

## **Lake County Jail Diversion Program**

### **Annual Report FY2023**

#### **Felony First Offender Program**

##### Program Description

The First Offender jail diversion program is a state-funded, community-based sanction designed to meet the supervision needs of low-risk, first time felony offenders. The goal is to minimize incarceration time for up to twenty (20) non-violent, low-level felony offenders during the year by providing appropriate screening and supervision in the community for these individuals. The program is funded by the State of Ohio Bureau of Community Sanctions through a grant award. The program serves the four (4) Lake County Courts of Common Pleas.

Referrals to this program are offenders who have been convicted of lower-level felonies, almost always F-4s or F-5s. Persons committing crimes of violence are ineligible under most circumstances. In addition, offenders are also evaluated to be lower risk for re-offending as indicated by their score on the Ohio Risk Assessment System (ORAS).

##### Referral Process and Supervision Method

The officer supervising the offenders assigned to this program receives referrals from the Courts of Common Pleas. The Probation Department staff discusses the case and makes a recommendation for inclusion into the program to the sentencing judge. Eligibility is determined by examining the nature of the presenting offense, the offender's willingness to participate in the program, and any special needs that he or she might have. When an offender is determined eligible, he or she will plead to the charge by way of information and be placed on probation by the judge.

The offenders in this program are assessed as relatively low risk to re-offend given their history and score on the ORAS instrument. Frequency of probation visits is consistent with minimum supervision levels, i.e., no less than monthly visits, supplemented with quarterly field visits to verify residence and employment.

Services available to the offenders in this program are the same as those available to any other offender supervised by the Lake County Adult Probation Department. They are determined by the assessment process and include GED preparation, job training, mental health and/or chemical dependency assessments, etc.

The nature of this program requires relatively strict performance criteria in order for offenders to successfully remain in it. When violations occur, they may be addressed by increasing reporting frequency, referral for mental health or chemical dependency assessment, or more frequent drug testing, among other sanctions. However, continuing behavioral problems will result in a re-assessment and termination from the program, with the offender assigned to a higher level of supervision or more severe sanctions.

### FY2023 Admissions

Twenty-one (21) offenders entered the First Offender/Intervention in Lieu of Conviction program in FY2023. Three (3) of those were "bump downs" who had been granted Intervention-in-Lieu but had to first successfully complete a period of supervision under the ISP program. Sixteen (16) offenders entered the Treatment in Lieu Program directly after their court hearing. The remaining two (2) offenders were granted Intervention-in-Lieu by another county, and their courtesy supervision was accepted by the Lake County Adult Probation Department during FY2023. The chart below describes these individuals by offense level, offense category, and average ORAS score:

Intervention-in-Lieu/First Offender Program	
Felony 4	19.05%
Felony 5	80.95%
Offense Category	18 Drug Cases (85.8%) 2 Property Cases (9.5%) 0 Weapons/Violence Cases (0.0%) 1 "Other" Case (4.8%)
Average ORAS score	17.14

### Results

Twenty (20) offenders were terminated from the First Offender/Intervention in Lieu of Conviction program in FY2023. They spent an average of 460 days (approximately fifteen months) in the program. This is slightly more than offenders who were terminated from the program in FY2022.

Of the twenty (20) offenders terminated in FY2023, eleven (11) offenders (55.0%) successfully completed the program and were released from community control. Six (6) offenders (30.0%) were terminated unsuccessfully when the Court revoked Intervention in Lieu of Conviction due to probation violations. One (1) offender violated probation, and although Intervention in Lieu of Conviction was continued by the Court, their increased ORAS score resulted in removal from this program for placement in the ISP program. The remaining two (2) offenders were terminated upon issuance of probation violation warrants.

## **Drug and Alcohol Continuing Care Program**

As is the case with Intensive Supervision level felony offenders, the Lake County Corrections Planning Board has contracted with the Lake-Geauga Recovery Centers, Inc. to provide a twelve week out-patient aftercare program for misdemeanor and standard probation felony offenders who have completed the Jail Treatment Program. In addition to providing this necessary service to a population that is chronically under-employed and under-insured, its aim is to reduce jail bed days expended on offenders who, having completed the Jail Treatment Program, have their probation violated for not having entered an aftercare program or for not having completed such a program.

Fifteen (15) clients were referred to two aftercare groups, which meet weekly for twelve weeks as part of this program. One group meets in Lake-Geauga's Mentor office, while the other meets in their Painesville office. Referrals come from all four criminal court systems in Lake County.

### Outcomes

Of the fifteen (15) individuals who were referred to the continuing care program with the Lake Geauga Center, eight (8) entered and successfully completed it. Seven (7) participants successfully completed the program within FY2023, and one (1) continued it to successful completion in FY2024. Seven (7) program participants were discharged unsuccessfully from the program in FY2023.

Beginning in FY2013, a continuing care group consisting solely of females was offered to Lake County offenders. Research has shown that offenders perform better and have superior treatment outcomes when participating in gender-specific groups. This worked fairly well through 2015, but in recent fiscal years, referrals of women declined substantially. Many of the women were referred for treatment at agencies that offered a dual diagnosis approach. Also, many women needed much more intensive services, such as the Opiate Recovery Program, to deal with their addictions. Maintaining a group exclusively for women became untenable. The situation continues to be monitored regularly with Jail Treatment Program staff; it appears that women have been adequately served by alternate means up to this point. We will certainly consider returning to the gender-specific format if demand warrants.



## **Domestic Violence Program**

The Corrections Planning Board contracted with Signature Health, Inc. of Willoughby, Ohio to provide this 20-session service for misdemeanor and standard probation felony offenders who have been convicted of Domestic Violence or similar violent offenses.

In FY2023, fifteen (15) individuals were referred to the Domestic Violence/Anger Management program. All of these individuals successfully completed the program. Thirteen (13) of them completed it within FY2023, and two (2) went on to complete it in FY2024.

We are looking forward to continuing our affiliation with Signature Health, Inc. as this program's provider. The frequency and quality of communication between agencies has continued to improve accountability on the part of the clients as well as the agencies involved.

# **Intensive Supervision Probation**

## **Prison Diversion Program**

### **Annual Report FY2023**

#### **Introduction**

The Intensive Supervision Probation (ISP) program of the Lake County Common Pleas Court has been in place since 1989. Its mission is to provide an effective, community-based sentencing alternative to incarceration in a state penitentiary for high-risk, high-need felony offenders. The program employs the Ohio Risk Assessment System (ORAS) to identify individuals eligible for ISP. It also uses the ORAS and the experience and expertise of the probation staff to develop supervision plans for offenders that take into account the public's need for safety as well as the offender's needs if he/she is to become a productive citizen.

The Intensive Supervision Program includes 4.5 probation officer positions and two support staff funded by a Community Corrections Act. The grant is administered by the Ohio Bureau of Community Sanctions division of the Department of Rehabilitation and Corrections. The Bureau also funds drug testing by urinalysis of offenders, for the purpose of assessing individuals' needs for intensive supervision as well as monitoring their behavior while in the program.

Beginning in FY2007, the Bureau of Community Sanctions also provided funds for a drug and alcohol aftercare program. The program, implemented by agreement with Lake-Geauga Recovery Centers, Inc., provides felony offenders who qualify for intensive supervision with continuing care following their completion of a primary substance abuse treatment program. Offenders who have completed the Jail Treatment Program are the primary beneficiaries of this program; they enter immediately after completing JTP or after spending time in a Community Based Correction Facility such as NEOCAP. The Bureau of Community Sanctions also provides funding for a Transitional Day Reporting program – designed to facilitate an offender's assimilation into his or her community following incarceration – and a Relapse Intervention program, offered to addicts who, after having received primary addiction treatment, temporarily resume their use of alcohol and/or other drugs.

#### **Program Administration**

Craig Berry, Chief of the Lake County Adult Probation Department, is the director of the Intensive Supervision Probation program. ISP officers are under Mr. Berry's direct supervision. The Community Corrections Act coordinator, formerly Jerry Retter, is responsible for assisting the Chief in grant applications and statistical reporting for state-funded Prison Diversion programs. Jerry Retter's position was not replaced after his retirement, however the staff of the Adult Probation Department have diligently helped assisting with statistical reporting.

## **Program Activity**

The stated goals for the Intensive Supervision Probation program as noted in the grant application for FY 2023 are as follows:

**Goal: To reduce commitments to state prisons by changing offender behavior.**

**Objective: To divert at least 187 non-violent, felony offenders from state prison during the fiscal year by providing intensive supervision in the community.**

234 offenders were admitted to the ISP program during FY2023, six (6) fewer than in FY2022. The ISP officers supervise more than 50 offenders at any given time. For the first three months of supervision, the officer has two contacts with the probationer weekly; after the first 90 days, there continues to be a weekly face-to-face meeting supplemented by at least one monthly collateral contact (i.e., family member, employer, etc.).

**Goal: To improve the quality and efficiency of the local criminal justice system.**

**Objective: To identify and assess high risk and need offenders who can be diverted from prison and supervised in the community by using the Ohio Risk Assessment System (ORAS).**

Note: In the ORAS system, scores above 23 for men and above 21 for women will make an offender eligible for ISP status. The "professional override" option continues to exist, wherein factors other than the ORAS score would suggest the appropriateness of ISP supervision.

Offenders are assigned to Intensive Supervision Probation in the following ways:

- 1.) They are placed on ISP directly after sentencing by virtue of a minimum ORAS score of 24 for men and 22 for women.
- 2.) They are placed on ISP following a probation violation hearing and reassessment via an ORAS score of 24/22 or higher.
- 3.) They are placed on ISP after receiving a judicial release from prison. (An ORAS score is also calculated in these cases, but all judicial release offenders are on ISP status by policy.)
- 4.) They are placed on ISP following a probation review hearing and reassessment by ORAS. This is an internal sanction imposed in lieu of filing a formal probation violation.

An offender may qualify for ISP with a score less than the guideline scored noted above by a "professional override" decision available to the officer scoring the instrument.



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The chart below identifies the sources of ISP assignment in FY2023:

Source	Percent
Initial Sentencing	69.5%
Probation Violation	27.1%
Judicial Release	3.4%

As seen above, most ISP offenders enter the program directly after their initial sentencing. The rest enter after a probation violation, which results in their ORAS score increasing beyond 24/22, about 27% in FY2023. All offenders who are granted Judicial Release from prison are assigned to ISP supervision. These offenders accounted for about 3% of the total number supervised during FY2023.

The average ORAS score for clients admitted to the ISP program in FY2023 was 26.77. The average ORAS score for clients admitted to the program in FY2022 was 26.12. Over the five fiscal years preceding FY2021, ORAS scores for ISP clients was, on average, 27.04, varying within one point in that time frame.

**Goal: To provide effective options for safely supervising offenders in the community.**

**Objective: To frequently monitor the diverted offender's behavior and compliance with court orders through increased contacts and urinalysis.**

The supervision pattern for ISP probationers is as follows:

Two contacts weekly for the first three months, at least one of them face-to-face and the second a collateral contact (family member, employer, therapist, etc.)

One face-to-face contact weekly thereafter, supplemented with a monthly collateral contact (family, employer, etc.).

Generally, a probationer is on ISP supervision status for a minimum of nine months.

Maintaining ISP status for a probationer for more than 12 months requires an additional ORAS assessment. Of the 269 ISP offenders who terminated from ISP status in FY2023, an average of 409 days was spent in the program.



## **Drug and Alcohol Aftercare**

Since July of 2006, the probationers on ISP supervision who completed a primary drug/alcohol treatment program were able to receive aftercare services through the Corrections Planning Board of Lake County. The service is funded by the Bureau of Community Sanctions and delivered by the Lake-Geauga Recovery Centers, Inc.

The program uses didactic presentations and group discussion facilitated by a licensed counselor from the Lake-Geauga Recovery Centers, Inc. One group is dedicated to serving ISP probationers. It meets once per week for twelve weeks at the Lake-Geauga Recovery Center. Each group meets for two hours. Participants discuss topics crucial to the recovery process, including an examination of thinking errors and the 12 Steps of self-help recovery programs.

The facilitator provides supervising officers with updates on the offender's progress and a discharge summary with recommendations for additional help once the program is completed. The CCA coordinator interacts regularly with the contract agency to ensure efficiency in the referral process as well as to facilitate communication between the agency and the supervising officers.

Seventeen (17) ISP probationers participated in the program within FY2023. Nine (9) of them successfully completed it within the fiscal year, and two (2) went on to successfully complete it in FY2024, for a success rate of 64.71%. Five (5) ISP probationers were discharged unsuccessfully from aftercare, and one (1) ISP probationer was discharged to another treatment group.