

# ADULT COURT SERVICES 2013 ANNUAL REPORT

(Amended 01/22/15)



## SECRETARIES

MELISSA GASH & GLORIA SCHAEFFER

## COURT SERVICES OFFICERS

KAY CROUSE  
LADONYA HILL  
JENNIFER MCCOLLOM  
SULLONGE TURNER  
DIANA WINN

## COURT SERVICES SUPERVISOR

BRANDON WALKER

## TABLE OF CONTENTS

TABLE OF CONTENTS.....	1
HISTORY OF ADULT COURT SERVICES .....	2
OBJECTIVES OF ADULT COURT SERVICES .....	3
FORWARD.....	4
2013 STATISTICAL OVERVIEW .....	5
BOND INVESTIGATIONS .....	6
BOND SUPERVISION .....	8
HOME DETENTION PROGRAM .....	10
ACS SUPERVISED PROBATION.....	13
VIDEO CONFERENCING .....	15
COSTS, FINES, & RESTITUTION PROGRAM .....	17
JUDICIAL PAROLE .....	19
WORK SEARCH / WORK RELEASE.....	19
WORK & EDUCATION PROGRAM.....	19
COMMUNITY SERVICE WORK.....	20
VICTIM IMPACT PANEL .....	21

## **HISTORY OF ADULT COURT SERVICES**

Adult Court Service's (ACS) first full-time court services officer (CSO) was hired in 1981 to perform pre-sentencing services which state Probation & Parole could no longer provide to Boone County. A second CSO was added in 1982 to conduct bond investigations, supervise released offenders and implement the Community Service Work Program.

In 1988, a federal court limited inmate census at the Boone County Jail, but sending excess inmates to other jails was costly. The Boone County Commission addressed the new costs by funding a third CSO to manage an electronically monitored Home Detention Program as an alternative to jail.

With passage of the Law Enforcement Sales Tax in 2002, the Boone County Commission funded a fourth CSO in 2003 to work with alternatives to incarceration. The fifth CSO was added in 2004 to work with judicial parole and home detention.

In 2013 ACS assumed primary responsibility for a new program facilitating the use of video equipment for hearings involving inmates housed in the Department of Corrections.

Since 2004, ACS has experienced level staffing with five court services officers, two secretaries and the supervisor.

## OBJECTIVES OF ADULT COURT SERVICES

ACS administers alternatives to incarceration. Toward that end, the objectives of ACS are:

1. Recommend pretrial release for defendants who cannot post initial bond, who pose little or no danger to themselves or to the community, and who are likely to appear in court.
2. Supervise defendants who are released from jail under ACS supervision as a condition of bond.
3. Supervise defendants who are placed under ACS supervision as a condition of probation.
4. Provide an electronically monitored home detention program for intensive supervision of defendants. Participants include pretrial, pre-sentence and sentenced defendants.
5. Provide supervision, monitoring, and collection efforts for defendants who owe fines.
6. Provide information to defendants on programs required as a condition of probation, such as VIP, STOP, MEND and SATOP.
7. Evaluate incarcerated defendants for the Work and Education program which can include participation in Alcoholics Anonymous and Narcotics Anonymous meetings, religious services, education, and trustee work. Successful participants receive a reduced sentence and prepare for release from jail.
8. Evaluate current and future Boone County Jail inmates for participation in the Work Search/Work Release program. Successful participants obtain and maintain employment, pay their confinement costs and earn income which can be used for other debts.
9. Supervise defendants ordered to perform community service work under ACS supervision.
10. Provide staff support, planning and scheduling for videoconference hearings involving defendants housed in the Boone County Jail, the Department of Corrections or other facilities.

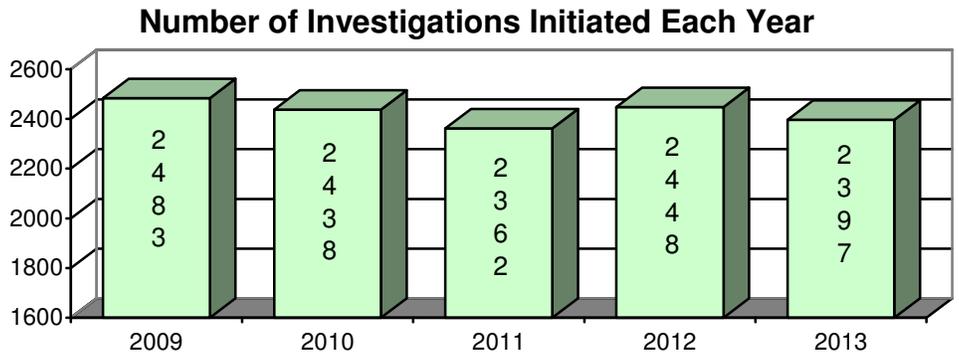
## FORWARD

2013 saw significant changes to two ACS programs: Costs, Fines and Restitution Collections; and Video Conferencing. Statutory changes transferred responsibility for restitution collection from ACS to the prosecutor's office. (See §559.100, RSMo) Additionally, the court enacted a policy removing responsibility for costs collection from ACS. For cases disposed on or after August 28, 2013, ACS is responsible for collection of fines only. For cases disposed prior to that date ACS is still responsible for restitution, fines and costs collection.

In July 2013, the court began a weekly video conferencing docket in Boone County for defendants housed in the Department of Corrections (DOC). ACS was given primary responsibility for scheduling and facilitating this docket. This requires planning and coordination with multiple DOC facilities, the prosecutor's office, the clerk's office and court administration several weeks in advance of each conferencing date.

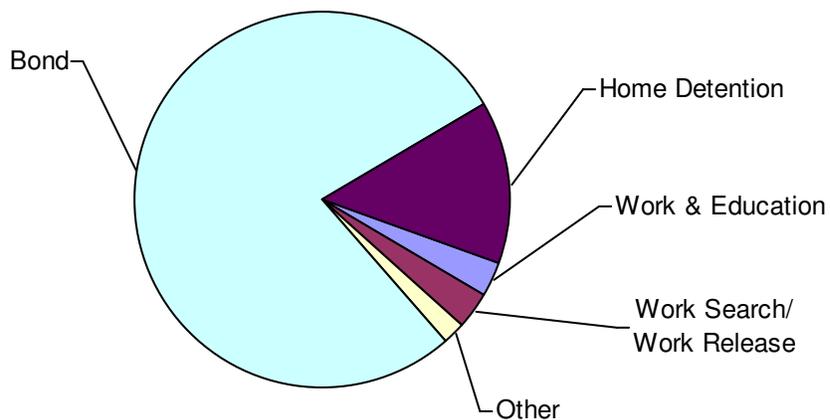
Statistically, 2013 compares similarly to 2012. Bond investigations are slightly lower than the prior year but remain high when compared to historical norms. Probation supervision is higher than 2012 and appears to be trending higher, which would be a return to historically typical levels. Home detention supervision numbers remain almost the same as 2012 but are low when compared to the historical norm.

## 2013 STATISTICAL OVERVIEW



ACS initiated 2,397 investigations in 2013, 51 (2 percent) less than 2012's 2,448 investigations. Of the 2,397 investigations, 1,877 (78 percent) were bond investigations; 337 (14 percent) were home detention/ sentencing studies; 62 (3 percent) were work search/ work release studies; 72 (3 percent) were work and education studies; and the remaining 49 (2 percent) were judicial parole and furlough studies.

### 2013 Investigations Initiated by Type

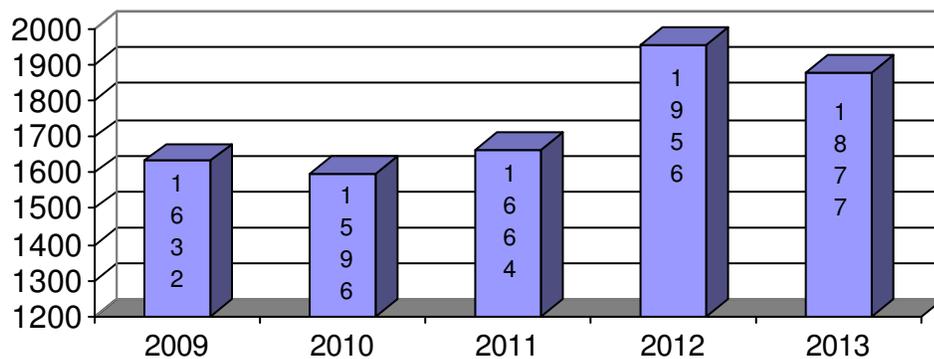


## BOND INVESTIGATIONS

The court orders a bond investigation for defendants at the Boone County Jail who cannot post the set bond. A thorough criminal history check is made and the defendant is interviewed about ties to the community, employment history, and other factors. Information is also obtained from third parties. The report completed by this office presents the facts and recommends a course of action to the court based on the subject's suitability for release from custody.

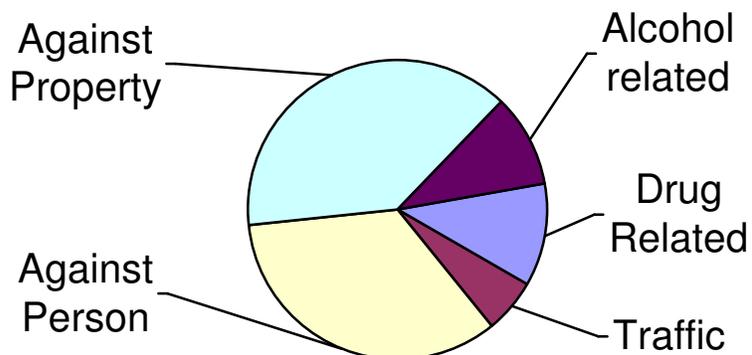
Recommendations regarding bond can include no reduction, posting a percentage of the bond in cash, reduction in bond, home detention, or release on own recognizance ("ROR"). Bond investigations are initiated as soon as possible after incarceration and completed within policy guidelines.

**Bond Investigations: Number of Reports Initiated**



ACS initiated 1,877 bond investigations in 2013, compared with 1,956 in 2012. ACS completed 1,883 bond investigations in 2013, compared with 1,971 in 2012. The court ordered no reduction in 82 percent of the cases, ROR in 10 percent, reduced bond/ percentage of bond in 6 percent and home detention in 2 percent. This compares with 2012 disposition rates of no reduction in 81 percent of the cases, release on own recognizance in 11 percent, reduced bond/ percentage of bond in 6 percent and home detention in 2 percent.

### 2013 Bond Investigations By Offense



In 2013, 34 percent of the bond investigations initiated were for charges of crimes against persons, 39 percent for charges of crimes against property, 11 percent for drug-related charges, 10 percent for alcohol-related charges and 6 percent for traffic-related charges.

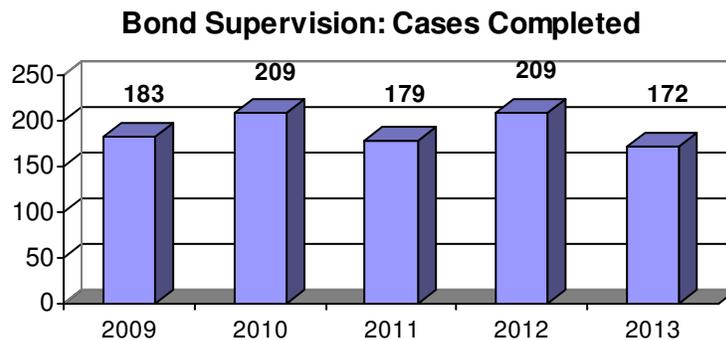
## BOND SUPERVISION

Defendants released from custody pursuant to a bond investigation are usually subject to ACS supervision until disposition of the case. Defendants report at least once a week to ACS and provide updated information regarding employment, telephone number, address, attorney, activities, and next court appearance. Conditions may be applied to a defendant's release such as participating in treatment or counseling programs, restriction from visiting certain places, and having no contact with alleged victims or co-defendants. Defendants who do not report as directed or who are found to be in violation of their bond conditions are reported by ACS to the court and are subject to revocation.

Defendants spent 18,211 days under bond supervision by case in 2013, an 18 percent decrease from 2012's 22,343 days.

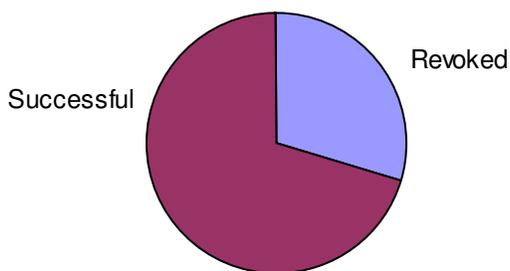
Total jail days in 2013 for the Boone County Jail facility was 73,730, an increase of 9,125 (14 percent) from 2012's 64,605 days. Estimates for 2013 jail housing costs are approximately \$65 per inmate per day, of which \$60 is fixed and \$5 is variable. For inmates housed at other facilities the costs are approximately \$33. This report will base estimates for monetary savings on the \$33 figure in most instances.

The pre-disposition bond supervision program averaged 49 participants per day in 2013. At a \$33 other facilities cost this represents a savings of \$590,205.



In 2013, defendants in 172 cases completed ACS bond supervision, an 18 percent decrease from 2012's 209 completed cases. The chart below reflects that 70 percent of case completions were successful and the remaining 30 percent were revoked due to a violation of conditions. Of the 30 percent revoked, 12 percent committed a new offense, 12 percent failed to appear, 3 percent absconded and 3 percent committed a technical violation.

### Bond Supervision: 2013 Case Outcomes



## HOME DETENTION PROGRAM

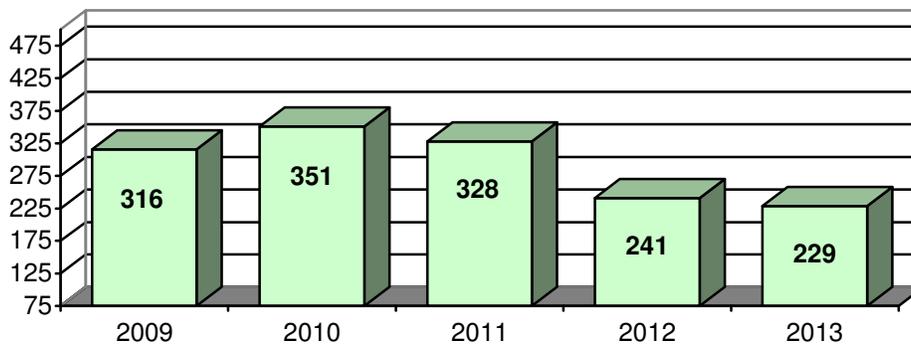
Home detention is an intensive supervision program that utilizes electronic monitoring equipment to assist in ensuring compliance. ACS determines the defendant's eligibility for the program and makes a recommendation to the court. Public safety and program integrity are reflected in the screening, selection, and supervision of program participants.

Each program participant is electronically monitored 24 hours a day and follows a pre-set schedule. The electronic equipment reports when the defendant leaves and returns home and whether certain conditions (e.g., banned places, no alcohol consumption) are being followed.

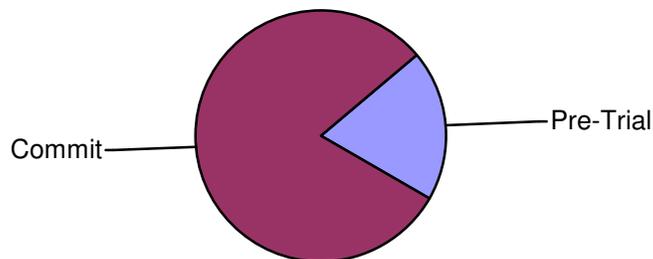
In 2013 ACS completed home detention reports in 339 cases, down 4 percent from 2012's 353 cases. The court granted ACS supervised home detention to 69 percent compared with 2012's 67 percent. Twenty percent were non-Boone County residents granted home detention with third party supervision. The remaining 11 percent were denied home detention by the court.

In 2013, defendants in 229 separate cases participated in the home detention program, a 5 percent decrease from 2012's 241 figure.

**Home Detention Program: Yearly Participant Total By Case**



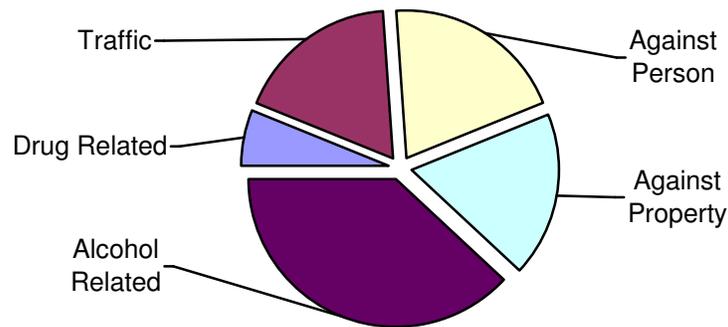
**Home Detention Program:  
2013 Sentence Status By Case**



Of the 2013 ACS-supervised home detention cases, 20 percent were in pre-trial status and 80 percent were post-sentence (commit). Of those, 92 percent successfully completed the program and 8 percent were revoked. There were 18 revoked cases representing 12 separate defendants. Three defendants were revoked for committing new offenses and 9 for technical violations of the program. These technical violations included testing positive for drug or alcohol use (4), failing to abide by the set curfew or attempting to deceive staff about said curfew (2), having contact with a victim (1), absconding from the program (1), and failing to pay fees (1).

Thirty-eight percent of 2013's home detention admissions by case had been charged with or convicted of alcohol related offenses, 20 percent for crimes against persons; 18 percent for traffic-related offenses (such as driving while suspended or revoked); 18 percent for crimes against property; and 6 percent for drug-related offenses.

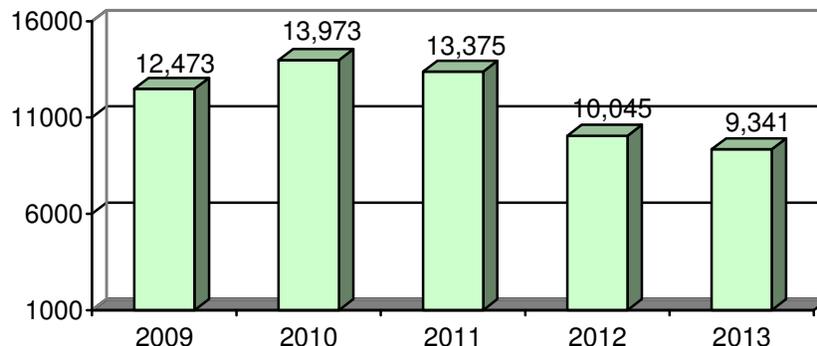
**Home Detention Program:  
2013 Offense Types**



Home detention defendants paid the court \$65,519 in 2013 to participate in the program. The court paid \$35,457 to its equipment vendor. The \$30,062 difference helped offset personnel and administrative costs of the program and helped to fund equipment for defendants who were truly unable to pay.

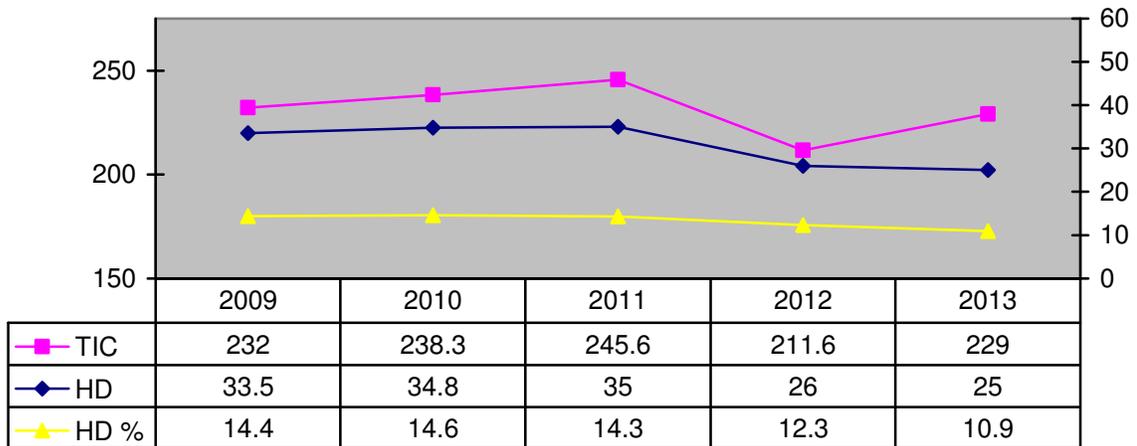
Defendants spent 9,341 days on ACS supervised home detention by case in 2013. By comparison, defendants served 10,045 ACS supervised home detention days by case in 2012.

**Home Detention: Days In Lieu of Jail by Case**



The home detention program averaged 25 participants per day in 2013. This represents a savings of \$301,125 at a \$33 other facilities cost. This program has grown since its initial year of 1989 when an average of 7 participants per day participated.

### Total In Custody and Home Detention

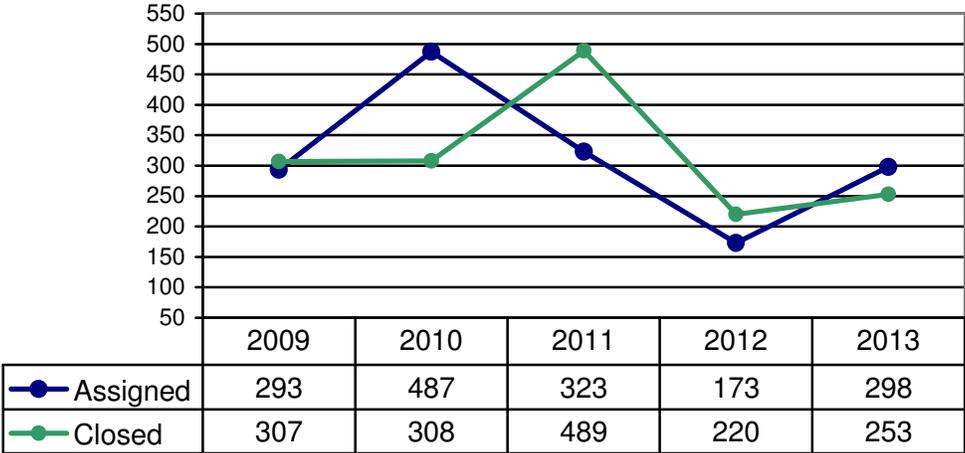


The above chart compares the total in custody (“TIC”) jail population with the home detention population (“HD”) and home detention percentage (“HD%”) of total in custody jail population.

## ADULT COURT SERVICES SUPERVISED PROBATION

The ACS probation program began in 2003 in response to statutory changes removing certain Class A misdemeanors from state Probation and Parole supervision. Defendants who meet certain specific ACS probation conditions are removed from active supervision and their cases are converted to unsupervised probation.

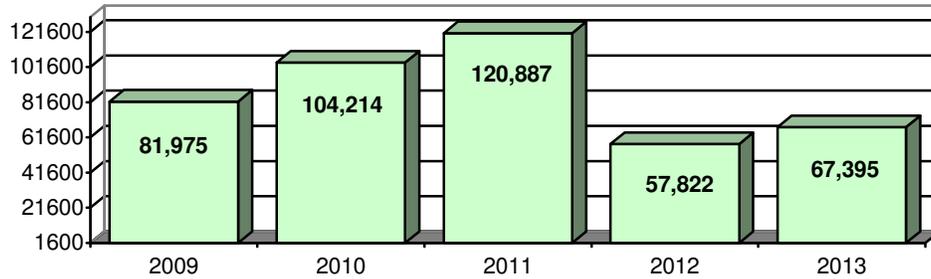
**Adult Court Services Supervised Probation  
Annual Assigned vs Closed**



In 2010 the number of defendants on ACS supervised probation far exceeded program expectations and capacity. An effort was made to improve compliance with the parameters of probation set forth in Administrative Order 11-09. The result of these efforts was to bring probation cases back in line with program capacity, which is estimated to be between 170 and 250 cases.

During 2013, individuals in 298 cases commenced ACS supervised probation, a 72 percent increase from 2012’s 173 cases. Of the 298 assigned in 2013 and the 156 already on probation from 2012, 253 were released from probation in 2013. Of those who were released, 191 of the 253 (75 percent) successfully completed their probation and 62 (25 percent) were unsuccessful (probation revoked).

### Adult Court Services Supervised Probation: Total Days of ACS Probation

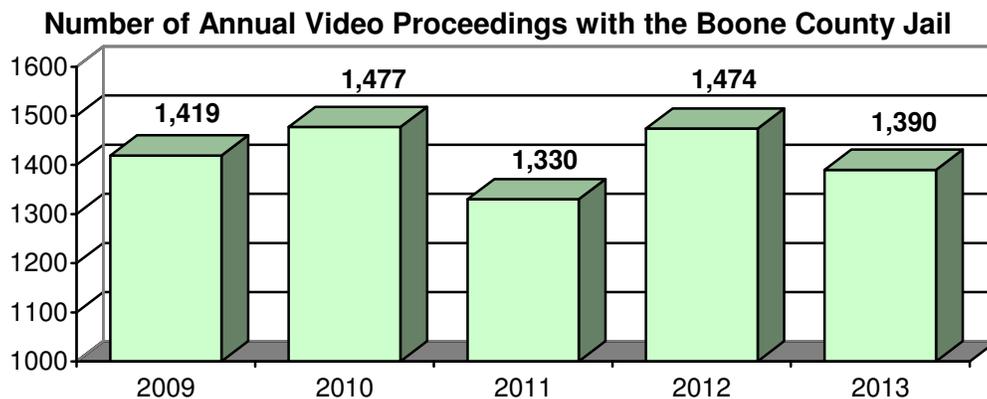


Boone County defendants served 67,395 days on ACS-supervised probation by case in 2013, a 17 percent increase from 2012's 57,822 days. The decline of ACS-supervised probation days since 2011 is reflective of both the intended decline in the number of defendants assigned and more effective and efficient supervision.

## VIDEO CONFERENCING

In July 2013, the court implemented policies and procedures to create a regular video conferencing docket with inmates housed in the Department of Corrections (“DOC”). Currently the circuit judges rotate for a weekly video docket. ACS has primary responsibility for scheduling and supporting this docket in collaboration with the prosecuting attorney’s office. From July through December 67 defendants involving 79 cases were heard via video dockets. This represents a savings of \$6,375 in vehicle transportation costs, \$2,791 in personnel costs, and 136 days of jail avoided which, at \$65 per day, is \$8,840. These figures combine for a total of \$18,009 in savings. It is anticipated that future use of DOC video conferencing will increase.

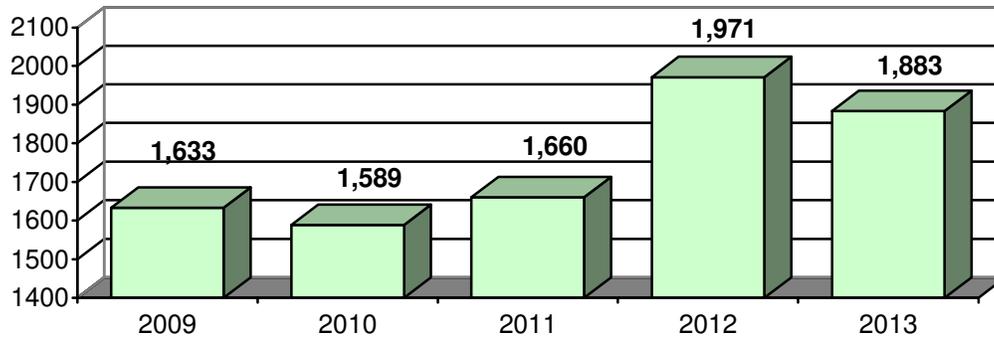
Defendants in the Boone County Jail who have active cases in the court may attend hearings by video conference between the jail and the court. Boone County cases eligible to be heard by video conference include initial arraignments, bond reduction hearings, counsel status hearings, first appearance on warrants issued for probation violation hearings and returns on warrants issued for failure to appear. In 2013, the court utilized video conferencing with the jail in 1,390 proceedings, a 6 percent decrease from 2012’s 1,474 proceedings.



The 1,390 video proceedings conducted in 2013 represent an average of 5.6 such proceedings per business day, a slight decrease from 2012’s 5.9 per business day.

In addition to court proceedings which are conducted using video communications, every defendant arrested and held in the Boone County Jail who cannot post bond is interviewed by a CSO using video conference. These interviews enable the CSO to obtain material information from the defendant to better evaluate the defendant's potential danger to the community and to answer any questions the defendant might have. In 2013, ACS completed 1,883 bond investigations on Boone County Jail inmates. This represents an average of 7.6 video interviews by CSOs each business day.

**Video Conferencing: Number of Annual Video Interviews**



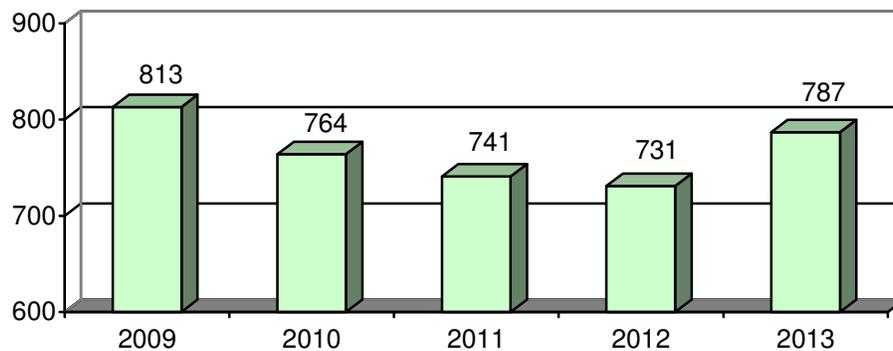
## COSTS, FINES, & RESTITUTION PROGRAM

In 2003, the court adopted a policy that all court costs, fines and restitution are due the day of sentencing. Since payment plans are the only alternative to immediate payment, the policy has produced a large number of payment plans and increased collections.

ACS supervises defendants who cannot pay their full costs, fines and restitution on the day they are sentenced. ACS negotiates a payment plan with each defendant and recommends it for court approval. Once approved by the court, ACS monitors payments, recommends extension requests for defendants who genuinely attempt to meet their financial obligations, sends out overdue notices, and submits warrant requests to the court for those who do not pay as directed.

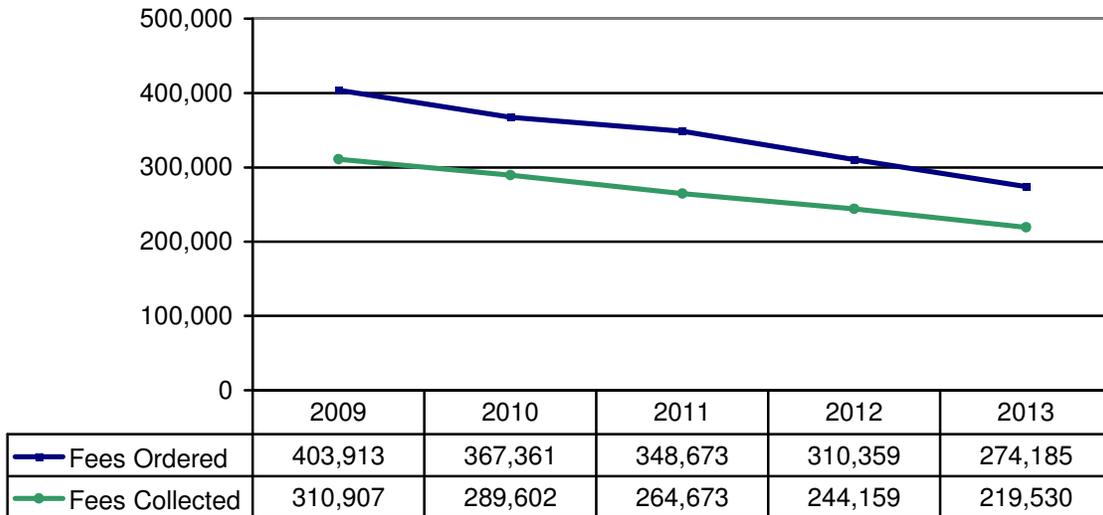
In 2013, statutory changes placed the responsibility of restitution collection with the prosecutor's office. Cases disposed on or after August 28, 2013, now fall under the supervision of the prosecutor for restitution collection. In addition, effective the same date, the court enacted a policy removing costs collection from ACS responsibility. Costs are collected through other programs, including collections by the circuit clerk's office, the tax intercept program and collections made by the court's third-party collection agency. ACS continues to monitor restitution and costs in cases disposed before August 28, but for cases disposed after that date ACS is responsible for fines collection only.

**Payment Monitoring: Number of Annual Cases**



ACS was responsible for monitoring payment compliance in 787 cases in 2013 compared to 2012's 731 cases.

### ACS Supervised Payment Plans Ordered and Collected



Court-ordered amounts in 2013’s 787 cases totaled \$274,185, a 12 percent decrease from 2012’s \$310,359. Collections totaled \$219,530 in 2013, a 10 percent decrease from 2012’s \$244,159. Collections in 2013 were 80 percent of case totals, an increase from 2012’s 79 percent.

Due to the statutory and policy changes in 2013, amounts ordered and collected are not entirely comparable to prior years. In addition, there is a time lag between the date that a payment plan is approved by the judge and the dates payments are made on the payment plans. As a result, same year payments and amounts ordered are not entirely comparable.

## **JUDICIAL PAROLE**

The ACS judicial parole program was established in 2004 to supervise Boone County inmates who had partially completed their sentences and were deemed not dangerous to the community or to themselves. Each day served on judicial parole counts as a jail day served in determining a defendant's release date.

In 2013, ACS completed judicial parole reports in 35 cases, a 25 percent increase from 2012's 28 cases. The court granted 9 percent of the 2013 requests for Judicial Parole, a decrease from 2012's 11 percent.

Six Boone County Jail inmates were granted ACS-supervised judicial parole in 2013, compared with 3 in 2012. In 2013, ACS supervised 373 judicial parole days in lieu of incarceration compared with 148 judicial parole days in 2012. Each judicial parole day equates to one fewer jail day. At a \$33 other facility cost the 373 judicial parole days represents \$12,309 in savings.

## **WORK SEARCH / WORK RELEASE**

The work search/work release program began in 2001. Boone County Jail inmates may petition the court to participate in this program. If ordered, ACS provides the court with a report and recommendation. This program provides inmates the opportunity to obtain or maintain employment while incarcerated.

If the judge approves participation in the program, the inmate is released from the jail to Reality House to seek employment. If the inmate finds employment or already is employed, he is released to Reality House. The inmate is permitted to leave Reality House to job search or go to work and returns to Reality House daily.

In 2013, ACS completed work search/work release reports in 63 cases, a 29 percent increase from 2012's 49 cases. The court granted 25 percent of the 2013 petitions, a decrease from 2012's rate of 60 percent.

## **WORK & EDUCATION**

Adult Court Services began providing work and education reports for the court in 1997. Boone County Jail inmates can petition the court to participate in this program. In response to this petition, ACS provides the court a report and recommendation on each application. This program provides experience and training which can translate into jobs after jail release. Inmates receive a one-day reduction in sentence for each eight hours of approved participation in work and education programs.

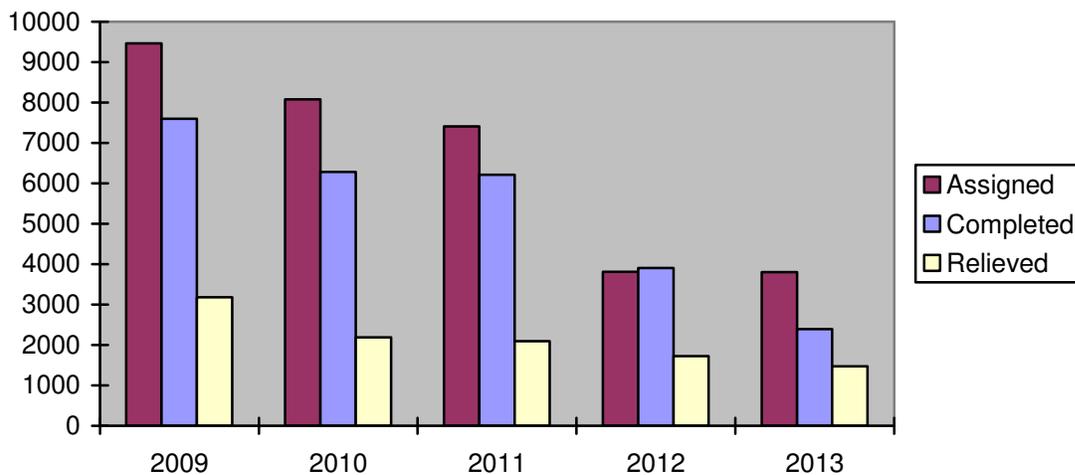
In 2013 ACS completed work and education reports in 71 cases, a 27 percent increase from 2012's 56 cases. The court granted 34 percent of the 2013 petitions, an increase from 2012's rate of 32 percent.

## COMMUNITY SERVICE WORK

Community service work (CSW) recompenses the community for the harm caused to it by criminal acts. ACS supervises two types of CSW: (1) CSW ordered as a condition of ACS supervised probation, and (2) CSW allowed by the court upon ACS's recommendation in lieu of paying a fine.

CSW may only be performed at a qualified, not-for-profit agency. Not-for-profit means the agency has either an IRS tax exemption letter or a Missouri sales tax exemption letter. This and all other CSW policies are explained at the outset to each program participant. ACS's goal is to maximize successful outcomes.

### CSW Hours Assigned, Completed and Relieved



In 2013 ACS supervised defendants completed 2,390 hours of CSW. At the standardized \$10 per hour used by the court to value CSW hours, the 2,390 program hours completed in 2013 represent a \$23,900 return to the community through participating not-for-profit agencies.

In 2011 changes to driving related offenses in section 302.321, RSMo, and a stricter adherence to probation eligibility as defined in Administrative Order 11-09 reduced the number of hours ACS supervises.

There is a time lag between the date that CSW is ordered by the judge and the date it is completed by the defendant. As a result, same year CSW hours ordered and completed are not entirely comparable.

## **VICTIM IMPACT PANEL**

Certain traffic offenders are ordered by the court to attend the Victim Impact Panel (VIP) as a condition of probation. During this program, panelists share their experiences with serious traffic accidents in a non-judgmental way. Most drivers realize that serious traffic accidents impact victims, their families and those who care about them. The VIP program gives names and faces to victims and increases awareness of how events impact real people.

In 2013, 537 defendants attended the VIP program at the Boone County Courthouse. Defendants are required to pay a fee to attend the program, a portion of which is provided to the court. Revenue from this fee totaled \$2,685.

Defendants who live a distance from the Boone County Courthouse, or who cannot attend this program on the first Monday of each month, can request approval from the court to attend a more convenient program, provided it offers the same teaching format and substantive content.