

Project Narrative

PLAN:

The Probation Special Units Program (PSUP) in Humboldt County will consist of one caseload supervised by a Senior Probation Officer. Promotion to the position of Senior Probation Officer requires, at minimum, completion of the Probation Officer Core Course, Penal Code 832 training, and two years of experience as a Probation Officer. Any Senior Officer assigned to this program would also have completed Effective Practices in Community Supervision (EPICS) training and would be expected to use this Cognitive Behavioral Therapy (CBT) tool during most office visits. EPICS is designed to address and mitigate criminogenic needs, thereby reducing the level of risk the probationer poses to the community and to their victim. The EPICS interventions are intended to address criminogenic needs as identified with a dynamic needs assessment tool. In instances where the offender is not ready to work toward implementing positive changes or does not see the need, the Senior Probation Officer would use Motivational Interviewing (MI) to help move the offender past pre-contemplation and closer to a stage of change readiness.

Crimes categorized as domestic violence fall within a wide spectrum in terms of seriousness and the level of violence involved. In Humboldt County, most domestic violence offenders placed on supervised probation are convicted of felonies. Their crimes are elevated to a felony based on being more serious and/or violent. Examples are offenses involving either injury to a victim or use of a weapon, or an offender who has prior domestic violence

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convictions. Prior to sentencing, each offender who is referred to the Probation Department is evaluated pursuant to Section 1203.097(b)(3)(I) of the California Penal Code to assess the risk of lethality the offender poses to his or her victim. The lethality assessment examines the following areas: threats of homicide or suicide; fantasies of homicide or suicide; use of weapons; whether the offender has a sense of ownership of his or her victim; and to what extent the offender is dependent upon the victim to organize or sustain their lives. Crimes in which these elements are present are considered more serious, and the offender is considered to present a higher threat of violence.

Additionally, each case referred to the Probation Department is evaluated for risk to reoffend using the Noble actuarial static risk assessment tool. This tool predicts not only the level of risk the probationer presents for reoffending, but whether they present an above average risk for reoffending with a violent crime. Some factors that can increase an offender's risk score are the age at which they were first convicted of a crime, their total number of felony and misdemeanor convictions, and convictions for current or prior crimes involving victims, weapons, or violence.

The Humboldt County Probation Department typically supervises about two and a half times the number of domestic violence offenders as would be supervised at any given time on the PSUP caseload of 40 offenders. Therefore, more stringent guidelines are needed to determine the most appropriate offenders to place in the PSUP beyond simply identifying those with domestic

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violence convictions and a court order to complete a Batterer's Intervention Program (BIP). The domestic violence offenders who would be placed into the PSUP would be selected based on risk score, the findings of the lethality assessment, and geographic location. The offenders who have been assessed as presenting the highest level of risk for reoffending, or those whose crimes included elements considered by the lethality assessment, would be top priorities. Given the large geographic size of Humboldt County, appropriate probationers would also be those who reside in the central part of the county. This would improve efficiency in terms of meeting contact standards, as it limits what could be several hours per week of drive time to conduct field visits. Additionally, the BIPs are located within this same central area, thereby also maximizing efficiency in maintaining relationships with the BIP providers.

Once an offender is granted probation, the Adult Field Supervisor screens their case and assigns it to an appropriate caseload. The Field Supervisor considers each of the criteria above (static risk score, lethality assessment, and residence). The Adult Field Supervisor would be responsible for selecting cases to assign to the PSUP. The Adult Field Supervisor would also conduct routine audits of the PSUP. In addition to checking that contact standards are being met, the audit would allow the Adult Field Supervisor to double check that offenders who are either serving time in custody or are on warrant, are reassigned to an inactive caseload until such time as they become active again. These steps would ensure the caseload is maintained at a reduced

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number of probationers while also ensuring it consists of offenders who are available for supervision.

During the twelve-month reporting period, it is estimated approximately 53 probationers would be supervised through the PSUP. Most of the offenders would be serving a three-year grant of probation. The total of 53 probationers is calculated assuming the caseload would always operate near capacity, and that there would be a 33% turnover in cases during the grant period.

It is further expected that monthly contact would be made with each victim, so with the expectation that the caseload would be maintained at or near capacity, there would be a total of approximately 480 victim contacts during the reporting period. Face-to-face contacts with victims would occur early in the supervision of a specific offender and would transition to telephone contacts unless the victim indicates they would like to maintain face-to-face contacts or if there is reason to believe the victim is in danger. Assuming again that there is a 33% turnover in offenders supervised on the PSUP caseload and that each victim is met with at least once in the office and once in the field before a transition is made to phone contacts, it is anticipated there would be a minimum of 13 office visits with victims, 13 field contacts with victims, and 454 telephone contacts. It is acknowledged that maintaining the caseload at exactly 40 offenders will not be possible every month, as offenders complete probation or become inactive due to arrest or absconding. Therefore, each of these estimated numbers could be reduced by approximately 20%.

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Prior to sentencing, each offender would relinquish any firearms registered to them, and any firearms found during their arrest would be confiscated. To insure this, and pursuant to Section 29810 of the California Penal Code, all probationers convicted of a felony as well as those convicted of misdemeanor domestic violence, are run through the Automated Firearms System (AFS) prior to sentencing. Assuming a rate of 13 new offenders being assigned to the PSUP caseload each year, this would equate to 13 searches of AFS for project specific probationers. If any firearms were registered to them other than those already confiscated by law enforcement, they would be required to relinquish said firearms. Proof of such relinquishment would need to be provided to the court. Post-sentencing, the Senior Probation Officer would review with the offender both the state and federal gun laws prohibiting ownership of firearms and would obtain a signature from the offender acknowledging understanding of said laws. Further, compliance with gun laws would be monitored via routine visual checks of the offender's residence during field contacts, as well as more in-depth searches when there is a suspicion the offender is in violation.

Given the passage of Proposition 63 in 2016, which resulted in Section 29810 of the California Penal Code, law enforcement officers and firearms dealers are well versed on the prohibition for domestic violence offenders and felons in general from possessing or having registered in their names, any firearms. Further clarification of this issue would be made to victims, BIP providers, and victim advocates during initial contacts with victims as well as

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during monthly BIP Provider Meetings, which are attended by the Senior Probation Officer assigned to the PSUP.

The Senior Probation Officer assigned to the PSUP would attend 16 hours of domestic violence and sexual assault training during the grant period. It is anticipated that the officer would attend Government Training Agency's (GTA's) eight-hour course titled Domestic Violence for First Responders as well as GTAs eight-hour course titled Sexual Assault for First Responders. At this point, these courses are scheduled for in person instruction in September 2020, in cities located in central and southern California. This is a significant distance to travel from Humboldt's location in the far north of the state. If travel is not possible and/or advisable by public health officials at the time of the course, virtual format alternatives will be sought.