

West Virginia Community Corrections Act FY 2009 Annual Report



Submitted by the
Governor's Committee on Crime, Delinquency and Correction
Pursuant to §62-11C-3(c)

September 30, 2009

Introduction

As a requirement of the West Virginia Community Corrections Act, an annual report must be submitted by the Governor's Committee on Crime, Delinquency and Correction. This report includes activities for the previous year and an accounting of fees collected and funds disbursed from the special revenue account.

The goal of the Community Corrections Act is to provide a means for communities to develop, establish and maintain community-based corrections programs in order to provide the judicial system with sentencing alternatives for offenders who may require less than institutional custody. Specific objectives related to the Community Corrections Act are as follows:

1. Flexibility and involvement in responding to crime at the community level.
2. Effective protection of society and efficiency in the delivery of correctional services.
3. Opportunity for offenders to make restitution to victims.
4. Operate programs specifically designed to meet the needs of offenders.
5. Sentencing alternatives to reduce recidivism.
6. Community based programs to address local Criminal Justice needs.
7. Ensure space is available in regional jails and correctional facilities for offenders deemed to be most dangerous.
8. Promote accountability of offenders to their community.

Administration and Staffing

The West Virginia Community Corrections Subcommittee provides policy direction and funding recommendations to the Governor's Committee on Crime Delinquency and Correction and to the Division of Criminal Justice Services. They provide assurance that West Virginia is meeting the standards outlined in the West Virginia Community Corrections Act. Specific duties include:

1. Promulgate rules for funding standards, standards for approval of programs and reporting requirements, fee adjustments, and carrying out the purpose and intent of the Act.
2. Provide funding for approved programs.
3. Maintain records of community corrections programs.
4. Assist in securing funding from other sources.

The members of the Community Corrections Subcommittee include:

Don Barger

Marcia Boyles-Bowyer

Steve Canterbury

James Casey

Christopher D. Chiles

Patricia L. Hamilton

Dale Humphreys

Sue Julian

James Lee

Virginia Mahan

Terry L. Miller

James J. Rowe

Jim Rubenstein

Phyllis D. Stewart

Robert E. Wilkinson

The West Virginia Division of Criminal Justice Services has been assigned to staff and administer the Community Corrections Fund and to fulfill the requirements of the Community Correction Act. Staff is responsible for administering grant funds, providing technical assistance to communities, and education to the courts regarding fees to be collected pursuant to the WV Code.

Division of Criminal Justice Services Staff:

J. Norbert Federspiel, Director

Jeffrey D. Estep, Deputy Director

Leslie S. Boggess, Associate Deputy Director

Lora J. Maynard, Senior Programs Specialist

Collection and Expenditure Summary

A total of \$1,840,733.36 was collected during State Fiscal Year (FY) 2009. Figure 1.1 shows the collections by month for FY 2009 beginning July 2008. Total collections increased by less than 1% from FY 2008. Since FY 2003, total collections have increased by more than 450%. Figure 1.2 documents the total collections received from FY 2003 through FY 2009. The increase in collections is most likely due to more public awareness and improved education of the communities and courts regarding the Community Corrections Act by the Division of Criminal Justice Services staff. Continuing education, as well as recent legislation, is predicted to bring collections up to approximately \$2 million by FY 2010. Funds collected during FY 2008 were awarded for the FY 2009 grant funding cycle. Therefore, funds collected during FY 2009 will be awarded for the FY 2010 grant funding cycle beginning July 1, 2009.

Community Correction Collections Fiscal Year 2009 Overview	
July 2008	\$156,534.01
August 2008	\$163,188.08
September 2008	\$148,286.78
October 2008	\$165,447.53
November 2008	\$155,672.82
December 2008	\$115,813.37
January 2009	\$135,207.93
February 2009	\$141,962.89
March 2009	\$190,202.47
April 2009	\$152,489.41
May 2009	\$174,719.60
June 2009	\$141,208.47
Total	\$1,840,733.36

Figure 1.1 FY 2008 Collections Overview

The Community Corrections Subcommittee awarded FY 2008 funds totaling \$1,499,992.00 to eight (8) approved Community Correction programs. Localities which received funding were:

Community Correction Collections Fiscal Year 2003 – 2009	
FY 2003	\$401,291.19
FY 2004	\$525,000.00
FY 2005	\$650,000.00
FY 2006	\$650,411.00
FY 2007	\$1,450,693.72
FY 2008	\$1,828,816.71
FY 2009	\$1,840,733.36

Figure 1.2 Summary of Collections

- ↗ Wood County Commission
- ↗ Mercer County Commission
- ↗ Ohio County Commission
- ↗ Randolph County Commission
- ↗ Putnam County Commission
- ↗ Upshur County Commission
- ↗ Mineral County Commission
- ↗ Kanawha County Commission

In addition to FY 2008 collected funds, \$3.5 million was made available by the Governor and Legislature. The Community Corrections Subcommittee awarded \$2.5 million of these funds to nine (9) additional community correction programs. Localities which received funding were:

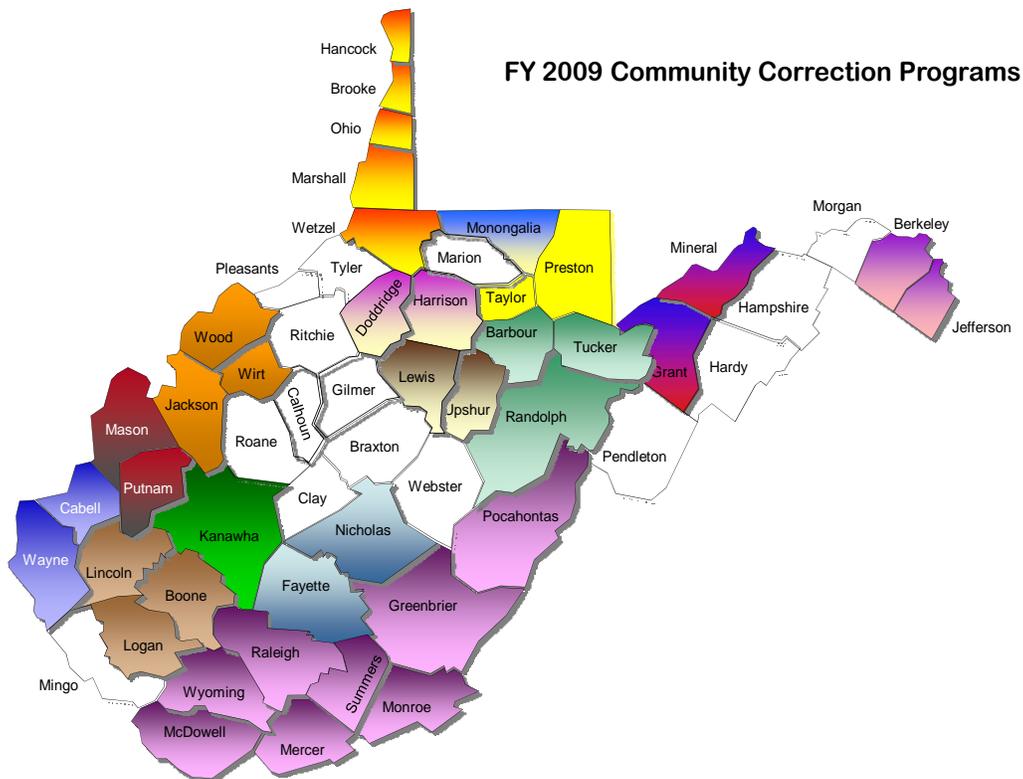
- ↗ Preston County Commission
- ↗ Fayette County Commission

- ↵ Harrison County Commission
- ↵ Kanawha County Commission (supplement)
- ↵ Jefferson County Commission
- ↵ Monongalia County Commission
- ↵ Mercer County Commission (supplement)
- ↵ Wayne County Commission
- ↵ WV Supreme Court of Appeals (on behalf of Logan County)

The Community Corrections Subcommittee split the remaining \$1 million in allocated funds evenly between the funded local programs to address transportation and/or expansion needs with regard to the operation of their local community corrections programs.

Summary of Activities

From July 1, 2008 through June 30, 2009, funding was provided to support fifteen (15) local community correction programs. Many programs have taken on more of a “regional” approach when providing services. As a result, the community correction programs provided services to forty (40) counties in West Virginia. Map 1.1 illustrates the counties that received services during this time frame.



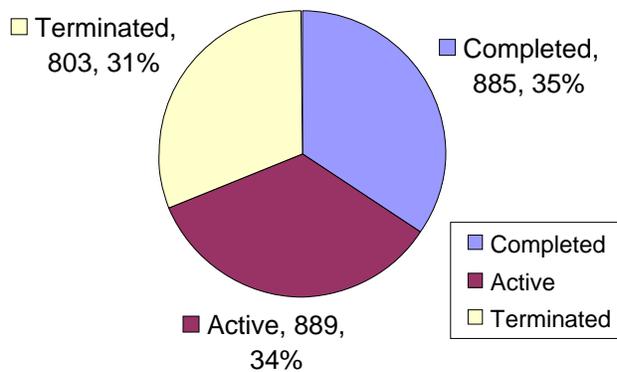
Map 1.1 Current Community Correction Programs

All grant funded community correction programs are required to complete an assessment on each offender entering the program to determine the level of risk and level of services which are needed. In Fiscal Year 2009, the funded programs reported 2,577 offenders entered their programs during the reporting period. The number of offenders successfully completing the program, as well as the number still active and those terminated from the programs during the reporting period is illustrated below in Chart 1.1.

Many programs provide basic counseling sessions and require offenders to complete community service assignments. Specifically, more common services include:

- Substance Abuse Counseling
- Relapse Prevention
- Alcoholics/Narcotics Anonymous
- Batterer's Intervention Prevention Program (BIPPs)
- Problem Gamblers Counseling
- Narcotics Anonymous
- Anger Management
- Job Training/Placement
- GED / Adult Basic Education Classes
- Parenting Classes
- Financial Budgeting Classes
- Life Skills Classes
- Family and Marital Counseling
- Computer Literacy Classes
- Domestic Violence Education
- Smoking Prevention Programs
- Community Service

Chart 1.1 FY 2009 Community Corrections Offenders



Some programs even provide more specific services such as:

- Pre-sentence Assessments
- Re-entry Services
- Faith-based Support Groups
- Women's Issues
- Youthful Offender Programs (ages 18-24)

The most common offenses for those admitted to local community correction programs include:

- Drug Related Offenses (e.g. Possession of Controlled Substance, Manufacturing of a Controlled Substance)

- Larceny
- Embezzlement, Fraudulent Schemes, and Forgery
- Driving Under the Influence
- Domestic Battery
- Property Crimes (e.g. Destruction of Property, Breaking and Entering)
- Public Intoxication
- Fleeing / Obstructing and Officer

With a continued increase in fee collection and appropriations, more counties will be provided with community correction services for FY 2010. In addition, local programs have been providing more re-entry services for parolees in the state. Seven (7) additional counties were provided services from the FY 2008 to FY 2009 grant cycle.

Community Correction Information System

The WV Community Corrections Act specifies that all programs funded by the State are required to conduct an evaluation that will determine the program's effectiveness. In order to fulfill this requirement, the Division of Criminal Justice Services (DCJS) in conjunction with the Criminal Justice Statistical Analysis Center (CJSAC), developed a comprehensive database that captures information necessary to complete an evaluation of a single program, compare programs to each other, and examine multiple programs simultaneously. The Community Corrections Information System (CCIS) includes basic demographics, client contact, offense, sentence and termination information. The system also includes assessments for substance abuse screening, mental health, education level, risk level and criminogenic needs. The CCIS was originally developed in the fall of 2004 and programs began reporting information on-line in January 2008. All programs receiving state funding are required to report data on the CCIS. Beginning with the FY 2009 programs, the CCIS collected data on all offenders admitted into community correction programs for a period of twelve (12) months. On-going user training and revisions for improvement to the system will continue through fiscal year 2010 to ensure complete and accurate reporting by funded programs. In addition, minimum standards for system utilization and user requirements will be developed and distributed to programs during the FY 2010 grant period.

Level of Service/Case Management Inventory

Pursuant to West Virginia State Code and the standard Community Corrections Program Guidelines all programs shall utilize a research based intake and risk/needs assessment tool that addresses the following: drug and alcohol screening, criminal history, known associates, community support system, education needs, treatment needs, mental health needs, and substance abuse history. The West Virginia Community Corrections Subcommittee of the Governor's Committee on Crime, Delinquency and Corrections has approved and requires the use of the Level of Service/Case Management Inventory User (LS/CMI) for all community corrections programs funded by the West Virginia Community Corrections grant program funds administered by the West Virginia Division of Criminal Justice Services. At least one

user training event has been provided to staff of the local community corrections programs since July 2006 to ensure all new staff and programs receive proper training on the utilization of the assessment instrument. LS/CMI information is also collected in the CCIS for each funded program and is available for review and monitoring by local program directors and administration of DCJS.