



# COUNTY OF OTTAWA CIRCUIT COURT PROBATION AND PAROLE

## 2013 YEAR END REPORT

*Administrative Offices: Grand Haven, Holland, Hudsonville*

## I. GENERAL INFORMATION

The Circuit Court Probation and Parole Department oversees those offenders convicted of felony and high court misdemeanor offenses. Probation may be imposed for all misdemeanors and felonies except murder, treason, armed robbery, criminal sexual conduct in the first or third degree and those felonies in which a firearm was used. The maximum term of probation that may be imposed is five years for felony convictions and two years for misdemeanor convictions. Probation terms may include up to one year in jail in conjunction with the probation term as well as payment of restitution, fines, court ordered costs, and supervision fees. Those released on parole from prison also have similar conditions imposed. Increased accountability is also achieved through the use of the electronic monitoring (tether/SCRAM).

Once placed on probation or parole, the agents monitor the offenders' behavior and enforce the terms of the order. The special conditions imposed typically include full time employment, education, treatment, community service and the prohibited use of alcohol and drugs. More specific conditions are created and imposed base upon the offender's individual specific needs. Probation staff are also involved in the supervision of offenders in the Drug court which combines increased supervision along with a higher level of case management between drug court personnel, probation and treatment agencies.

The probation department also completes presentence investigation (PSI) reports for the courts. Provided in the PSI report is a recommendation for sentencing which is formulated on a background investigation of an offender and completed of sentencing guidelines taking into account the particular crime committed.

## II. SENTENCING OPTIONS

Sentencing options include:

- Probation
- Jail
- Prison
- Fines, costs and restitution

In addition to the standard terms of supervision, options for supervision also may include the use of the electronic monitoring, placement in treatment facilities and the Special alternative Incarceration (boot camp). These are often used as diversion programs from jail and prison for low risk offenders and technical violators.

The mission of the Department of Corrections is to protect the public. The agents enforce the rules and special conditions ordered by the judge or parole board. Failure to comply with the order of probation may result in probation violation charges being initiated. Probation agents utilize a risk-driven violation guidelines designed to make full use of community sanctions. Probation Violation Response Guidelines provide a range of possible response to violations. Agents are to determine the best possible response which is the least restrictive response with public safety. The response include a continuum of alternative sanctions that protect the public, hold the offender's accountable for their behavior and reduce the offenders' likelihood of engaging in criminal activity.

In addition, our office continues to work closely with the community Corrections Office to develop and use other sentencing options available to the courts. This office oversees the community service department, intensive supervision officer and is the gatekeeper for the probation residential beds. Through our collaboration, we strive to minimize the impact on the jail and prison populations.

The electronic monitoring system (tether) is used as a resource to enhance supervision. The tether allows active monitoring of an offender 24 hours a day, seven days a week. It is a curfew enforcer that determines when an offender is to be at home at designated times allowing the offender to maintain employment and attend other approved functions such as treatment, community service, etc. Most offenders are placed on the system in lieu of jail, providing a much more cost effective manner of supervising offenders. Currently, the offender pays \$11.00 to \$13.00 per day when placed on the tether.

The "Sobriotor" and SCRAM units are additional tools targeted to monitor alcohol use. These systems allow an offender to be tested for alcohol use at a random rate determined by the probation agent. This equipment has been used frequently for OUIL 3<sup>rd</sup> cases as well as for those probation violators who test positive for the use of alcohol.

The Global Positioning System (GPS) units are being used to monitor paroled sex offenders or those who are convicted of Stalking offenses. The GPS collects data points as the parolee moves throughout the community and reposts the movement, including violations in "real time." The system is monitored 24 hours from a center located in Lansing and the agent is alerted to any violations. The agents also routinely review the points of the parolee to monitor their activity in the community. Currently Ottawa County has 50 paroled sex offenders being monitored by the GPS system.

### **III. PRESENTENCE INVESTIGATION REPORTS**

Presentence reports (PSI) are prepared by the field agents and used by the judges when sentencing an offender. The PSI includes an evaluation of the offender, circumstances of the offense, and background information of the offender. The agent also completes an assessment of probable risk to the public and utilizes sentencing guidelines to formulate an appropriate recommendation for sentencing. During the investigation process, the agent also makes contact with the victims of the offenses and includes their statements in the PSI report. The agent also determines the amount of restitution that is to be ordered and forwards this as part of the recommendation to the court.

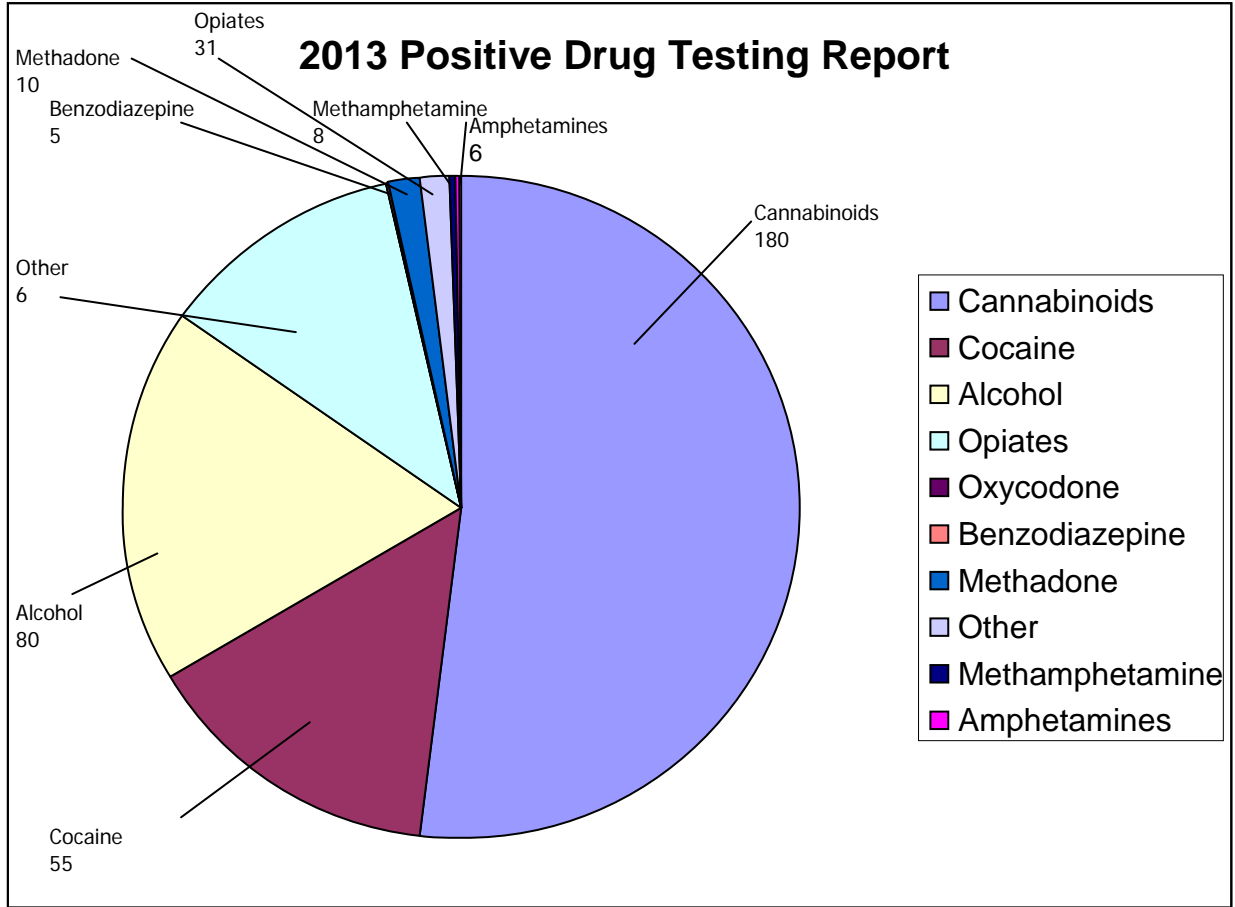
The Ottawa County Circuit Court Probation completed 726 PSI reports in 2013.

### **IV. FEE COLLECTIONS**

Restitution, court costs, fines and other related fees are typically ordered as a term of probation. The agents oversee the collections of these fees and work closely with court personnel to ensure these fees are paid as directed. There continues to be an emphasis on the collection of restitution to help victims recover their losses. Based on discharge reports collected by this office 65% of all fees were collected at the time of discharge in 2013.

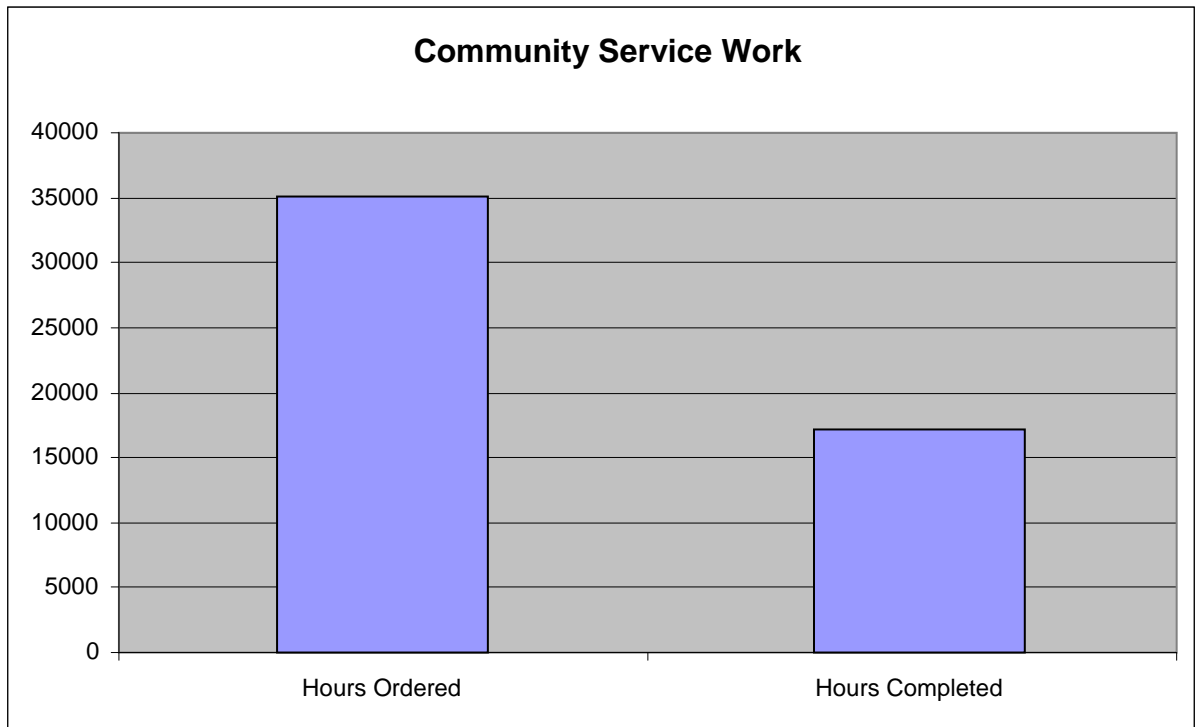
## V. DRUG TESTING

The probation department completed 12,512 drug tests in 2013. Of these tests, 381 tested positive with the following breakdown:



## VI. COMMUNITY SERVICE

Probationers completed 16,000 hours of community service in 2013. The community service office is under the direction of the Community Corrections Department. The community service is performed at a wide variety of sites located throughout the county. In addition, offenders are also referred to the Holland Area Beautiful Program. Approximately, five offenders per week work six hours on Saturdays working on clean up of road side and other designated areas. Referrals are often made to these programs as sanctions for technical violations.



## VII. SUMMARY

The Adult Probation Department has representatives in three locations in Grand Haven, Holland and Hudsonville. The 22 employees are employees of the Michigan Department of Corrections. Ottawa County provides office space, supplies, and other operating necessities.

Our workload average has remained relatively stable over the past year. We continue to supervise approximately 850 offenders on a monthly basis.

The staff continue to work closely with the courts, law enforcement, and the Community Corrections department to achieve the most safe, effective and efficient method of handling felony offenders in Ottawa County.

We continue to appreciate the high level of cooperation that exists between all the departments.

Submitted by: \_\_\_\_\_  
Heath S. White, Probation/Parole Manager