



# **Juvenile Probation Officers' Line of Duty Qualifications for the Virginia Law Officers Retirement System**

A Report to the House Appropriations and Senate Finance Committees

*The blow stunned me and split open my  
lower jaw, requiring several stitches ...  
I have worn a beard for 31 years to  
cover the scars on my face.*

Ron Belay

September 2005

Funding for this report was made possible by the Virginia Juvenile Justice Association (VJJA) and the Court Service Unit Directors' Association (CSUDA).

VJJA is an organization of nearly 1000 members representing court/probation services, the judiciary, indigent defense, correctional centers, detention homes and other organizations serving the juvenile justice population. The association is administered by an elected board of directors and is committed to child advocacy and advancing the professional interests and competencies of its members. Board members include: Robert Bermingham, Jr., President, Fairfax County, Lewis Wright, Immediate Past President, Henrico County, James Woolf, Vice President, Virginia Beach, Beth Stinnett, Secretary, Henrico County, Donna Baker, Treasurer, Virginia Beach, William Harrell, Chesapeake, David Carver, Loudoun County, Robert Foster, Martinsville, Mark Thompson, Gate City, Kimberly Koeppen, Waynesboro, Katherine Farmer, Henrico County, Paul Greggs, Portsmouth, Scott Warner, Fairfax County, Amy Darby, Augusta County, Gary Conway, Staunton, Brigette Peterson, Fairfax County, Sheila Hightower, Virginia Beach, Richard Hagy, Bristol, Diane Floyd, Virginia Beach and Tina Casper, Fairfax County. The CSUDA has members representing every county in the Commonwealth. Officers are Ronald Belay, President, Pearisburg, Gary Conway, Vice President, Staunton and Randall Blevins, Secretary/Treasurer, Abingdon.

## Acknowledgements

Special thanks to the juvenile probation staff who put their lives on the line every day to protect our communities and make Virginia a safer place to live. Thanks especially to the juvenile probation officers and administrators who were willing to share their stories. Despite the threats, assaults and other inherent dangers involved in the juvenile justice field, these professionals continue to make it their life's work.

Thanks also to members of the Virginia Department of Juvenile Justice's Human Resource and Research and Evaluation Units for providing statistical information.

## EXECUTIVE SUMMARY

### *Juvenile Probation Officers' Line of Duty Qualifications for the Virginia Law Officers Retirement System*

The Virginia Law Officers Retirement System (VaLORS), an early retirement benefit for eight (8) State public safety occupations at risk of job-related harm and stress, was enacted in 1999. Juvenile probation officers of the Department of Juvenile Justice were not included, though many factors qualify them: juvenile justice reforms begun in 1995 to deal with juvenile offenders' threat to public safety; the predominantly criminal profiles of juvenile probation officers' caseloads; their job duties shared with VaLORS-included adult probation officers; the lack of differentiation in the State's job classification system between adult and juvenile probation officers; clients shared with VaLORS-included juvenile correctional officers; job duties and related activities exposing them to risk of harm from impulsive and resentful suspects, clients, family members and environmental dangers; and the stresses of a job with many roles, responsibilities, accountabilities and areas of required knowledge.

Juvenile probation officers become the targets of threats, intimidation, assaults and stalking while performing the mandated duties of intake, investigations, probation and parole. Intake, family abuse cases, contact with incarcerated juveniles and family involvement are areas of exposure unique to the job. Many probation officers continue to carry cases in which they have initiated violation proceedings resulting in incarceration. The significant presence of substance abuse, mental health and anger control problems among committed youth indicate the characteristics of juveniles on probation caseloads. The immaturity of the adolescent brain area that anticipates consequences, controls impulses and behavior is an additional source of jeopardy for those who deal authoritatively with juvenile offenders.

Turnover among early-career juvenile probation officers appears to be increasing. Job stress is a contributing factor, as well as beginning and career compensation. The retention rate among officers with ten or more years of experience suggests that once having learned the job and how to cope with its challenges and limitations, most adopt a career mindset. The benefit of an early retirement program could enhance retention among the early career group, and maximize productivity by allowing career officers to retire before their ability to perform the job begins to decline.

The House Appropriations Committee and Senate Finance Committee are requested to approve and forward bills adding juvenile probation officers to VaLORS to the 2006 General Assembly.

## Introduction

In 1999 the General Assembly enacted the Virginia Law Officers Retirement System, an early retirement program for public safety occupations. Now commonly known as “VaLORS”, (§51.1-212 Code of Virginia), the occupations named in the Code are:

1. the Capitol Police Force;
2. campus police officers;
3. Game and Fisheries enforcement officers;
4. ABC special agents;
5. Virginia Marine Resources Commission officers;
6. adult and juvenile correctional officers;
7. adult probation officers;
8. commercial vehicle enforcement officers.

Notably absent are juvenile probation officers of the Department of Juvenile Justice. Their omission suggests the following considerations were overlooked when the bill was written:

- the 1995 report of the Governor’s Commission on Juvenile Justice Reform, documenting at length that juvenile crime and its perpetrators are as great a threat to personal and public safety as adult offenders;
- the offenses and problem attributes of the populations with which juvenile probation officers work;
- the job duties of juvenile probation officers, placing them in proximity to, and sometimes as targets of, dangerous situations and threats;
- that the statutory job duties of juvenile probation officers are identical to those of *adult* probation officers, who are VaLORS-included (*Appendix A*);
- that juvenile probation officers supervise the same juvenile offenders in the community, before *and* after their incarceration, as do VaLORS-included juvenile *correctional* officers in the institutions;
- the lack of any distinction between juvenile and adult probation officers in the State’s Job Organization Structure (*Appendix B*);
- the threats, intimidation, environmental dangers and assaults experienced by juvenile probation officers in the line of duty.

The present report has two purposes: (1) to inform the General Assembly, via the House Appropriations Senate Finance Committees, of facts concerning juvenile probation officers' jobs, and the associated risks of harm and stress, that qualify them for VaLORS; (2) to prompt a correction of the inequity of the past seven years through the passage of bills adding juvenile probation officers to VaLORS.

### **The Governor's Commission Report and Afterwards**

The 98-page report warned of an "epidemic of youthful violence" confronting the Commonwealth, posed by "a relatively small portion of the juvenile offender population (violent and chronic offenders)." It also deemed Virginia's juvenile justice system incapable at that time of dealing with the threat, and for the following reasons:

- The Juvenile Code placed the "welfare of the child and the family" above the interests of victims and public safety;
- The juvenile justice system was not designed to deal with serious, violent offenders;
- Closed-door and secretive court proceedings, promoting public distrust and inhibiting accountability;
- The lack of decisive sanctions, both for heinous crimes and those "taking their first steps down the path of lawlessness";
- Overcrowded juvenile correctional centers, incapable of either punishing serious offenders or reforming the young offenders;

The significant changes that have occurred since the Governor's Commission report include:

- The change in name of the state agency responsible for dealing with juvenile offenders, from the "Department of Youth and Family Services" to the "Department of Juvenile Justice";
- The change in name of state run facilities equipped to handle juvenile offenders, from "Learning Centers" are now "Juvenile Correctional Centers";
- The Juvenile Code preamble which equates the importance of public safety with that of the welfare of the child and family;
- The reduction in age for waiver to Circuit Court for trial as an adult, from age 15 to age 14.
- Statute-defined violent juvenile felonies, for which juveniles 14 and older are automatically remanded for trial as adults;

- Major capital projects at juvenile correctional centers, including security perimeters, security buildings, and the new Culpeper Juvenile Correctional Center;
- The passage of the Virginia Juvenile Community Crime Control Act (VJCCCA) which established funds for detention alternatives, treatment and supervision of juvenile offenders in the community; and
- The expansion of sentencing options available to the circuit court to include “blended sentencing”.

These and other measures have changed how both the less-serious and violent/chronic offenders can be dealt with, but have not relieved us from either. While the increase in Virginia’s juvenile crime has moderated in recent years<sup>1</sup>, both violent/chronic offenders and those earning that dubious distinction are part of juvenile probation officers’ caseloads. Often overshadowed, however, are those with less serious offense profiles who pose equal or greater threats to probation officer safety. Further, the family dynamic that is part of juvenile probation’s job . . . adults involved in domestic relations matters, and the parents of juvenile offenders . . . adds another source of potential harm. The increased jeopardy that accompanies domestic conflict intervention is well-recognized by the law enforcement community, and juvenile probation officers are regularly and directly involved in such matters.<sup>2</sup> All of the above create exposure to risk of harm from a number of sources, and at every phase of the juvenile and domestic relations process.

### **Where It All Begins: Juvenile Intake**

Unlike the separate magisterial system which officially initiates adult criminal matters, juvenile criminal and domestic relations cases begin at court service unit (CSU) intake. In addition to workday intake services for all matters within the Juvenile and Domestic Relations Court’s jurisdiction, CSU’s provide after-hours, weekend and holiday intake for situations requiring the immediate petitioning and detention of juvenile offenders (§16.1-255 Code of Virginia). A June 2005 survey of the 32 state-operated CSU’s determined that 401 (of the 589 survey-included) juvenile probation officers regularly rotate shifts of uncompensated after-hours intake duty. In most instances, the on-call officer must travel to a police department precinct, crime scene or other area where the offending juvenile is being held to process the intake. They must also arrange for the placement of the juvenile offender (sometimes in a secure detention facility), meet with family

members (sometimes hostile) to explain the process, and appear in court at a probable cause hearing the following day.

### **Intake-Related Threats**

The firsthand accounts of juvenile probation officers best illustrate how the intake processing of lawbreaking, agitated, and impulsive individuals can result in threats from many sources, and at any moment.

“While I was working intake, a juvenile under arrest grabbed the knife that had been taken from him by police officers, threatening to cut me and the petitioning officer. Another officer intervened to help us gain control of the knife.”

Michael B. Moore, Probation Officer  
2<sup>nd</sup> District CSU, Virginia Beach

“While I was eight months pregnant and on the after-hours intake shift, the mother of a youth I had decided to detain became upset at my decision. She began yelling at me, cursing, and moving toward me in a threatening manner. I left the room and summoned a police officer to get the situation under control.”

Robin Gauthier, Probation Officer  
2<sup>nd</sup> District CSU, Virginia Beach

“I was interviewing a juvenile and his father during an intake in the CSU office, when the father and son had words with each other. The father attempted to strike the son, but hit me by mistake. The juvenile began fighting back, and he also struck me a glancing blow.”

Eugene B. Guffey II, Intake Officer  
22<sup>nd</sup> District CSU, Rocky Mount

“I responded to a police callout in the early morning hours when on after-hours intake duty. An officer had two loud, unruly juveniles in custody. One juvenile banged his head against my office wall with such force that it dislodged a picture frame, shattering glass over chairs and the floor as it fell. The officer had to pin him to the floor and subdue him, and during the scuffle the second juvenile made threats to harm the officer and escape. I was fortunate to be able to run to another office to call for police backup.”

Kathleen Transue, Intake Officer  
1st District CSU, Chesapeake

“During an intake appointment, three women became combative with one another. During the argument one of the women hit her two-year old son. When I told her to stop hurting her son she hit the child again. She then left my office and struck the child in the face. I followed to be certain that the child was alright, and the woman’s cousin started yelling obscenities and walked into me in an aggressive manner. The police arrived and the mother of the child assaulted the police officer.”

Terila Larsen, Probation Officer  
15<sup>th</sup> CSU, Fredericksburg

“I had issued multiple felony charges on I.S., who had an extensive history with our office. When he was taken into custody and brought to intake, he was very angry and told me in no uncertain terms that he would “get me”. He was transported to detention, and a few days later *escaped from the detention home*. He was on the run for a few days. During that time I was careful not to be out alone and was walked to and from my car at work. It was a scary time for me.”

“A police officer brought C.S. to intake after he had become disorderly and disruptive at an alternative school. His mother was contacted and came to the office. When I told them that C.S. was going to be detained, the mother began hollering at me for locking up her son, got up from where she was sitting and lunged across the desk at me. I quickly rolled my chair away from the desk. She was subdued by the officer standing outside the door.”

Linda B. Fain, Intake & Probation Supervisor  
21<sup>st</sup> District CSU, Martinsville

"While on after-hours intake duty I was called to Bristol at 2:00 a.m. regarding a female juvenile offender who was intoxicated and had assaulted someone. The juvenile was causing a commotion at the police department. I initially interviewed the juvenile with two officers present, then called the home and as I spoke with the juvenile's mother the police officers left the room. The juvenile then came from the other side of the table, slapped me several times, pushed me against the wall, grabbed the phone and hit me with it."

"While performing intake duties, I filed a Protective Order petition for an adult domestic violence victim. The J&DR judge was not available for the emergency hearing, so a General District Judge presided. The petitioner's husband (the alleged perpetrator) showed up for the hearing. Because the Substitute Judge was unfamiliar with the proceeding, he asked for my guidance on disposition, including who should receive temporary custody of the couple's infant child pending a full hearing. I recommended the mother receive custody. The husband became quite angry and attempted to come across the judge's bench at me. The bailiffs restrained him, and as they escorted him from the courtroom he cursed and threatened me, stating he knew where I lived and would be coming after me."

Kevin Downs, Probation Officer  
28<sup>th</sup> District CSU, Abingdon

"After completing a domestic relations intake for a protective order, I left the courthouse for lunch. In the parking lot I heard a female yelling, and saw a man standing outside a vehicle, hitting the woman sitting in it. Onlookers were standing around, but no one was helping the woman. I realized it was the woman I had just assisted in obtaining a protective order, so approached the vehicle, told the man to stop hitting her and to step away. He did. As a result of the incident I was summonsed to four Court hearings over the situation, including the divorce proceedings."

James L. Cornett, Probation Officer Senior  
28<sup>th</sup> District CSU, Abingdon

"A youth threatened to kill me after I had issued a detention order on him for malicious wounding; he had cut another youth's throat with a machete. The same youth was later arrested for an armed robbery during which shots were fired and is now in prison serving a lengthy sentence."

Gary L. Harper, Probation Officer  
24<sup>th</sup> District CSU, Bedford

"Fifteen year old D.W. had two assault and battery charges pending, and had been a runaway for two weeks, staying at the home of his girlfriend and her mother. PO Mel Bass asked the girlfriend's mother to bring D.W. to the office. She acknowledged having a complaint record with Child Protective Services, and confided that D.W. had threatened to resist any efforts to take him into custody. D.W. refused the PO's options of returning home or going into shelter care. When told he would have to be detained, D.W. jumped from his chair, punched a file cabinet and the wall, and began raking papers from Bass's desk. When he attempted to grab the Dictaphone, Bass grabbed him from behind, pinned his arms at his side and held him until four deputies could restrain him."

William Harrell, Director  
5<sup>th</sup> District CSU, Suffolk

"I completed a Protective Order for a woman who had been the victim of domestic violence. I received a call from the alleged abuser a few days later. He was very angry and asked for me by name, which was on the petition as the Intake Officer. He yelled and cursed at me over the phone, said I had taken away his wife and child and he was coming down to the office after me. I spoke to local law enforcement officers after the phone incident, who told me they knew he was a very violent individual. They gave me a description in case he showed up. He did not come to the office, but I was afraid and cautious of my surroundings and people near me for many weeks."

Heather Day Freeman, Probation Officer  
27<sup>th</sup> District CSU, Pulaski

"A 17-year old female was brought to intake by her parents, who were upset at her repeated overnight disappearances with her boyfriend. Tensions were high, and the parents wanted their daughter locked up. Explaining that the law did not allow for that, I suggested shelter care or a "cooling-off" move into a relative's home, but the parents were adamant. At the end of

the lengthy session the girls' paternal grandmother took her home. The girl disappeared that night with her boyfriend, and the father returned to the office the following day, demanding to see me. As I approached him in the hallway he balled up his fist as if to strike me. I greeted him in a calm manner, expressed regret that things had not worked out, and explained in further detail why I had been unable to grant his wish the day before. He returned later in the day and apologized for his behavior."

James E. Gordon, Probation Supervisor  
5<sup>th</sup> District CSU, Suffolk

"On numerous occasions, probation officers have asked me to sit in with families to discuss violations or sensitive issues. I have witnessed the clients and family members becoming very irate and threatening toward the probation officers and myself. Family members have gone so far as to bump me on the way out of the room. I have also had to intervene in disputes in our waiting area during intake. They are usually arguments involving custody issues or protective orders. I have been cursed multiple times. We had a woman file for a protective order who was later shot and killed, along with her daughter, by her husband. This just illustrates the potential for violence in our offices."

Doug Poe, Probation Supervisor  
27<sup>th</sup> District CSU, Pulaski

"A young man became upset when his teenage girlfriend was sent home with her father after a CHINS matter was resolved by the CSU. He pulled out a knife with a blade 3-4 inches long, and began making statements such as, "Someone is going to get hurt if anything happens to her; someone is gonna pay". No other CSU staff or security were present. I sternly told the young man to put the knife away before someone got hurt. He did, and walked away."

"During two separate Emergency Protective Order intakes, deputies had to be called to the CSU office . . . which is not secure and has no metal detectors or security . . . because the abusers had followed and begun confrontations with the victims."

Rodney S. Wilkerson, Probation Officer  
10<sup>th</sup> District CSU, Appomattox

"At approximately 12:30 a.m. I went to the Sheriff's Department for an on-call intake and detained R.B. for distribution of cocaine. When I arrived approximately ten to fifteen individuals were hanging around outside on the street. Several yelled to me that I should allow R.B. to go home. I detained him instead, and when I left a black BMW pulled in behind me approximately two miles from the Sheriff's Department. It followed me about ten miles, so I turned onto a less traveled road and the car continued to follow me for several more miles through various roads that I would not normally use to go home. The car maintained close contact until I had driven four or five miles out of my way to a store that was open all night. I was fortunate that a State Trooper happened to be parked in the store parking lot."

James L. Brown, Jr., Senior Probation Officer  
16<sup>th</sup> District CSU, Charlottesville

### **From Intake to Disposition:**

Intake is the beginning of a lengthy and involved relationship between a juvenile offender and the CSU probation staff.<sup>3</sup> If the juvenile is detained, a juvenile probation officer . . . often the original intake officer . . . will explain why to the court during the detention hearing. Probation officers in many CSU's also conduct advisement-of-rights hearings. Juveniles released pending the next hearing may be placed on rules of release, sometimes personally monitored by the probation officer. And if kept in detention or moved to shelter care, the probation officer must maintain regular contact with the juvenile through visits and calls.<sup>4</sup>

If the juvenile is found guilty, the court will order a *Social History Investigation (SHI)*, which is the juvenile system's version of adult probation's *Pre-Sentence Investigation (PSI)*. From interviews

with the parent(s) and juvenile in the home, office, and detention if necessary; a review of school academic, attendance and conduct records; a check of previous court, social service, psychological or other agency records; prosecution and victim versions of the offense(s) and losses; and any mental health or educational evaluations, the probation officer must cover 45 mandatory information items in a comprehensive report of the juvenile as a family and community member, individual, student, peer, and public safety concern.

If the offense or juvenile's demeanor warrants it, or the court requests it, the probation officer will also administer and report the result of a urine drug screen.

Specific consequences, including recommendations for accountability, control and treatment, are part of the social history. Since there are no Sentencing Guidelines for juvenile court, recommendations must be individualized to fit the offender and offense. Twenty-six (26) of the 32 State CSU's report that their juvenile court judges 'Expect' probation officers to make dispositional recommendations . . . including the need for commitment . . . as part of the social history; three (3) that their judges 'Permit or Expect' and three (3) that their judges 'Permit'. The social history, including the observations and recommendations of the probation officer, is made available to the juvenile offender, parent(s) and attorney for their review.

Threats, dangerous situations and assaults can occur in any context and at any time.

### **Investigative and Dispositional Threats**

"B.W. came to the office with his mother for a substance abuse screening and assessment. About halfway through the interview he became belligerent, cursing and threatening. He picked up a trash can and threw it at me. He was physically removed from the building by four Sheriff's deputies."

Mel Parker, Probation Officer  
3<sup>rd</sup> District CSU, Portsmouth

"C.H. was in detention not long after being released from a psychiatric hospital. He was charged with offenses that included possession of a sawed-off shotgun to be used during a gas station robbery. During a detention visit he asked me to recommend his release from detention to a local family he knew. I replied that I wouldn't; he then said he would kill me if I didn't get him released. He later made a death threat to his attorney; the attorney and presiding judge withdrew from the case as a result. C.H. was committed, and his parole supervised where his father lived. A couple of years later a former coworker sent me a newspaper clipping that reported C.H.'s arrest with a codefendant for hanging a man."

James E. Gordon, Probation Supervisor  
5<sup>th</sup> District CSU, Suffolk

"A youth I was supervising came to court for disposition on charges and I met with him as required to discuss my recommendations in the Social History. I was recommending commitment. The youth became highly agitated and made

threatening comments to me. He went into court, was committed, and led away by officers. We received a call a few minutes later at court that a search of the youth revealed a loaded .25 caliber pistol in the sleeve of his jacket, with a bullet in the chamber.”

Dennis Laughlin, Probation Officer  
24<sup>th</sup> District CSU, Rustburg

“After the court place a young man on probation, I met with the family in my office to have them sign probation rules and the supervision plan. Father and son were upset with the court’s decision, and the father . . . who had a history of domestic assault . . . screamed his objections at me so forcefully that his eyes became bloodshot, leaning towards me while holding onto his chair. His son picked up his own chair and slammed it into my office floor a number of times. My supervisor agreed that I was not going to make home visits unless accompanied by a coworker.”

Katherine Alexander, Probation Officer  
2<sup>nd</sup> District CSU, Virginia Beach

“PO Lesley Dickerson went to a home to do a Social History interview with a juvenile and his family. When she arrived, the father, who was the only family member present, invited her into the kitchen. During the interview he acknowledged being recently released after serving time for rape charges. Dickerson became concerned for her own safety, said her pager was going off and asked to use the phone. She called the office, and was able to convey by her words and tone of voice that things were not right. She told the father that she was needed at the office and had to leave. Only as she was leaving did she realize the father had locked the door after her when she had entered the home.”

Thomas A. Gooding, Director  
9<sup>th</sup> District CSU, Williamsburg

“Just last week a juvenile detainee at Roanoke Valley Juvenile Detention Center threatened to kill his probation officer during a visit, and the PO is convinced he would have assaulted her if he were not confined. The staff filed a Serious Incident Report. She is concerned about what might happen when he is released.”

Lee Gouffray, Probation Supervisor  
23<sup>rd</sup> District CSU, Salem

“While a PO in the Tazewell office, I was in the courtroom and had just finished testifying in a case in which the juvenile would be committed. I was keeping my eye on the father, who was dressed in Army camouflage, complete with combat boots (he wasn’t in the military). As I turned to leave the courtroom, the probationer hit me three times in the shoulder and neck, knocking me off my feet and sending me down into the chairs lining the courtroom. The defense attorney, who happened to be an ex-police officer, tackled the juvenile to the floor. (The bailiff was not in the courtroom at the time) I later learned the juvenile had been told that if he punched me hard enough in the throat, it would cause serious damage. He missed my throat only because I was turning to leave the courtroom.”

Nancy Heatwole, Probation Officer  
27<sup>th</sup> District CSU, Pulaski

“In court on May 11, I recommended that J.M. receive a suspended commitment, which was ordered. The mother was displeased and became angry after court, saying she “didn’t want to see or talk to the bitch” and wanted a new probation officer. She was physically restrained by two unidentified women as she started to come after me. I went into the office, and the mother followed me. I told her she needed to leave and come back after she had calmed down. A meeting is to be scheduled between the mother, my supervisor and me.”

Debra Hutchinson, Probation Officer  
21<sup>st</sup> District CSU, Martinsville

“During a recent home visit for a social history, I was not allowed to see any of the house other than the living room. I observed items which led me to believe they were manufacturing methamphetamines. I left and reported this to the police. It was determined the mother had outstanding warrants from another state and is involved with known drug dealers locally.”

Regina Snow, Probation Officer  
27<sup>th</sup> District CSU, Pulaski

“A male juvenile was placed on probation and detained in the local detention home. My first contact with him was at the detention home, for the purpose of giving him his probation rules. He became very hostile and insisted we were interfering with his rights. He balled up his fists and it appeared that he was going to hit me. The detention staff immediately responded to the situation and protected me from harm.”

Rebecca M. Harris, Probation Officer  
3<sup>rd</sup> District CSU, Portsmouth

"While preparing a court-ordered social history, I scheduled a home visit for a Friday. Two days before the scheduled date, the home was raided and several adults were arrested for operating a meth lab."

James L. Cornett, Probation Officer Senior  
28<sup>th</sup> District CSU, Abingdon

"The judge instructed me to make a home visit and place a juvenile on house arrest. Luckily the gate surrounding the home was locked and no one in the house came out when I rang. When I contacted the family by phone, the subject's father began yelling and cursing; I could also hear the juvenile subject screaming in the background. When Sheriff's deputies were called to the home later, the juvenile attempted to stab them with a knife. After being restrained and placed in the deputy's car, he kicked out the car window."

Rodney S. Wilkerson, Probation Officer  
10<sup>th</sup> District CSU

"I had an appointment to meet with a young man and his mother at their home to do a social history investigation. When I arrived the mother had not gotten home from work, and the young man (17) was at home with his co-defendant friend. I went into the home and began interviewing the juvenile, but his mother did not return. When I went to leave I found the front door had been deadbolted without my knowledge, giving me a very uncomfortable feeling."

Tammy Deihl, Probation Supervisor  
15<sup>th</sup> District CSU, Fredericksburg

"One juvenile, C.C., has had to be restrained several times over the past years due to his assaultive behavior. On one occasion I let him know prior to his detention hearing that I would be recommending he remain in detention. He began shouting and tried to stand up, but because of his history I made sure there were several deputies present to intervene, which they did. He was placed in five-point restraints and cuffed to the bench, but proceeded to bang his head against the wall, curse, and try to break free by bouncing the chair with his weight. His behavior was so aggressive and threatening that the judge refused to hear his case and ordered him to remain in detention. On another occasion C.C. flipped over a table in the courtroom, and began shouting threatening and profane remarks after being sentenced to detention; deputies had to use O.C. spray, and it took five of them to get him under control."

Kathleen M. Jenkins, Probation Officer Sr.  
25<sup>th</sup> District CSU, Staunton

"Following a detention hearing for S.S., his father said to me, "Let's step outside to settle this." He later apologized."

Chuck Watts, Probation Supervisor  
25<sup>th</sup> District CSU, Lexington

"During an adjudicatory hearing a 16-year old attempted to flee the courtroom. PO John Hetey was in the courtroom, waiting for his case to be called. He assisted the bailiff in subduing the defendant and returning him to the courtroom. He received a commendation from the Sheriff for his professionalism and assistance."

Mark Crowley, Director  
20-L CSU, Leesburg

### **Community Probation Supervision**

Juvenile probation's longest-lasting job begins after the court and attorneys are through with the offender. Orienting the juvenile and parents to probation; administering rules; enrolling the juvenile in court-ordered treatment or placement programs; arranging restitution, community service or other accountabilities; writing the supervision plan; framing expectations and contingencies; and briefing the parents on their responsibility to guide and manage their child, are among the first duties.

Supervising a juvenile probationer in the community requires a range of independent activities in many venues: home, office, residential placement and sometimes work contacts with the juvenile and

parents; monitoring and enforcing the satisfaction of community service hours and restitution payments; applying for service funding and enrolling the juvenile in ordered treatment programs; communicating with them regarding the juvenile's attendance, participation and progress; monitoring and reinforcing academic, attendance and conduct expectations with school administrators, the parents and juvenile; curfew checks and urine drug screens; and mediating parent-child disputes.

When the juvenile's disregard for probation, lack of response to sanctions or threat to public safety must be responded to authoritatively, it is the juvenile probation officer who invokes the power of the court and its agents. The most drastic option available is the filing of a Violation of Probation/Parole petition with an attached detention order. During FY05, juvenile probation officers filed 5,713 such petitions, and 1,944 had detention orders attached.<sup>5</sup>

As the following accounts illustrate, both routine activities and the imposition of consequences can place juvenile probation officers in harm's way.

### **Probation-Related Threats**

"We had the sons of a local bootlegging family on probation. On the advice of the Sheriff, and due to their history of aggressive behavior (including shooting at a power line crew) no one was allowed to go to the home unless accompanied by another probation officer and advising the Sheriff's Office before and after each home visit."

Curt More, Probation Supervisor  
5th District CSU, Isle of Wight County

"I confronted a youth in his home about violating probation by remaining away from home all night. This occurred in the family's kitchen. The youth responded by pulling a steak knife and waving it in my face. His mother and I talked him down."

Gary L. Harper, Probation Officer  
24th District CSU, Lynchburg

"R.W. had been suspended from school and taken home by a school psychologist. I went to the house to speak to R.W. about the suspension. When I got there he was pacing in front of the house and seemed to be very agitated. I spoke to him briefly, then went back to the office. When I returned I had a phone message that after being dropped off at his home by the psychologist, R.W. had gone inside, then come back out and pointed a gun at the psychologist as he was pulling out of the driveway. I had been at the home right after the gun incident had occurred."

Katherine A. Grimm, Probation Supervisor  
3rd District CSU, Portsmouth

"E.B. was a large, powerfully-built and aggressive 15-year old. During a home visit I was discussing with him and his mother his suspension for verbally abusing a teacher and school administrator. E.B. became agitated, so I decided to end the visit and continue the discussion at a later time. As I walked to the door E.B. stood over me and said, "What would you do if I punched you in the face right now?" I replied, "Make a police report, have you arrested, and I doubt any judge would show you much mercy for assaulting an officer of the court." After a few moments he backed away. E.B. was later committed for assaulting a police officer. After his release from parole he was shot to death following an altercation with another young adult."

James E. Gordon, Probation Supervisor  
5th District CSU, Suffolk

"I visited the four-room home of a youth that I was supervising. Twenty-five other people lived in the small frame structure. After making the visit, I returned to my office which was 15 minutes away. As I drove into the parking lot, a number of Sheriff's Department cars were speeding out. I soon learned that shortly after I had left the home a man had walked in, shot two people and then committed suicide."

Dennis Laughlin, Probation Officer  
24<sup>th</sup> District CSU, Rustburg

"During a home visit with probationer L.B., her stepfather became irate and began making derogatory remarks about her. L.B. then punched her stepfather in the stomach, and ran behind me. The stepfather approached with his fist ready. When I cautioned him to calm down, he replied that he would "stomp" me. I was able to talk him down temporarily, but the Sheriff's Department was eventually summonsed to the residence and the stepfather was jailed."

Paul E. Fowler, Probation Officer  
28<sup>th</sup> District CSU, Abingdon

"During an office visit, C.S. became angry and ran out of the building. He returned half an hour later with a long stick sharpened at one end. I realized he was upset, but had no way to leave the office. C.S. first used the stick to knock files, office supplies and personal items off my desk and wall. He then grabbed my shirt, pushed me against the wall and made several attempts to jab the sharpened end of the stick in my eye, cursing and yelling. While fending off the stick, I spoke calmly and within a couple of minutes C.S. dropped the stick and ran out. The incident was observed by Judge Lohman."

Kevin H. Downs, Probation Officer  
28<sup>th</sup> District CSU, Abingdon

"When I arrived at the home of probationer W.P. for a routine visit, his father was standing on the porch. As I got out of the car and walked toward the house, he picked up a board and raised it up, telling me if I knew what was good for me I'd leave. I did."

Linda B. Fain, Probation Supervisor  
21<sup>st</sup> District CSU, Martinsville

"In August 2004 I was on my way to a home in the downtown area of Newport News, to locate a juvenile probationer. I knocked on the door and rang the doorbell, but no one answered. I turned around to walk down the steps, at which point I heard a sharp metallic sound which was an object striking the porch just above my head. I recognized the sound as that of a pellet or BB gun. The pellet didn't strike me, but it came very close. It sounded as though the shot had come from across the street. I am convinced that someone was shooting at me."

Gary J. Downey, Probation Officer  
7<sup>th</sup> District CSU, Newport News

"When reminded of his rules of probation, M. D. told me that sometime when I didn't expect it, he would be waiting for me at the back door and implied that rape/violence would occur. He also threatened to bomb the probation office."

Lori Williams, Probation Officer  
7<sup>th</sup> District CSU, Newport News

"When the in-home counselor and I were on a home visit, the probationer became upset and broke a wooden kitchen chair by slamming it to the floor. He then walked to the living room and flipped over a recliner. When we followed him into the living room, he was sitting on a sofa that had two shotguns sitting beside it. The in-home counselor tried to calm the probationer, who ran out of the house."

Rodney S. Wilkerson, Probation Officer  
10<sup>th</sup> District CSU, Appomattox

"When making a home visit with a probationer, the father became very angry with me. He positioned himself between me and the door and began shouting as he came within inches of my face. I was eventually able to de-escalate the situation long enough to get past the father and immediately leave the home."

Sue Ann Fitz, Probation Officer  
10<sup>th</sup> District CSU, Appomattox

"As a family counselor I was making a visit to the home of a couple and their five children. When I arrived the father, who was obviously drunk, was threatening his wife and holding a shotgun. He had previously been charged with domestic violence. After quite some time I was able to convince the father to let me take the wife and children and leave the house. Safe shelter for the wife and children for the night was found through the Department of Social Services."

Dianne D. Haley, LCSW – Probation Officer Senior  
15<sup>th</sup> District CSU, Fredericksburg

"C.H. was on probation for assaulting staff at a psychiatric facility when PO Reese Bull made a home visit to discuss a possible residential placement. During the visit C.H. became increasingly agitated, and left the home carrying a large knife. Mr. Bull attempted to call the Sheriff's Department. But C.H. had cut the phone lines at the home, his grandmother's nearby mobile home, and the small gas station next door. When the P.O. exited the rear of the gas station, C.H. confronted him, knife in hand. Thankfully, instead of attacking Mr. Bull, C.H. scaled an 8-foot chain link fence and ran into the woods."

Gary L. Conway, Director  
25<sup>th</sup> District CSU, Staunton

"During an office visit a juvenile left my office and went into the hallway, where he assaulted his stepfather. I had to physically intervene, placing myself between the juvenile and the stepfather and grabbing the juvenile by the wrists in order to get him to stop. If I had failed to intervene I believe the stepfather would have seriously harmed the juvenile."

Chuck Watts, Supervisor  
25<sup>th</sup> CSU, Staunton

"J.G. was a 17-year old probationer with multiple assault charges. He came to my office hostile and argumentative. I tried to get him out of the office and across the street when he began swinging. A prolonged physical altercation spilled out of the office, and J.G. was finally subdued in the middle of the street. J. G. was charged with assault and battery and sentenced to a year in jail. The judge stated, "Attacking a probation officer is pretty close to getting to a judge." "

Mark V. Crowley, Director  
20-L CSU, Loudoun

"The mother of two brothers I had on probation called me to the home because they were fighting. One was drunk, and began to assault the mother. The other brother and I intervened, at which point the drunk one picked up a piece of glass and threatened us both. When the police arrived he assaulted a police officer."

"I had a female probationer with a history of violence, and whose mother had once hit her in the head with a lamp. The probationer was non-compliant with probation, and eventually committed. The day after her appeal was denied, she called and said her brother would let me know what would be happening to me now that she had to "go to jail", and that I should watch my back. I asked her to repeat what she said, and she did. The mother called me the same day, saying if her daughter was going to be punished, so was I."

Michael B. Moore, Probation Officer  
2<sup>nd</sup> District CSU, Virginia Beach

"Two brothers I had on probation were acknowledged gang members who flashed gang signs during court hearings, stayed angry and used profanity during office appointments. They refused to sign probation rules or comply with their supervision responsibilities. Their mother blamed the court and probation officer for their legal problems, encouraged them in their attitudes and actions, and was once charged for using profanity in the courtroom. One of the sons was later convicted for unlawful wounding and received a prison sentence."

Martha Wilson, Probation Officer  
2<sup>nd</sup> District CSU, Virginia Beach

"I once made a home visit in a low-income project, and a group of young men, hanging-out and drinking, began their catcalls as I walked to the apartment. When I left after completing the visit, they resumed their comments, and one of them began following me and attempted to engage me in conversation. Once in my car I locked the door, but he came to the driver's side window and continued to try to get me to talk with him. I lowered the window just enough to tell him to move, but he wouldn't, in spite of repeated requests. When I started the car and began to leave, he fell to the ground, yelling that I had run over his foot. I was afraid to stop and get out, so drove to the police precinct and reported the incident. The police went to the scene, but the man wasn't there and his friends wouldn't tell them anything."

Joyce Wingate, Supervisor  
2<sup>nd</sup> District CSU, Virginia Beach

"B.C.'s appointments were made late in the afternoon to accommodate his mother's work schedule, and sometimes ran after 5:00 pm. During one such meeting he showed up alone. We were discussing his substance abuse and I could tell he was

getting agitated. He picked up a heavy glass paper weight that was on the edge of the desk and began staring at it. I felt very uncomfortable wondering what he was thinking, especially given the substances he was abusing (methamphetamine, crack cocaine). After that I always made sure another PO was in the building when he had an appointment.”

Karen Anders, Probation Officer  
27<sup>th</sup> District CSU, Pulaski

“I visited A.S. in detention, where the court had placed her for being in violation of her probation rules by running away from home again. While talking with her about a possible residential placement, she became angry and kicked a table into my ribs, which stayed sore for days. Two of the detention staff had to restrain her.”

Percy White, Probation Officer  
18<sup>th</sup> District CSU, Alexandria

“A detention order for violation of probation had been outstanding for several weeks on T.J., when I saw him at the mall and called the police. I then engaged T.J. in conversation, and began walking with him to the front of the mall. When he saw the police car entering the mall parking lot, T.J. hit me in the lower jaw with a small peanut butter jar in his fist. The blow stunned me and split open my lower jaw, requiring several stitches. T.J. was eventually arrested, found guilty of assault and committed. I have worn a beard for 31 years to cover the scars on my face.”

Ronald W. Belay, Director  
29<sup>th</sup> District CSU, Pearisburg

“PO Marcus Tucker was stopped at an intersection, when a man standing in a nearby yard noticed the logo on the City vehicle. The man approached the car, proceeded to bash the side and taillight with a baseball bat, and told Tucker to “get the f \_ \_ k out of here” Tucker drove down the street a short distance, stopped and got out to look at the damage. Then the man began walking down the street toward him in a menacing manner. The man finally left when he saw Tucker get back in and call police on the car phone.”

Shelia L. Palmer, Parole Supervisor  
13<sup>th</sup> District CSU, Richmond

“I was making a home visit in a project, and when I got out of my car, heard gunshots. I looked up and a gunfight was going on between two males. I immediately jumped under my car, and finally left the neighborhood some time after the shooting stopped and I felt it was safe.”

“Accompanied by another PO, I made a random home visit in a State vehicle. When we arrived there was a drug transaction going on in front of the apartment. We didn’t want to get out of the marked car during the deal, so waited until it was completed and the people had left the area.”

Gina Burton, Probation Supervisor  
1<sup>st</sup> District CSU, Chesapeake

“Mr L, both of whose sons were on probation, came to my office unannounced late one afternoon when I was the only person in the building. He was very upset about having to pay for his sons’ sex offender treatment. Mr. L became belligerent and began making verbal threats towards ‘the court system.’ He approached me, stood over my desk and continued to yell and make threats. He left only after I told him I would call the Sheriff’s Department if he did not leave voluntarily.”

Janie F. Schu, Probation Officer  
26<sup>th</sup> District CSU, Winchester

“I made a home visit to J.W., and confronted him about being suspended from school and being found by the police in a trailer park he had been told to stay away from. J. W. got very angry and told me to get out of his “f \_ \_ \_ \_ \_ g” house, and that I couldn’t tell him who he could hang around with or where he could go and not go. I tried to speak with J.W. in an appropriate tone with the mother present, but there was no reasoning with J.W. I told the mother that I was leaving and the next appointment would be in my office.”

Kimberly P. Lee, Probation Officer  
27<sup>th</sup> District CSU, Pulaski

“I was supervising D.H., who consistently tested positive for illegal drugs. As a result I told him that if he tested positive again I would have to take action, which meant a violation petition and detention. I was contacted by the mother’s boyfriend on the day I was scheduled to test D.H. again, who told me that D.H. was carrying a gun, had threatened him with it, and was very frustrated with me. I postponed the scheduled drug test.”

Kelly Tyree, Probation/Parole Officer  
16<sup>th</sup> District CSU, Charlottesville

"I was making a supervision visit to the home of a 16-year old probationer, and confronted him about his school absences. He became angry, approached me with a raised fist and demanded that I leave. I did."

Elizabeth VanHout, Probation Officer  
5<sup>th</sup> District CSU, Suffolk

"Serious incidents have occurred at our field offices in Norfolk. Two probationers were at the Little Creek office to see their probation officer, and while sitting in the waiting area decided to carry out a carjacking. They left the office and carried out the plan in the office parking lot. The police told us later that both had loaded weapons on them at the time of the office visit.

A shooting occurred in the parking lot of the Huntersville Office during working hours. It started with an argument between two juveniles who were there for appointments with their probation officers, then escalated and moved outside. Probation staff called the police and tried to defuse the situation while waiting for police to arrive, but one juvenile was severely beaten before he drew a weapon and began shooting randomly at anyone nearby."

Nadine Whitley, Probation Officer  
4<sup>th</sup> District CSU, Norfolk

"During a home visit . . . and after informing the parents of a juvenile that a violation of probation would have to be filed . . . the stepfather got verbally abusive, balled up his fist , approached me and threatened to kick my \_ \_ \_ . The mother distracted him long enough for me to leave safely."

Tyrone Hash, Probation Officer  
27<sup>th</sup> District CSU, Pulaski

"I made a supervision visit to the home of A.M., a 17-year old who had been on probation off and on for three years and in a residential substance abuse treatment program for 3 months, but continued to have a serious drug problem. After observing marijuana seeds in the home the police were called. They searched A.M.'s bedroom and discovered the makings of a meth lab. The residence was ordered evacuated by the police, and the hazmat team called in to search the residence and clean up possibly toxic chemicals. A.M. is currently awaiting trial for production of methamphetamine."

Greg Harrison, Probation Officer  
28<sup>th</sup> District CSU, Abingdon

"I was summoned to a home by a parent, requesting help in dealing with family problems. While I was trying to help the family work through the situation, the juvenile involved went into the kitchen and returned wielding a steak knife. I departed the home immediately and contacted the police department for assistance."

Michael Mackey, Probation Officer Senior  
18<sup>th</sup> District CSU, Alexandria

### **Commitment and Parole**

When a juvenile's instant offense(s), prior record and/or failure to respond to probation make commitment to the Department of Juvenile Justice necessary, juvenile probation's job continues. Besides forwarding copies of the many pages of CSU and court file information to the Reception and Diagnostic Center, the probation officer or newly-assigned parole officer must also (1.) promptly forward recommendations for treatment during the juvenile's institutional stay, (2.) designate the juvenile's eventual parole placement, and state what will be done to accomplish it, (3.) collect and forward information used to secure child support from the parent(s), and (4.) begin developing the five components of the juvenile's "Parole Supervision and Family Involvement Plan".

Direct contacts with the parent(s) and juvenile continue throughout the period of commitment; once/month minimum for the parents, and at least once every 90 days while the juvenile is at the juvenile correctional center (JCC). As are detention visits, JCC visits are unshielded contact visits. The supervision frequency of parolees is based on their Risk Classification, with High Risk parolees supervised more intensively than Low Risk parolees. Minimum periods of supervision are based on Risk Classification, offense history, and adjustment to parole.

The potential risks of harm begin with commitment, and continue through the JCC stay and parole.

### **Commitment and Parole Threats**

"After I recommended it and the court committed P.M. to the Department of Juvenile Justice, the girl's father said to me, in the presence of the bailiff, "I know where you live and I'm going to get you." The bailiff reported the incident to the judge, who immediately called a meeting with the Commonwealth's Attorney and defense attorney. He issued a bench warrant to return the father to the courtroom, where he was strongly warned that if anything happened to me or my property, he would be the primary focus of the ensuing investigation."

Curt More, Probation Supervisor  
5<sup>th</sup> District CSU, Isle of Wight

"I visited R.T. in detention, and let him know I would be recommending commitment. He became very angry, picked up a chair and started to throw it at me. A staff member was able to stop him."

Katherine A. Grimm, Probation Supervisor  
3<sup>rd</sup> District CSU, Portsmouth

"A youth I was supervising came to court for disposition and I met with him as required to discuss my recommendations in the pre-disposition report. I was recommending commitment. The youth became highly-agitated and made threatening comments. He went into court, was committed and led away by police officers. We received a call back at the court minutes later that upon doing a search of the youth, he had a loaded .25 caliber pistol in the sleeve of his jacket, with a bullet in the chamber."

Dennis Laughlin, Probation Officer  
24<sup>th</sup> District CSU, Rustburg

"I was talking with S.T. through the bars of the Waynesboro jail cell, where he was being held prior to court. I informed him that he had exhausted all alternatives, and I would be recommending he be committed for the third time, for his fifth violation of parole. He immediately tensed up, clenched his fists and shouted, "You don't know who the f \_ \_ k you're dealing with!" Instead of commitment, however, the judge decided to release S.T. from parole, and warned him that he would be treated as an adult for any later charges. He was. Five months later, during a gang-related incident, he murdered someone by stabbing them 13 times. He is now serving a prison sentence of 25 years."

Kathleen M. Jenkins, Probation Officer  
25<sup>th</sup> District CSU, Staunton

"J.W.'s father met with me in the CSU office after J.W. was committed. The father was extremely angry and began cursing loudly, calling me such names as "Nazi Communist" and "f \_ \_ king bitch" He said he had no use for women, and never has. His face became very red and he began tapping his foot on the floor. I suggested he leave the office as the meeting was over. He refused. I repeated to the father that he needed to leave before doing something he would regret, but he continued to curse at me. He finally became quiet and stared at me briefly, then got up, tipped his chair over and left, saying, "You'll get yours one day." "

Cheri B. Wilhelm, Probation Officer  
25<sup>th</sup> District CSU, Staunton

"While visiting a committed youth at the juvenile correctional center, he came over a desk at me and his counselor. Uniformed correctional officers had to intervene to control the situation."

Michael B. Moore, Probation Officer  
2<sup>nd</sup> District CSU, Virginia Beach

"During a visit to committed youths at a juvenile correctional center, two were brought to the visiting room with handcuffs in front. Large padlocks, potential weapons in their own right, were hanging loosely from the cuffs. The correctional officer said, "Watch out for these boys . . . they're dangerous", then locked us in the visiting room with them."

Elizabeth VanHout, Probation Officer  
5<sup>th</sup> District CSU, Suffolk

"I filed a violation of parole on an 18-year old, and asked him to meet me at the Janaf Field Office. When he arrived, I called and asked the Police Department to come and pick him up on the violation. They were delayed approximately 1 hour. When they finally arrived, took him into custody and searched him, they found a loaded semi-automatic in his pocket, with a bullet in the chamber. When the police began their search, the parolee had his hand in the pocket where the gun was found."

Greg Smith, Intensive Parole Officer  
4<sup>th</sup> District CSU, Norfolk

"P.O. Goforth testified at a violation hearing regarding parolee A.C. He was in custody, and she recommended he be kept there. She heard him mutter something when walking past him from the witness stand. Deputies later overheard him say he was going to kill her if he saw her on the street. He was charged with assault by threat, but the judge ruled that the evidence was insufficient to support the charge."

Rodney C. Hubbard, Director  
23-A CSU, Roanoke

"PO Tonya White was visiting the home of L.B., a 17-year old parolee who had twice been committed, regarding his late hours and failure to attend school. During the conversation in the kitchen L.B. became argumentative, took a large knife from a drawer and held it in a threatening manner while blocking PO White's exit from the home. L.B.'s mother intervened and got him away from the door long enough for PO White to leave the house. But L.B. followed her to the car, where he continued to make threatening gestures with the knife, holding the car door open so she could not close it. PO White spoke to L.B. in a calming manner, started the car and gently eased away. L.B. was certified to stand trial as an adult on two counts of abduction. He was sentenced to the Youthful Offender Program, with seven years suspended and seven years parole."

William Harrell, Director  
5<sup>th</sup> District CSU, Suffolk

"J.Y. was on parole, and a petition for assault and battery had been filed against him. I was also told he had a firearm and had possibly shot at someone the day before. He came into my office, at which time the Sheriff's Department took him into custody on the detention order for the A&B. He became belligerent and accused me of setting him up. After being released and pending adjudication, he was charged with a second assault and battery. When I informed him of the second charge he began arguing with me, flailing his arms around and accused me of setting him up. When the Sheriff's Department heard his shouting, they rushed in. It took three deputies to get him to a holding cell."

Sue Anne P. Fitz, Probation Officer  
10<sup>th</sup> District CSU, Appomattox

"While making a JCC visit to see several committed youth, a fight broke out between three juveniles in the visiting room. Until correctional officers arrived minutes later to break up the fight, I was pinned against the wall and unable to get out."

Gina Burton, Probation Supervisor  
1<sup>st</sup> District CSU, Chesapeake

"I supervised a 17-year old parolee who had absconded, and on whom I had issued a Violation of Parole petition and detention order. When picked up, he admitted that he and two other juveniles previously on my caseload knew where I lived, had been to my house in costume on Halloween, and they had driven by my home many times while on the run. He described in detail my home and its location, our vehicles, dog, and described my two children. The vehicle that he and his two friends had been in matched the description of one seen parked in front of my house one morning. The three had also tried to locate another PO's home, but were unsuccessful. The parolee's intentions were unclear, but hearing of his actions motivated us to purchase a surveillance system for our home."

Kathleen M. Jenkins, Probation Officer Senior

25<sup>th</sup> District CSU, Staunton

"I testified in court regarding a violation of parole petition I had filed against B.L. He received a jail sentence as a result. B.L.'s mother cursed and lunged at me in the courtroom, but was restrained by deputies."

Ann O'Neill, Parole Officer  
2<sup>nd</sup> District CSU, Virginia Beach

"I was assigned the commitment case of D.M., who had been reclassified and transferred to Beaumont Juvenile Correctional Center due to increasingly threatening behavior. While in direct care he was written up for more than 100 offenses. He was sexually inappropriate, oppositional, verbally aggressive, impulsive, assaultive, and used his size to intimidate others. I informed my supervisor that when D.M. was released on parole I would only meet with him in the relative safety of the court building, and with a coworker present."

Cathy Lloyd, Parole Officer  
2<sup>nd</sup> District CSU, Virginia Beach

"I made an unsuccessful attempt to do a phone curfew check on a parolee who was an acknowledged member of MS-13. I then went to the parents' restaurant to ask how to contact him. As I walked to the kitchen/bar area to talk to the parents, one of the 30-40 patrons unplugged the juke box, locked the door, and all conversation ceased. When I had finished talking with the parents and began to leave, the juke box was plugged back in, but the youth who had locked the door followed me into the parking lot"

Tom Moger, Intensive Parole Officer  
15<sup>th</sup> District CSU, Fredericksburg

"I was in court when R.W., an admitted leader of the local Crip set, was sentenced to some detention time. At 16 years of age, he was 6'2" and 210 lbs. After sentencing he was led from the courtroom to the holding room, without handcuffs or shackles. His parents, the bailiff and I were also in the holding room. R.W. was extremely upset at a police officer who was standing in the doorway and became increasingly belligerent toward the officer, balling up his fist, cussing and visibly shaking due to the level of his anger. The bailiff and parents did nothing, and at 5'3" and 127 lbs., I had to intervene. I had the parents and bailiff leave the room, shut the door, stood in front of it and began calming down R.W. He eventually regained his composure, the bailiff returned and put him in handcuffs."

Kimberly Koeppen, Parole Officer  
25<sup>th</sup> District CSU, Staunton

### **Juvenile Offenders' Offense and Problem Profiles**

There is a wealth of statistical information regarding juvenile crime in Virginia and the Department of Juvenile Justice's work. A limited number of citations support the points of this report.

During 2003 and 2004, and while comprising 24.6% of Virginia's population, juveniles under age 18 accounted for:

	<u>2003</u>	<u>2004</u>
• violent criminal offenses	38%	38.7%
• burglaries	34%	33.2%
• motor vehicle thefts	30.8%	32.5%

*[Virginia Uniform Crime Reporting Program, Virginia State Police]*

Within the Department of Juvenile Justice, and according to DJJ's Data Resource Guide for FY2004, the offense categories of juveniles arriving at the major points of the juvenile justice system during that period were as follows:

	<u>Intake</u>	<u>New Probation Cases</u>	<u>Pre-D Detention</u>	<u>Commitment</u>
Felonies:				
- Against persons	5.0%	8.9%	14.2%	32.7%
- Weapon/Narcotic	2.0%	4.1%	4.5%	9.4%
- Other	10.0%	19.1%	16.9%	32.3%
Class 1 Misdemeanors:				
- Against persons	16.1%	20.3%	14.4%	11.2%
- Other	26.0%	27.0%	13.9%	8.6%
Numerical Statewide Totals:				
	66,483	7,634	12,698	1,053

Among the observations supported by the above data:

- juveniles commit a disproportionate share of the State's serious crime;
- the juvenile justice process winnows-out less serious cases at each step, increasing the percentage of more serious offenders found in probation, commitment and parole caseloads;
- 79.4% of new juvenile probation cases were for felonies or Class 1 Misdemeanor offenses;
- 74.4% of commitment cases . . . the overwhelming majority of which will become supervised parole cases<sup>6</sup> . . . were felony offenses;
- contrary to any notion that "juvenile probation officers deal primarily with truants and runaways", the majority of their work is with criminal offenders.

Since jurisdiction over a juvenile offender can extend until age 21, many of the population under care are adults. Those under supervision or in care who became 18 years old in FY2005 were as follows:<sup>7</sup>

<u>Status</u>	<u>Number Turning 18</u>
Probation	2771

Parole	781
Committed	662
Total	4,214

Complete Statewide data on the disabilities and problem characteristics of juvenile probationers is lacking, but some inferences may be drawn from information on the committed population. According to DJJ's Data Resource Guide for FY2004, those juveniles had histories as follows:

<u>Psychotropic Medication Use</u>		<u>Identified Mental Health Needs</u>	
Males	70.8%	Males	64.0%
Females	55.1%	Females	45.8%

Also during FY2004, admissions by treatment needs were:

<u>Anger Management</u>		<u>Substance Abuse</u>	
Mandatory	61.1%	Mandatory	42.5%
Recommended	23.6%	Recommended	26.8%

The Department of Juvenile Justice's Profiles of Incarcerated Adolescents in Virginia's Juvenile Correctional Centers: Fiscal Years 1999-2003, reports the following indicators among committed admissions over the five-year period:

	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
History of psychiatric hospitalization	22.1%	22.2%	29.4%	31.0%	24.5%
Marijuana use	68.7%	63.2%	65.8%	67.7%	64.8%
Heroin use	4.0%	3.2%	3.6%	7.6%	16.3%
Cocaine use	11.6%	11.0%	9.9%	14.7%	22.7%
Crack cocaine use	5.8%	5.3%	3.5%	7.8%	16.5%

Comparable information on probation-only cases is lacking. But since most committed cases were once part of probation caseloads, and will return to the community on parole, the above provide strong indicators regarding the problems found in the caseloads of juvenile probation officers.

Finally, medical research has linked the limitations of youthful decision-making to the brain's continued maturation through adolescence and into the 20's. "The prefrontal cortex, which is responsible for complex thinking, is the largest section of the brain, the slowest to develop, and undergoes the most drastic changes during adolescence. It allows the mind to organize, perform abstract thinking, prioritize, anticipate consequences, control impulses and conform behavior accordingly. Biologically, adolescents do not have the same abilities as adults to control their actions and make sound decisions"<sup>8</sup> Whatever position is taken from this on the legal culpability of juvenile offenders, the research establishes an additional source of risk for the juvenile probation officer.

### **Job Stress and Career Orientation**

According to the National Institute of Justice, "Probation and parole officers . . . can experience a great deal of job-related stress. Moreover, levels of stress may have increased in recent years, due in part to greater violence by offenders on probation and parole. The major sources of stress for community corrections officers are high caseloads, excess paperwork, and deadline pressures."<sup>9</sup> Among Virginia's juvenile probation officers, *workload* is probably as great a source of stress as *caseload*. The many roles that are part of the job, the complexities and accountabilities of each, require a range of knowledge and an ability to transition that are unique among public safety officials. Acting as magistrates, hearing officers, investigators, diagnosticians, case planners, counselors, drug screeners, monitors, mediators, court assistants, enforcers, service brokers, funds applicants, data-entry clerks, records-keepers . . . and as necessary, adversarial witnesses against the youths they supervise . . . juvenile probation officers have many sources of job-related stress.

Retaining capable and valuable juvenile probation officers is a developing concern among court service units. In FY2004 the voluntary resignation rate was 5.25%; in FY2005, 6.7%. The percentage of voluntary resignations among those with less than 10 years of service increased from 4.1% in FY2004, to 5.4% in FY2005.<sup>10</sup> The CSU supervisors who hire, orient and train new probation officers, and the juvenile court judges who depend on them, are losing many with the potential to become valuable career employees. The generally agreed causes are job demands and stress, together with inadequate starting pay and career compensation. Not without significance, some of the losses are to

adult probation; within the memory of the 32 surveyed CSU's, 62 probation officers had transferred to adult probation, with only 6 transferring to the CSU from the adult side. Long term data is needed for firm conclusions, but it seems that most who survive and learn to cope with the job's stresses, demands and limitations adopt a career orientation. An equally valid point is that valuable experience and future potential is being lost to early-career resignations. An early retirement option could enhance the retention of early-career staff, and allow career employees to retire before their ability to cope and communicate with an increasingly younger clientele begin to diminish.

### **Summary**

Juvenile probation officers are Virginia public safety officials whose work is primarily with juvenile as well as adult criminal offenders. The many aspects and activities of the job expose them to risk of harm from clients, cohorts, families, unsafe environments and emotionally-charged situations. The personal experiences of many probation officers attest to these dangers. Juvenile probation officers have the same job duties as VaLORS-included adult probation officers; supervise before and after their incarceration the same offenders as VaLORS-included juvenile correctional officers; carry State badges, and are subject to 160-hour Fair Labor Standards Act work schedules. The State's Job Organization Structure makes no distinction between adult vs. juvenile probation officers. Their line of duty responsibilities and the associated risks of harm and stress qualify juvenile probation officers for the Virginia Law Officers Retirement System.

### **Conclusion**

The Virginia Juvenile Justice Association and the Virginia Court Service Unit Directors Association respectfully request that the House Appropriations Committee and the Senate Finance Committee, and by extension the 2006 Virginia General Assembly, approve and forward submitted bills adding juvenile probation officers to the Virginia Law Officers Retirement System.

## *Notes*

<sup>1</sup> Total juvenile intake complaints, and Felony + Class 1 Misdemeanor offenses over the past four years were as follows:

	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>
Intake Complaints	89,842	93,685	90,001	91,544
Felony + Class 1 Misdemeanors	53,645	53,531	51,558	57,614

*[from DJJ Data Resource Guides]*

<sup>2</sup> Total domestic relations complaints dropped from 127,612 in FY2003, to 103,681 in FY2004. However, spousal/family abuse offenses have continued to hold steady as follows:

FY2000	15,596
FY2001	14,834
FY2002	15,849
FY2003	15,695
FY2004	15,448

*[from DJJ Data Resource Guides]*

<sup>3</sup> The relationship may be with an individual officer who, after having reported information or made decisions resulting in consequences, temporary confinement or even commitment of the juvenile, continues to carry the case. A June 2005 survey among the 32 State court service units determined that 499 of the 589 PO's included had two or more of the job duties of intake, investigations, probation and parole. Juvenile PO's in many rural Districts have all four.

<sup>4</sup> Visits in both detention and juvenile correctional centers are contact visits, conducted without barriers or shielding in counseling rooms, offices, classrooms or similar spaces.

<sup>5</sup> *from* Lindsey P. Thomason, Research Analyst, Research and Evaluation Section, Department of Juvenile Justice, 6-10-05

<sup>6</sup> "Blended sentenced" juveniles (16.1-272 State Code) are those committed by Circuit Court to juvenile correctional centers, and released to adult parole supervision after serving their sentences. They are a small number of the total commitments and parolees.

In FY2004 there were fifteen (15) such commitments out of 1,053 total; in FY2005, five (5) of 954. No blended-sentenced juvenile was paroled during either year. [Lindsey P. Thomason]

7 Lindsey P. Thomason

*Notes (contd.)*

8 Website of the Southern Juvenile Defender Center, quoting "Adolescent Brain Development and Legal Culpability", American Bar Association, Criminal Justice Section, Spring 2003.

9 "Stress Among Probation and Parole Officers and What Can Be Done About It", June 2005.

10 From a spreadsheet provided by R. Tyrone Jackson, DJJ Human Resource Director, "Probation Officer Separations FY04/05". Based on a funded total of 704 positions.

*Appendix A*

Juvenile Probation Officer Job Duties

*Appendix A (continued)*

Adult Probation Officer Job Duties

## *Appendix B*

“Probation and Parole Services #69090  
Occupational Family: Public Safety  
Pay Band Range 4-6”  
(3 pgs from DHRM Manual)