



**TESTIMONY ON
PROBATION AND PAROLE REFORM**

Presented to the Senate Judiciary Committee

By
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Good morning, and thank you for the opportunity to appear before you today to talk about the county experience in regards to probation and parole and potential room for reforms. My name is Bob Thomas and I am a county commissioner from Franklin County in southcentral Pennsylvania. I have been a commissioner since 1996 and in my role with CCAP am involved in both the Courts and Corrections Committee and the Comprehensive Behavioral Health Task Force. I serve on the Commonwealth's Probation and Parole Advisory Committee and am very active with the National Association of Counties in various aspects, including the Stepping Up Initiative, Data Driven Justice, and others.

I appreciate the opportunity to provide testimony on behalf of CCAP on the topic of probation and parole reform. Counties are a key partner with the state and federal government in corrections and criminal justice, and counties are responsible to provide adult and juvenile probation services for offenders and youth in our care. This is a role that we serve in coordination with the judiciary and corrections facilities. More and more frequently, adult probation is engaging in pre-trial services where we those awaiting trial or disposition of their cases are provided with supervision and guidance for addressing other behavioral issues that are connected with their involvement in the criminal justice system.

CCAP has adopted a number of policy positions with regard to adult probation. First, the Reimbursement Formula that provides counties with funding support through the Adult Probation Grant-in-Aid program has not been increased in many years. We are very supportive of amendments to this formula to reflect the changes in how services are delivered as well as case load challenges. We support the Justice Reinvestment Initiative 2 as contained in SB 500, 501 and 502, as it will reinvest savings resulting from reduced reliance on state correctional facility cost savings into county-based programs at the front end and provide support for adult probation and parole.

Counties are also responsible to provide juvenile probation services and supports. The Association supports Commonwealth reimbursement of 100% of county juvenile probation costs. Further, we support the expansion of the juvenile justice cost reimbursement to include operation of juvenile probation offices and juvenile detention facilities. Again, the instances where probation services are engaged on behalf of those we serve is increasing, and with the juvenile population, years of investment in policy change to avoid out of home placements for juvenile justice is creating increased burdens. Placement decisions are made by the judge, but carried out by staff in juvenile probation and a strong partnership is necessary to be able to address the increased need for services we see in youth today. Youth in care are presenting with a much higher need for behavioral health supports, and often with significant issues that require specialized services. Our ability to obtain services is challenged in part because of insufficient financial commitment from state government, with counties having few resources to create additional revenues locally.

Additionally, the Association supports the changes necessary to Act 35 of 1991, relating to probation supervision fees, to authorize the county commissioners or their home rule counterparts the control and use of all adult probation supervision fees. Supervision fees are

assessed upon an offender to help cover the costs of supervision.

The Association supports legislation to provide that any unfunded order or regulatory mandate from a state administrative or regulatory body affecting operating standards of the county criminal justice and corrections systems must first be submitted to a statewide committee made up of county commissioners and representatives of the courts, probation and jails for the opportunity to review and comment on the proposed order. If the order or mandate is rejected by the committee, it can become effective only on a vote of the General Assembly. This is a specific position within the CCAP Platform that arises from action several years ago where the State Department of Probation and Parole placed standards upon county probation departments for operations. In many cases, these standards would increase costs for counties either through case load impact or programming, and while those standards may be desirable, without state support to implement them, counties would be left without resources or reimbursement for increase costs resulting from a county mandate.

Counties have been active in developing and implementing practice standards that are shown to be the most effective through evidence-based practices projects. Through a grant provided to CCAP by the Pennsylvania Commission on Crime and Delinquency (PCCD), we have worked with our state and local partners to develop and educated counties in the importance of evidence-based practices and the improved outcomes and are also working with our partners on implementation efforts. PCCD, the Department of Corrections, the Administrative Office of the Pennsylvania Courts and the PA County Adult Chiefs Association have been working closely for several years to refine local practices in a manner similar to reform efforts in the juvenile system when undertaken several years ago produced significant results.

CCAP has been a strong supporter of probation and parole reform because we believe the system is antiquated and cannot address the needs of offenders in the modern era. We believe a system-based approach that relies upon the partnership between the county commissioner and the local courts, district attorney and public defender, as well as the adult probation chiefs is the way for local reforms to be identified and implemented; however, the support of our state counterparts is a critical element. Without support and resources, we lack the ability to make big changes at the county level. And when partnering with state government, we have to ability to change outcomes for the Commonwealth in addition to counties. By developing and implementing best practices on a system-wide basis, results can be obtained by shifting savings to the front end for savings on the back end.

These approaches allow for counties to focus on utilizing the most appropriate option for the actual circumstances presented by an offender. We believe that the criminal justice system works better when decisions are made with all of the stakeholders at the table, and we thank the General Assembly for viewing counties as partners and urge the continued partnership as we move forward.

Thank you for your consideration of these comments. We would be pleased to follow up on any questions these remarks may generate.