



Maricopa County Adult Probation Department Audit of Victim Services By Maricopa County Internal Audit November 2022

Why This Audit Is Important

The Adult Probation Department (APD) supports the Judicial Branch of Maricopa County. When the court places an individual on pretrial or probation supervision, APD provides risk/need assessments, presentence investigations and reports, community supervision, and a variety of programs designed to assist pretrial defendants and probationers in addressing and overcoming challenges they face to lead successful, crime-free lives.

APD's Victim Services Unit assists victims of crime, the community, and the courts. This includes providing case-related notifications, restitution information, training, agency referrals, and various outreach services.

We performed this audit to assess whether APD assists victims of crime in accordance with Arizona Code of Judicial Administration requirements, department policies, and industry recommended practices.

Key Results

- Standardizing procedures for documenting victim impact in presentence reports can help provide valuable information considered by the court during sentencing decisions.
- Addressing alerts from GPS tracked electronic monitors can be improved through updated policy and training, accompanied by periodic compliance checks.
- The victim opt-in process for receiving important criminal proceedings notifications may be improved to help reduce confusion and promote better opt-in form handling.
- Industry recommended practices can be implemented to enhance victim services.

All key findings requiring corrective action were addressed through agreed-upon management action plans.

What We Audited

Following is a summary of work performed and recommendations. The responses were approved by Michael Cimino, Adult Probation Chief, on October 16, 2022. We also communicated detailed observations and recommendations to management.

Presentence Reporting

Background – The Arizona Code of Judicial Administration (ACJA) requires probation officers to take the impact of the criminal offense on the victim into consideration in their sentencing recommendations to the court. We reviewed a sample of presentence reports completed in calendar year 2021 to determine if victim impact was documented in the reports.

Observations – We found that probation officers did not always include consideration of victim impact in the discussion and evaluation sections of the presentence reports.

Recommendation to APD	Response
Update policies, procedures, and training to ensure that assessments of victim impact are documented and considered in sentencing recommendations.	<p>Concur – in progress</p> <p>Policies, procedures, and training will be updated to ensure that assessments of victim impact are documented in discussion and evaluation section of the report.</p> <p>Target Date: 1/1/2023</p>

Electronic Monitoring Alerts

Background – Where ordered by the court, APD monitors a defendant’s or probationer’s location via GPS tracked electronic monitor. If the individual enters prohibited zones (e.g., home or work of their victim), their monitor sets off an alert, and the assigned probation officer must review and respond to the alert in accordance with established protocols. We reviewed case notes for a sample of monitoring cases having at least one alert during the period June 1 through December 31, 2021, to determine whether the probation officer addressed the alerts in accordance with APD protocol.

Observations – We found many alerts went unaddressed. There were inconsistencies in quality among the contact notes; some being detailed while others appeared to be canned language.

Recommendation to APD	Response
Enhance policy and training for handling prohibited zone alerts from electronic monitors. Implement internal periodic and independent monitoring procedures to verify compliance and consistency in documentation.	<p>Concur – in progress</p> <p>A review of the audited cases will be conducted. Following this review, policy and training will be updated and conducted to address the gap. Procedures for periodic and independent monitoring will be developed to verify compliance and consistency in documentation.</p> <p>Target Date: 3/1/2023</p>

Victim Opt-in Form Processing

Background – Arizona’s Constitution grants victims of crimes the right to be informed of all criminal proceedings where the defendant has the right to be present, and to be heard at any post-arrest or post-conviction release proceedings. Victims can opt-in to be notified of such proceedings. Victim notification often involves multiple agencies due to the different phases of the justice process. Victims must inform each agency of their desire to receive notifications by completing the requisite forms.

Observations – Opt-in forms are sometimes misrouted to the wrong agency, or it may not be clear to victims which agency is the correct one for their request. APD does not have direct

authority to make changes to the victim opt-in process and would need to work with its counterparts and stakeholder agencies throughout the state.

Recommendation to APD	Response
<p>Work with counterparts and stakeholder agencies to improve the victim opt-in process to help avoid victim confusion and frustration.</p>	<p>Concur – will implement with modifications</p> <p>The APD Victim Committee will be tasked with identifying and engaging stakeholders in dialogues to improve the process. APD will explore internal practices to determine the feasibility of engaging victims post sentencing, when probation supervision is ordered, regardless of their opt-in status unless the victim specifically requests not to be contacted.</p> <p>Target Date: 6/30/2023</p>

Industry Recommended Practices

Background – To assist APD in its efforts to enhance victim services, we compared APD’s practices to 12 best practices endorsed by the Department of Justice Office for Victims of Crime, victim advocacy organizations, and comparable adult probation departments. The 12 practices cover three main areas:

- Victim sensitivity, victim trauma, and victims’ rights training for employees
- Communication with victims
- Wraparound services that provide additional victim support

Observations – We found that APD could improve in all areas and communicated detailed information to APD management.

Recommendation to APD	Response
<p>Review the detailed recommended practices and determine which should be implemented. Develop an internal action plan as appropriate.</p>	<p>Concur – in progress</p> <p>APD’s Victim Committee will review the detailed recommendations and develop an internal action plan.</p> <p>Target Date: 6/30/2023</p>

Additional Information

This audit was authorized by the Maricopa County Board of Supervisors and was conducted in conformance with the International Standards for the Professional Practice of Internal Auditing. This report is intended primarily for the Maricopa County Board of Supervisors. However, this report is a public record, and its distribution is not limited. If you have any questions about this report, please contact Mike McGee, Internal Audit Director, at 602-506-1585.