



# **ANNUAL REPORT 2008**

## **PHILADELPHIA ADULT PROBATION AND PAROLE DEPARTMENT**

**HONORABLE C. DARNELL JONES, II, PRESIDENT JUDGE**

**HONORABLE D. WEBSTER KEOGH, ADMINISTRATIVE JUDGE, TRIAL DIVISION**

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**ROBERT J. MALVESTUTO, CHIEF PROBATION AND PAROLE OFFICER**

**FRIDAY, JANUARY 23, 2009**

# PHILADELPHIA ADULT PROBATION & PAROLE DEPARTMENT

2008

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## INTRODUCTION

The Philadelphia Adult Probation and Parole Department (APPD) is the largest Department within the Criminal Trial Division of the First Judicial District of Pennsylvania. The Honorable D. Webster Keogh, to whom the Probation Department reports, is the Administrative Judge of the Trial Division. The Chief Probation Officer, Robert J. Malvestuto, oversees APPD and reports directly to Joseph A. Lanzalotti, Deputy Court Administrator, Trial Division. The President Judge is the Honorable Pamela P. Dembe.

The mission of the Philadelphia Adult Probation and Parole Department is to protect the community by intervening in the lives of offenders. We hold them accountable by enforcing the orders of the Court. Through a balance of enforcement and treatment strategies, we afford offenders the opportunity to become productive, law-abiding citizens. APPD provides all possible assistance to the victims of the offenders we supervise. The agencies mission is implemented as follows:

- **SERVE THE COURT** – Provide pre-sentence investigation reports, mental health evaluations, and other information needed for the judicial decision-making process.
- **PROTECT THE COMMUNITY** – Monitor offenders granted probation or parole to ensure compliance with the rules and regulations of probation and parole, and Court-imposed special conditions. Through collaboration with community agencies, assist offenders in developing their potential.
- **SERVICE TO VICTIMS** – Provide services to victims of crime including developing victim impact statements, providing direct and referral services to victims, providing information to victim service providers and participating in victim service networks to promote the rights of victims.

## STANDARDS COMPLIANCE

The State Board of Probation and Parole promulgates American Correctional Standards which county Probation Departments in Pennsylvania are obligated to meet. For 2008, there were 227 such standards, all of which were met by APPD. The level of compliance with these standards is tied to the SBPP Grant-In-Aid program, which subsidizes 39.46 % of the salaries of staff in certain classifications.

## **STAFFING AND WORKLOAD**

Salaries for staff represented by the American Federation of State, County and Municipal Employees (AFSCME) are determined in part through collective bargaining. FJD determines the salaries of non-represented employees.

| <b>↓CATEGORY</b>                           | <b>COUNT</b> |
|--|--------------|
| <b>STAFF</b>                               |              |
| Managers                                   | 45           |
| Probation Officers                         | 294          |
| Support Staff                              | 50           |
| Part-Time Staff                            | 23           |
| Vacancies                                  | 27           |
| <b>APPD WORKLOAD</b>                       |              |
| OFFENDERS SUPERVISED                       | 48,052       |
| CASES SUPERVISED (discrete dockets/Judges) | 59,144       |

## **PROGRAMS – SPECIALIZED UNITS AND FUNCTIONS**

- **ALCOHOL HIGHWAY SAFE DRIVING UNIT (AHSD)** – This unit supervises 2,200 offenders and coordinates and monitors the completion of all statutorily mandated conditions for D.U.I. offenders. This unit is also responsible for DUI Treatment Court, which began in 2007. By the end of 2008, 50 offenders had gone through the program. 100 DUI offenders were on electronic monitoring.
- **ACCELERATED REHABILITATIVE DISPOSITION (ARD)** - This is a diversionary program available to certain first time non-violent offenders at the discretion of the District Attorney's Office. This unit supervises 2,850 offenders.
- **CENTER FOR ADULT EDUCATION** – This program is a joint effort between APPD and The Center for Literacy (CFL), a private, non-profit philanthropic organization. APPD provides office space and supplies. CFL provides on-site evaluations and referrals to educational programs, which consist of instruction from basic literacy through GED preparation. In 2008, 1,022 offenders were referred for help.
- **COMMUNITY SERVICE** – This program arranges all Court-ordered community service for offenders so conditioned. APPD has developed well-monitored site placements with responsible organizations. APPD receives reports on hours of service by offender and maintains computerized records of completion. Last year 706 offenders were referred with 464 offenders completing the program.
- **COURT MENTAL HEALTH CLINIC** – In 2008, 1,966 Mental Health Evaluations were ordered by the judiciary to determine the offenders' competency to stand trial and assist in their own defense. Evaluations are also ordered for involuntary commitment cases, amenability to treatment determinations, and special requests from trial Judges. The clinic honors APPD requests for mental health evaluations on supervised offenders and provides training for the judiciary regarding mental health issues.
- **DNA** – 2,042 samples were collected from offenders convicted of felonies in accordance with Pennsylvania Act 185-2004. Testing is conducted in accordance with State Police Standards by a

technician from Compliance Oversight Solutions Ideal, LLC, a contracted vendor. The Pennsylvania State Police supplies collection kits and receives the results.

- **DOMESTIC INTERVENTION SUPERVISION** – Specially trained, experienced officers supervise offenders involved in family violence, diagnosed with mental retardation, or afflicted with a serious physical illness which interferes with traditional supervision. Domestically violent offenders are visited at home by teams of Probation and Police Officers during non-traditional hours in a program known as Targeted Patrol. In 2008, 577 offenders are supervised by this unit.
- **DRUG DETECTION CENTER** – APPD operates an on-site drug detection laboratory which is staffed by a contracted vendor. The lab uses two testing methods: urinalysis and eye scan. Last year, 61,213 drug tests using the urinalysis method were taken.
- **FACILITIES AND GRANT MANAGEMENT** – Several staff who have other duties share this responsibility which consist of:
  - Building Management - 1401 Arch Street Philadelphia, PA 19102
  - Vehicle Fleet Management
  - Equipment and Supplies – ordering, storing, inventory, distribution and repair.
  - Criminal record checks on supervised offenders for compliance with DPW standards.
  - Supervision of part-time clerical employees
  - Ensure compliance with federal, state, and local grants
  - Maintain messenger service
  - Management of Service Contracts
- **FORENSIC INTENSIVE RECOVERY (FIR)** – This program was developed in conjunction with the District Attorney, Public Defender and Philadelphia Health Management Corporation. Offenders in this program have the dual diagnosis of drug/mental health problems. The APPD FIR unit supervises 1,020 such offenders.
- **FRAUD UNIT** – Supervises offenders convicted of defrauding the Department of Public Welfare, Insurance Companies and Unemployment Compensation. This unit is funded by the District Attorney's Office. There are 5,550 offenders in this unit.
- **FUGITIVE SAFE SURRENDER** – A faith-based initiative in which a fully-functioning component of every criminal justice agency in Philadelphia was assembled in a church for the purpose of receiving and processing offenders wishing to turn themselves in to clear outstanding warrants. Over a 4 day period, 1,200 offenders turned themselves in to the highly-advertised program. The offenders represented all manner of legal status's and situations. Most matters were disposed of on site, including violation of probation hearings and Municipal and Common Pleas open criminal matters.
- **GENERAL SUPERVISION** – The vast majority of offenders supervised by APPD are allocated to non-specialized caseloads based on offender residence location. While specialized caseloads are smaller, caseloads in general supervision are large by any standard, averaging at least 160 offenders per officer.
- **GUN COURT PROGRAM**– This initiative began on January 10, 2005. APPD provides strict supervision for offenders convicted of Violation of the Uniform Firearms Act (VUFA). All must perform community service and participate in violence awareness programs. Gun Court Probation Officers participate in targeted patrols of high crime areas with the Philadelphia Police Department. The research department conducts an on-going Evaluation. A total of 877 offenders are supervised by this unit.

- **INTAKE UNIT** - responsible for probation case initiation for all offenders so sentenced, numbering 23,634 annually. Technicians use the Monitor program to accomplish this process, which involves entering docket information and interviewing the offender, collecting and entering demographic information. All new Probation Officers do a rotation in this unit as it is the best training ground for understanding the business of probation. Student interns and externs are also assigned there. Unit staff works closely with the Clerk of Quarter Sessions.
- **INTERMEDIATE PUNISHMENT (I.P.) UNIT** –A probation sentence established by statute. Supervision is restrictive. Offenders have substance abuse problems and scored in the upper range of the Sentencing Guideline calculation. Supervision for some 950 offenders includes:
  1. Inpatient Drug and Alcohol Treatment
  2. House Arrest with Electronic Monitoring – 166 of the total.
- **MENTAL HEALTH UNIT** – Offenders in this unit are stipulated by the sentencing judge or referred by Probation Officers. Offenders have documented psychiatric difficulties and require mental health treatment. This unit works closely with the Court Mental Health Clinic to identify treatment options and develop supervision plans for the offenders. The unit supervises 1,121 offenders.
- **MONITORED SUPERVISION UNIT** –This unit provides a structured alternative to incarceration for 250 offenders who are monitored electronically and referred for needed treatment. Offenders who violate their monitoring conditions are subject to arrest by the Warrant Unit of Pre-Trial Services.
- **OPERATIONS SUPPORT** – These specialized technical staff handle the administrative transactions generated by certain frequently-occurring case events.
  - **RECORDS MANAGEMENT**
    - Maintains and catalogs approximately 100,000 master files, each of which contains all documents accumulated for any offender supervised by APPD whose cases have expired.
    - Creates new cases via the Monitor caseload management computer application resulting from parole petitions and requests for courtesy supervision from other jurisdictions.
    - Responds to subpoenas for archived case information.
    - Responds to requests from other agencies for information on active and expired cases.
    - Processes a number of Monitor transactions, including case transfers, expirations and quality control printouts.
    - Microfilms expired cases on an aging schedule.
    - Created 5,323 dockets and expired 31,436 dockets.
  - **VIOLATION OF PROBATION MANAGEMENT**
    - Generate and track arrest warrants requested by officers for offenders who have violated or absconded from supervision.
    - Schedule and attend daily warrant hearings for arrested and incarcerated offenders.
    - Track potential open-bill violations through the trial phase, identify direct violations and request violation hearing on ‘ready’ cases as determined by our assessment of offenders’ legal profile.
    - Field inquiries from agencies nation-wide regarding our offenders apprehended in other jurisdictions.
    - Issue and track warrants requested by State Parole agents on certain shared-supervision cases; schedule and attend warrant hearing.

- 14,531 warrants were issued with 10,857 warrants lifted.
  - 19,616 in violation status were submitted for hearings of which 23% were disposed.
- **OUT OF COUNTY/STATE** - Caseloads consist of residents of other jurisdictions who are convicted of criminal offenses in Philadelphia. Such offenders are supervised by the Probation Department in the county of residence, with administrative monitoring by officers in this unit. The process for transferring supervision to other states is particularly complex. APPD receives reports from the supervising jurisdiction, which sometimes requires intervention by our officer. Cases are returned to APPD for cause. This unit monitors 545 offenders.
  - **PAROLE UNIT** – Responsible for the timely issuance of petitions to sentencing Judges based on local parole eligibility rules. The Release Information Network (RIN) is a networked computer application used by APPD and the Public Defender to support the paroling process. The PD submits parole petitions for cause to sentencing Judges independent of APPD. The Parole Unit receives and acts on both approved and denied petitions received from sentencing Judges. The pernicious problem of prison overcrowding mandates that the Parole Unit stays current in these matters. RIN imports a daily electronic download of the prison population. The Parole Unit conducts prison interviews. 5,690 parole petitions were submitted to the judiciary for approval.
  - **PRESENTENCE UNIT** – staffed by experienced Probation Officers, this unit conducts background investigations examining and evaluating the offender’s criminal and psycho-social history. Investigators compose reports for requesting Judges to assist in sentencing. In 2008, 2,242 pre-sentence reports were completed and 2,146 sentencing guidelines.
  - **PROBATION CASE MANAGEMENT SYSTEM (PCMS)** – a broad system centered on Monitor, a networked software application to which most employees have some level of access. Monitor is used by Probation Officers to enter data on all aspects of case supervision and by many supporting units as well. Managers use Monitor to audit cases and otherwise oversee the operation of their units. Technically proficient staff maintain liaison with the vendor and conduct ongoing weekly and ad hoc phone conferences to support and improve the program.
  - **PROB-START (Probation Supervision Through Analysis, Research and Training)** – An overarching management construct built on Monitor; started after Monitor had been in use long enough to yield informative results to targeted queries. Management identifies reviews, and acts on trends. The Chief Probation Officer selects a topic of importance in case supervision which is analyzed by the research team. Concurrently, Managers, Supervisors and Officers audit cases for instances of the ProbSTART topic. Group case conferences are held and management and line staff present and explain pertinent cases. Identified practices are lauded or remediated. They serve as the basis for policy development and department-wide training.
  - **REENTRY INITIATIVES** - The Mayor’s Office for the Reentry of Ex-Offenders (M.O.R.E.) offers reentry services to offenders at all stages of the criminal justice system. APPD staff participates in this Office’s standing committees and refers offenders to their job training and placement services.
  - **SEX OFFENDERS UNIT** – Supervises all offenders convicted of sexual offenses through intensive supervision, urinalysis, counseling referrals, and monitoring stay away orders and inappropriate living arrangements. The officers initiate Megan’s Law registration for those offenders convicted of designated sex offenses. Officers in this Unit participate in targeted patrols with the Philadelphia Police Department. Additionally, 103 female sexual offenders are assigned to one officer to specifically address their issues. Computer technology monitors and blocks internet usage by sex offenders. There are 975 offenders in this unit.

- **SPECIAL PROJECTS AND RESEARCH** – Provides APPD with operational and evaluative information not otherwise available. Two degreed professionals conduct fruitful studies and receive support and liaise with the University of Pennsylvania and Temple University. With U of P we have developed a validated statistical model which we will use to assess the relative risk of each offender we supervise.
- **STRATEGIC ANTI-VIOLENCE UNIT (SAV-U)** – This initiative was undertaken in 2006 in collaboration with the University of Pennsylvania, whose Jerry Lee Center for Criminology developed a statistical model for identifying, in the aggregate, perpetrators and victims of homicide or attempted homicide within the APPD offender population.. The SAV-U pilot project was operationalized in January, 2007. Two (2) of the officers were trained in group Cognitive Behavioral Therapy (CBT). They facilitated a twelve (12) week program focusing on emotional and life skills for a sample of the unit’s offenders. Currently, 97 offenders are supervised in this unit.
- **TRAINING UNIT** – This multifaceted unit arranges for and conducts training which, among other things, complies with the Pennsylvania Board of Parole and Probation mandate of 40 hours for professional staff and 16 hours for support staff. FJD subsidizes, through APPD, certain graduate studies for which training hours are credited. The Training Unit studies and develops policy for the department and is writing a new Operations Manual by which APPD will document, manage and teach the change in work practices flowing from myriad new administrative and technical systems.

In 2008, the unit established the Armed Officer Program, a pilot project which fully armed 10 Probation Officers and their Supervisor after extensive screening and training. These Officers supervise high-risk offenders placed under our supervision for firearm-related charges by the Philadelphia Gun Court. The Project Manager is the Director of Training.

- **VICTIM SERVICES UNIT** – Two (2) probation officers are dedicated to assisting victims of crime. These officers reach out to all victims of sexual offenses and survivors of homicide attempts. They compose victim impact statements which are a part of the presentence report and coordinate services with support agencies.
- **WEAPONS RELATED INJURY SURVEILLANCE SYSTEM (WRISS)** – APPD identifies offenders who have been victims of shootings. The Philadelphia Police Department receives information from physicians and hospitals on injuries by firearms. APPD uses it to impact the number of offender-involved shootings; there were 233 in 2008.
- **YOUTH VIOLENCE REDUCTION PARTNERSHIP (YVRP)** –A multi-agency effort to reduce violent crimes among high-risk/at-risk juveniles and adults age 24 or younger. Probation Officers conduct Targeted Patrol with Police Officers, visiting homes between 4:00 p.m. and midnight. in 12<sup>th</sup>, 19<sup>th</sup>, 22<sup>nd</sup>, 24<sup>th</sup>, 25<sup>th</sup> and 39<sup>th</sup> Police Districts. Currently the unit supervises 914 offenders. The American Probation and Parole Association (APPA) presented its Distinguished Annual Program Award to APPD in 2007 in recognition of the success of YVRP.

~ **Office of the Chief Probation Officer** ~  
**Robert J. Malvestuto**

**HIGHLIGHTS OF 2008**

- **YVRP AWARD** - The American Probation and Parole Association (APPA) presented its Annual Distinguished Program Award to APPD in 2008 in recognition of the success of this program.
- **ARMED OFFICER PROGRAM** - A pilot project which fully trained and armed 10 Probation Officers and their Supervisor.
- **RISK MODEL** - With U of P, developed a validated statistical model which will be used to assess the relative risk of each offender, enabling stratification of the entire APPD offender cohort.
- **SEX OFFENDERS** - Training in and implementation of new computer technology which monitors and blocks internet usage by sex offenders
- **PROB-START** - An overarching management construct built on Monitor allowing management to review to identify and act on trends which were previously transparent. Group case conferences are held and management and line staff present and explain pertinent cases. Identified practices are lauded or remediated. They serve as the basis for policy development and department-wide training.
- **FUGITIVE SAFE SURRENDER** – A faith-based initiative in which a fully-functioning component of every criminal justice agency in Philadelphia was assembled in a church for the purpose of receiving and processing offenders wishing to turn themselves in to clear outstanding warrants. 1,200 offenders turned themselves in over 4 days in the highly-advertised program. The offenders represented all manner of legal status's and situations. Most matters were disposed of on site, including violation of probation hearings and Municipal and Common Pleas open criminal matters
- **COGNITIVE BEHAVIORAL PROGRAM** – Offered to offenders in the Strategic Anti-Violence Unit.
- **LOW RISK STUDY** – Random trial study of Penn Risk Model which further validated the model.

In 2008, APPD made significant strides in making its decisions and deploying its resources based on solid research and practices. These are not esoteric undertakings but a fulfillment of our public safety obligations. We are very proud of what we have accomplished in 2008.

# PHILADELPHIA ADULT PROBATION & PAROLE DEPARTMENT

