

Alabama Sentencing Commission

Minutes of Commission Meeting
February 7, 2003

The Alabama Sentencing Commission met in the Mezzanine Classroom of the Judicial Building in Montgomery on Friday, February 7, 2003. Present at the meeting were:

Honorable Joseph Colquitt, Chairman, Retired Circuit Judge, Professor,
University of Alabama School of Law Tuscaloosa
Honorable Ellen Brooks District Attorney, 15th Judicial Circuit
Commissioner Donal Campbell
Rosa Davis, Chief Assistant Attorney General, Chair, Drafting Committee,
Montgomery
Cynthia Dillard, Pardons and Paroles, Montgomery
Stephen Glassroth
Becki Goggins, The Sentencing Institute, Montgomery
Lou Harris, D.P.A., Faulkner University, Montgomery
Edward "Ted" Hosp, Esquire, Legal Advisor to the Governor, Montgomery
Honorable O. L. "Pete" Johnson, District Judge, Jefferson County, Birmingham
Commissioner Samuel Jones
Emily Landers, Deputy Director of Constituent Services, Governor's Office,
Montgomery
Honorable P. B. McLaughlin, Presiding Circuit Judge, 33rd Judicial Circuit,
Ozark
Tammy Meredith, Applied Research Services, Inc., Atlanta, Georgia
Honorable David Rains, Circuit Judge, 9th Judicial Circuit, DeKalb
John Speirs, Applied Research Services, Inc., Atlanta, Georgia

Others Attending:

Peggy Batey, MADD-Alabama
Foster Cook, Jefferson County Community Correction (TASC)
Brian Corbett, DOC
William Dill
John Hamm
Troy King, Governor's Office
Miriam Shehane, Vocal
Shelby Linderman, Vocal Angel House

Advisory Council:

Doris Dease
Adolph South

Welcome and Introductory Remarks

The meeting convened at 10:00 a.m. Chairman Colquitt called the meeting order and made the introductory remarks. Chairman Colquitt stated that some advisory council members were attending the meeting and introduced Commissioner Campbell from the DOC. Chairman Colquitt stated that everyone's effort has been geared towards the report, however; there are still some issues, which need the commission's attention.

Also introduced were the sentencing commissions interns, Amy Logan and Crystal Gregory, and Troy King who is presently with the governor's office.

Chairman Colquitt stated that for some time the Applied Research Services represented by Dr. Tammy Meredith and Dr. John Speir (from Georgia) have been working with the commission. They research the different type of report work for various states and governmental agencies working with sentencing issues. They are present today to bring the board up to date. Chairman Colquitt reported that one of the major areas of work for the commission has been to bring together into one centralized consolidated database the information that we need in order not only to make decision but also to make projections about the impact of those decisions within the state of Alabama. He stated that there are many agencies and entities that are spread across various divisions of the government, instead of just one. Very little information is consolidated together this is a problem that exists in many other states as well.

A great deal effort has been put into the sentencing program through grants, monies, staff efforts and also through hiring experts to assist us in this regard. Major efforts have been put into creating a database that will track each and every person that comes into contact with the criminal justice system and ends up either on probation, in prison or in some type of community corrections organization. That person will be tracked by their history and it will be determined how they would impact the system. Whether it is through the court system, department of corrections, probation or parole.

Tammy and John in the past have presented a variety of information about what the different options are, and programs to consider. At the present time they will present some of the information that has now evolved.

2003 Legislative Report

Dr. Meredith reported that research over the past year has been an attempt to organize and articulate questions that are seen as answerable with the data. The rough draft of the report has been put together all except for the last chapter (which Rosa will talk about latter). Now the major decision is the look of the report, an attempt to set up a nice user-friendly look with a wide column and little chart has been the ultimate goal. Something that is easy to read will also comprehend story behind the words.

The report will have a total of seven chapters; the beginning will start with an introduction, which will remind everybody what the mandate that the legislature asked the commission to look at. The focus and organization of the report is to answer four major questions. One chapter in the report is going to address the four critical questions

that were posed by the commission, and how answering the questions helped to formulate the recommendations received.

Layout for report

1. To what is the extent of the prison-overcrowding problem in the state of Alabama? And what does it have to do with out mandate?
2. Is there truth in sentencing? What is truth in sentencing? And what does it look like and what do we see?
3. Is there unwarranted disparity in sentencing?
4. How are the prison resources going to be prioritized? How can sentence reform help address that issue?

The questions above are the organizational layout for the report, and discussed over the next few minutes will be the highlights of the layout. Starting with the first issue of prisons being overcrowded in the state of Alabama. The report attempts to paint a picture of history for the state of Alabama, dating back to 1912 when the prison population was a steady line. However hitting the last 30 years the steady line skyrocketed, because Alabama's population has grown by 30% the prisons population has also grown 600% over the last 30 years. A tone for the report is being set that the state is not just and what the sentencing reform has to offer to prison populations. The point has come where many things are changing in the state of Alabama. Our state has gone through a lot of things with the 600% increase in prison population what's fueling the growth? All of the data that has been gathered points to two answers as to the growth. More people are walking through the prison door, and they are staying longer. In addition to the previous research the commission has also taken note of several other things, such as 7 out of every 10 inmates entering the system are for drug and theft crimes. The prisons are so overcrowded that some of the 5 maximum institutions are at 175% of their design capacity load, people aren't fitting any other place.

What is the answer? Should more people be put on parole and probation? No more people will fit in these programs because they are also maxed out; in fact they are requesting more staff. There are no nonprison options available in this state as of now for the judges. At this point in the chapter summary everything is maxed out, and something needs to be done about it. The follow up will be answering a few more questions.

The next issue was, is there truth in sentencing? This question is one of the mandates, to look at truth in sentencing in Alabama. On the average the typical offender in Alabama serves 40% of his/her sentence, what the judge articulates in court does not always happen. That is what truth in sentencing is all about; a description of a very complicated system in Alabama is gone through. How long one stays in prison, starts out as a big long discourse on which is a complex system of good time. Also in this system is a complex system of discretionary parole releases. Judges have now stated to use split sentences options so that they may attempt to instill some sense of truth in the sentencing penalty because people cannot get on parole. All of this is happening at the same time. The other

picture that is being painted is that the system is very complex. The bottom line is that what a judge says in court isn't what actually happens to the offender in the end.

The issue of disparity in sentencing is the third question for the report. Is there unwarranted disparity in sentencing? This question simply means that there are similarly situated offenders that committed basically the same crime, they roughly have the same kind of criminal background; justice mandates that they receive the same kind of sentencing as their punishment. However, there are many cases in which the people shouldn't receive the same kind of sentence. This chapter talks about what the disparity in sentencing should be and included is the data on how people are actually sentenced in the state of Alabama. The problem is that similar offenses, and similar kinds of offenders receive radically different sentences (graphs are shown). In the end the agreement is that some disparity in sentencing is observe.

The fourth and final issue that will be discussed will be, prioritizing our prison capacity. There are a few interesting statistics for the state of Alabama, 44% of the inmate population are property and drug offenders, a third of these qualify as nonviolent offenders. Some time was spent looking at the data that defines violent and nonviolent offenders. A very expensive correctional response to a crime is sending the offender to prison, Alabama does this all of the time. The state is housing in prison a lot of people that could potentially qualify for other types of sanctions. Research was done so that it is now known that 1 out of 5 new prisoner is walking into the system for drug possession or for a felony DUI. Most of these offenders have had serious histories of abuse. 80% of our drug offenders have a history of drug abuse. Almost all of the felony DUI offenders (99%) have a history of abuse. The sad fact is that when looking at the statistics showing those that have been exposed to treatment, about a quarter of these people haven't even been exposed to treatment. The system has a lot of people with serious addiction problems that are not being treated for their crisis.

These four questions plus the need to expand the community corrections system and obtain the money and resources completes most of the report. However, if there is a need to divert people from prison into less costly sanctions than something needs to be done besides just stating the problem. The last part of the book covers the infrastructure and what's needed. There are two chapters to conclude the end of the report, which is in the process of being completed now. (John showed the prison simulation model) Through looking at the present data a projection of the future if nothing changes will be shown. The next chapter covers what the impact is of staying in the court. How many inmates can be expected to be in the system within the next 5 years? The picture in this chapter is sort of bleak, but it is the best that it is going to get. The statement "this is the best of times", paints the picture (data shown to support the statement). (1) Crime is down in Alabama and everywhere. The lowest crime rate possible has been in existence for the past decade. Also down is the use of drugs among the offenders, fewer people are testing positive for drugs coming into the Alabama system than the system had 5 or 10 years ago. Unemployment is also down; it has been on a downslide for the last 8 years.

At the present time arguments will be made referring to the U.S. Census Bureau and what is being shown to us about the population and growth of the future of Alabama. One concern is that within the next decade Alabama's population is supposed to grow at about 8%, and more people will be moving into the state. The population is not the only factor that impacts the prison system; risk offenders (young people) are a major part of the population. Why is this a concern? Because Alabama's population projects that within the next 5 to 10 years a lot more young males will be in the system. This is a major issue for the correctional facilities because the more people that are in the crime prone age at that time crime goes up. The bulk age for the risk offenders is 18-25; the population demographics show that this age group may have a critical impact on the system. There will be more people in their crime prone years if nothing is done about the correctional system. The report will conclude with chapter 7, and given all of the past information the commission will discuss the recommendation today.

Report Discussion

John stated that when looking back 30 years that the actual age of risk offenders was between 15-19 years old. The biggest drop in Alabama's is found by looking at the past. He stated that the past is something to think about when talking about the projections for the future. We call it the best of times we are saying we have already gone through periods of low crime great unemployment rates. It's been a favorable demographic environment. If one rolls all of the statistics together in about 5 years one might see some changes that haven't been seen in a while. Last year was the second highest number of admissions the DOC has ever seen in their history, past the 10,000 mark. These are things to be looking for. Two things that drive prison populations: How many come in; and again, how long they stay.

Part of the effort has become a lot of "what ifs" in the areas that predict the future for Alabama. A simulation model was built which mimics the flow of people into and out of the system. Data has been built for every process that will affect the major decisions about the inmates. The preliminary model's goal is to over time include alternatives and structured sentencing proposals that may be a product of the new form of correction. A simple model was used, people were sentenced and then replicated to a person who they looked like, what they looked like when they come into our system, their age, gender, race, crime type, criminal history, risk levels. Everything about them we have modeled that when these people come out of this we create new people that literally look like and tell exactly what we have been seeing in Alabama. We moved them through and then we sentence them. We sentence them exactly the way that we have been sentencing them in Alabama for the last several years, with the last 3 years data. The various types of time served was then applied to the people when they were sentenced. They were put into prison, and the thing about this model is that every offender who is in the prison system has their record put into the model. They are populated into the prison and the system is run forward. This means that the people that are in the prison have projected release dates, and they get out when people are coming in to occupy the beds. If this system was run forward what would the population look like? How many people would be in the system? Two models were run; however, the most important thing about the

program is that when something like this is established the ability to go through and modify any part of the system in order to access its proposed impact is at the controllers' hand.

An example used is the fact that there is no truth in sentencing. The population wants the felons to serve the maximum amount of time. So if everyone in Alabama that is coming out of the court; is taken, the population would probably score 40,000 in about 5 years. If the system is modified it will impact and change the habitual offender law. (Examples are shown through the program) John states that in Georgia the use revocation centers as a lot cheaper facility to handle parole revocation rather than a hard bed in a prison system. The revocation center is worth the money that can be saved by diverting the felons out of the system. The best feature of the program is that it builds correct static's all the way through the system. Everything is captured that is going on in the prison system. Simulation is really nothing but the risk free environment for playing out ideas before you try it out in the real world where then you usually find out the hard way that it is pretty expensive.

Questions and Answers:

How good is the data that you are getting now?

John reported that when looking at the projections they were accurate. The DOC contractor's report (Carter & Goble) stated the same analyses for the current prison overcrowding situation and that our projections were off by 1%.

Tammy stated that from past research the data is very accurate. The data is precise and the position has been taken to understand the system enough to use it properly. The comment was made that the model of DOC data is pretty good; however, not perfect. Because the data is not perfect the option is given to run the program thousands of times to perfect the program as much as possible.

The question was asked as to what an acceptable margin is. John replied that the only reason that some projections don't work out is because decision makers use the data and then start to make the changes immediately. The model is only built on what we think the future will be like years to come. Rosa stated that the program is a work progress program that will be added onto, and as additional data is added different information will be known.

Rosa confirmed that in working on the projection model it was developed based on what was seen to be happening at the present time. Then the next step is to try and figure out why those things happened.

It was stated that Alabama has never had a simulation model to go by.

The question was asked as to what happens if the theft laws are changed, and to the people who come in the system with certain characteristics how will it affect them.

John affirmed that the present questions would not have as big of an impact as contemplated. Chairman Colquitt confirmed that there has never been a perfect data system. The system will always have an opportunity to be worked on and developed further. The system gives a more sophisticated way to obtain information and also gives a better idea of what the correctional system will look like in 5 or 10 years.

It was stated that Lynda would be discussing two topics during the present meeting. The first topic was a reminder of what has been done, how far the progress has come and what is yet to be done. The second topic was the ideas that need to have action taken on the today

Following John and Tammy's presentation the question was asked if there was a component of disparity based on race and gender. Tammy responded that it was not included in the report. The chapter only includes disparity based on the geography. Rosa stated however that the data is there. The question again was stated if the data was going to be pulled. Rosa responded that it will be done, but the point at the present time is do we have disparity? And the answer was yes. What needs to be decided is what kinds of disparity are there and how is the problem addressed. Disparity should be addressed regardless of the type of disparity.

Praise was given to Tammy and John for all of their help on the 2003 legislative report.

The other project that the sentencing commission undertook was developing data, a lot of which was not our data. Information like the research done on the drug courts is now known because of the drug court survey, and also the community corrections program survey help find out information. Jail surveys were done to find the automated jail population. All of this information is gathered and compared to the information that is already known.

The pre-sentence investigation survey has been achieved only through the help of Amy and Crystal and through the help of the staff of paroles/probation. All of these files are not on line yet but it is in the process of completing that project. Rosa Davis reported that pre-sentence investigation automated data is about to become available.

Lynda stated that the other ongoing projects are the drug court management information system, which needs to be developed. The Supreme Court requested that the system be developed and that the AOC be in charge of the system. This project will provide a central location for reporting and will also provide the reports to the sentencing commission. As stated there is additional data to collect and finalization of the simulation model is needed, and also guidelines are going to be developed (the commission already voted on voluntary guidelines). The guidelines are going to be phased over a 3-year period. Historical time imposed guidelines must be developed as well as the forms to go along with it. Also a bench book must be developed, along with all that is needed to educate the judges, attorneys, prosecutors, defense attorneys, and the criminal justice system. The previously stated projects were the main projects that needed to be briefly gone over.

The topic to be gone over next is theft statutes. The vote was already taken to increase the value of property in theft statutes (two meetings were spent on it). The property value in Alabama is really inconsistent.

The Commission recommends the following changes on property-valued statutes: A change is needed in the area of soliciting and providing support for active terrorism (changes in the 1st and 2nd degree). Ellen Brooks confirmed that if changed and made consistent with the sense of punishment the degrees would be raised. She stated that raising the laws was not what she had in mind and that the amounts of money that would be needed to invoke the laws was her concern. Lynda replied that the criminal mischief in the 1st degree is costing over \$1,000.00, if made consistent it would change to around \$500.00. Ellen expressed that research is not needed in order to discuss whether to elevate 1st degree from a class C to a class B or even a class A.

Lynda stated that the last two would be difficult in making a decision, because they are different. There is a listing of those providing support for active terrorism and the defacement of public property. The offenses like this at the present time are classified as a class B felony and the damage has to be over 2,500 dollars. The suggestion was made to say greater than 2,500 to consistent.

Rosa reinstated that a vote should be taken to raise the felony theft thresholds to 1st and 2nd degrees based on the inflation of the statuses since they were passed and in order to make them the equivalent to what they were originally intended to be. Rosa also stated that the same logic would apply to most of the other offenses.

Lynda then communicated that when they subject was approached before about what the level would be and why the level was set at 75 the answer is that they didn't look at any data. Judge Colquitt said that the figures were thrown out. The system didn't add up, so the present figures were taken and the vote was taken as to whether or not to make the law consistent, and the next vote was taken in order to raise the threshold level to be consistent with the other states.

A comment was interjected about what kind of impact the figures would have on the outcome.

Tammy Meredith replied that some of the data has been looked over; though, most of the data was backed up in 15,000 cases. However it is known though that at the present time theft of property I and receiving stolen property I was between a third and 40% of the cases that would be cut off if the 2,500.00 plans were used. It is known that 60% of substantial proportionate and the theft of property II should have the 500.00 cut off.

The statute would in fact have an impact on the population.

Tammy stated that a volume of people would be impacted. And the idea needs to be run through the simulation model, because if the law is passed a lot of people would go to prison but the question is for how long.

Chairman Colquitt asked what “Theft and Property in the 1st degree are now, and also what class the fall under?” The response was that Theft 1 falls under a Class B penalty and that Theft of property II is a class C penalty.

Chairman Colquitt questioned if the 60% would remain and Tammy confirmed that 60% would stay. Chairman Colquitt then stated that 40% would go down, and when the question is asked would that change your population the answer is not valid because there is an overlap. The chairman then stated that just because something is moved from one place to another the population will still remain unchanged.

Tammy Meredith replied that the people that are in class C are going to be demoted down to misdemeanors so then they are no longer eligible for prison or the habitual offender treatment. The state’s state that that is a third of the property II crimes and almost half of the receiving stolen property II’s will be gone.

Chairman Colquitt replied that if the judges were consistently sentencing people to 15 years for a lower level of Theft I if pulled down to the maximum being 10 years an affect would take place. However this is not the case because judges are not typically sentencing the offenders to the highest sentencing options.

A question was made about disparity and Tammy replied that the issue when looking at Theft of Property offenders in class B, and Theft of Property in the 1st degree is to research how many of the offenders are classed by the habitual violator status and it is the habitual offenders that should be receiving consistent sentences, because the range is between 1-18 years, if there was consistent an impact would be noticed.

Rosa Davis stated that an impact would be noticed under the Theft II laws because some people will no longer be eligible. Tammy stated that an impact would be noticed on both accounts, as well as some reduction.

Ellen Brooks stated that the whole commission was for the policy; however, there was a concern that the retail industry should be consulted because of there major impact. The concern of who will be placed in charge of this policy would fall on the city courts, police, city councils and jails so there support is needed behind this policy. Ellen stated that her biggest fear is that the people who are habitual offenders (and may even have a violent offense in the past) sentence will change from a Class C offense into a misdemeanor. It should be suggested that some people might serve some jail time because of their criminal history. The other issue that should be raised is the theft statutes; such as theft of a motor vehicle which is automatically a Class B.

Lynda reported that that issue had already been discussed and decided to wait until later to look at the issue. At the present time the theft statutes are the primary concern; the

issue is whether all of the other statutes should be look at and made consistent or if they should stay the way they are.

Rosa Davis stated that the computer crimes are the newer offenses. (No changes on the bottom of the first page). It was stated that Criminal Mischief is more than just theft.

On The Parole Board

On the parole board suggestions were made for changing parole statutes, some of which were suggested by crime victim advocates. This goes beyond what was introduced last year it requires membership for the inclusive and complex racial, gender, geographic, urban, rural and economic verses state. Then it also requires the nominee to be qualified by knowledge, education, and experience in criminal justice or behavioral sciences. And finally the applicant must have a four year college degree and have at least five years of training and experience in the field of parole, probation, corrections law, law enforcement, psychology, psychiatry, sociology or social work.

Ellen inserted that the Barber Bill suggested an increase from 3 to 5 on the number of parole board members. However, she stated that the number stays the same. Lynda stated that the requirements also provide that a former board member cannot be employed by the board unless they have been previously been employed on the state board.

Chairman Colquitt questioned why the sentencing commission is deciding on a topic like the diversity of the parole board, and other questions like what happens if one of them is absence for a meeting. He questioned how it is that the sentencing commission has gotten drawn into the details about a governmental agency.

Ellen answered that the history is behind the bills that came in last year and within the fact that the victims came forward. The fact is behind the idea that the parole board has the final say and the authority in the state, so the changes that are made about how the board operates, affects the sentencing commission. Chairman Colquitt replied that any changes that have to do with non-sentencing matters should not be included because it is none of the commissions business.

Steven motioned to table the discussion of the entire bill and have the group to look at the proposed in order to see what impact the sentencing commission has in our work.

Lynda stated that the problem is the time. There isn't enough time to put in recommendations that they could ask the commission about. There isn't enough time to research and place the information in the report before the deadline.

Steven amended his motion to only look at the things that impact sentencing.

Lynda took the motion and seconded it. The motion was moved to table consideration by the commission at this proposed parole bill and to examine those provisions of it that directly impact sentencing in Alabama.

Chairman Colquitt announced that the parole bill would be postponed on the agenda for the present meeting.

Rosa stated that there are some serious problems in the bill. The comment was made that the intent of the bill was not to present anything unclear, and that there are some major problems within the bill. The commenter wanted the bill to be revisited.

Chairman Colquitt expressed his concerns as to why the commission is telling the legislature things that don't concern the sentencing commission. A comment was placed that the parole bill should be postponed longer than this afternoon.

Lynda replied that the bill was postponed, and seconded. Ellen stated that the bill had come through much discussion, but one of the primary things that need to be looked at is the parole system of Alabama.

Judge Colquitt stated that looking at the parole system and talking about piecemeal changes is very different from saying do we deal with truth in sentencing. Lynda stated that the bill would be postponed until a later time in the meeting the majority favored.

Community Corrections and Punishment Act

Lynda stated that if anyone asked the commission to bring the bill before the commission it would be done, without spending a lot of time on it.

A subcommittee chaired by Judge Ben McLaughlin formed the Community Corrections and Punishment Act. The previous subcommittees tried to find a simple way to expand the community punishment programs throughout the state without interfering with those, which were already in operation.

Lynda looked at the community punishment act in the state of Oklahoma and suggested that Alabama shadow their statute; which establishes a panel in each county. By looking at their resources Alabama might be able to form their own correction system. Before the bill was presented it was released (not for distribution) for correction. The Community corrections Association had a few problems with it as well as the DOC; an attempt to work the problems out between the two organizations was made. The result was that it does provide some structure of what is present now and within changing some of the provisions hopefully other counties will want to become involved. In the end everybody agreed on the present information.

The primary provisions (bullet points) to show you exactly where they are.

The primary provisions would include: the provisions, it would make a request for the appropriations of community corrections to go through DOC, and after the DOC obtains the money they will provide the programs with a certain number of dollars. For the offenders that meet a 10-point scale they are diverted into the community punishment programs. As of the present time the dollar figure is yet unknown. A formally established division at DOC is sought. The funds that will become available for the community

corrections programs will be separate from the funds that will be spent on the community punishment programs. The way it is set up at the present time the funds can be diverted for other uses. The community corrections association made a resolution where they adopted and recommended that a safeguard of the funds should be included. It would be in a state county partnership fund, it would all be created in this act. The county commissions desired to make sure that in the provisions there would be an increased liability for multi-county programs; and also the county commission wished to delete the multi programs because they said that a program that serves more than one county should not be subject to more liability than on that serves a large county, it was deleted. The commission was asked if it could increase the accountability of the DOC by providing rules and regulations for the department that would be subject to the administrative act. A request was made to provide the report. There has been a hard time obtaining information on the other programs. The DOC evaluated the statutes, and the commission requested the evaluations. The provisions are subject for inspection and are public records. The Pardons and Parole department asked that a provision be given to specify that no inmate that is assigned to community punishment or the corrections program be eligible for parole consideration.

The County Commissions Association expressed their requests to establish a maximum capacity cap on the programs that would prohibit judges and the DOC from diverting prisoners to the programs if there is no longer any capacity (in terms of bed space/or/staffing) to meet their needs. Another matter is that many people were not aware of the fact that the county could establish this program. The act states clearly that they can; however, it does not specify where the money will come from it only specifies money when referring to non-profit entities or authorities. They alleged that they did not want to go through the process of establishing authority for the programs, with this said the counties can set up the programs and then apply for funding. DOC funds such as grants have been clarified that they may be used for start up costs.

Probation and Parole Workload Study

Dr. Dennis Wagnor (National Council on Crime and Delinquency) states that studies do help agencies develop internal mechanisms for managing their staff. Each task requires time; the time the study takes is a function that demands. The more important a concept is the more time it will take in order to get it right. A study will examine the balances or the in balances between what the caseload demand is for supervision and investigation and the number of officers you have of each. When a study is completed an estimate is taken to weigh how much time it takes to meet creditable agency standards on supervision cases. The goal is to have a performance based on the standard. The board of parole does have performance base standards essentially they are related to offender risk/higher risk offenders which mean more face to face contact with an officer up to 6 a month in some cases.

There are certain items that must be completed to perform an adequate response for a youthful offender. First the offender must be interviewed, the circumstances must be understood and the criminal history must be looked at prior to the study. If there is not enough time to complete the process someone will make a mistake in the sentencing

decision because the justification work was never completed. In a way these things relate to public safety. When a study is done a request on how much time it took will always be a question asked. Always know how long it takes to actually meet the standards for high-risk offenders. It was suggested that only supervise six contacts a month with the follow up of documenting the case and completing the investigations right. There are advantages to doing it the way that was stated, it's the only way because if there is no performance based standard you can say it's ok to supervise high risk offenders and never see them. (Mr. Wagner referred to page 5 and gave a review of the handout).

Lynda emphasized that probation officers handling more cases was the discussion. As will be discussed later the talk now is that eventually all felony offenders will have some kind of post incarceration supervision. No information was present about how Alabama's caseloads compare with other states. The need now is for more probation officers. There will be an even greater need when we implement or recommend these sentencing guidelines/post incarceration supervision and diversion of nonviolent offenders.