COLORADO PROBATION

Commitment to Performance Improvement and Innovation

> Colorado Judicial Branch Office of Probation Services

Colorado Probation Statement of Common Ground

Colorado Probation is committed to a system of justice that promotes public safety and identifies and repairs the harm to victims and communities. We guide and shape pro-social behavior through the application of sanctions and services. The goals of probation are accomplished in partnership with the community in an environment that respects the dignity, diversity and safety of all staff victims and offenders.



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2nd Judicial District

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MISSION STATEMENT

The Office of Probation Services is committed to improving the quality of probation services in Colorado through assistance, training and leadership.

THE STATE OF PROBATION FY 2000

🖣 everal years ago, Colorado Probation shifted its operational philosophy from traditional offender management to embracing principles of "Restorative Justice." A commitment to restorative justice does not mean abandoning innovative practices of offender assessment and effective supervision methods, but rather challenges probation officers to consider victim and community safety among the highest priorities of offender accountability. Restorative practices grounded in the knowledge of effective treatment and supervision are the foundation of improved public safety.

Colorado Probation engages in a wide range of energetic efforts to address traditional and creative forms of offender case management, victim services and community involvement.

Probation Programs

The Colorado Judicial Branch ad-

ministers adult and juvenile probation

in the state's 22 judicial districts. The

Branch, through the Office of Proba-

tion Services publishes guidelines and

standards for regular probation super-

vision and all specialized probation

programs. With-in the limits of state

standards, each district develops and

structures programs that address the

needs of the local court and commu-

The number of adult offenders

was 19,188; a decrease from FY 1999.

In FY 2000, of all adult probationers

terminated, 69% did so successfully,

without revocation to a more secure

In FY 2000, 7,650 juvenile offend-

ers were sentenced to probation. Sev-

enty-four percent of all juveniles com-

and costly sentencing option.

pleted probation successfully.

sentenced to probation in FY 2000

Colorado's adult probation population has increased by 79% during the past decade (from 26,987 in 1990 to 48,353 in 2000). During this same time period, probation officer staff increased by 56% (237.5 and 371 FTE, respectively). Given this disproportionate growth among probationers and officers, the overall officer-tooffender ratios have increased from 1:120 in 1989 to 1:159 in 2000. This officer to offender ratio greatly exceeds the American Correctional Association's (ACA) and the American Probation and Parole Association's

estorative practices grounded in The knowledge of effective treatment and supervision are the foundation of improved public

(APPA) standards of 1:60.

The increased probation caseload can be attributed to, in part, the increase in the average length of stay (ALOS) that an offender is on probation supervision. The average length of stay has steadily increased since 1989, when adults remained on probation for an average of 1.1 years, and juveniles averaged .92 years. By FY 1999, the ALOS was 1.27 years for adult probationers and .97 years for juveniles. In FY 2000, that average substantially increased to 1.88 years for adults and 1.36 years for juveniles. This increase and the serious staffing shortfalls cause a significant decrease in probation officers' ability to protect the public through appropriate levels of supervision. This increase in the LOS relates to longer terms of imposed community sentences, enhanced supervision of sex offenders and domestic violence matters, and efforts to meet the needs and interests of crime victims.

Private Probation

Recognizing that innovative case management strategies were necessary, the Chief Justice, through CJD 96-05, established probation priorities and set standards for the use of private probation supervision. The directive permits districts to enter into agreements with public or private entities for the provision of probation services, principally for the oversight of lower risk probationers. On June 30, 2000 there were 7,982 offenders being managed by private probation ser-

vices. By utilizing private probation for these low risk offenders, probation departments dedicated more resources to offenders of higher risk, while extending the accountability of those offenders deemed lower risk. This effort improves public safety, while significantly reducing the need for additional

staff.

Specialized Programs

Since 1988 the General Assembly has supported the Judicial Branch in developing management programs for offenders who would otherwise be sentenced to more costly options.

These specialized programs are valuable probation resources that provide the court with community sentencing options for high-risk or highneed offenders. The focus of specialized probation programming is to assess the offender's criminal risk to the community and to identify appropriate containment strategies, treatment and resources to impact the criminal be-

Termination rates have been calculated differently than in previous vears, absconders have been excluded.

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Intensive Supervision **Probation**

The Adult Intensive Supervision Probation (AISP) program, the Branch's initial specialized program developed in 1988, offers intensive monitoring and treatment to highrisk offenders who would otherwise receive prison sentences. Due to demonstrated success, the General Assembly doubled the program capacity in 1996.

At the end of FY 2000, 1.581 offenders were supervised on AISP. The successful discharge rate for this population was 64.5 percent, meaning 6 out of 10 offenders completed the program and did not receive a prison sentence.

In recent years, the AISP pro-

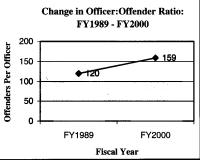
gram has been increasingly utilized to supervise offenders with extensive criminal histories coupled with complex problems such as serious and chronic mental illness. Innovative local models are evolving to explore alternative supervision models to better address offenders with critical circumstances.

Juvenile Intensive Supervision **Probation**

The Juvenile Intensive Supervision Probation (JISP) is in place in 18 of the 22 judicial districts. At the end of FY 2000, 490 juveniles, who might otherwise be serving sentences in the Division of Youth Corrections, were supervised on JISP. The successful termination

rate in FY 2000 for this population was 54 percent.

create viable options for youthful offenders, whose behavior warrants



services beyond standard probation. JISP is the cornerstone of juvenile intermediate sentences.

In 1993, the Juvenile Regimented Training Program (a.k.a. the juvenile boot camp) was created

Judicial Branch.

Should sentencing options avail-The General Assembly sought to able to the court be reduced, an increase in commitments and detention sentences would be expected.

> Currently, the JISP program has a limited capacity, and would not be a viable option to meet the sentencing needs created by eliminating the bootcamp. Creating a boot-camp alternative or expansion of the JISP program serves to maintain and improve intermediate sentencing options.

> The Judicial Branch responded to the emerging need to address the juvenile sex offenders The Office of Probation Services was awarded a Drug

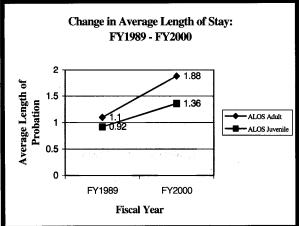
Control and System Improvement Program (DCSIP) grant in October of 1996 to develop a "Juvenile Sex Offender Integrated Supervision Project" in the 1st Judicial District Probation Department. The

"integrated approach to supervision" coordinates the activities of all agencies that have some responsibility for the juvenile, thus expanding the traditional containment team beyond the probation officer, treatment provider and polygraph examiner. To this end, the project was instrumental in the establishment of the SAFE (Sexual Abuse

Free Environment) Jeffco, a committee formed to address local issues surrounding juvenile sexual abuse.

The grant project established a solid foundation and model for probation supervision of juvenile sex

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within the Division of Youth Corrections to further expand sentencing options for youth offenders. In 2001, the General Assembly will review the continuation of the "boot-camp," as well as, alternative programs recommended by the Division of Youth Corrections and the (Continued from page 6) offenders, similar to the Adult Sex Offender ISP Program. The Juvenile Sex Offender Integrated Supervision Project will serve as a model program for the State's Sex Offender Management Board as it begins development of standards and guidelines for the evaluation, treatment and community supervision of juvenile sex offenders.

The Branch, through the Probation Gender and Justice Committee has explored programs to impact the rising number of female juveniles entering the juvenile justice system. Promising models of supervision are unfolding in several districts that should be expanded in the coming years.

Specialized Drug Offender Program

The Specialized Drug Offender Program (SDOP) was developed in FY 1991, as a response to an increase in the number of offenders with severe substance abuse problems. SDOP is operational in 16 of the 22 judicial districts. At the end of FY 2000, there were 322 offenders in SDOP. The successful discharge rate in FY 2000 for this population was 75.5 percent.

There is a trend toward the creation of drug courts as a response by the Judiciary to increasing numbers of drug related offenses. In locations where a Specialized Drug Offender Program exists in probation, it is being incorporated into the drug court to perform the supervision function. The drug court concept results in increased communication between the supervising probation officers, the treatment providers and the bench. With all key members of the system working together, offender accountability and positive outcomes are enhanced.

In the future, we are likely to see a concept blending SDOP with the

drug court. A challenge will be to incorporate the proven strength of SDOP, namely assessment and the application of cognitive-behavioral skill training, into the drug court process.

Female Offender Program

The adult Female Offender Program (FOP) was developed in FY 1992, to intervene in the lives of high-risk female offenders, particularly those with substance abuse problems. At the end of FY 2000, there were 185 female offenders in the five FOP programs. The successful discharge rate in FY 2000 for this population was 67 percent.

Female offenders are the fastest growing segment, by percentage, of the correctional population. Compared to their male counterparts, fe-

During the past several years, public awareness of sex offenders in the community has increased significantly. Colorado's systematic approach to the management of sex offenders is seen as a model program.

male offenders tend to have lower educational and vocational skill levels, serious substance abuse problems, mental health issues, issues of victimization and usually have sole parental responsibility for minor children. This constellation of problems requires a longer period of intensive supervision to address the complexity of issues. A future challenge will be to expand the successful elements of this program into probation departments that do not have an FOP program.

Sex Offender Intensive Supervision Probation

The Sex Offender Intensive Supervision Probation (SOISP) was developed in response to statutory requirements of lifetime supervision for certain sex offenders. The program combines monitoring, treatment and high levels of accountability to contain offenders safely in the community. The program became available in November of 1998. At the end of FY 2000, 62 offenders were supervised on SOISP.

During the past several years, public awareness of sex offenders in the community has increased significantly. Colorado's systematic approach to the management of sex offenders is seen as a model program. This approach strives to "contain" the offender through con-

sistent communication and collaboration of the probation officer, the treatment provider and the polygraph examiner who operate within a shared set of standards and guidelines. In the future, we are likely to see wider application of specialized intensive supervision for sex offenders. At present, the majority of cases assigned to SOISP must also qualify for a life sentence, despite the fact that the level of risk posed by

a sex offender is not dependent on the type of sentence. All sex offenders under the supervision of the court, as well as the communities that are served, will benefit from a system of intensive supervision and containment.

Drug Court

In the Drug Court, non-violent, serious drug abusing offenders un-

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(Continued from page 7) dergo treatment and counseling coupled with close monitoring for probation compliance. The Denver District Court has maintained a separate court since 1994 and has served as a model for development of drug courts. In FY 2001, the Colorado Judicial system will have adult drug court models in Denver District Court, as wells as the in the 4th, 8th, 6th, 7th, 11th and 22nd judicial districts. Evaluation of "demonstration courts" will be provided in FY 2004, however a comprehensive evaluation of the Denver Drug Court is underway will made available in FY 2002.

Juvenile drug courts have been established in Denver Juvenile Court and the 8th judicial district. Within Denver, the court is supported by the Denver Juvenile Justice Integrated Treatment Network, a national model for community treatment of substance abusing juvenile offenders.

The Alcohol and Drug Driving Safety Program

The Alcohol and Drug Driving Safety (ADDS) Program provides pre-and post-sentence evaluations to the courts and monitoring services for individuals convicted of an alcohol or drug-related driving, boating or flying offense. The ADDS program is cash-funded through the collection of the Alcohol and Drug Evaluation and Supervision Fee. In FY 2000, statewide collection of this fee totaled \$4,580,753; Judicial Branch ADDS staff conducted 30.367 evaluations. representing a 15.8% growth over FY 1998. Projections for the next few years indicate a similar growth rate for the program.

While the ADDS program is a part of probation services across the state, the program has never been fully integrated into regular probation operations. This is based, in part, on the cash funding of the

program, the population served and the goals of the program. Future goals of the program include full integration of ADDS activities into the regular probation system and use of

With an increase in the number

of victims served, has come an

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requests for information . . .

However, as numbers grow,

funding continues to decrease.

the private probation services to accomplish monitoring of low risk offenders.

Victim Services

In recent years, the probation system incorporated strategies to address victims of crime. In accordance with statute, Victim Ser-

vices in probation offers notification of offender status at critical stages during the court and probation process to victims. During FY 2000, probation sent 12,490 notifi-

cations to victims requesting offender status change information..

Victim requests for notification and referrals have continued to increase since the inception of the Victim Services Program. Victims who request notification from the Probation Department receive this service throughout the duration of the probationer's supervision. With an increase in the number of victims served, has come an increase in the number of requests for information about restitution collection and referrals for counseling and other services. However, as numbers grow, funding continues to decrease.

Victim Services in Probation is supported solely through funding from State VALE, VOCA and local VALE grants. These sources have experienced a decrease in funds in recent years and consequently will be unable to sustain the current level of support for Probation Victim Services in the future. The Office of Probation Services is exploring other sources for continued funding of these invaluable services.

Domestic Violence

For the past four years, probation supervision of domestic violence cases has changed to meet the increasing demand of these cases. With more than \$1.5 million dollars in grant awards, seven probation departments piloted implementation of a risk assessment process designed to improve sentencing and probation supervision decisions. A component of the grant project is a research study designed to validate the assessment instruments and examine the impact of domestic violence on the courts and probation.

In the original pilot jurisdictions, determining the risk of the domestic violence offenders has proven to increase the caseloads more than anticipated. A future challenge will be to obtain resources to supervise domestic violence offenders at levels consistent with the offender's assessed risk and needs. The Judicial Department is in the process of developing a strategy to address resource issues, training needs and supervision guidelines for domestic violence cases.

STRIVING FOR SUCCESS: PERFORMANCE IMPROVEMENT ACTIVITIES

he Office of Probation Services prioritized improving probation performance during FY 2000; this commitment continues. Performance improvement strategies can be seen in a number of projects. These include providing quarterly feedback to probation departments regarding probationers' success rates, individual analysis of data quality in each department's management information system

(ICON), using the findings of the annual probation recidivism study as a basis for planning system changes and improvements, measuring and monitoring meaningful outcomes identified in the budget, improved staff training, and finally, continuing the use of private providers to supervise low risk offenders allowing state probation resources to be used to supervise higher risk cases.

proved outcomes.

The first essential function reviewed across all probation districts was the pre-sentence investigation and intake process. Reviews began in October 1999 and were completed in May 2000. The data reviewed included a random sample of 787 new juvenile and 1,127 new adult cases statewide, who were sentenced to probation between July 1, 1999 and September 30, 1999. This sample in-

Among regular juvenile and adult probationers, probation consistently maintains overall successful termination rates and no post-release recidivism in two-thirds or more of all cases.

⇒ Performance Review: The Office of Probation Services conducts ongoing performance reviews of probation activities. These reviews provide information regarding compliance with statutes, standards, and best practices and help to identify areas in which probation-related changes are needed.

The current performance review model has been designed, with input from regional focus groups of probation personnel, to address three specific probation functions:

- ♦ investigation/intake
- case planning and case management
- specialized programs and other issues relating to probation.
 Reviews focus on compliance

with statutes and standards, but also examine practices identified by the field that are associated with imcluded 410 juvenile and 488 adult pre-sentence reports. Cases supervised by the Alcohol and Drug Driving Safety Program were not included in this review.

Upon completion of the performance review on investigations/intake a statewide report was written, identifying overall compliance, best practices and needs. Following are some of the significant findings from the review:

Areas of Strength

- Accurate description of the current offense;
- Development and reporting of criminal history;
- ♦ The pre-sentence investigation process; and,
- Administrative issues related to the pre-sentence process, e.g. completion, policies and training

Areas for Growth

- Completion of all offender assessment instruments;
- Handling of victims and the information they provide;
- Development and reporting of other offender issues (e.g. peers; social/family; education; employment; substance abuse; psychosexual evaluation); and,
- Incorporation of restorative justice practices into the presentence investigation process and report.

After a review of all three essential functions, a report linking findings across functions statewide will be written. The reviews will build upon one another, establishing a database that will enable the Office of Probation Services and local probation departments to assess cases from the pre-sentence investigation and intake process through termination. A statewide review of probation case management will commence in the spring of 2001.

⇒Interagency Performance Review:

Another component of the performance review involves a multi-agency approach to assessing the performance of the system of adult "community corrections" in Colorado. The Office of Probation Services is currently working with the Division of Criminal Justice and the Department of Corrections in an effort to conduct community assessments similar to that described above for probation.

The multi-agency approach will allow comparative analysis of the three community based corrections systems of probation, community corrections and parole. This multi-agency team will assess the community in terms of its resources, and collect consistent data across correctional programs such as risk/needs assessment scores, criminal history, community performance, response to treatment, and program outcome to

(Continued on page 10)

(Continued from page 9) allow for comparable analyses to be conducted across all three of the community corrections populations.

⇒Training: The adequate training

of staff is critical to improving performance. Probation work requires that individuals have a wide variety of skill sets and that they be competent in the employment of those skills. Using the results of the many performance review activities as reflections of the adequacy of current training, Colorado probation instituted some changes during FY 2000.

Two new core skill training courses, Report Writing and Testifying in Court, were developed, piloted and are being provided. The course on report writing, in particular, was developed incorporating findings from the performance review as a

method for improving the quality of study groups: pre-sentence investigation reports.

A Probation Academy was developed to meet the need for essential base-line entry-level skill training. The 80 hour Probation Academy was held three times in FY 2000 and trained 64 new probation officers. Training focusing on the safety of the probation officer was revised to better prepare the officer for the specific circumstances encountered while working in the office as well as in the community.

⇒Recidivism Study: As mandated in footnote 129 of the General Assembly's Long Bill, the Office of Probation Services completed an annual recidivism study on prerelease failure (defined as a revocation for technical or new crime violation) and post-release recidivism rates (defined as a new case filed in county or district court) for probationers terminated during FY 1999.

The study examined termination

and recidivism rates for adult and juvenile probationers on regular and specialized programs (intensive supervision probation, specialized drug pervision Probation Program. offender program and the female offender program). The report displays the following outcomes for the In January 1998, the Office of Pro-

Pre-Release Failure Rates	
Program	Rate
Regular Juvenile Probation	23.5%
Juvenile ISP	45.4%
Regular Adult Probation	31.0%
Adult ISP	44.4%
Specialized Drug Offender Program	44.8%
Female Offender Program	54.8%

The study results highlight the fact that probation programs are

quite successful in helping offenders remain crime free during periods of supervision (the majority of prerelease failure is due to technical violations). Indeed, among regular juvenile and adult probationers, probation consistently maintains overall successful termination rates and no post-release recidivism in twothirds or more of all cases. Across specialized pro-

grams, those programs designed to divert youth and adults who would otherwise be incarcerated, overall success rates range from 43.2 percent for the Juvenile Intensive Supervision Probation program to 52.8 percent for the Adult Intensive Su-

⇒Performance Improvement Plan:

bation Services developed a performance improvement plan for the Joint Budget Committee that assured an improvement in probation outcomes for adult and juvenile offenders, if the JBC agreed to staff probation departments according to need. The plan called for a 3 percent improvement in success rates for juveniles and a 5 percent improvement in success rates for adult probationers during a three year period commencing in FY 1998. FY 2000 marked the third year of this plan. The General Assembly did allocate all probation staff requested under the plan, however, despite the need for staff no request was

made in Fiscal Year 2000, for a variety of reasons.

Rate
10.0%
20.8%
4.1%
5.0%
7.4%
0.0%

While success rates have improved, the targeted success rates were not achieved. The slowed improvement

(Continued on page 11)

(Continued from page 10) rate can largely be explained by changes in the new probation case types and risk levels: Specifically, an increase in the proportion of domestic violence offenders on adult caseloads and higher levels of substance abuse disruption among juveniles.

⇒Privatization: In 1996, the General Assembly passed legislation allowing probation departments to utilize private probation providers to supervise low risk offenders, allowing probation departments more resources to supervise higher-risk probationers.

At the end of FY 2000, 7,982 adult probationers were under the supervision of private probation providers. This accounted for approximately 20 percent of all offenders on district or county court probation. Under private provider supervision, these cases remain under the jurisdiction of the state, however, their supervision fees (which are assessed all adult probationers) are paid to the private providers rather than the local probation district.

Private providers require probationers to meet with them on a regular basis, monitor their payment of restitution and other court orders, such as participation in certain programs and employment. The use of private providers with low-risk offenders enhances the ability of probation departments to ensure safety to the public, while focusing limited resources on offenders who pose the greatest risk to the public.

Comments and questions regarding the contents of the Annual Report should be directed to:

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RESTORATIVE JUSTICE INITIATIVES

olorado Probation continues its efforts to integrate the principles of "Restorative Justice" into its investigative and supervision work practices. The principles of restorative justice offer new opportunities for public involvement in the criminal justice process, with a concerted effort made to meet the needs of victims of crime, and to craft sentences that repair the harm to the community. The Office of Probation Services, in concert with the Colorado Forum on Community Justice and Restorative Justice, has produced "Beyond Just Us," a video that highlights efforts in this area.

Numerous initiatives are underway locally and statewide that exemplify restorative and community justice principles:

- Victim Impact Statements provide a format for victims to describe how their life was affected by the crime. Inclusion of victim information in the pre-sentence investigation report is a priority for probation.
- Restitution is the process by which offenders are held financially accountable for losses incurred by the victim as a result of the crime. Restitution is considered a core victim right and is a significant area of attention by probation.
- Neighborhood Specific Community Service is work performed by an offender for the benefit of the community. Victims may have input into the type and location of service ordered to be performed.
- Family Group Conferencing is a process in which offender, victim and families and the support system of both the offender and victims are brought together by a skilled facilitator to discuss how they and others have been harmed by the offense and how that harm might be repaired.
- Victim Offender Mediation is a process that provides interested victims an opportunity to meet the offender in a safe and structured setting to engage in a mediated discussion of the crime.
- Victim Impact Panels provide a forum for crime victims to tell a group
 of offenders about the impact of crime on their lives and the lives of
 their families and friends.
- Victim Impact Classes are an educational program designed to teach offenders about the human consequences of crime. Offenders are taught how crime affects the victims, their families and communities.
- Community Boards are typically composed of a small group of citizens who conduct public, face to face meetings with offenders sentenced by the court to participate in the process. During the meeting, board members discuss with the offender the nature of the offense and its negative consequences. The Board members develop a set of proposed sanctions that are negotiated with the offender.