1. **Assessment of available countywide correctional services and future needs**

The Allegheny County Jail (ACJ) is a detention and incarceration facility based on a podular (pods) design with direct supervision. The ACJ has 35 living units/pods on eight two-level floors (ACJ Annual Report, 2005). It opened with a capacity of 1,850, but provided for expansion up to 3,156 inmates. Following national trends, the average daily inmate number in the ACJ has risen steadily throughout the past decade. During a typical day, the number of releases is slightly fewer than admissions. Thus, the population of the jail continues to grow and frequently exceeds 2,500 inmates. The use of alternative housing sites, with a capacity of 322 beds, keeps the population from being even higher.

In addition to alternative housing at the jail, the Adult Probation Department’s Electronic Monitoring (EM) unit is used to reduce the jail population. The jail population would be considerably larger if EM was not available for county intermediate punishment sentences. Electronic monitoring provides an alternative to the mandatory jail sentences for county intermediate punishment eligible cases. These include sentences for Driving Under the Influence (DUI), Drug Court, DUI Court, and Driving Under Suspension (DUS) when the suspension was given for driving under the influence (these DUS cases are also referred to as “1543(b) cases” based on the section of Pennsylvania vehicle code).

Due to a large increase between 2007 and 2011 in the number of offenders ordered to county intermediate punishment with EM in Allegheny County, particularly for DUI offenses, the Fifth Judicial District of Pennsylvania developed an alternative intermediate punishment program for the short-term EM offender population serving 48-72 hour sentences. Section 4 of this plan provides details of this DUI Alternative to Jail program.

In addition to intermediate punishment sentences, which include Drug Court and DUI Court offenders, EM is ordered for other case situations. It is ordered for pretrial defendants as a condition of bail, for probation and parole detainees, for offenders sentenced to the jail, for offenders sanctioned due to probation and parole violations, for Veterans and Mental Health Court cases, and for individuals who fail to pay support in the Family Division of the Court of Common Pleas. With the creation of Sex Offender Court in 2011, electronic monitoring supervision is also used to enhance supervision strategies with this high-risk offender group.

In November 2010, over 1000 offenders were on a wait list for EM due to an increase in the number of eligible intermediate punishment offenders in Allegheny County. Due to efforts by the Court and Probation Department, the wait list was eliminated by the end of 2011.

Currently, the Courts are limited in the range of county intermediate punishment sentences that they can levy and have relied heavily on electronic monitoring. In 2012, Allegheny County added the Therapeutic Housing Program at the Renewal Center to provide work release and
treatment through therapeutic alternatives to incarceration for adults in the criminal justice system serving county intermediate punishment sentences. The Therapeutic Housing Program was created because the Court recognizes the value in combining strict supervision of offenders with work and treatment. This combination improves public safety by restricting the offender as he/she participates in treatment and it helps them maintain their connection with employment and family so they can leave the program with positive connections to the community and with the ability to pay restitution and fees. This housing alternative approach is an evidence-based program. This alternative to incarceration provides a therapeutic environment composed of safe and secure housing, a structured living environment, visits with family, work release and job placement, access to substance abuse treatment, and support and reentry planning for successful transition to life in the community. The main outcomes being monitored are: (1) successful completion of sentence; (2) recidivism within 12 months of release from the facility; and, (3) number of absconders from the facility. Other measures including, but not limited to job placement and treatment outcomes, have been developed in consultation with the Renewal Center.

Target Groups for Therapeutic Housing: Restrictive Intermediate Punishment.

A. Male and female DUI offenders with a mandatory minimum sentence of 5, 10, 30 or 90 days are eligible for the program. In 2010, there were 987 offenders sentenced to Restricted Intermediate Punishment in this category, broken down as follows: 33 - 5 day sentences, 12 - 10 day sentences, 186 - 30 day sentences, and 756 - 90 day sentences. Individuals who fall within these categories are for: 2nd offense, Tier 1, Tier 2 and Tier 3 levels and 3rd offense, Tier 1 and Tier 2 levels.

B. Non-violent male and female offenders are eligible for the program. These offenders have committed offenses that warrant a county sentence, but “do not demonstrate a present or past pattern of violent behavior.” In 2010, there were 548 of these offenders. Maximum length of sentence: 180 days

Future Needs: Electronic monitoring supervision is a critical component to the success of county intermediate punishment. Between July 1, 2013 and January 31, 2014, there was a monthly average of 577 offenders supervised by EM probation officers who would have been incarcerated as level 3 and 4 offenders under the Pennsylvania Sentencing Commission guidelines. Despite the implementation of Therapeutic Housing and the DUI Alternative to Jail Program for eligible offenders, the EM probation officers continue to have high caseloads.

Although the Pennsylvania Commission on Crime and Delinquency (PCCD) provides funding to support county intermediate punishment, it only covers full salary and benefits for three probation officers assigned to Drug Court and three probation officers assigned to supervise other intermediate punishment sentences. In addition, grant funds pay for a portion of the salaries (but no benefits) for a manager, supervisor, six probation officers, and two support personnel involved in the supervision of these offenders who are diverted from potential sentences of incarceration. An increase in funding to cover the full salaries and benefits of the EM personnel working to increase public safety and providing rehabilitative opportunities to individuals on county intermediate punishment is a crucial future need.
2. Review of current sentencing procedures and the impact these procedures have on county correctional resources.

The Adult Probation Department’s 2013 year-end statistics illustrate the following sentencing practices in Allegheny County:
- Probation = 19,196 offenders
- Parole = 1,227 offenders
- Intermediate Punishment = 931 offenders
- ARD = 3,925 offenders
- Probation Without Verdict = 418 offenders

Additional sentencing procedures consist of incarceration at the Allegheny County Jail and use of Alternative Housing programs for inmates sentenced to the jail. As stated in #1 above, the jail population frequently exceeds 2,500 inmates. The use of electronic monitoring and alternative housing reduces the jail population.

3. Review of current alternatives to pretrial detention and the potential these programs have for affecting the jail population

In January of 2007, the Allegheny County Pretrial Services Department was created. Bail Services is a division of the Allegheny County Pretrial Services Department and is divided into three separate units. The bail investigative unit conducts all initial investigations at the Allegheny County Jail; the bail liaison unit is responsible for all presentations of bail matters to the court; and the pretrial supervision unit is charged with the task of supervising all defendants who are court ordered to pretrial supervision. The mission of Allegheny County Pretrial Services is to provide accurate and timely information to assist the Court in making informed decisions regarding bond, competency, and treatment. Bail Service works to supervise and monitor defendants in a respectful manner, utilizing cost-effective measures for the community, promoting compliance with court orders and court appearances, while supporting public safety (www.alleghenycourts.us/criminal/pretrial_services/default.aspx).

Electronic Monitoring serves as an alternative to Pretrial detention for offenders while awaiting the adjudication of pending charges. During the 2013 calendar year, 82 pretrial defendants completed pretrial electronic monitoring, averaging a mean number of 128.6 days. On December 31, 2013, there were 58 individuals on pretrial electronic monitoring.

4. Description of the existing resources in the county which can be used as intermediate punishment or services to offenders sentenced to intermediate punishment

Allegheny County's Intermediate Punishment Program applies the following two approaches in meeting intermediate punishment objectives.

- Provide electronic monitoring supervision for offenders eligible for intermediate punishment in Allegheny County
• Continue the use of non-electronic intensive supervision, which allows a step-down to less restrictive levels of supervision when appropriate.

The Electronic Monitoring unit is in its 26th year of operation. The unit has a manager, 3 supervisors, 31 probation officers, a drug court coordinator, a DUI court coordinator, 10 full-time support staff members and 7 part-time monitoring staff. The office operates 24 hours a day/seven days a week and answers the emergency telephone number for Adult Probation and Parole Services after normal business hours. The officers in the EM unit screen cases referred by the court for electronic monitoring, install the monitoring equipment, set the conditions of supervision, and work directly with offenders in the community. Probation officers assist offenders so that the offenders have the opportunity to become contributing members of the community. Probation officers closely monitor offenders so that conditions of supervision ordered by the Court are enforced. Offenders who violate the rules of electronic monitoring receive sanctions that could lead to a revocation hearing before the court and incarceration in jail.

Regarding the Drug and DUI Problem-solving Courts, the following model is in place:

• Identification by the DA’s office of level 3 and level 4 offenders with substance use disorders that meet the statutory requirements for county intermediate punishment as specified in 42 Pa.C.S.A. § 9802 under "Eligible offender"
• Assessment and evaluation to determine the necessary level of treatment and to conduct treatment monitoring via case management
• Referral to treatment programs/services as part of the Restrictive Intermediate Punishment sentence
• Restrictive Intermediate Punishment supervision provided by the Adult Probation Department
• Treatment oversight/monitoring via case management.

Although primarily involved in the identification and supervision of county intermediate punishment offenders, the EM unit also works with other offender supervision categories. These additional case types include defendants on pretrial EM status, detained probation and parole violation cases referred to as “detainer” cases, offenders sentenced to the Allegheny County Jail but serving the sentence on EM, and offenders sanctioned with EM for probation and parole violations.

The EM unit had 756 total offenders assigned to it on December 31, 2013. The number of EM cases continually presents challenges for the unit. Nevertheless, statistics for calendar year 2013 have demonstrated that the unit has been successful in meeting the challenges. During 2013, 1,748 new offenders were assigned to Electronic Monitoring and 1,582 offenders successfully completed the program. Throughout this period, only 36 participants were arrested on new charges, putting offender recidivism (new arrest) while on electronic monitoring at just 2 % for the year.
In 2010, Allegheny County added the “DUI Alternative to Jail Program.” The program is informally referred to as “The DUI Hotel” and is structured so that offenders serve restrictive intermediate punishment sentences at the DUI Hotel program for convictions of eligible DUI offenses. The goals of the program are to reduce DUI recidivism among offenders who attend this program, provide an alternative to electronic monitoring and incarceration in the county jail, reduce the total number of short-term electronic monitoring sentences imposed by the court, and enable DUI offenders who are sentenced to the program to complete alcohol education classes and mandated alcohol treatment to fulfill their Alcohol Highway Safety Program requirements. The program also provides substantive education pertaining to the individual and societal costs of driving under the influence and provides cognitive-based interventions that will positively influence their future driving behavior. This program collaborates with other stakeholders who are currently involved in the prosecution, treatment, and punishment of convicted DUI offenders. The program’s participants are convicted DUI offenders eligible for intermediate punishment sentences in lieu of minimum sentences of 48 hours and 72 hours of incarceration. Convicted DUI offenders are sentenced to this program in lieu of jail or electronic monitoring and pay a set fee, which covers their intermediate punishment treatment requirements, the hotel room and food. Offenders who fail to successfully complete this program are returned to court for re-sentencing.

Currently, the program operates out of two local hotels with class sizes of up to 90 participants per month. Each session’s program is conducted from Thursday evening through Sunday evening. The DUI Hotel sentencing alternative contributed to the elimination of a wait list for Electronic Monitoring supervision in Allegheny County that had reached over 1000 offenders before the program began.

5. **Formulation of policy statements targeted to the needs identified by the county and the impact these policies will have on the use of confinement and intermediate punishment.**

Allegheny County Adult Probation Department’s mission is to provide effective community based alternatives to incarceration, improve public safety, partner with community and law enforcement resources and promote positive behavioral changes from offenders. Allegheny County’s intermediate punishment program supports the organization’s mission by its commitment to reducing the jail population through the effective supervision of eligible offenders placed on electronic monitoring and intensive supervision.

6. **The development of goals and objectives, which are aimed at effective utilization of existing and projected correctional resources.**

   - To reduce the jail population through effective supervision practices focused on public safety and the rehabilitation of offenders
   - To place eligible offenders sentenced to intermediate punishment on electronic monitoring without undue delay
To effectively manage the electronic monitoring population, especially with intermediate punishment cases, which is the largest offender group being placed on electronic monitoring.

7. **The development of an evaluation strategy, which measures the qualitative and quantitative performances of all programs.**

Electronic Monitoring performance measures are submitted to the Allegheny County Jail Oversight Board on a monthly basis. The statistics include the population of the various case supervision types on EM, outcome measures for those who complete EM, the amount collected in administrative EM fees, and the number of jail days saved through the use of EM. In addition, quarterly program reports are submitted to the Pennsylvania Commission on Crime and Delinquency, which measure the performance of the intermediate punishment program.