

Wells County Probation

2022 Annual Report

Introduction

The following annual report of 2022 was submitted to Judges of the Wells Circuit and Superior Courts May 2023.

Staff and Office Hours

- We continue to offer office hours for 44.5 hours per week utilizing flexible scheduling among probation officers.
 - 8 – 4:30 Mon, Wed, Thu and Fri
 - 8 – 6:30 Tue (* weeks with holiday closure or mandatory training we close at 4:30)
- Field contacts pursuant to case plans
- Placement and school visits as required

Staff

Staff at the end of 2022:

Scott Ailor – probation officer
Victoria Baumgartner – secretary
Vicki Cale – probation officer
Stephanie Eddy – probation officer
Jessica Nix – probation officer consultant
Greg Steele– field officer
Stephen Pastore – probation officer
Allison Perry – probation officer
Valerie Runyon – probation officer
Jan Stroncsek – secretary
Gregory Werich – chief probation officer

In 2022 we worked with no high school or college student interns.

WORKLOAD Adult 2022

<u>ADULT REPORT SUMMARY</u>						
<u>(end of 4th Quarter)</u>						
	2022	(2021)	2022	(2021)	2022	(2021)
(comparison data in small font)	Felons		Misdemeanants		Total	
Supervisions pending (end of 4th quarter)	240	263	209	198	444	461
Presentence Investigation Reports (annual)	105					81
New Substance abuse cases (annual)	91	83	139	114	230	197
New Sex offender Cases (annual)	3	5	0	0	3	5
				2021		
Supervision Risk Levels (end of 4th quarter)	High	18	24%	21	26%	
	Medium	89		100		
	Low	193	43%	121	26%	
	Admin	119	26%	192	42%	
	Unknown	25		27		

WORKLOAD Juvenile 2022

JUVENILE REPORT SUMMARY (4th Quarter)	2022				2021
	Non-Status	Status	Other	Total	
Referrals Disposed (annual)	142	28	0	170	139
Supervisions (end of period)	28	6	1	35	27
New Substance abuse cases				7	7
New Sex offender Cases				2	4
				2021	
Supervision Risk Levels (end of 4th quarter)	High	1	} 46%	0	} 33%
	Medium	15		9	
	Low	17	43%	15	55%
	Admin	2		0	
	Total	35		24	
	No Entry	0		3	

WORKLOAD Juvenile Placements 2022

<u>JUVENILE PLACEMENTS (Annual)</u>				
	2022		<u>2021</u>	
	Days	Children	Days	Children
Probation Supervision		77	-	60
Foster Placements (DCS Paid)	768	9	1356	8
Detentions	396	16	343	12
DOC	970	4	351	2
Home Detention	778	19	194	5
Total Removal Days	2912		2254	
Total Children		31		21

WORKLOAD Drug Tests

<u>Drug Tests Data</u>				
2022	Total Tests	Total People	Positive Tests	Percentage
Total Tests Recorded	1596	238	827	52%
2021 Total	1225	260	640	44%
<u>Drugs Found in Tests</u>	<u>2022</u>	<u>% of +</u>	<u>2021</u>	<u>%</u>
Marijuana	348	42%	246	32%
Opiate	20	2%	36	5%
Ethyl Glucuronide	82	10%	55	7%
Fentanyl	74	9%	30	4%
Amphetamine	127	15%	119	16%
Methadone	42	5%	60	8%
Methamphetamine	101	12%	10	1%
Benzodiazepine	10	1%	5	1%
Morphine/Opiate			0	0%
Oxycodone	14	2%	7	1%
Cocaine	14	2%	18	2%
Buprenorphine	223	27%	138	18%

WORKLOAD Drug Test Table

Wells County Probation

Drug Test Table

	Level 1	Level 2	Level 3	Level 4
	DAILY CALL IN	1 test per 30 days minimum	1 test per 60 days minimum	Incidents of Attention †
ISP Phase I	All			
ISP Phase II	All			
Re-Entry ~	Until completion of assessment and/or treatment stabilization			
Disruption Noted Cases *	High IRAS Screening finding and Completion of assessment process	H/M Overall Risk and High S/A Need	H/M Overall Risk and Moderate S/A Need	All risk levels
All other cases				All risk levels

All persons under probation supervision are subject to testing upon suspicion of use. Probationer may be placed on more intensive testing schedule as part of case plan intervention, sanction, or for evaluation before supervision adjustment.

~ Re-Entry - Release from incarceration after 182 actual days.

* Disruption Noted Case— any of the substance abuse offenses denoted by the Indiana Office of Court Services (IC 7.1; IC 9-30-5; IC 16-42; or IC 35-48) or where there is indication that substance abuse is an element of the offense (i.e., under the influence at time of offense).

† Incident of Attention—e.g., police contact, anonymous call, uncharacteristic or non compliant behavior, other agency drug test findings

Workload Drug Test Further information

We estimate that at 8 minutes per test for the 1596 tests our office spent 212.8 hours in drug test collections. This is about 11% our total available office time.

BEHAVIOR RESPONSES

Probation as a community supervision is transforming into a system of responding to behaviors which most affect recidivism.

- Individuals who are willing to change targeted behavior, or at least contemplate changing targeted behavior, will be reinforced for:
 - positive / prosocial behaviors with incentives
 - negative / undesired behaviors with sanctions
- Individuals who violate their terms of probation and reflect no desire to change their behavior will be returned to court with a violation petition.
- Positive and prosocial behavior are celebrated and rewarded as a success under community supervision strategies.
- Negative and undesired behaviors, conversely, are challenged and sanctioned to decelerate activities which may likely lead to recidivism.
- Recidivism or absconding from supervision results in petitions to revoke probation.
- Based on cognitive-behavioral models, the probation department uses tools of the Indiana Risk Assessment System (IRAS) and Indiana Youth Assessment System (IYAS), as well as other recognized assessment tools to ascertain individuals' willingness and ability to change behavior.

BEHAVIOR RESPONSES Overview Data

Based on information available in the Supervised Release System (SRS) of INCite, the following information was gleaned from records in 2022 from both juvenile and adult jurisdictions. (All first filings table).

- Total of 918 people were supervised in 2022
- 20% (209) individuals had a violation filed
- 53% (111) were filed in the first 120 days of supervision
- 35% (74) were for new law violations
- 45% (95) were high or moderate risk
- 65% (136) of the technical violations were for drug use while on probation
- Overall, 358 violation petitions were filed on the 201 people

Comparison data from 2021 is provided below.

- Total of 894 people were supervised in 2021
- 23% (204) individuals had a violation filed
- 33% (71) were filed in the first 120 days of supervision
- 40% (85) were for new law violations
- 52% (111) were high or moderate risk
- 20% (43) of the technical violations were for drug use while on probation
- Overall, 346 violation petitions were filed on the 204 people

BEHAVIOR RESPONSES

Incentives and Sanctions

- The goal for use of incentives and sanctions is to provide quick responses to targeted behavior for the best chance at changing behavior.
- We continue to increase incentive and sanction use in lieu of probation violation petitions.
- Incentives and sanctions permit consumption of less resources such as court time and jail bed space, while increasing more resources of probation officer time and intellectual energy.
- Using probation violation data from past we anticipate a reduction in future technical violations by using incentives and sanctions.

BEHAVIOR RESPONSES

Incentives and Sanctions Definitions & Data

- Sanctions are responses to undesired behaviors in which probation believes the individual is still willing/able to change but reinforcement is needed to curb the behavior.
- Incentives are responses to recognize and reinforce desired behavior.
- Interventions are tools we use to help modify behavior from undesired to desired.

BEHAVIOR RESPONSE Interpretation

- We note that we filed more petitions for failed drug tests in 2022 than in 2021 while the percentage of petitions filed for new law violations decreased. Also, fewer violations filed for failure to report to probation officer in the two years. We believe this data supports that our use of administrative sanctions does not result in public endangerment via new law violations while still holding them accountable for antisocial behaviors.

Employment data

2022			
Employment at Intake		Employment at Termination	
Disabled	20	Disabled	21
Full Time	221	Full Time	301
Part Time	21	Part Time	54
Retired	6	Retired	5
Student	124	Student	100
Unemployed	189	Unemployed	96
Total Intakes:	581	Total Terminations:	577

2021			
Employment at Intake		Employment at Termination	
Disabled	17	Disabled	24
Full Time	190	Full Time	240
Part Time	50	Part Time	61
Retired	5	Retired	4
Student	97	Student	85
Unemployed	157	Unemployed	118
Total Intakes:	516	Total Terminations:	532

FINANCIAL

- Beginning in 2021 the probation department budget was incorporated into the Wells Circuit Court budget.
 - Total Probation Operations Budget:
 - Personnel: \$674,865
 - Percent of budget from Users Fees: 20%
- Fund Balances as of December 31, 2022
 - Adult User Fees \$263,493
 - Juvenile User Fees \$37,211
 - Drug Test Funds \$16,379
 - County Offender Transportation Fund \$5,123
 - Substance/Indigent Fund \$1,300

FINANCIAL Restitution Collection

- Probation assisted in the collection of \$60,792 in restitution in 2022.
- For comparison we assisted in the collection of \$62,988 in restitution in 2021.

FINANCIAL User Fee Collections

2022	Circuit	Superior	Juvenile	Admin.	Transfer	UT Fees	Interest	Total
Jan	\$ 911.80	\$ 5,019.40	\$ 48.50	\$ 1,518.78	\$ 55.56	\$ 402.50	\$ 124.51	\$ 8,081.05
Feb	\$ 1,619.90	\$ 7,034.16	\$ 220.68	\$ 1,457.18	\$ 150.00	\$ 625.00	\$ 116.63	\$ 11,223.55
Mar	\$ 1,280.21	\$ 6,380.50	\$ 334.65	\$ 1,597.25	\$ 125.00	\$ 615.00	\$ 127.76	\$ 10,460.37
Apr	\$ 4,568.64	\$ 4,616.79	\$ 453.47	\$ 1,491.84	\$ 125.00	\$ 710.00	\$ 127.68	\$ 12,093.42
May	\$ 844.43	\$ 2,996.33	\$ 1,289.13	\$ 1,465.57	\$ 125.00	\$ 465.83	\$ 183.73	\$ 7,370.02
Jun	\$ 1,256.13	\$ 4,030.97	\$ 413.22	\$ 1,428.17	\$ 125.00	\$ 390.00	\$ 112.68	\$ 7,756.17
Jul	\$ 96.84	\$ 4,313.06	\$ 378.30	\$ 1,075.87	\$ -	\$ 598.33	\$ 116.14	\$ 6,578.54
Aug	\$ 1,978.50	\$ 3,797.54	\$ 82.45	\$ 1,298.04	\$ 150.00	\$ 587.24	\$ 127.13	\$ 8,020.90
Sep	\$ 506.56	\$ 6,385.63	\$ 116.40	\$ 2,017.37	\$ 125.00	\$ 606.10	\$ 108.95	\$ 9,866.01
Oct	\$ 1,981.36	\$ 6,330.61	\$ 83.20	\$ 1,495.66	\$ -	\$ 568.33	\$ 115.79	\$ 10,574.95
Nov	\$ 1,008.80	\$ 5,069.37	\$ 426.80	\$ 1,689.78	\$ -	\$ 833.62	\$ 269.48	\$ 9,297.85
Dec	1643.9	4489.02	58.2	1178.62	125	466.38	\$ 102.11	\$ 8,063.23
Total	\$17,697.07	\$ 60,463.38	\$ 3,905.00	\$ 17,714.13	\$ 1,105.56	\$ 6,868.33	\$ 1,632.59	\$ 109,386.06

FINANCIAL Users Fee collections forecast

	<u>Admin Collected</u>	
Jan - Dec 2022	12 month ave/MO	\$ 1,476.18
Jan 2020 - Dec 2022	36 month ave/mo	\$ 1,643.07
	<u>Adult PUF</u>	
	12 month ave/MO	\$ 6,513.37
	36 month ave/mo	\$ 6,360.41
	<u>Juvenile PUF</u>	
	12 month ave/MO	\$ 325.42
	36 month ave/mo	\$ 359.06
	<u>Drug Test Fees</u>	
	6 month ave/MO	\$ 572.36
	36 month ave/mo	\$ 504.84

FINANCIAL

Forecast of Adult Probation Fees

- Current trend with 18 month in 2022 C:\Users\gew\Wells County Government\Wells County Probation Department - Documents\Personnel\Budget\Budget Files

2022 Update										
		Beginning Asset Balance	Assumed Annual Collections (18 Mo Average)	Annual Expenditures (PO FT)	Annual Expenditures (PO PT)	Annual Expenditures (Equip/Services)	Annual Expenditures Field Officer	Annual Expenditures (PSR)	Total Expenditures	Notes
	2021 \$	340,663.09	\$ 72,588.00	\$ 27,461.00	\$ 35,861.00	\$ 24,902.00	\$ 7,800.00	\$ 30,000.00	\$ 126,024.00	
	2022 \$	297,363.76	\$ 77,376.00	\$ 29,728.00	\$ 36,936.83	\$ 24,902.00	\$ 7,800.00	\$ 30,000.00	\$ 129,366.83	
	2023 \$	245,372.93	\$ 77,376.00	\$ 30,619.84	\$ 38,044.93	\$ 24,902.00	\$ 7,800.00		\$ 101,366.77	
	2024 \$	221,382.16	\$ 77,376.00	\$ 31,538.44	\$ 39,186.28	\$ 24,902.00	\$ 7,800.00		\$ 103,426.72	
	2025 \$	195,331.44	\$ 77,376.00	\$ 32,484.59	\$ 40,361.87	\$ 24,902.00	\$ 7,800.00		\$ 105,548.46	
	2026 \$	167,158.98	\$ 72,588.00	\$ 36,959.13		\$ 24,902.00	\$ 7,800.00		\$ 69,661.13	Anticipated Retirement
	2027 \$	170,085.85	\$ 72,588.00	\$ 38,067.90	\$ -	\$ 24,902.00	\$ 7,800.00		\$ 70,769.90	Anticipated Retirement

Probation Fee projection

At mid year 2022 the adult probation users fee fund was looking at depletion as soon as 2026 with the expenditures of 2022. The court requested from County Council, and they agreed, to pay the presentence report position from the General Fund which completely changed the outlook of the fund for the better. At the end of 2022, with all other expenditures the same and the removal of the Presentence Report preparer, we see potential for modest growth in the fund 12 years into the future.

FINANCIAL Drug Test Costs/Revenue

- In 2022 we continued imposing a fixed fee for each probationer case for drug tests during the course of supervision. In October 2022 we adjusted the fee structure to a variable structure the fee from \$20 to \$25.

Drug Test Cost/Revenue						
	Cost	Collections	People on Probation	Cost Analysis	Collection Rate	
2018	\$15/test	\$4,740.00	976	\$ (2,547.28)	29%	based on tests
2019	\$20/case	\$7,292.00	1041	\$ (3,009.48)	35%	based on population
2020	\$20/case	\$5,390.00	991	\$ (2,391.21)	27%	based on population
2021	< 7/1/21 \$20/Case	\$5,915.00	894	\$ (6,283.00)	33%	based on population
	>7/1/21					
	\$25/case					
2022	< 10/1/22	\$6,868.00	918	\$ (9,448.00)	37%	based on population
	\$25 /case					
	> 10/1/22					
	Variable Price					

Drug Test Fee Structure

For all new supervisions beginning/after **October 1, 2022**.

Drug test Fee - (as follows)

- Felony Supervision -\$50.00
- Misdemeanor Supervision - \$40.00
- Juvenile Supervision - \$25.00

- Hotline referral as re-entry - \$0.00
- Hotline referral as a sanction episode - \$10.00
- Court Ordered pretrial criminal per test - \$15.00
- Court Ordered pretrial criminal hotline (<= 60 days) - \$50.00
- Court Ordered non-criminal per test- \$50.00

PRETRIAL Assessment Tool Reports (PAT)

- 39 PAT's were ordered in 2022, 28 resulted in assessments and reports (other's refused to be interviewed or bonded out before we interviewed them).
- 27 PAT's were ordered and 21 were completed in 2021.

Department Challenges

- Long-term – office space. Crowded with two days a week having all probation officers (8 if PSI interview is being held) in-house. Full time Greg relocated to the former offices of the Superior Court Clerk to on days that part time Scott worked so he could have a consistent workspace on the 4th floor for probationers. (at time of this report's preparation, Scott had retired. However, the space problem will return should the courts authorize additional probation staff in the future).

Adult Challenges

- Presentence reports – the number of orders for presentence reports has significantly increased to well beyond budgeted amounts.
- Pretrial assessments – the number of pretrial assessments and supervisions (usually in terms of drug testing requirements) has increased.

Juvenile Challenges 1

- Juveniles- a variety of challenges have arisen in the past couple years and require attention soon:
 - Supervision challenges – a significant number of children are committing non-compliant behaviors which do not rise to immediate threats to self/community but involve justice system involvement because of parents'/educators' frustrations. Many traditional responses to children's behaviors do not appear effective; therefore, consideration should be made for
 - Rapid court intervention
 - Greater community involvement
 - Wider range of behavior responses such as
 - Full range of substance abuse intervention for today's increased drug usage and type
 - Interventions for parent
 - Additional community-based accountability programs
 - Crisis behavior responses

Juvenile Challenges 2

- Secure detention – our guaranteed bed space (which Wells County has enjoyed for over 30 years) was no longer available after December 31, 2022, when Delaware County ceased contracts for any county for beds. This comes at a time when there are fewer secure detention beds in the area, especially for girls.
- While two detention facilities are within 1 hour's drive (one way) from Bluffton, we are now seeking emergency placement at facilities nearer to 2 hours drive away, or longer. The arresting law enforcement agency are responsible for transporting the children to the detention facilities at time of initial detention, and the Sheriff is required to transport thereafter.

Juvenile Challenges 3

- The number of juvenile cases pending (referrals and supervisions) has continued to increase after several years of being low. One probation officer dedicated solely to juveniles sufficed during the low period, but an additional officer familiar with juvenile practices is needed.
 - Qualified Residential Treatment Programs (QRTP) procedures require considerable time commitment for each placement often in a short period of time.
 - Juvenile case plans involve myriad persons and agencies in the child's life and the probation officer has contact with most or all regularly (families, schools, Department of Child Services, social and behavioral service agencies)
 - Permanency Round Tables, Dual Status, Preliminary Inquiries are just a few of many practices of a juvenile probation officer.
 - Justification for an additional full time probation officer to primarily work with juveniles is reasonable.

Accomplishments

- Valerie and Allison were both interested in learning more about Moral Reconciliation Therapy (MRT). They underwent training, coordinated the program and began classes April 19, 2022. Some funding for incentives and start up costs (several workbooks provided to the first class) from probation users fees. Other fundings sources later in year came from CADA. Each participant is assessed a \$50.00 education fee to cover cost of workbooks and supplies.
- Probation Users Fees – longevity. We learned the county council approved PSI consultant to come out of the General Fund in 2023. This significantly eased the depletion rate of the adult probation fund.
- Long delays in drug testing results from Cordant/Norchem forced us to study the amount of time it takes for drug test results to return from Cordant. We switched over to Abbott/Redwood and began realizing improved response time.

State Initiatives during 2022

- Local Justice Reinvestment Council –continued to meet during 2022.

Approved Agencies List

- Agencies approved for probation use are maintained on-line at <https://wellscounty.org/counseling-directory/>
- Probation officers continue to recommend Medication Assisted Treatment (MAT) programs be approved by us in addition to state certification. We have experienced frustration with individuals visiting the MAT facility for medication only, and not participating in the required cognitive-behavioral treatment component in addition to medication. Unless an individual or their treatment agency can provide documentation of MAT with cognitive-behavioral components, they will be required to change programs.