

After prison, rules must be followed, enforced

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Detore Brown's future hinged on a chemical reaction taking place on a small strip of plastic in front of him. If he was nervous, he didn't show it.

He slouched in the hallway watching his probation and parole officer test his urine sample. The 24-year-old was wearing baggy jean shorts, a polo shirt and a baseball cap. His demeanor was as casual as his dress.

"Have you used anything?" asked Nicole Peyton, the officer conducting the test.

"No. I smoked some weed, that's all," Brown said, as if marijuana didn't count. The test confirmed marijuana use, but it also found he had used cocaine.

He first tried denying it, then he tried to justify himself. He said he was coping with the death of his best friend, shot two days earlier.

Peyton wasn't having any of it. "You've got to focus on the positive," she told him. "Using drugs means you've got to go into a substance-abuse treatment program."

Brown whined: "I'm trying to focus, to work, trying to do programs and it's hard. It's just so darn hard."

Peyton hears it often. And she concedes there are many rules to follow and requirements to meet for a parolee or probationer.

"I won't say that it's easy. But I tell them that there's a need for [all the rules]. In the long run, we're trying to do something that will be beneficial to them.

"I like to think I'm firm, but I'm not adversarial."

Brown was released after 15 months for two misdemeanor assault-and-battery charges and driving with a suspended license. As of last week, he had failed to follow through on his drug-abuse treatment and had missed a scheduled meeting with Peyton. She has filed a violation report against him.

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Peyton and her more than 630 colleagues in Virginia are on the front lines of the criminal-justice system, supervising more than 47,000 former inmates, many of them just out of prison.

In a given month, Peyton meets with nearly 100 offenders, conducts 30 drug tests, gains nine to 10 cases and loses four to five cases. On any given day she will speak with five or six offenders on the telephone.

Peyton said she does not seek to reimprison violators for minor infractions and works hard to turn around the ones who make an effort.

Failed urine tests and refusing to meet with her are the main reasons she seeks to revoke parole or probation in about a half-dozen cases a month. Statewide, there are about 6,300 revocations a year.

She said she tries to keep violators out of prison or jail "if I really think the person will benefit from drug court or in-patient treatment."

Peyton has 101 men and women on her caseload. Not too long ago, it was around 130 or 140.

Colleague Suzanne Tarr said it is increasingly difficult to spend much time on every case because, among other reasons, caseloads are growing, despite Peyton's recent experience.

Tarr said that when she was trained in 1992, she was told the average caseload was 65 to 80 offenders. Now the average is 100 to 150, "and that's probably on the low side."

Tarr, speaking as the president of the Virginia Probation and Parole Association and not as an officer, said that over the past 10 to 15 years, parole officers have been dealing with more and more violent offenders, sex offenders and substance-abusing offenders.

At the same time, Tarr said, staff has been lost. With \$6 million cut from probation and parole appropriations in fiscal years 2000, 2001 and 2002, 46 clerical and 16 supervisor positions were lost.

The loss of clerical staff means officers spend more time typing and less watching offenders, while the loss of supervisors means less efficient offices and poorer training, Tarr said.

She also said that officers did not get a pay raise from December 1999 to December 2003, prompting some to leave.

"We no longer have the time to spend on individual offenders," she said. "We spend most of our time putting out fires."

Tarr also noted that guidelines went into effect July 1 that could make it more difficult to lock up "technical violators," those probationers or parolees who break rules, not laws.

Under the guidelines, points are assigned for different types of violations and for the initial type of crime. Whether a technical violator is sent to prison or given an alternative punishment depends on the number of points scored.

"Technical violators are not just nonviolent offenders. Many of them are the violent and sex offenders that the general public worries about," she said. Some might not belong behind bars, but "at this point, we do not have the types of [alternative] programs that would benefit technical violators."

Barry Green, Virginia's deputy secretary of public safety, said, "Realistically, even if money were flush, you just don't get as much [programs] as people would like to have."

He said he believes more money will be found in coming years to deal with the new guidelines and future changes that would divert many technical offenders from prison to alternative programs.

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In Virginia, as in many other states, the primary duty of probation and parole officers is public safety. They also must work to help their clients re-enter society.

Carl A. Wicklund, executive director of the American Probation and Parole Association, said offenders under parole or probation supervision and support do better than those who are not under supervision - some inmates are not released early and finish out their sentences with little, if any, parole or probation time hanging over them.

But, he said, "if you have probation and parole officers who see their sole purpose as tailing them, nailing them and jailing them, they might be better off without supervision."

Peyton has been a probation and parole officer for five years. Her job involves a blizzard of paperwork generated by dozens of laws, policies and regulations developed over decades.

She works in Adult Probation & Parole District 1, which serves the city of Richmond and is the largest of 43 districts in the state. District 1 supervises 3,000 felony offenders.

Most of the offenders are supervised by 24 officers. Hundreds of cases are closed or opened each month.

Most of Peyton's clients are drug offenders.

Latasha Allspice, 41, has had a drug problem since she was 13. She is meeting with Peyton for the first time.

Allspice has been in and out of prison for years and was shot once, in 1984. She had just been released from the Fluvanna Correctional Center for Women.

Once she passed her urine screening, the first priorities were to see that she had a job, a suitable place to live and some adequate identification because she did not have a driver's license.

"It's a struggle," she said, to stay drug-free. "I was smiling when I did my urine test. I knew my urine's clean."

This story can be found at:

http://www.timesdispatch.com/servlet/Satellite?pagename=RTD/MGArticle/RTD_BasicArticle&c=MGArticle&cid=1031777024187