

A History...A *SHORT* history...

- John Augustus
- Presentence Investigation
- Probation...*and* Parole

What is it?

- Probation is a 'second chance' for criminal behavior
- It is a contract between the offender, the judge and community

Probation-*Lingo*

- **DFAJ- Deferred Adjudication...**SHORT version is you complete probation, you don't get a conviction
- **ADJ- Adjudication...**Basically you are convicted and given probation as a sentence

*Several times people accept probation, even though they cannot complete it- simply because they do not want to go back to jail

From the start...

- A sentence is given to an offender

I once caught a fish..this big...



Probation highlights

- A judge gives a *PO* 'permission' to supervise a case and report back
- In TC, only one significant violation is needed for revocation
- Although only ONE is needed, the goal is to *change* behavior

Probation-The First (non linear) 48

- On the first meeting, an 'intake' is conducted
- ALL Conditions are reviewed and explained
- Assessments and tests conducted

Do you understand all the conditions that have been read to you?



What do you mean by 'don't do drugs'?

Probation-The First (non linear) 48

- Education level and any other documents are collected and processed
- Review of all the offender's personal details
- 'Setting the tone' of supervision

Probation-Conditions

- Conditions are the rules by which an offender 'on paper' must live by during their term of supervision
- Standard *COPs* and *Amended COPs*

Probation-Conditions

- Cannot commit any more crimes
- Cannot leave the county without permission
- Cannot use drugs
- Cannot move or change jobs without telling us
- Must attend specific training/drug program
- Must pay \$X in specific fees
- Must report to the agency

Probation-Conditions

- In regards to reporting, by TCCP 42.12 ‘when the judge or CSO says so’*

Typically, it’s once a month, but with certain cases it can be bi-monthly, weekly and even daily. This gets fuzzy though between the law and what the judge will accept as reporting.

- Most of the time, CSCD will be accommodating for reasonable situations

Probation-Conditions

- Cannot go to a sexually oriented business
- Cannot go within 1000ft of a CSZ
- Cannot exchange goods or money for sexual activity
- Must take all mental health medication prescribed by their doctor
- Cannot drink *any* alcohol
- Cannot drive a vehicle without an interlock device

..and on and on...

Probation-Violations to Conditions

- The most frequent violations are:
- Committing new offenses
- Frequent substance use/abuse
- Problems with reporting
- Leaving without permission
- Failure to complete Community Service
- Money VIs

Probation, violations

- There is no 'magic number' of violations
- Sanctions
- Interventions
- Court conference
- Recommendations
- 'All parties involved'
- Reinstatement vs. revocation

Specialized Divisions

- Mental health
- Sex offender
- FAIP
- SAA/IDT
- High Risk
- ELM
- Bond
- Assessment
- Diversion and intervention programs

Specialized Caseloads

- Specific *COPs* in addition to standard
- ‘Intensive supervision’
- Frequent team meetings and partnerships with 3rd party agencies
- Specialized training
- More frequent judicial contact
- ‘The right stuff’

What is this offense all about?

...and what is our response?

Difficulties

- **Punishment:**
 - Incarceration, probation, fines, CSR and other court ordered supervision/directives, death
- **Rehabilitation:**
 - Probation (including diversion programs), other court ordered supervision/directives (including community/state MH services)

Why Probation?

- Cheaper
- More options
- Proven research
- Provides more functionality in the *community*

Probation does not:

- entertain fantasy
- do your conditions for you
- expect you to fail
- think that everyone's case is the same
- want you to go to prison
- want you to lose your family, home or job
- Think everything you say is a lie

Probation DOES:

- expect you to make (mostly) good decisions
- do what it takes to succeed
- want you to follow our directions
- need you to be honest
- want you to communicate with us
- think you can make it!