regular basis to CRP staff and probation officer.
- ◆ Close coordination between CRP staff and approved agencies to supervise outdoor work crews.
- ◆ Regular monitoring and review.

### TYPICAL DEFENDANT CHARACTERISTICS

- ◆ Drug offenders with Chapter 34 mandatory Community Restitution hours.
- ◆ IPS defendants statutorily required to work forty hours per month.
- ◆ All defendants except those who might be considered physically or mentally inappropriate.

### PROGRAM CHARACTERISTICS

- ◆ Provides for the offender to perform a number of hours of service to the community to "pay back" by working worthwhile programs.
- ◆ The Community Restitution Unit contracts with hundreds of non-profit agencies, governments entities, churches, and special projects to utilize the probationer's skill, if possible, in hours of service.
- ◆ An increasing emphasis on the formation of "work crews" organized to focus on environmental projects such as:
  - Cleaning up illegal dump sites.
  - Assisting cleanup at County landfill areas.
  - Cleaning up roadsides and highways.
  - Maintaining city and county parks.
  - Painting over graffiti.

**QUICK REFERENCE  
TO INTERMEDIATE SANCTIONS  
IN MARICOPA COUNTY**

**PROGRAM: VICTIM IMPACT PANELS**

**CONTROL  
MECHANISMS**

- ◆ Attendance monitored at panel sessions.
- ◆ Probation officers present at each session.
- ◆ Breathalyzers utilized to test use of alcohol which results in immediate arrest.

**TYPICAL  
DEFENDANT  
CHARACTERISTICS**

- ◆ Targeted at defendant's who have been convicted of DUI or related offenses.

**PROGRAM  
CHARACTERISTICS**

- ◆ Sponsored by Mothers Against Drunk Driving (MADD).
- ◆ Panel includes victims who speak about drunk driving accidents in which they were injured or loved ones were killed.
- ◆ DUI offenders may be required to attend a panel as a term of their probation.
- ◆ Goal is to change behavior and save lives by helping offenders to focus beyond their own problems and to diminish denial.
- ◆ Enhances emotional healing of victims by offering an outlet to tell their stories and prevent others from experiencing the same tragedy.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: FIRST TIME DRUG OFFENDER PROGRAM (DRUG COURT)

### CONTROL MECHANISMS

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- ◆ Weekly contact with probation officer.
- ◆ Drug Court Contract.
- ◆ Urinalysis testing.
- ◆ Drug education and/or substance abuse counseling required.
- ◆ Address verification.
- ◆ Employment verification.

### TYPICAL DEFENDANT CHARACTERISTICS

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- ◆ Persons guilty of possession or use drug offenses (not sales offense)
- ◆ Typically placed on standard probation.
- ◆ Need for substance abuse outpatient counseling or drug education classes.
- ◆ Need of drug monitoring.

### PROGRAM CHARACTERISTICS

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- ◆ Persons sign Drug Court Contract with clearly defined goals, rewards for successful completion and sanctions for non-compliance.
- ◆ Return to Drug Court every two months for a progress report before the Drug Court Judge.
- ◆ Rewards include:
  - Credit for community service hours.
  - Early termination from probation as early as six months from the day of sentencing, and if possible, a misdemeanor designation
- ◆ Sanctions include:
  - Performing community service hours.
  - Jail time or revocation.

**QUICK REFERENCE  
TO INTERMEDIATE SANCTIONS  
IN MARICOPA COUNTY**

**PROGRAM: CHEMICAL DEPENDENCY PROGRAM  
Community Punishment Program (CPP)**

**CONTROL  
MECHANISMS**

- ♦ Nine hours of counseling per week, for twelve weeks.
- ♦ Mandatory self-help groups.
- ♦ Urinalysis testing.
- ♦ Mandatory aftercare for six months.
- ♦ Treatment verification/coordination with probation staff.
- ♦ Thirty-day written progress reports.
- ♦ Supervision often enhanced by specialized caseload officer or IPS.

**TYPICAL  
DEFENDANT  
CHARACTERISTICS**

- ♦ Prior conviction(s).
- ♦ Prior probation term(s).
- ♦ Has been unsuccessful on probation.
- ♦ Pronounced substance abuse.
- ♦ In need of increased supervision.

**PROGRAM  
CHARACTERISTICS**

- ♦ Didactic and group intervention.
- ♦ Public transportation provided.
- ♦ Day/Evening programs.
- ♦ Locations in Central, East, West and South Phoenix.
- ♦ Continual documentation of defendant's progress.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: TRANSITIONAL LIVING CENTER Community Punishment Program (CPP)

### CONTROL MECHANISMS

- ◆ Twenty-four-hour residential treatment.
- ◆ Initial and thirty-day staffings with probation officer.
- ◆ Continual program monitoring by assigned Program Staff.
- ◆ Supervision by specialized caseload officer.
- ◆ Accessibility to Jail Psych Unit or County Hospital if necessary.
- ◆ Special mental health terms and conditions of probation.

### TYPICAL DEFENDANT CHARACTERISTICS

- ◆ Defendant must be sentenced to probation.
- ◆ Defendant has indications of mental illness or prior diagnosis of mental illness.
- ◆ Program will not accept defendants who are dangerous to themselves or others.

### PROGRAM CHARACTERISTICS

- ◆ Twenty-five-bed inpatient transitional residential living center for probationers with a history of mental illness.
- ◆ Forty-five day average length of stay.
- ◆ Defendant participates in individual, group and life skills counseling.
- ◆ Program staff obtain entitlements for defendants.
- ◆ Program participants are placed into the most appropriate environment after completion of program.
- ◆ Staffed by state-licensed practitioners. (Psychiatrist, Psychologist, Registered Nurse)
- ◆ Psychological/Psychiatric evaluations for program participants.
- ◆ Mental illness diagnosis.
- ◆ Medication stabilization.
- ◆ Physical/Psychological evaluation.
- ◆ NOT capable of handling:
  1. Violent or suicidal defendants.
  2. Defendants in need of a locked facility.
  3. Defendants in need of extreme medical intervention.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: SEX OFFENDER TREATMENT Community Punishment Program (CPP)

### CONTROL MECHANISMS

- ◆ Mandatory sex offender treatment/assessment.
- ◆ Special sex offender terms and conditions of probation.
- ◆ Intensive surveillance if defendant is placed on IPS.
- ◆ Supervision by specialized caseload officer if placed on regular probation.
- ◆ Utilization of surveillance officers if placed on specialized caseload.
- ◆ Treatment verification and ongoing coordination with probation staff.
- ◆ Strict guidelines regarding any family contact or reunification in the case of incest offenders.

### TYPICAL DEFENDANT CHARACTERISTICS

- ◆ Client must be sentenced to probation.
- ◆ Some history of sexual dysfunction; e.g., indecent exposure, trespassing (voyeurism).
- ◆ Defendant has usually minimized offense and need for treatment.
- ◆ Needs as much external control as possible in early stages of probation.
- ◆ Defendant has been screened as a potential higher risk by analysis of prior history and circumstances of offense.
- ◆ Defendant is young, with few community resources.

### PROGRAM CHARACTERISTICS

- ◆ Can be utilized for either IPS or regular probation.
- ◆ Allows for community supervision of incest-type offenders who often respond well to treatment.
- ◆ Sex offender treatment is also necessary for the compulsive and habituated behavior of exhibitionists. Their patterns of offending can be treated and stopped before they become "hands on" offenders.
- ◆ Treatment must be offense-specific and include the family and victim.
- ◆ Either IPS or a specialized sex offender officer provides external control while the offender learns internal control in therapy.
- ◆ CPP affords the specialized officer the added dimension of surveillance with standard probation.
- ◆ Professional evaluations which may include physiological testing in some cases can more quickly reduce this type of offender's denial system and minimization.
- ◆ Continual documentation of defendant's progress.
- ◆ Forty-five hours of educational pretreatment.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: INTENSIVE PROBATION SUPERVISION

### CONTROL MECHANISMS

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- ◆ House arrest.
- ◆ Surveillance officer/  
Probation officer team  
with maximum of twenty-  
five-client caseload.
- ◆ Wage garnishment.
- ◆ Urinalysis testing.
- ◆ Mandatory full-time  
employment or school.
- ◆ Treatment intervention.
- ◆ Completion of forty hours  
of community service per  
month.

### TYPICAL DEFENDANT CHARACTERISTICS

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- ◆ Prison bound, probation  
eligible.
- ◆ Repeat offender.
- ◆ Defendant has been  
unsuccessful on standard  
probation.
- ◆ In need of close  
supervision.

### PROGRAM CHARACTERISTICS

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- ◆ Compliance with terms of  
IPS, is monitored twenty-  
four hours per day, 365  
days per year.
- ◆ Twenty-four hour  
monitoring.
- ◆ Direct field supervision  
by surveillance officer.
- ◆ Corrective intervention  
in-office by probation  
officer.
- ◆ All IPS terms are in  
addition to the standard  
terms of probation.
- ◆ Compulsory surrender of  
all income with priority  
payments made to victims  
of the offense/financial  
management counseling.
- ◆ Temporary shelter.
- ◆ Family involvement.
- ◆ Employer verification.
- ◆ Monitoring of educational  
assignment.
- ◆ Outpatient treatment.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: WORK FURLOUGH

### CONTROL MECHANISMS

- ◆ Release only for purpose of job, school or treatment.
- ◆ Part-time release from incarceration as approved by probation officer.
- ◆ Twenty-four hour accountability.
- ◆ Wage garnishment
- ◆ In-house urinalysis testing.

### TYPICAL DEFENDANT CHARACTERISTICS

- ◆ Participants are probationers with jail terms.
- ◆ Screened for admission by Work Furlough Officer.
- ◆ Low risk to community.
- ◆ Employable.
- ◆ Both standard and intensive probation defendants.
- ◆ No pattern of violent behavior or weapon use.

### PROGRAM CHARACTERISTICS

- ◆ Probation defendants have the opportunity for supervised furlough from jail for part of the day.
- ◆ Employment or full-time education is required.
- ◆ Job search is available.
- ◆ Monetary obligations to court, family and community must be met.
- ◆ Defendant provides own transportation to job site.
- ◆ Mandatory treatment.
- ◆ Field supervision at job or school site.
- ◆ Alcoholics Anonymous, Narcotics Anonymous and G.E.D. classes are available.

**QUICK REFERENCE  
TO INTERMEDIATE SANCTIONS  
IN MARICOPA COUNTY**

**PROGRAM: DAY REPORTING CENTER**

**CONTROL  
MECHANISMS**

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- ◆ Surveillance officer monitoring.
- ◆ Field supervision with probation staff.
- ◆ Daily contact at DRC.
- ◆ Urinalysis testing.
- ◆ Employment verification.
- ◆ Collateral contacts.

**TYPICAL  
DEFENDANT  
CHARACTERISTICS**

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- ◆ Sixty days or less to serve in jail.
- ◆ High need for re-integration services.
- ◆ Low risk offenders (non-violent).

**PROGRAM  
CHARACTERISTICS**

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- ◆ Education.
- ◆ Substance abuse.
- ◆ Individual and group counseling.
- ◆ Job development.
- ◆ Job search.
- ◆ Community Restitution.
- ◆ Structured itinerary.

# QUICK REFERENCE TO INTERMEDIATE SANCTIONS IN MARICOPA COUNTY

## PROGRAM: SHOCK INCARCERATION

### CONTROL MECHANISMS

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- ◆ Incarceration.
- ◆ Boot camp structure.
- ◆ Defendant goes to IPS upon graduation.
- ◆ If defendant fails program, DOC submits report to probation department who will petition the court.

### TYPICAL DEFENDANT CHARACTERISTICS

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- ◆ Defendant must be between the ages of eighteen and twenty-five, never incarcerated in adult prison, no known contagious or communicable diseases, no known physical or mental impairments that would prevent performance of physical activity.
- ◆ Immature.
- ◆ In need of structure and discipline.

### PROGRAM CHARACTERISTICS

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- ◆ If defendant found ineligible after forty-five days at DOC, he is returned to court for disposition.
- ◆ Program term is 120 days.
- ◆ Upon successful completion of Shock, Court may modify conditions of IPS.
- ◆ At sentencing, Court forwards minute entry to MCSO who notifies DOC and coordinates transportation.
- ◆ Specialized IPS officer monitors shock caseload and aids in community reintegration.
- ◆ Shock Transitional Living Center available as aftercare for appropriate shock graduates.

## F.A.R.E. PROBATION

In April, 1991, the Probation Department began an eighteen month Day Fine demonstration project, and developed F.A.R.E. (Financial Assessments Related to Employability) Probation. This new form of probation is based on a Day Fine system, which takes into account an offender's ability to pay as well as offense severity. On our current sentencing continuum, F.A.R.E. fills the gap between summary and standard probation. It is designed for low-risk/low-needs offenders, who do not owe excessive restitution.

Under this form of supervision, the defendant's primary responsibility to the Court is to pay a financial assessment. Once that assessment has been paid in full, the defendant is released from probation. While on probation, he/she is monitored with minimum supervision, and automated progressive collection and enforcement strategies are utilized. If a defendant sentenced to F.A.R.E. were not to comply with Court orders, or were found to be in need of a more structured form of supervision, he/she could be brought back before the Court for modification or revocation action.

The F.A.R.E. pilot period ended on August 31, 1992. At that time, this sentencing option became available in all Criminal Divisions. While most sentencings to F.A.R.E. have historically originated with recommendations by presentence investigators, Judges and attorneys may contact the F.A.R.E. Project Manager to request screening, calculations of financial assessments, and completed F.A.R.E. terms for defendants they believe appropriate. This may be an ideal option for misdemeanor offenders, who will no longer receive presentence investigations prior to sentencing.

## LITERACY PROGRAM

Beginning in January, 1987, the Arizona Supreme Court entered into a partnership with IBM to purchase PALS (Principle of Alphabet Literacy System) labs for the Juvenile and Adult Probation Departments statewide to combat illiteracy within these populations. The Supreme Court and the Administrative Offices of the Court had the foresight to see that illiteracy does impact the Court system and is one of the contributing factors in recidivism in the probation and prison populations.

Once this partnership was formalized, the Probation Departments were to become the lead agencies in establishing LEARN (Literacy, Education and Reading Network) labs statewide. Currently, the metropolitan Phoenix area has five labs in operation. Partnership labs are operated with Literacy Volunteers and Friendly House in Central Phoenix, Glendale Community College, and the El Mirage Community Center. The fifth lab is operated by the Adult Probation Department in Mesa, and receives support from Mesa Public Schools and the Arizona Department of Education.

Even though the LEARN program with its INFO windows and Personal Computers are at the heart of each lab, additional classes have been incorporated into each program. These classes include Adult Basic Education, GED preparation and basic life-skill classes. By providing an education continuum, the defendant's needs can be effectively met. Learning how to read and receiving a GED diploma are essential to gaining permanent employment. Too often bleak economic factors lead a person to crime. Being literate can break the cycle of poverty, enhance self esteem and a negative lifestyle associated with the majority of the probation and prison population.

In addition to the Honorable Frank X. Gordon Jr. Literacy Center, the Adult Probation Department has GED preparation in field office classes at the following locations:

West McDowell Office  
7318 West Lynwood  
Phoenix, AZ 85043  
(602) 506-3371

Glendale Office  
6153 West Olive  
Glendale, AZ 85302  
(602) 435-7700

Wells Fargo Office  
4520 North Central  
Phoenix, AZ 85012  
(602) 650-2300

For more information, call Literacy Program Coordinator at the Frank X. Gordon Literacy Center, Mesa, AZ 461-4501.

## VICTIM IMPACT PANEL PROGRAM

The Adult Probation Department in Maricopa County has cooperated with the local chapter of Mothers Against Drunk Driving (MADD) to establish a "Victim Impact Panel Program." The program is targeted toward Superior Court probationers who have been convicted of DUI or related offenses.

The Panel includes three or four victims who are selected by MADD to speak briefly about the drunk driving accidents in which they were injured or in which a loved one was killed, and what it has meant to them. They do not blame or judge those who attend the panel. They simply tell their stories and how their lives and families have been affected by the accident. A Victim Impact Panel coordinator moderates the panel to monitor time, etc. Victims never speak to groups in which their own offender is present. There is no interaction between victims and offenders during the Panel presentation, but question and answer periods may follow.

Judges and probation officers require convicted drunk driving offenders to attend a Victim Impact Panel as an element of their sentences. The Panel does not replace conventional sentencing, but adds a creative component to it. Probation Officers attend each Victim Impact Panel to monitor attendance. Offenders who fail to attend must return to Court for appropriate sanction.

### Values for Offenders

- A. To enable offenders, perhaps for the first time, to consider the pain and suffering drunk driving can cause to others.
- B. To help offenders move beyond focusing on their own problems.
- C. To serve as a first step in breaking down denial of alcoholics or those addicted to other drugs.
- D. To imprint images of real people in offenders' minds which may replay when drinking and driving is again an option.
- E. To change behavior and save lives.

### Values for Victim

- A. To provide an opportunity for victims to become more involved in the criminal justice system.
- B. To assure victims that they can have a positive impact if an offender's life-style is changed through their message.\*

\* Edited in part from Victim Impact Panels; Lord, Janice Harris; MADD National Office.

## **FIRST TIME DRUG OFFENDER PROGRAM (DRUG COURT)**

The First Time Drug Offender Program is a grant from the National Institute of Justice through RAND to study the effectiveness of urinalysis as a tool of probation supervision. Persons sentenced to participate are randomly placed on one of four tracks, which have different intensities of urine testing. Track-4 of the program includes intensive out-patient counseling, random testing and Drug Court.

Requirements for Drug Court include attendance of a screening interview with a treatment provider, to determine if there is a need for drug education or drug education/counseling. An orientation is held in Drug Court and a Drug Court Contract is signed wherein specific tasks are required and points given for successful completion. At two month intervals, a progress report is held before the Drug Court Judge and rewards or sanctions are given.

Rewards include possible credit for community service hours and reductions in jail time and probation fees. Within six months, if all contracts have been successfully completed, persons may receive an early termination from probation and, if available, a misdemeanor designation.

Sanctions which may be imposed include repeating courses, completion of community service hours, serve sixty days in the Maricopa County Jail (as part of the term to participate in the program, a deferred jail term is added with the start date to be determined at a later hearing), and revocation of probation.

Since, at this point, Drug Court is a part of the First Time Drug Offender Program, only possession or use drug offenses are eligible. While the name of the program implies first time offenders, cases are accepted with one prior felony conviction. At present, persons are screened at the presentence level for entrance into the program, and reinstatements are not eligible.

## **CHEMICAL DEPENDENCY PROGRAM (COMMUNITY PUNISHMENT PROGRAM)**

**CHEMICAL DEPENDENCY PROGRAM:** Designed along the lines of an intensive outpatient model. Meets the standards set by the Behavioral Health Services Division: Twelve weeks in length; caseload size of fifteen; in-depth intake procedure; counseling a minimum of three days/nights per week. Program graduates receive relapse prevention treatment by their primary care counselor for six months following the twelve-week program. Relapse prevention group sessions will be available one night per week. The defendant's compliance in treatment is measured by their attendance and by the result of urinalysis testing by the probation officer. Transportation is furnished via public transit lines. Direct contact between the counselor and the supervising probation officer is emphasized with written progress reports prepared monthly.

Group counseling is conducted by treatment professionals with a minimum of three years experience. Arizona Board for Certification of Addiction Counselor qualification is preferred.

### **LOCATIONS**

Tanner Square	One day-program counselor One evening-program counselor
Southeast Probation Service Center	One evening-program counselor
Glendale (NWRO)	One evening-program counselor
South Mountain	One evening-program counselor
West McDowell	One evening-program counselor

#### ***How do I place a person in this program?***

All offenders must be screened prior to making a recommendation for the Community Punishment Program by calling 506-3689. Sentencing Judges will receive a written report of the results of this screening. Participants for this program must meet diversion criteria by demonstrating a likelihood for incarceration by way of their criminal histories and the nature of the offense.

## **TRANSITIONAL LIVING CENTER (COMMUNITY PUNISHMENT PROGRAM)**

The design of the transition center is to service twenty-five nonviolent mentally ill probationers that have reached a critical juncture in their lives due to destabilization of their medications or their living environment; or for need of temporary care during a diagnostic evaluation. The goal of the transition center is to stabilize the probationer who is in psychiatric crisis, and arrange for placement in a stable family, group or boarding home within forty-five days of admission. During their stay, they will participate in an intensive regimen of programs that include psychiatric intervention, medication awareness, life skills training, entitlement education, basic literacy skills, drug abuse counseling and problem solving classes. Probation officers are included in the case staffings on a regular basis and a program plan is established for each participant that will include future living arrangements.

It is important to remember that this program is not able to service defendants in need of outpatient services, such as Rule 11 exams. It also will not be able to provide temporary shelter for those who are not in need of mental health services.

### **PROGRAM PERSONNEL:**

- 1 Project Coordinator
- 1 Part-time psychiatrist
- 1 Part-time psychologist
- 1 Psychiatric Nurse
- 3 Counselors/Social workers
- 6 Counselor aides
- 1 Independent Living Skills Instructor
- 1 Case Manager

### **PROGRAM GOALS:**

- Rehabilitation/Stabilization
- Psychiatric Intervention
- Community Placement

### ***How do I place a person in this program?***

All offenders must be screened prior to making a recommendation for the Community Punishment Program by calling 506-3689. Sentencing judges will receive a written report of the results of this screening. Participants for this program must meet diversion criteria by demonstrating a likelihood for incarceration by way of their criminal histories and the nature of the offense.

## **SEX OFFENDER PROGRAM (COMMUNITY PUNISHMENT PROGRAM)**

The purpose of the sex offender component of CPP is two-fold: To provide increased supervision and surveillance of convicted sex offenders (external control) while they are involved in intensive treatment to address their sexual deviancy (internal control). CPP provides for specialized surveillance officers who work evenings and weekends and are trained to deal with the unique problems involved in supervising this very difficult offender. Presently there are seven specialized probation officers and four surveillance officers in the various field offices.

CPP sponsors specialized classes which every offender attends at the beginning of his/her probation. The forty-five-hour class addresses issues of basic human sexuality, societal role models, the development of sexual deviancy, and what will be expected in treatment. Wives and family members often attend, also.

After the offender's financial situation is assessed, he/she may be eligible for financial assistance as he/she progresses through a difficult, intensive, highly structured therapy program primarily consisting of group treatment for two years or more and physiological testing which validates the veracity of his statements and cuts through his minimizations and rationalizations. Treatment providers are selected for their commitment to a cognitive behavioral approach for working with this offender group. Therefore, CPP can only utilize approved providers who have passed a formal RFP process. Most offenders have long and hidden histories of sexual deviance which they need to work through if they are ever to gain insight and control over their problem. Many young offenders have high needs, but few resources. Some financial assistance with treatment will lower their risk to the community while they are also trying to find jobs, housing and/or skills training.

CPP also helps victims and families by addressing their treatment needs. Many offenders placed on probation are incest offenders whose families may eventually reunite. These families have special rules and guidelines which must be followed before any reunification or re-contact can occur. Young victims need their own time and space to heal, and the economic chaos which follows disclosure can leave families with no ability to pay for help. The special training of our officers can assure that children will not be returned to situations where they will be at risk. Mothers have often been abused themselves and need the special attention of CPP providers.

### *How do I place a person in this program?*

All offenders must be screened prior to receiving CPP help. A recommendation can be made for term #19 at the presentence level. If a sex offender is brought back to court on a violation and reinstated, be sure to screen for the CPP term. When appropriate, the CPP term can be modified after approval by a screener. Discuss your case with the specialized officer in your area, and call 506-3689 if CPP appears appropriate.

## **ADULT INTENSIVE PROBATION PROGRAM (HOUSE ARREST PROGRAM)**

Adult Intensive Probation Supervision (AIPS) is a program developed by the Legislature to divert serious, nonviolent offenders from over-crowded prisons. It is one of the Probation Department's alternative sanctions to prison and is utilized near the end of the continuum. AIPS is designed to restrict the activities of AIPS defendants and to provide protection for the community while emphasizing payment of restitution to the victims.

Offenders are under house arrest and are monitored by AIPS teams consisting of an Adult Probation Officer and a surveillance officer. The AIPS team monitors the offenders by conducting field visits of at least four per week for Phase I clients. Weekly contacts may be reduced as the offender moves through the IPS Phases. Offenders are required by statute to be employed, submit their paychecks to IPS and complete forty hours of community service per month. An offender that successfully completes the rigorous IPS Program is then graduated to standard probation.

To refer a client for IPS, simply contact an IPS supervisor to screen the case. Once the case is screened, the IPS supervisor will determine the offender's appropriateness for IPS. He/She will then send the necessary paperwork to IPS LEJIS.

## WORK FURLOUGH PROGRAM

### *What is the purpose of Work Furlough?*

The Work Furlough Program was designed and is run by the Maricopa County Adult Probation Department to allow defendants to maintain their employment or schooling while they are incarcerated. As such, Work Furlough allows the defendant to serve his debt to society while maintaining stability in the community.

Work Furlough is not for everyone. The defendant must be a motivated individual, who is willing to address those issues that lead to incarceration.

### *How does Work Furlough operate?*

In the Work Furlough Program, sentenced defendants are allowed to go to their place of employment for an agreed period of time. The defendant can go nowhere else besides their job site, unless they receive permission from their supervising probation officer. This would normally include counseling, medical or court appointments.

The defendant's employer must be aware that the defendant is incarcerated and must cooperate with the program. The defendant's Work Furlough Officer will visit the defendant and/or his/her employer at the job site.

The program is self-supportive through a charge of \$8.50 per day incurred by the defendant.

### *What are the requirements to get into the Work Furlough Program?*

1. The Courts must specifically make the defendant eligible for the Maricopa County Work Furlough Program. This must be indicated on the defendant's order of confinement.
2. The defendant should be employed at least thirty-two hours per week or enrolled as a full-time student. Release hours are mandated by job needs.
3. The defendant's employer must be aware that the defendant is in the Work Furlough Program and willing to have the defendant supervised.
4. If the defendant is already on probation, his/her field officer must have no objection to the defendant's placement in Work Furlough.
5. The defendant must arrange his/her own transportation to place of employment.
6. The defendant must submit to drug and alcohol tests while in custody.

**APPROXIMATELY 75% OF THOSE SCREENED ARE NOT ACCEPTED INTO THE PROGRAM.**

## WORK FURLOUGH PROGRAM - CONTINUED

### *Other requirements may include..*

1. Mandatory drug and alcohol counseling.
2. G.E.D. programs.
3. Sexual deviance/Personal therapy.
4. Fines or restitution payments.
5. Additional requirements may be ordered at the discretion of the judge and/or supervising Work Furlough probation officer.

### *Participant Criteria*

1. Nonviolent offense/offender.
2. Limited prior criminal history.
3. Stable employment history.
4. Structured employment.

### *What if unemployed or already in custody?*

If a defendant is unemployed, but employable, he may be considered for the Work Furlough Job Search Program. The defendant is allowed two weeks to find work. Along with the defendant's resources, a directory of employers willing to hire Work Furlough inmates is available through the program.

If a defendant is in custody but has been made eligible for Work Furlough by the Courts, he may be referred to the program by the supervising field probation officer. An in-custody inmate may be considered for Job Search if he has received at least sixty days in jail.

## **DAY REPORTING CENTER PROGRAM**

Upon completion of jail sentences, adult probationers in Maricopa County typically return to the same environments where their nonproductive life-styles, poor employment skills, substance abuse problems and negative peers were formed. The Day Reporting Center concept in Maricopa County will afford nonviolent adult probationers, destined to be released from jail, a unique opportunity to earn their way out of negative life-styles, while safely easing jail over-crowding. The Southeast Day Reporting Center provides intensive community supervision of offenders coupled with treatment opportunities during a sixty-day period, which the offender would traditionally serve in jail. Participation in the DRC program gives the offender a head start on securing employment and dealing with social issues, while being monitored in a highly structured environment. Currently offenders are being released into the community without intensive reintegration, employment or education programs. For some, this makes further criminal activity the career of choice.

In practice, during the final sixty days of a jail sentence, adult probationers will be interviewed for possible participation in the Day Reporting Center Program. If the probationer appears motivated to change negative behavior, is a nonviolent offender, and has a residence which can be verified, he or she will be eligible to be released from jail on a furlough status and enter the program. Once in the DRC program, the probationer will follow a structured daily itinerary and be required to remain at home at night under house arrest.

During the day and early evening, the participant's hour-by-hour itinerary will be filled with courses offered at the Southeast Day Reporting Center and other community-based agencies. The participant will also be involved in a job search program. Courses offered at the Day Reporting Center will address a variety of issues, including employment interviewing and job retention skills, drug and alcohol counseling, reading classes, accountability workshops, family and health issues, financial counseling, etc. These programs will primarily focus on assisting the probationer in development of skills to maintain employment and successfully integrate into society.

Probationers participating in the program will be monitored during the day by probation officers. These probation officers will serve as case managers, each handling caseloads of approximately thirty probationers. They will be responsible for developing treatment plans, conducting individual and group counseling sessions and formulating participants' daily itineraries. The case managers will be assisted by intake screeners, job developers, literacy teachers and Community Restitution Workers.

During the evening, participants will return to their homes at an assigned curfew and be monitored by surveillance officers. The behavior of participants will also be scrutinized through regular urinalysis testing. Participants will remain in the program, supervised by Day Reporting Center Staff, until the completion of the same number of days as diverted from their original jail sentence. Upon successful completion of the program, participants will return to standard or intensive probation supervision. If a participant fails to cooperate with program staff, their furlough status could be revoked and they will be returned to jail to complete their original jail sentence.

## SHOCK INCARCERATION PROGRAM

In 1983, a Georgia Superior Court Judge believed that there was a need for a disciplined program for youthful offenders, thus, the birth of Shock Incarceration. In 1988, Arizona Revised Statutes 13-901.01 (House Bill 2241) authorized the Arizona Department of Corrections to operate a Shock Incarceration Program. This program is located in the East Unit of the Arizona State Prison Complex-Florence. Arizona's Shock Incarceration Program is modeled after the Florida Department of Corrections "Boot Camp". This program incorporates para-military protocol, physical fitness, marching and structured social skills curriculum including education.

The Arizona Revised Statutes states that offenders must meet specific criteria for participation in the Shock Incarceration Program. They are as follows:

1. The offender is granted a period of intensive probation supervision.
2. The offender is between the ages of eighteen and twenty-five years old.
3. The offender has never been incarcerated in an adult prison facility.
4. The offender has no obvious or known contagious or communicable disease.
5. The offender has no known physical or mental impairment which would prevent him from performing physical activities.

The Shock Incarceration Program is a 120-day program. There are four ways that an inmate can leave the program. First, if the defendant is found medically unfit, the defendant is transported back to his county for resentencing. Secondly, if an inmate violates any rules or regulations of the Shock Incarceration Program and he is disciplinarily removed from said program, the defendant will go through the probation violation process before his sentencing Court. Thirdly, if the defendant violates any Department of Corrections rules, separate from those of Shock, he can be administratively removed. The defendant would then be ineligible for the Shock Incarceration Program and will be brought back to Court for resentencing. Lastly, if the defendant successfully completes the Shock Incarceration Program, he is then released to the Adult Probation Department and begins his intensive probation supervision.

Maricopa County has a special program for shock graduates that do not have appropriate residence upon their graduation from the Shock Incarceration Program. Some graduates have no family in the state or would return to the same neighborhood in which they previously offended or had gang affiliation. Another issue is that they return to dysfunctional families that either enable or contribute to continued negative, illegal behaviors which could result in further Court action. The Shock Transitional Living Center is a temporary, safe place for Shock graduates to reside, find employment and return to the community being self-sufficient.