



Juveniles become accustomed to frequent weekend and night visits.

FALLING CRIME RATES, RISING CASELOAD NUMBERS:

Using Police-Probation PARTNERSHIPS

By Christopher D. Condon

Throughout the 1990s, probation leaders faced a growing dilemma in which burgeoning caseload numbers and limited resources made effective offender supervision in the community difficult or impossible. As a result, an increasing number of probation departments began to break the paradigms of traditional supervision methods and craft innovative new practices for community supervision of offenders.

A trend of the 1990s was the formation of probation-police partnerships to address violent crime, mutually enhance their capabilities and improve probationer monitoring. Bringing these two, often disparate, justice groups into collaboration was awkward, but as soon as the advantages were recognized, the concept quickly spread across the nation.

San Bernardino County, Calif., is geographically the largest county in the United States. Although 90 percent of its 22,160 square miles are remote wilderness, it straddles a border with Los Angeles County and absorbs Los Angeles crime trends. The county is home to 1.7 million people and one of the most progressive probation departments in the state. During the mid-1990s, the San Bernardino County Probation Department experimented with several concepts in both community corrections and detention. These ideas included a caseload-free supervision system for 11,000 adult offenders, drug courts, juvenile day reporting centers, tent housing for overcrowded juvenile detention facilities, advanced automation systems, the arming of probation officers and some of the most advanced training in the state.

COMMUNITY CORRECTIONS IN CALIFORNIA

California differs from much of the United States in the structure of its probation and parole systems. Unlike many jurisdictions with a statewide system or separate agencies for adult and juvenile offenders, there are 59 different county probation agencies that administer supervision to both adult and juvenile offenders who have been placed on supervised release in lieu of a prison commitment.¹ These

probation departments also conduct presentence investigations, deliver treatment programs and operate all juvenile detention facilities within the counties. Parole is a division of the California Department of Corrections and provides supervision of offenders upon their return to the community following a state prison commitment. A third agency, the California Youth Authority, maintains juvenile detention facilities and provides parole supervision for the state's most serious adolescent offenders committed to the state by juvenile courts.

CRIME RATES DECLINE, PROBATION CASELOADS RISE

The progressive thinking in San Bernardino County facilitated solutions for a crisis facing probation departments nationwide. While most of the country enjoyed an unprecedented drop in crime rates beginning in 1993, probation departments were left to contend with caseload numbers that continued to spiral upward.

Despite experiencing the largest general population increase compared with the rest of the country (up 14.8 percent versus 10 percent nationally), California led the nation in the decrease of serious crime rates in the 1990s.² The California crime rate decreased 35.3 percent between 1988 and 1998, while the remainder of the country experienced a 24.1 percent decrease. The six most populous states, categorized to exclude California, experienced a 33.3 percent decrease in crime rates.³ In California, this trend continued dramatically in the final years of the past decade, with a 43.7 percent decrease in serious crime between 1996 and 2000.⁴ Violent crime (murder, forcible rape, robbery, aggravated assault) mirrored these trends, although not as significantly. Between 1988 and 1998, there was a 23.5 percent drop in California's violent crime rate, a 9.3 percent decrease nationwide and a 19 percent decrease in the six other most populous states.⁵ By 2001, the violent crime rate in California reached its lowest level since 1974.⁶

Juvenile crime should generally be examined separately in each state by arrest, as jurisdictions differ widely in how they handle juvenile arrests and adjudicate offenses. In California, juvenile arrest rates continued their slow decline since 1980, merging with the decline in adult arrest rates in 1993 and dropping to the lowest point since the late 1960s.⁷ Between 1996 and 2001, the rate of juvenile felony arrests decreased by 33.5 percent and the rate of juvenile misdemeanor arrests declined 19.8 percent. The rate of status offenses (i.e., incorrigibility, truancy, curfew) decreased 4 percent between 1996 and 2001.⁸

Nevertheless, probation administrators were aware of a startling set of separate statistics. During the 1990s, the number of offenders placed on supervised probation by the courts escalated dramatically. This was true for both adult and juvenile caseloads. Drawing again from California statistics, as of Dec. 31, 2000, the 333,288 adults on active probation in the state represented a 16.1 percent increase in adult probation caseloads since 1995.⁹ Moreover, by 2001, 71.8 percent of the adults on active probation were convicted of felonies, suggesting that in addition to unmanageable caseload numbers, probation officers also had to contend with more serious offenders.¹⁰ In many jurisdictions, the only offenders to receive contact from probation officers were those convicted of felonies.

Trends in juvenile probation caseloads are more difficult to analyze, as dispositions of juvenile arrests vary widely. Probation supervision is usually court-ordered, but remains at the discretion of juvenile probation officers and judges. National estimates of delinquency cases show dramatic increases. Between 1988 and 1997, the number of delinquency cases processed by U.S. juvenile courts increased 48 percent.¹¹ The type of crimes tried in these courts shifted significantly, with a 33 percent increase in violent crime adjudications in 1998.¹² Of the nearly 1.8 million cases adjudicated in U.S. juvenile courts in 1998, 1 million received some form of sanction from the court. Fifty-eight percent of the time, this sanction included community probation supervision. In fact, the number of cases placed on probation grew 56 percent between 1989 and 1998. During that time, the national delinquency caseload increased 44 percent.¹³ As noted by the Reinventing Probation Council in its publication, *Transforming Probation Through Leadership: The Broken Windows Model*, by the end of 1998, 5.9 million offenders were under some form of correctional supervision, of which more than 3.4 million adults were serving probation sentences — just less than 60 percent of the entire adult offender population. More than 634,000 juveniles were placed under probation supervision in 1996. The probation population as a whole increased by 2 8 percent since 1990, and currently, there are more than 4 million probationers living among us.

By the late 1990s, the emerging pattern in crime rates versus probation caseload numbers led to a simple inference. Despite dramatic reductions in crime nationwide, supervised release of offenders was becoming a more popular disposition in both adult and juvenile courts. The reasons for this were many, and may vary from how cost-prohibitive incarceration had become to a larger percentage of crime being less serious, justifying community release.

Regardless of the reasons, a challenge was faced by probation leaders to craft more effective means of supervision using relatively static resources and budgets.

MOVING AWAY FROM STATUS QUO SUPERVISION

The San Bernardino County Probation Department, like most county agencies in the state, enjoyed budget increases reflecting the economic boom of the 1990s. However, in California, there is no stable funding stream for probation departments and appropriations are funneled from the state through county governments. Generally, these departments are under-funded given their relative responsibilities in the justice system. Probation departments, in turn, have continued to seek additional or specialized funding sources, such as federal Title IV E supplements (federal funding from the Department of Health and Human Services for preventative juvenile case work) or grants, to make up the difference. The predicament is that these revenues are usually earmarked for specific services such as drug courts, intensive supervision of specialized caseloads or equipment, leaving dwindling resources for the supervision of most of the probation population.

In response to this predicament, the San Bernardino County Probation Department has consistently sought to implement more innovative, cost-effective methods for supervision. In 2000, the IMPACT (Intervention and Management of Probationer Accountability through Compliance to Terms) team emerged as the pre-eminent example of moving away from status quo probation.

FORGING A POLICE-PROBATION PARTNERSHIP

In the early 1990s, San Bernardino County probation officials traveled to Boston, where they evaluated the Operation Nightlight program, which was widely recognized for reducing violent juvenile crime in the Boston area. The concept involved teaming probation officers with police officers to conduct home visits on probationers during nighttime hours.

San Bernardino County officials requested funding from the federal government to import this supervision strategy to the West Coast. Finally, in 2000, these efforts were recognized with an \$800,000 congressional earmark, which is administered through the U.S. Department of Justice's Bureau of Justice Assistance.

The probation department immediately recognized that a police-probation partnership, with several other resourceful features, could provide better supervision for overwhelming caseloads while directing maximum attention to violent crimes perpetrated by youthful offenders.

The funding, also supplemented by a state Juvenile Accountability Incentive Block Grant, allowed for the creation of a unit consisting of five probation officers and five police officers to be teamed exclusively together as partners, forming five two-officer teams. A police sergeant and probation supervisor were also included, as well as clerical staff.

As this team could not service the entire county, a target area was necessary. The city of San Bernardino was a natural selection. Not only was this the county seat, with a population of 189,000, but it had many high-risk factors, making it the best choice strategically. In 1996, 133 juveniles were arrested for violent crimes, most of which were perpetrated with firearms. On any given day, there were more than 800 juvenile probationers residing within the city limits. Thirty percent of the city's children were receiving some form of public assistance, 77 percent qualified for free lunch programs, and children ages 10 through 19 were more likely to die from a homicide than in an automobile accident. In the year before the program started, San Bernardino suffered 32 homicides, 99 forcible rapes, 663 robberies and 1,311 aggravated assaults.¹⁴ Countywide, there were more illegal, clandestine methamphetamine laboratories per capita than in any other jurisdiction in the United States and more than 10,000 identified gang members.

The idea of a law enforcement partnership also mandated a close working relationship between police and probation officers. The probation department historically had a strong relationship with the San Bernardino City Police Department, an agency renowned for its progressive management, superior training and professionalism. The funding was titled Operation Nightlight, however, the unit became known as the IMPACT team.

YOU CANNOT FIGHT FIRES FROM THE STATION HOUSE

The focus of the Operation Nightlight program is to help probationers successfully complete probation. The amplification of this is to identify situations that would cause probationers to fail and eliminate the negative influences. The basis of the program lies in the probation-police partnership and involves intensive home and street contacts with high-risk offenders, at-risk youths and probationers during the evening hours. The Nightlight philosophy rests on the simple premise that "you cannot fight fires from the station house." Nightlight, like similar police-probation collaborations nationwide, was designed to reverse the trend of desk-bound probation officers, working primarily out of their offices with little visible presence in the community, in an anemic form of community corrections disparagingly referred to as "fortress probation."

WHY COLLABORATE?

The IMPACT team targets not only offenders younger than 18, but any youthful offender or at-risk youth. But in forming the program, questions arose: Why collaborate with law enforcement rather than other social service agencies? And if the collaboration was to be with law enforcement, why predominately target juvenile offenders?

The argument for collaboration between police and probation becomes even more compelling given the changing role of law enforcement in handling juvenile crime trends.

In 1999, law enforcement agencies in the United States made 2.5 million arrests of offenders younger than 18. Approximately one out of six arrests by law enforcement involved a juvenile.¹⁵ In the past, law enforcement could be more selective in their enforcement of juvenile crime, as incorrigibility and less serious offenses could be handled by probation or diverted to other dispositions. The decline in crime rates in the 1990s masked certain trends with juvenile offenders. By 1999, juvenile crimes dropped nationally.

Conversely, however, certain juvenile crime rates continued at the same or even higher levels. Unlike some violent crimes perpetrated by juveniles, aggravated assaults remained high in 1999, and simple assaults grew substantially during the 1990s.¹⁶ Vandalism continued to plague urban areas, juvenile drug arrests climbed an astounding 118 percent between 1992 and 1997, and more than half of those arrested for arson in 1999 were younger than 18; one in five was younger than 13.¹⁷ In California, the 1990s ushered in juvenile involvement in previously unheard of crimes: home invasion robberies, carjacking and tagging crews (gang-like groups that write graffiti). The seriousness of these offenses pushed law enforcement from prior discretionary involvement in juvenile delinquency to the front lines of a full-fledged war on juvenile crime.

For most delinquent juveniles, law enforcement officers are the first negative contact with a criminal justice professional, as they usually are just entering the door of the juvenile justice system. Yet, it is probation officers who are traditionally the most skilled in delinquency prevention measures. Teaming a probation officer with the police officer who makes this first contact with inchoate juvenile offenders is simply a common sense approach to combating juvenile crime.

PARTNERSHIPS: REPACKAGED FORM OF INTENSIVE SUPERVISION?

The San Bernardino Nightlight earmark was re-approved by Congress for another two fiscal years — 2001-2002 and 2002-2003. This funding brought another \$1,897,000 to the department and the opportunity to fine-tune the program's components. However, from the inception of the program in 2000, it was clear that certain components would have to be designed into the program or it would simply become a regurgitation of so many other intensive supervision programs used in the past. On its face, the police-probation partnership used by most agencies offers two completely new, unique features. First, by having police and probation officers work together regularly, each officer learns to use his or her individual skills to augment the partner's role. In confronting situations in the community, the police officer's abilities are enhanced by the infusion of probation knowledge, and vice versa. Second, by working at night and on weekends, the role of the probation officer is extended from the traditional 8 to 5, Monday through Friday capacity that had become expected by probationers. At once, the ability to make probationers accountable around the clock became a reality. In many jurisdictions, law enforcement officers bemoan having to deal with probation cases, not only because they do not understand the probation process, but because they cannot contact probation offi-

cers during evening hours, when they are more likely to confront probationers. With the IMPACT team, the mere ability of a patrol police officer to communicate with an on-duty probation officer in the evening enhances the working relationship of these two departments.

Being a progressive agency, though, the San Bernardino County Probation Department already had specialized probation units, some that worked partially at night, and all who shared good relationships with law enforcement. It appeared that from its conception, IMPACT was destined to become just another form of intensive supervision. The unit was designed by both line staff and management, like many other probation programs. As the components were assembled, two additional, innovative concepts were built into the program. It was decided that there would be no caseloads and that a treatment component would be included.

Caseload-free supervision formats were not new to San Bernardino probation. In 1997, the department won an award from the National Association of County Organizations for its design of a caseload-free adult supervision program. With IMPACT, officers have cases referred in three ways. Each two-person team is assigned to other juvenile probation officers, units or programs. They receive referrals from those officers to contact problem probationers or investigate potential probation violations. They then maintain running lists of probationers who reside within certain geographic areas of the city and continue contact with the probationer in addition to daytime contact by the regularly assigned probation officer. If probationers are found in violation or need a referral for further treatment, the IMPACT team coordinates with the assigned probation officer or handles the matter itself. Last, IMPACT patrols high-crime, gang-infested or graffiti-plagued areas, approaching any youthful offender found on the street or in violation of curfew. This latter referral method has been a tremendous benefit to patrol officers who have become accustomed to having a probation officer respond immediately when probationers are contacted during traffic stops or other dispatched calls. But quite simply, the elimination of caseloads, and the time-consuming paperwork that accompanies them, allows IMPACT teams to be out in the community for their entire shift. As one team member quipped, "We have been issued vehicles, not desks."

Merely enforcing probation terms or removing negative influences does not promote rehabilitation without skill-building. Out of concern that it would just displace crime elsewhere, the Nightlight program was designed to incorporate a treatment component. A criticism of the "midnight basketball" concept of organized sports activities during the late evening and nighttime hours is that it simply occupies the time of at-risk youths without teaching youthful offenders to redirect their negative activities into positive lifestyles on their own. The IMPACT team identifies at-risk youths and provides example activities featuring the consequences of both positive and negative lifestyles. Positive activities include field trips to professional sporting events, hosting basketball tournaments, encouraging involvement in extracurricular school activities, family involvement and taking minors to a wilderness camp to build self-discipline. These activities always emphasize teaching adolescents to develop the discipline to create their own positive activi-

ties. Negative lifestyle activities consist of tours of state prisons and local jails and deterrence programming conducted by inmates.

IMPACT team members have traveled to other jurisdictions to evaluate similar partnership programs, including the Boston Nightlight program. They have returned with the sentiment that the program works so well because caseloads have been eliminated and a treatment component included. In evaluating partnerships nationwide, the most ineffective use of the collaboration was when it was used as a crutch for one agency. One probation department, which did not regularly team its police and probation officers together, used its police partners only to make arrests and do the "dirty work" they did not want to train their own probation officers to do. Another agency used its partnership only for information-sharing and a readily available method of communication between agencies.

In 2001, IMPACT officers traveled to San Antonio to evaluate Texas' lauded Project Spotlight, featured last year in *Corrections Today*. This was found to be a model program due to the full-time commitment of both probation and police agencies to merge their services. However, even with Project Spotlight, caseloads had not been eliminated and both juvenile and adult probation officers were assigned to each caseload team.

RETHINKING TRADITIONAL ROLES

The first year of operations brought many challenges to IMPACT. ~~The nature of the partnership demands that~~ probation officers learn to function as police officers, and police officers learn to perform probation tasks. As such, recruited officers could perform both functions, but equally important, they understood the extent and limitations of their own role. Training was paramount. During the first years of the program, both the probation and police officers were cross-trained in skills that had traditionally belonged to just one agency: emergency vehicle operations, handling probation revocation cases, probation law and search techniques, advanced defensive tactics and cross-qualifications on the agencies' different weapons systems.

It was also necessary for police and probation management, as well as the officers themselves, to accept the changing dynamics of their roles.

In emergency or unavoidable situations, it was not possible to expect that police officers would not revert to their traditional responsibilities. Probation officers occasionally found themselves first on the scene of robberies or violent crimes, or backing patrol police officers who called for immediate assistance. For their part, police officers learned to work proactively with families in crisis, enforce probation terms and process probation revocation filings. In most instances, by selecting the most professional, experienced and versatile officers, problems with the role reversal were overcome.

DOES THE IMPACT PARTNERSHIP WORK?

The relative success of the IMPACT partnership is still being evaluated on several different levels. Although

immeasurable, officers from both agencies feel the productivity of the partnership. The nature of the program allows officers to be in a probationers' homes within minutes of learning of crisis situations. Other police units have enjoyed the immediate accessibility to probation officers and their criminal record systems.

Output statistics show incredible productivity. Within two years of the program's inception, five IMPACT teams made 1,644 arrests, filed 804 probation revocations and 503 new cases for prosecution, conducted 7,262 home visits, completed 4,988 residential probation searches, issued 973 curfew and other citations, and contacted 7,915 at-risk youths in San Bernardino. In addition, 242 drug offense cases and 42 firearms cases were processed.

To measure the unit's outcome goals of reducing youthful and violent crime, eliminating influences that cause probationers to violate, and educating youths about positive lifestyles, an evaluation is currently being conducted by the Criminal Justice Department of California State University, San Bernardino. Records on every probationer contacted are entered into a database. A comparative analysis will be completed within the next 18 months on probationers from surrounding cities who do not benefit from IMPACT exposure. The longitudinal study will measure whether IMPACT interventions have influenced various events, such as successful completion of probation, revocations while on probation, or rearrest after discharge from probation.

Ultimately, an evaluation may illustrate what components work and how partnership programs should operate, but the concept of breaking paradigms by working at night, eliminating caseloads to keep officers on the streets, and expanding traditional roles is the key to reinventing probation. Accountability has been sorely lacking in supervision systems for the past two decades and it is now incumbent upon probation leaders to return accountability to probation supervision through innovative concepts such as police-probation partnerships.

ENDNOTES

¹ There are 58 counties in California. Only San Francisco County has two probation departments — one for juvenile services and one for adult services.

² Criminal Justice Statistics Center, California Department of Justice. June 2000. *Crime in California and the United States, 1988-1998*. Sacramento, Calif. "Serious Crime" as defined by the California Department of Justice is reported as the California Crime Index, which is identical to FBI Part I reported crimes.

³ Ibid.

⁴ Criminal Justice Statistics Center, California Department of Justice. 2000. *Crime and Delinquency in California*. Table 1, California Crime Index, 1952-2000. Sacramento, Calif.

⁵ Criminal Justice Statistics Center, California Department of Justice. June 2000. *Crime in California and the United States, 1988-1998*. Page vi. Sacramento, Calif.

⁶ Criminal Justice Statistics Center, California Department of Justice. 2001. *Crime and Delinquency in California*. Page viii.

⁷ Criminal Justice Statistics Center, California Department of Justice. 2000. *Crime and Delinquency in California*. Table 16, California

Arrest Rates, 1960-2000. Sacramento, Calif.

⁸ Criminal Justice Statistics Center, California Department of Justice. 2001. *Crime and Delinquency in California*. Page viii.

⁹ California Department of Justice Web site, Statistical Data, Table 44, *Adults Under State and Local Supervision, 1995-2000*. Available at www.caag.state.ca.us/cjsc/datatabs.htm.

¹⁰ Criminal Justice Statistics Center, California Department of Justice. 2001. *Crime and Delinquency in California*. Page 82.

¹¹ Scahill, Meghan C. 2000. *OJJDP Fact Sheet No. 19*. U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, November.

¹² Stahl, Anne L. 2001. *OJJDP Fact Sheet No. 31*. U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, August.

¹³ Black, Meghan C. 2001. *OJJDP Fact Sheet No. 34*. U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, September.

¹⁴ Source: San Bernardino Police Department Crime Analysis Unit.

¹⁵ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. December 2001. *Juvenile Offenders and Victims: National Report Series Bulletin*.

¹⁶ Ibid. Page 17.

¹⁷ Ibid. Page 22.

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