

Audit Highlights



Highlights of performance audit report on the Division of Parole and Probation issued on May 24, 2016. Legislative Auditor report # LA16-10.

Background

The primary mission of the Division of Parole and Probation (Division) is to protect the community and to reduce crime by supervising individuals who have been convicted of crimes but are living in the community. Offenders include individuals convicted of murder, kidnapping, crimes against a child, sex offenses, street gang activities, and other violent and non-violent crimes. In February 2015, the Division reported a total caseload of 18,500, of which, about 12,400 were actively supervised by sworn officers.

The Division operates supervision activities from the Northern urban, Northern rural, and Southern commands with ten offices located throughout the State. The Division's headquarters are located in Carson City. The Division is largely supported by a general fund appropriation although the Division collects some fees.

The Legislature has provided 51 additional positions to the Division since the 2014-2015 biennium. For fiscal year 2016, the Division had 499 approved positions of which 415 were directly related to offender management. The Division presented information attesting to vacancy and turnover rates of roughly 8% and 13% respectively, in positions directly related to offender management.

Purpose of Audit

The purpose of this audit was to evaluate if the Division complied with its directives regarding 1) personal home contacts for high-risk offenders, and 2) the intake process for offenders entering parole and probation. Our audit focused on specific offender supervision activities from July 2013 to March 2015.

Audit Recommendations

This audit report contains eight recommendations to improve the supervision of offenders on parole and probation. The Division of Parole and Probation accepted the eight recommendations.

Recommendation Status

The Division of Parole and Probation's 60-day plan for corrective action is due on August 18, 2016. In addition, the six-month report on the status of audit recommendations is due on February 20, 2017.

Division of Parole and Probation

Department of Public Safety

Summary

The Division of Parole and Probation did not always conduct home contacts with high-risk offenders in accordance with stated directives. For these offenders, home contacts are an important element of their supervision because they provide insight into an offender's living situation and can identify non-compliance with supervision requirements. Additionally, rural high-risk offenders are not supervised under the same home contact directive as those living in urban areas. Even though the Division has issues with hiring and retaining parole and probation officers, which can affect home contact timeliness, additional measures can be instituted to assist officers and management in ensuring home contact directives are met.

The Division had problems completing key intake steps that help ensure the proper foundation for new offenders on parole and probation. For example, initial home contacts were not always completed within the first 30 days of supervision. In addition, supervisory reviews, completed to ensure intake processes are done in accordance with directives, were not always performed. Furthermore, probationary offenders do not always report to the Division within the first 5 days of supervision, and the Division does not have procedures to identify and follow-up with these offenders. Better monitoring by Division management and clear written policies and procedures can help ensure the Division complies with its own directives established to protect the public.

Key Findings

Ongoing home contacts with high-risk offenders, classified as intensive supervision, house arrest, or sex offenders, were not always completed within the time frames detailed in Division directives. Of 50 high-risk offenders tested, 14 (28%) had one or more untimely ongoing home contact(s) between July 1, 2013, and March 31, 2015. Of 141 ongoing home contacts that were required during this period, 19 (13%) were late. On average, ongoing home contacts were late by 32 days. Some were late by a few days, but others were late by months. (page 5)

The Division has less stringent requirements for ongoing home contacts with high-risk offenders residing in rural areas than for their urban counterparts. For example, home contacts are required every 60 to 90 days for sex offenders living in Las Vegas and Reno; however, caseload directives do not require home contacts for sex offenders living in Carson City and other less populated areas. This occurs because the Division uses general caseload directives to supervise high-risk offenders in rural areas. General caseload directives do not require periodic home contacts. Other western states we contacted indicated home contact requirements are the same for all high-risk offenders regardless of geographical location. Although home contact requirements are less stringent for high-risk rural offenders, rural management indicated officers try to conduct contacts according to the 60- or 90-day directive. (page 8)

Initial home contacts were untimely for 23 of 94 (24%) offenders tested. The Division's directive requires new offenders to have an initial home contact within 30 days of beginning supervision. This requirement follows best practices by focusing on the early period of supervision when offenders are at the greatest risk of reoffending. We found initial home contacts were often late for offenders regardless of risk classification. Some home contacts were only late by a few days while others were more than 3 months late. (page 12)

Intake reviews, in which sergeants perform a review of all of the processes associated with supervising a new offender, were not always performed as required. Specifically, 10 of 50 (20%) files either did not have an intake review or it was untimely. Division directives require intake reviews to be performed within 90 days, yet one file was reviewed after a full year had passed. Intake reviews provide necessary oversight of officer duties and can identify problem areas where the Division can improve. (page 13)

Offenders did not always have contact with the Division in the first 5 days as detailed in Division directives. Specifically, 7 of 40 (18%) offenders on probation did not have timely initial contacts. Of these, two offenders did not have contact with the Division for several weeks. (page 14)

The Southern Command did not always charge offender supervision fees of \$30 per month. Specifically, 6 of 30 (20%) southern offenders on probation were not properly charged supervision fees in the month(s) their probation began. Based upon the results of testing, we estimate initial supervision fees totaling \$38,000 went uncharged. (page 15)

The Division did not have procedures to ensure only active users had proper access to the Division's offender database. We found 53 (10%) users should not have had access to the database out of 515 active user accounts. (page 16)