

West Virginia Community Corrections Act FY 2012 Annual Report



Submitted by the
Governor's Committee on Crime, Delinquency and Correction
Pursuant to §62-11C-3(c)

September 30, 2012

Introduction

As a requirement of the West Virginia Community Corrections Act, an annual report must be submitted by the Governor's Committee on Crime, Delinquency and Correction. This report includes activities for the previous year and an accounting of fees collected and funds disbursed from the special revenue account.

The goal of the Community Corrections Act is to provide a means for communities to develop, establish and maintain community-based corrections programs in order to provide the judicial system with sentencing alternatives for offenders who may require less than institutional custody. Specific objectives related to the Community Corrections Act are as follows:

1. Flexibility and involvement in responding to crime at the community level.
2. Effective protection of society and efficiency in the delivery of correctional services.
3. Opportunity for offenders to make restitution to victims.
4. Operate programs specifically designed to meet the needs of offenders.
5. Sentencing alternatives to reduce recidivism.
6. Community based programs to address local Criminal Justice needs.
7. Ensure space is available in regional jails and correctional facilities for offenders deemed to be most dangerous.
8. Promote accountability of offenders to their community.

Administration and Staffing

The West Virginia Community Corrections Subcommittee provides policy direction and funding recommendations to the Governor's Committee on Crime, Delinquency and Correction and to the Division of Justice and Community Services. They provide assurance that West Virginia is meeting the standards outlined in the West Virginia Community Corrections Act. Specific duties include:

1. Promulgate rules for funding recommendations, standards for approval of programs and reporting requirements, fee adjustments, and carrying out the purpose and intent of the Act.
2. Provide funding for approved programs.
3. Maintain records of community corrections programs.
4. Assist in securing funding from other sources.

The members of the Community Corrections Subcommittee are appointed according to statute. The members of the Community Corrections Subcommittee include:

Don Barger
Member At-Large

Marcia Boyles-Bowyer
Victim Advocate, Lewis County Sheriff's Department

Steve Canterbury
Administrative Director, West Virginia Supreme Court of Appeals

James Casey
Attorney at Law

Christopher D. Chiles
Prosecuting Attorney of Cabell County

Patricia L. Hamilton
Executive Director, West Virginia Association of Counties

Dale Humphreys
Director, West Virginia Division of Juvenile Services

Sue Julian
Team Coordinator, West Virginia Coalition Against Domestic Violence

James Lee
Chief Probation Officer, 1st Judicial Circuit

Virginia Mahan
West Virginia House of Delegates

Joseph A. DeLong
Executive Director, West Virginia Regional Jail Authority

James J. Rowe
Circuit Judge, 11th Judicial Circuit

Jim Rubenstein
Commissioner, West Virginia Division of Corrections

Phyllis D. Stewart
Chief Probation Officer, 17th Judicial Circuit

Robert E. Wilkinson
Chief Public Defender, 6th Judicial Circuit

The West Virginia Division of Justice and Community Services has been assigned to staff and administer the Community Corrections Fund and to fulfill the requirements of the Community Correction Act. Staff is responsible for administering grant funds, providing technical assistance to communities, and education to the courts regarding fees to be collected pursuant to the WV Code.

Division of Justice and Community Services Staff:

J. Norbert Federspiel, Director
 Jeffrey D. Estep, Chief Deputy Director
 Leslie S. Boggess, Deputy Director
 Jason W. Metzger, Senior Justice Programs Specialist
 Nicholas W. Leftwich, Justice Programs Specialist
 Sean M. Noland, Justice Programs Monitor

Collection and Expenditure Summary

A total of \$1,736,411.44 was collected during State Fiscal Year (FY) 2012. Figure 1.1 shows the collections by month for FY 2012 beginning July 2011. Total collections decreased by 1% from FY 2011. Since FY 2003, total collections have increased by more than 434%. Figure 1.2 documents the total collections received from FY 2003 through FY 2011. The increase in collections is most likely due to more public awareness and improved education of the communities and courts regarding the Community Corrections Act by the Division of Justice and Community Services staff. Funds collected during FY 2011 were awarded for the FY 2012 grant funding cycle. Therefore, funds collected during FY 2012 will be awarded for the FY 2013 grant funding cycle beginning July 1, 2012.

| Community Correction Collections Fiscal Year 2012 Overview | |
|---|-----------------------|
| July 2011 | \$137,470.86 |
| August 2011 | \$129,845.33 |
| September 2011 | \$151,145.87 |
| October 2011 | \$95,467.28 |
| November 2011 | \$176,205.34 |
| December 2011 | \$124,198.83 |
| January 2012 | \$119,467.78 |
| February 2012 | \$131,085.07 |
| March 2012 | \$209,842.81 |
| April 2012 | \$134,607.14 |
| May 2012 | \$164,831.01 |
| June 2012 | \$162,244.12 |
| Total | \$1,736,411.44 |

Figure 1.1 FY 2012 Collections Overview

The Community Corrections Subcommittee awarded \$1,766,763.00 in FY 2012 funds to nine (9) approved Community Correction programs. Localities which received funding were:

| Community Correction Collections Fiscal Year 2003 – 2012 | |
|---|----------------|
| FY 2003 | \$401,291.19 |
| FY 2004 | \$525,000.00 |
| FY 2005 | \$650,000.00 |
| FY 2006 | \$650,411.00 |
| FY 2007 | \$1,450,693.72 |
| FY 2008 | \$1,828,816.71 |
| FY 2009 | \$1,840,733.36 |
| FY 2010 | \$1,752,387.92 |
| FY 2011 | \$1,743,294.08 |
| FY 2012 | \$1,736,411.44 |

Figure 1.2 Summary of Collections

- ↔ Mercer County Commission
- ↔ Harrison County Commission
- ↔ Upshur County Commission
- ↔ Doddridge County Commission
- ↔ Randolph County Commission
- ↔ McDowell County Commission
- ↔ Mason County Commission
- ↔ Greenbrier County Commission
- ↔ Wyoming County Commission

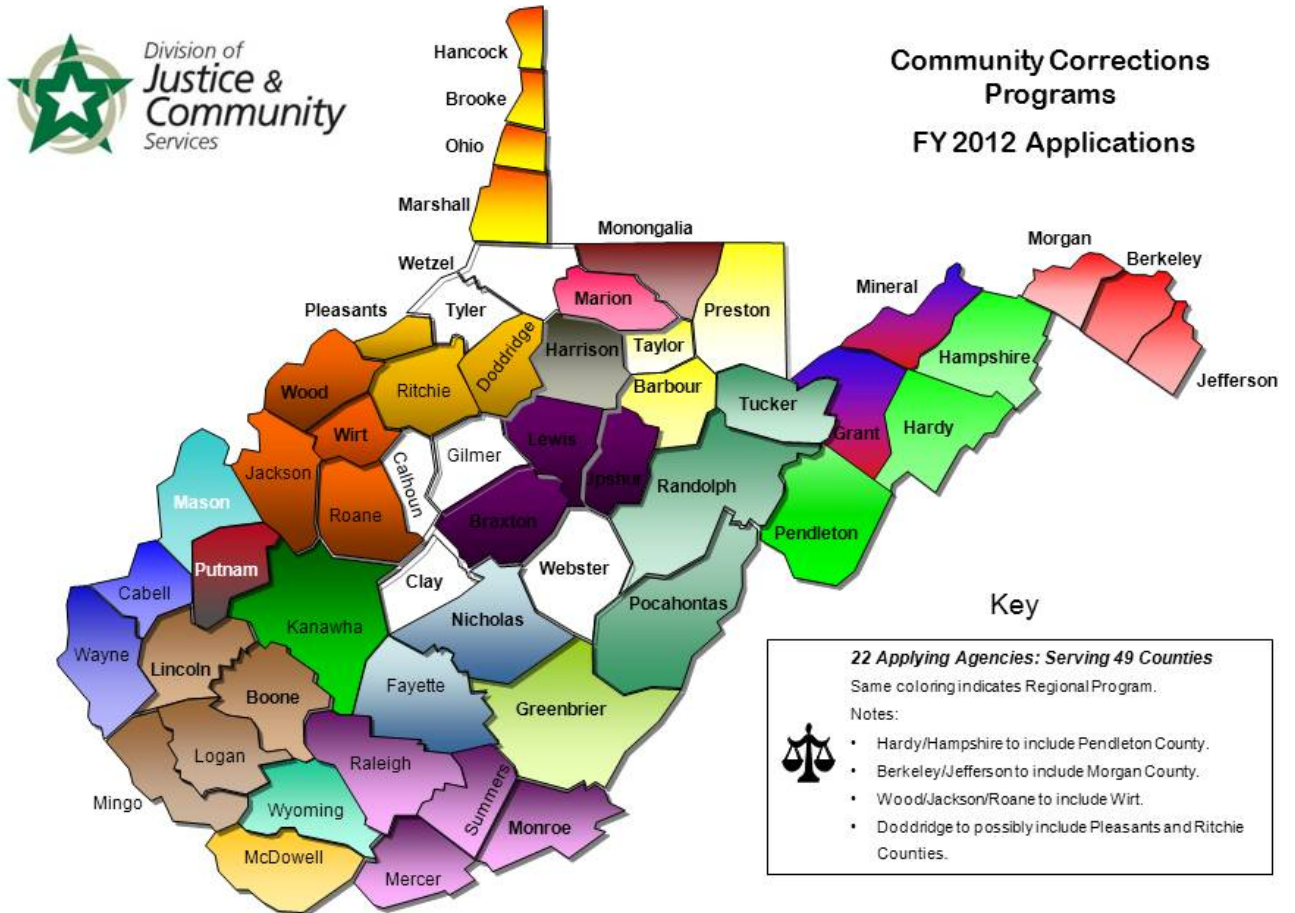
In addition to FY 2012 collected funds, \$5 million was made available by the Governor and Legislature. The Community Corrections Subcommittee awarded \$5 million of these funds to thirteen (13) additional community correction programs. Localities which received funding were:

- ↔ Mineral County Commission
- ↔ Fayette County Commission
- ↔ Berkeley County Council
- ↔ Kanawha County Commission
- ↔ Putnam County Commission
- ↔ Monongalia County Commission
- ↔ Hardy County Commission
- ↔ Wayne County Commission
- ↔ Wood County Commission
- ↔ Marion County Commission
- ↔ Upshur County Commission
- ↔ Ohio County Commission
- ↔ Preston County Commission
- ↔ Logan County Commission

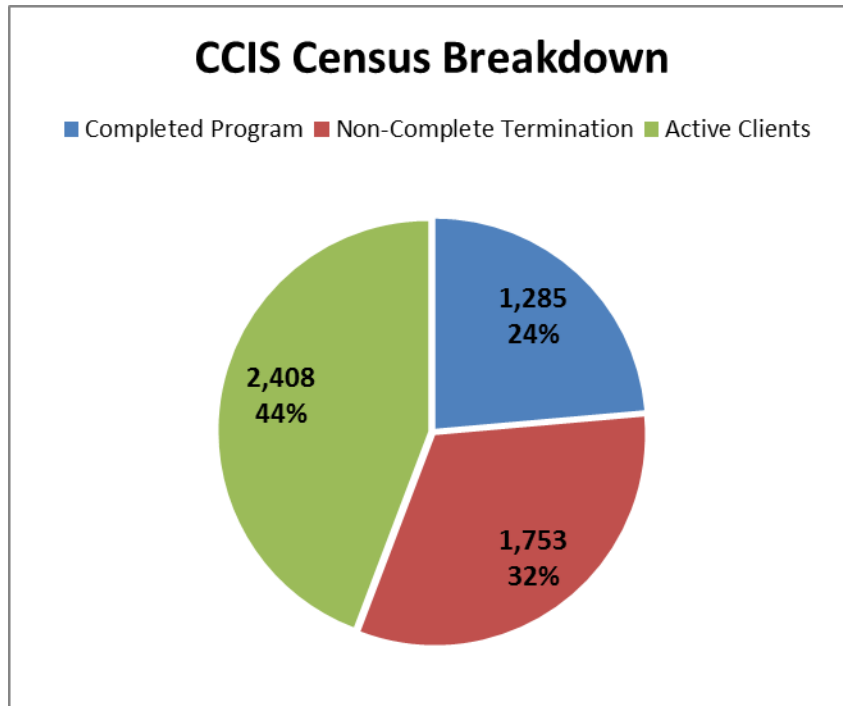
Summary of Activities

From July 1, 2011 through June 30, 2012, funding was provided to support twenty-two (22) local community correction programs. Many programs have taken on more of a “regional” approach when providing services. As a result, the community correction programs provided services to forty-six (46) counties in West Virginia. Map 1.1 illustrates the counties that received services during this time frame.

Map 1.1 Counties Served by Community Corrections Programs



All grant funded community correction programs are required to complete an assessment on each offender entering the program to determine the level of risk and level of services which are needed. In Fiscal Year 2012, the grant funded programs reported 3,305 new offenders entered their programs. The number of offenders successfully completing the program, as well as the number still active and those terminated from the programs during the reporting period is illustrated below in Chart 1.1.



Many programs provide basic counseling sessions and require offenders to complete community service assignments. Specifically, more common services include:

- Substance Abuse/Addiction Counseling
 - Relapse Prevention
 - Alcoholics Anonymous
 - Problem Gamblers Counseling
 - Narcotics Anonymous
 - Dual Diagnosis Treatment (mental health and substance abuse)
 - Sober Parenting
 - Family and Marital Counseling
- Batterer's Intervention Prevention Program (BIPPs)
- Domestic Violence Education
- Anger Management
- GED/Adult Basic Education Classes
- Job Training/Placement
- Computer Literacy Classes
- Life Skills Classes
- Financial Budgeting Classes

- Healthy Living Skills
- Smoking Prevention Programs

Some programs provide more specific services such as:

- Pre-sentence Assessments
- Re-entry Services
- Faith-based Support Groups
- Women's Issues
- Youthful Offender Programs (ages 18-24)
- Services for Parolees
- College level courses

The majority of Community Corrections programs provide community service assignments to their offenders as a way to give back to the community in which they committed their offense. Below is a list of the types of community service projects that have given back to their communities:

- Litter Pick-up (with their county's Solid Waste Division)
- Election set up and clean up
- Volunteer work at local nursing homes
- Snow removal
- Landscaping/Lawn care for local government offices
- County car washes
- Building renovations (by skilled workers in the program)

The most common offenses for those admitted to local community correction programs include:

- Drug Related Offenses (e.g. Possession of Controlled Substance, Manufacturing of a Controlled Substance)
- Larceny
- Embezzlement, Fraudulent Schemes, and Forgery
- Driving Under the Influence
- Domestic Battery
- Property Crimes (e.g. Destruction of Property, Breaking and Entering)
- Public Intoxication
- Fleeing / Obstructing and Officer

With a continued increase in fee collection and appropriations, more counties will be provided with community correction services for FY 2013. In addition, local programs have been providing more re-entry services for parolees in the state.

Community Correction Information System

The WV Community Corrections Act specifies that all programs funded by the State are required to conduct an evaluation that will determine the program's effectiveness. In order to fulfill this requirement, the Division of Justice and Community Services (DJCS) in conjunction with the Office of Research and Strategic Planning (ORSP) and the Justice Center for Evidence Based Practices (JCEBP), developed a comprehensive database that captures information necessary to complete an evaluation of a single program, compare programs to each other, and examine multiple programs simultaneously. The Community Corrections Information System (CCIS) includes basic demographics, client contact, offense, sentence, and termination information. The system also includes assessments for substance abuse screening, mental health, education level, risk level and criminogenic needs. The CCIS was originally developed in the fall of 2004 and programs began reporting information on-line in January 2008. All programs receiving state funding are required to report data in the CCIS. Beginning with the FY 2009 programs, the CCIS collected data on all offenders admitted into community correction programs for a period of twelve (12) months. On-going user training and revisions for improvement to the system continued in fiscal year 2011 to ensure complete and accurate reporting by funded programs. In addition, minimum standards for system utilization and user requirements have been drafted and were distributed to programs in the FY 2012 grant period.

Level of Service/Case Management Inventory

Pursuant to West Virginia State Code and the standard Community Corrections Program Guidelines, all programs shall utilize a research based intake and risk/needs assessment tool that addresses the following: drug and alcohol screening, criminal history, known associates, community support system, education needs, treatment needs, mental health needs, and substance abuse history. The Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Corrections has approved and requires the use of the Level of Service/Case Management Inventory User (LS/CMI) for all community corrections programs funded by the West Virginia Community Corrections grant program funds administered by the West Virginia Division of Justice and Community Services. At least one user training event per fiscal year has been provided to staff of the local community corrections programs since July 2006 to ensure all new staff and programs receive proper training on the utilization of the assessment instrument. LS/CMI information is also collected in the CCIS for each funded program and is available for review and monitoring by local program directors and administration of DJCS. Policies have been drafted by the ORSP regarding user and trainer certification for the LS/CMI, and were distributed to programs during the FY 2012 grant period.