

## Summary

- The New Mexico Corrections Department is the only state agency in our sample handling both probation and parole services.
- NM State Probation/Parole pays less and seems to require more from it's staff than similar federal and local agencies in New Mexico.
- Standard supervision caseloads are exceeded in most jurisdictions, but intensive caseloads are maintained at authorized rates and rarely exceeded.
- A national association promotes a varying caseload dependent on case type. National caseload standards for probation and parole do not exist.
- Agency-wide time studies and subsequent workload measure standards are suggested in the probation literature.
- Colorado Probation has used various entrenchment policies during periods of budget shortfall.

## Research Adult Probation and Parole Services: *A response to House Joint Memorial 61*

### The Assignment

House Joint Memorial 61 requested the New Mexico Sentencing Commission (NMSC) to:

- Research issues related to providing adult probation and parole services to offenders in New Mexico.
- The research conducted by the NMSC should include: 1) Caseload data, 2) National standards for caseload, 3) Salary data, and 4) Retention rates.

### The Process

NMSC contacted national and state probation and parole agencies and collected relevant information on caseload standards, salary data, retention information, and evidence based practices.

### Caseload Standards

According to the American Probation and Parole Association (APPA) it is virtually impossible to create national standards for probation and parole due to the large differences between state and sub-state agencies' specific missions, sizes of jurisdiction, and offender populations. APPA has taken somewhat of a leadership role with regard to discussing caseload standards.

As early as 1917, a consensus of probation administrators stated, "... Probation caseloads should average 50 offenders per officer." By 1967 the President's Commission on Law Enforcement and Administration of Justice advised that probation agencies

should be staffed on the basis of an average ratio of 35 offenders per officer (Bemus, Arling, and Quigley 1983). Since the early 1990s, the APPA has advocated for the use of a workload standard rather than a traditional caseload standard (The American Probation and Parole Association 1991). The terms workload and caseload are often used interchangeably, and incorrectly. A caseload is the number of individual offenders assigned to an officer or team for supervision or monitoring. Workload is the total amount of time that the required tasks and activities in a particular caseload generate for the individual officer or team. The workload standard considers how many hours of work each case may take, i.e., the intensity and conditions of the supervision, rather than measuring how many cases an officer has. A workload system weighs cases by various elements such as, type, e.g., intensive supervision, sex offenders, mentally ill, domestic violence, geographic area (urban vs. rural vs. suburban), and additional elements, e.g., gender, special needs. Different amounts of labor from the officer are required for different elements.

In a document published in 1990, the APPA supported a simplistic workload standard (see Table 1) that officers would have roughly 120 hours per month to supervise clients. A high

**Table 1 APPA Sample Workload Standard**

Case Priority	Hours per Month	Total Caseload per Officer
High	4	30
Medium	2	60
Low	1	120

priority case would consume 4 hours per month, 2 hours per month for a medium priority case, and 1 hour per month for a low priority case. These numbers were presented by the APPA as a starting point for an agency to begin developing in-house workload standards.

In recent years, the APPA has been careful to frame the workload issue in the greater context of using evidence based supervision practices since reducing caseload size alone has not demonstrated strong empirical evidence of effectively reducing recidivism or prison/jail crowding. Manageable size caseloads are necessary for effective supervision, but they are not sufficient. Officers must provide supervision using the principles of evidence-based practice. Only with this potent combination can the potential of probation and parole supervision be achieved. (Burrell 2006; DeMichel 2007).

In a recent document published by APPA (Burrell 2006) which provides actual numbers, the APPA suggests using a caseload ratio that was first presented by the Office of Juvenile Justice and Delinquency Prevention (Hurst 1999) (see Table 2).

Table 2 APPA Adult Caseload Ratio Sample	
Case Type	Case to Staff Ratio
Intensive	20:1
Moderate-High Risk	50:1
Low Risk	200:1
Administrative	No Limit

Table 3 shows the standards for Intensive Supervision Probation (ISP) and Regular Supervision Probation as well as the actual caseload figures for each of the four states in our sample. All the agencies we contacted told us they typically exceeded the adopted standard for Regular Supervision. Agencies make an effort to hold ISP numbers at or below the prescribed standard.

Table 3 Probation Caseload Standards and Average Caseloads for Southwest Sample States				
Caseload Standards	New Mexico <sup>1</sup>	Arizona	Colorado <sup>2</sup>	Texas
ISP Standard	20:1	40:1	25:1 avg.	45:1
ISP Average FY07	20:1	32:1	Commonly exceeded	41:1
Regular Supervision Standard	65:1	60:1	Set by each jurisdiction	95:1
Regular Average	100:1	64:1	Commonly exceeded	110:1

<sup>1</sup>New Mexico caseloads include probation and parole offenders.

<sup>2</sup>Colorado standards are determined from a time and workload study in each jurisdiction.

Colorado reports ISP caseloads often exceed the 173.3 hours per month workload per officer.

## Salaries

Salaries vary substantially from location to location and by department (see Table 4). Probation departments come in three flavors, those under state jurisdiction (New Mexico and Colorado), county jurisdiction (Texas), or a combination of state and county as in Arizona. Parole departments are state agencies, usually within the State Department of Corrections. In Colorado and Arizona, the Probation Department is managed by the State Judiciary but paid by the resident county. In Texas, Probation Departments or “Community Supervision and Corrections Departments” are managed by the county but receive a portion of their funding and administrative assistance from the Texas Department of Criminal Justice. New Mexico was the only department in our sample where the probation and parole functions are managed by the same agency.

Salaries vary widely in states with county run departments, i.e., Arizona and Texas. Large urban counties in those states pay higher wages than the rural counties. The Colorado Judiciary appears to pay entry level probation officers the highest wage in our sample (\$41,412), and the highest wage for beginning probation supervisor (\$76,065). The US District Court in New Mexico also pays a high starting salary rate (\$42,500). Parole officers fare almost as well as their probation colleagues and perhaps even better if benefit packages were compared. We did not attempt to review benefit packages in this study.

## Overview of Departments

### Arizona Probation

Arizona Probation is administered by the Arizona Judiciary. Arizona offers intensive and standard probation. Intensive consists of greater frequency of contact with a probation officer (PO) and a surveillance

Table 4 Salaries for Southwest Sample States			
Location	Department	Officer Min. Yearly	Supervisor Min. Yearly
<b>New Mexico</b>			
State	<i>Probation/Parole</i>	\$33,280	\$37,107
US Dst. Ct.	<i>Probation</i>	\$42,314	-
Metro Ct.	<i>Probation</i>	\$35,318	\$46,571
<b>Arizona</b>			
County	<i>Probation</i>	\$35,000 to \$42,500	\$46,904
State	<i>Parole</i>	\$38,558	\$44,423
<b>Colorado</b>			
State	<i>Probation</i>	\$41,412	\$76,065
State	<i>Parole</i>	\$39,120	\$57,804
<b>Texas</b>			
County	<i>Probation</i>	Approx. \$31,000	Varies substantially by county
State	<i>Parole</i>	\$31,644	\$35,652

officer. Additionally, there are five progressive levels of supervision for intensive probationers. There are four levels of standard supervision. Intensive PO's supervise some juveniles and standard probationers in the smaller counties but generally are limited to intensive cases. Standard PO's only supervise standard probationers.

Caseload standards are determined by Arizona State statute. During FY07, the statewide intensive capacity was 80.1% and the standard capacity was 106.4%. The Arizona Judiciary staff did not report problems with retaining officers. We note Maricopa County probation staff received a 20% salary increase in August 2007.

**Arizona Parole**

We have minimal information on this department. Attempts to communicate with this agency were unproductive. Arizona Parole Department is a division of the Arizona Department of Corrections, with 17 field offices and larger counties house several offices.

**Colorado Probation**

Adult and juvenile probation are administered by the Colorado Probation Department in all judicial districts except Denver. Colorado Probation reported they try to have POs work only regular or specialized caseloads, i.e., mentally ill, intensive supervision, sex offender, domestic violence, white collar. In the rural areas and smaller districts POs are more likely to have mixed caseloads. For regular cases there are no general standards. While it may vary to some degree, the special offender caseloads are held to a ratio of 25:1 for adults and 18:1 for juveniles. Colorado has set the number of cases per PO based on a time study and prescribed workload standards. The Colorado Division of Probation Services (DPS) attempts to

perform a workload study every five years to recalibrate work levels.

The Colorado DPS reports that over the years a variety of measures have been used to remedy the limited staff problem. During years of severe budget cuts, districts determined which probation activities could be conducted; early termination policies were put into place to allow for "early release"; staff resources were increased through grant funding; and private probation supervision has been used. This year Colorado DPS received more staff. DPS reports varying degrees of success with each of these policies.

**Colorado Parole**

Colorado Parole comprises four regions and 17 field offices in the state. Four of the 17 offices are in the city of Denver.

The caseload for Colorado Parole is determined by statute and changes are made annually based on projected releases. During FY07 standard caseloads totaled 73:1 but increased funding created new positions and caseloads were reduced to 65:1. Similarly, intensive caseloads were at 26:1, but additional staff was funded and intensive caseloads dropped to 22:1. Colorado has no long term remedy for handling increasing caseloads.

Colorado Parole reports having a problem retaining parole officers. They feel their main competition comes from local police departments. Colorado Parole has addressed their retention issue by receiving additional funding from the Colorado Legislature for training and a mentoring program for new officers.

Colorado Parole officers receive a 5% raise each year. After 2 years they are eligible to apply for "Senior Level" status which provides a 10% raise for the first

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year followed by 5% increases each year thereafter. After 4 years at the “Senior Level,” they are eligible to apply for the “Master Level” and again receive a 10% raise the first year followed by 5% increases each year thereafter.

### **Texas Community Supervision Corrections Departments (CSCD)**

Texas has 122 separate adult probation departments (CSCD) housed in as many counties in the State. The Texas Legislature changed the term adult probation to community supervision in 1989, creating the phrase “Community Supervision and Corrections Departments” used to identify probation officers. Although CSCDs receive funding from the Texas Department of Criminal Justice – Community Justice Assistance Division (TDCJ-CJAD), they are not part of the Division. They are organized within local judicial districts, from which they receive office space and equipment. Approximately 30 to 40 percent of CSCD revenue comes from offender fees. CSCD employees work for the county not the state.

Specialized and intensive caseloads are set by statute. All others are set in-house at the local county level not under the uniform control of the State. The Texas Legislature recently allocated approximately \$14 million to address the issue of high caseloads. However, CSCD continues to have problems retaining officers and difficulty competing with other local employers, i.e., police departments, schools, and county juvenile probation departments.

### **Texas Parole**

Texas Parole is a division of the Texas Department of Criminal Justice and is organized into five regions and 67 offices located throughout the state. There are multiple parole supervision programs in Texas, e.g., special needs offenders, therapeutic community substance abuse aftercare treatment, in addition to sex offender, electronically monitored, and super-intensive supervision. Texas Parole reports that new caseload standards were recently enacted by the Legislature but caseloads are typically exceeded. Regular supervision caseloads average 60:1. Special caseloads average 35:1 and super-intensive caseloads average 11:1. Despite passing the new standards no new funding was allocated to the Parole Division. Texas Parole has difficulty retaining officers because of high caseloads, low morale, and a growing client population. Their solution for retaining officers is to continue lowering caseload standards.

### **New Mexico Probation/Parole**

The Probation/Parole Division has approximately 400

positions statewide, 280 probation/parole officers, 42 supervisors, and support, management, and administrative staff. The division is under the New Mexico Corrections Department and supervised by a director and one deputy director .

The division has separate specialized and standard units statewide. Specialized units include community corrections, high risk, intensive supervision, sex offender, and drug court. These units carry lower caseloads due to workload requirements, high risk/needs issues, and public safety measures. Standard officers carry a higher caseload. There are other specialized units in the state that do not carry caseloads such as the Response Center which monitors sex offenders on GPS tracking/minimum caseloads, Fugitive Response Officers, Institutional Probation/Parole Officers, Re-Entry Staff, and Pre-Sentence/Intake Officers. Typically, officers have a mixed array of probation and parole offenders to supervise. Caseloads are not distinguished by probation or parole offenders.

Central Office is located in Santa Fe, and includes the Director, Deputy Director, and other administrative staff. The division has 42 district offices within five regions around the state. Two of these regions are in Albuquerque. Region I covers northern NM and the main office is in Santa Fe. Region II is Albuquerque and contains two region offices, one for standard supervision, and the other for specialized supervision. The Region III Office is in Las Cruces and covers the southern part of the state. Region IV Office is located in Roswell and covers the eastern part of the state. Almost every county has at least one probation/parole office and medium/large cities have a field office. District offices are created when a sustained rise in caseloads occurs in a particular location in the state. For example, this year new district offices were created in Rio Rancho and Anthony.

The division strives for a caseload of 65:1. However the only caseload standard is the state statute for the Intensive Supervision Program, requiring a caseload of 20:1. Currently the average caseload is 99:1 or 132:1 if clients in custody are included. Specialized caseloads average from 20:1 to 35:1.

The division uses an assessment tool to determine the risk level of each offender. The job of supervising offenders entails working with violent high-risk offenders, apprehending absconders, offering offenders counseling and employment education. These duties are refined by training staff, strengthening polices and procedures, and stressing accountability. The division has taken measures to deal with high caseloads. A

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statewide response center was started to monitor minimum level offenders. Certain officers throughout the state are responsible for monitoring high-risk offenders including sex offenders. The division is making an effort to recommend early discharges for low risk offenders. Additionally, the division has “roaming” officers to assist with caseloads during vacancies. Finally, the division has created an automated “workload formula.”


New Mexico reports that retaining officers is difficult with 60% of PPO's having less than 3 years of experience. The current turnover rate is 39.70%. New Mexico Probation/Parole trains approximately 70 to 80 new staff per year out of a total PPO workforce of 280 PPO's. Consequently, almost a third of the staff are new PPO's every year. The division had 26 PPO vacancies during the month of October 2007. Retaining officers has been a problem but recently the NM Legislature authorized 25 new positions which are being filled and the number of vacant positions has dropped. This has reduced the average caseload. Probation/Parole has also been impacted by new legislation requiring additional supervision requirements and growing numbers of court ordered offenders placed on probation. The pressures of maintaining a high caseload, requirements of field calls on violent offenders, and additional supervision requirements, i.e., GPS monitoring, may also be contributing to the turnover rate. In addition to these issues, the salary of an officer is low in comparison to similar professions in other agencies. Federal and state agencies require less work and pay higher salaries than NM Probation/Parole. The division has become a training ground for these agencies. The division trains a new officer and after a few years the officer leaves the division to earn more at another agency.

Salaries have risen in the last three years to the current starting salary of \$16.00 per hour (81% of the pay band) and the minimum wage for supervisors is approximately \$17.84 per hours (81% of pay band 70).

The division staff feels there is a correlation between caseload and retaining staff. The division has taken measures to manage high caseloads. Recently, the division created a second classification of PPO. The division has a starting level (PPO1) for new officers and a PPO 2 level for experienced officer who may be required to carry a firearm and supervise high risk offenders. The two-level system is another attempt to retain staff and provide a career ladder for officers.

## **NM Metropolitan Court**

Metropolitan Court handles misdemeanor and DWI cases originating in the Metropolitan Court. Offenders are assessed by the probation staff and are assigned to a standard caseload or one of four specialty programs, i.e., DWI drug court, mental health court, early domestic violence, or repeat domestic violence. The Metropolitan Probation Office reports an average current caseload of 110:1 for standard probation. The specialty caseloads vary from 35:1 to 45:1 for DWI and repeat DV, and 45:1 to 80:1 for mental health court and early DV.

Metro Court pays entry level probation officers \$2,038 per year more than the starting salary earned by NM State Probation/Parole officers. 

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