



GEORGIA DEPARTMENT OF
COMMUNITY SUPERVISION
— WHERE PUBLIC SAFETY AND PROGRESS MEET —

Misdemeanor Probation Oversight Unit (MPOU) Department of Community Supervision



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DCS Mission

As an integral part of the criminal justice system, we protect and serve all Georgia citizens through effective and efficient offender supervision in our communities, while providing opportunities for successful outcomes.



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Formation of DCS and MPOU

July 2015 legislation passed to form the Department of Community Supervision combining Parole and Corrections within the supervision portion of each agency.

July 2016 legislation passed to allow authority of Oversight unit with the DCS Board to promulgate rules.

Feb 2017 DCS Board rules adopted.



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Misdemeanor Probation Oversight

Governs misdemeanor probation providers in the state of Georgia to ensure compliance with Georgia statutes and Board rules and regulations. Tasked with reviewing the uniform professional standards and contract standards of misdemeanor probation, promulgating rules, registering providers, and registering private and governmental probation officers.



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Organizational Structure (MPOU)

Barbara Neville, Director

Shevondah Leslie, Staff Director

Aura Russell, Compliance Monitor/Board Liaison

Lisa Ashburn, Program Analyst

La Donna Varner Burney, Compliance Monitor

Thedora Dorsey, Compliance Monitor

Timothy Flowers, Compliance Monitor

Jemma Holloway, Compliance Monitor

John Coars, Compliance Monitor

Tim Lewis- Training Coordinator



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DCS Board Rules of Interest to the Courts

102-2-.08	Service Agreements
105-2-.11	General Probation Responsibilities
105-2-.13	Probation Entity Reports
105-2-.15	Money Collection
105-2-.11	“High Liability”



DCS Board Rules of Interest to the Courts

102-2-.08 Service Agreements.

11. Default and contract termination procedures with specific expiration date not to exceed 5 years unless authorized by statute; and

12. (b) Service agreements are required to meet the standards by January 1, 2018.



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DCS Board Rules of Interest to the Courts

105-2-.11 General Probation Responsibilities. In addition to meeting all other requirements, probation entities and individuals are responsible for the following:

(c) Prohibiting the solicitation of probationers for insurance, legal services, bail bonds, specific clinical evaluations or treatment providers, or any other product or service;

(d) Ensuring the quality of case management, case notes, case status, special conditions, and execution of all court orders in a professional and timely manner;



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DCS Board Rules of Interest to the Courts

105-2-.11 General Probation Responsibilities. (Cont'd)

(e) Being accountable to the court in reporting the status of probation cases assigned to the probation entity for supervision;

(f) Prohibiting solicitation, and/or the requirement for advanced payment of probation supervision fees;



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DCS Board Rules of Interest to the Courts

105-2-.13 Probation Entity Reports. All probation entities shall provide the Judge and MPOU with a quarterly probation entity activity report in such detail as the judge and MPOU may require.

2. (b) The quarterly reports shall include the following:

- 1. Number of probationers under supervision;**
- 2. The amount of fines, statutory surcharges, and restitution collected;**



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DCS Board Rules of Interest to the Courts

105-2-.13 Probation Entity Reports. (Cont'd)

3. The amount of fees collected and the nature of such fees, including probation supervision fees;
4. Rehabilitation programming fees;
5. Electronic monitoring fees;
6. Drug or alcohol detection device fees;
7. Substance abuse or mental health evaluation or treatment fees if such services are provided directly or otherwise to the extent such

fees are known.



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DCS Board Rules of Interest to the Courts

105-2-.13 Probation Entity Reports. (Cont'd)

8. Drug testing fees;
9. The number of community service hours performed by probationers under supervision;
10. A listing of any other service for which a probationer was required to pay to attend;
11. The number of probationers for whom supervision or rehabilitation has been terminated and the reason for the termination



DCS Board Rules of Interest to the Courts

105-2-.13 Probation Entity Reports. (Cont'd)

- 12. The number of warrants issued during the quarter and;
- 13. These reports shall be in such detail as MPOU may require.



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DCS Board Rules of Interest to the Courts

105-2-.15 Money Collection. No probation entity or individual shall assess or collect from a probationer or disburse any funds, except as authorized by written order of the court, as authorized by the written service agreement, or as required by State law.

(a) A current schedule of all probation fees, authorized through a service agreement, must be filed by the probation entity with MPOU and comply with applicable laws and rules.



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DCS Board Rules of Interest to the Courts

105-2-.15 Money Collection. (Cont'd)

(d) No probation entity or individual shall require collection of probation supervision fees prior to providing services.



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DCS Board Rules of Interest to the Courts

105-2-.11 Pay only cases

(h) Abiding by statute in reference to pay only cases per O.C.G.A. §42-8-103

(If pay only is imposed, the supervision fee is capped at 3 months and terminated upon payment (30 days) or issue order stating why sentence shall continue. If pay only is converted to community service, supervision fees may be reinstated)



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DCS Board Rules of Interest to the Courts

105-2-.11 Tolling

(j) Abiding by statute in reference to the tolling of misdemeanor sentences per O.C.G.A. §42-8-105

(Probationer has failed to report at least two occasions, Officer must show proof that contact was initiated on several occasions, jails were checked, and first class mail sent to last known address; an affidavit must be completed and court may toll, upon discretion, effective the date of Judge's signature)



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DCS Board Rules of Interest to the Courts

105-2-.11 Indigent Offenders

(g) Abiding by statute in reference to treatment of indigent probationers and revocation requirements per O.C.G.A. §42-8-102

(In determining the financial obligations, other than restitution, the court may consider: financial resources, earnings, other financial obligations, sentence length, goal of punishment, and other factors deemed appropriate. Probation may not be revoked, absent a waiver, solely for failure to pay; unless deemed willful by the court)



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DCS Board Rules of Interest to the Courts

105-2-.11

(i) Abiding by statute in reference to consecutive misdemeanor sentences per O.C.G.A. §42-8-103.1

(All consecutive cases shall be reviewed after the first 12 months and every 4 months thereafter. If all conditions have been met, the probation officer shall submit an order to the court with termination recommendation)



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Compliance Audit Process



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Phase One:
Audit Letter

Internal discussion of
Findings

Deadlines and
Compliance



Phase Two:
Case Management
Review

On site discussion with
Firm of Findings

Final Report
to Provider
and Judge



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Administrative Compliance Phase

During this phase, the monitor request and review the following information for each entity:

- Court Service Agreement/Contracts and any addenda for which the entity provides misdemeanor probation services (this will be discussed later in further detail)
- List of current employees
- Probation Cases list(s) from the selected court(s)
- Probationers' Case Files



Onsite Compliance Phase

During this compliance phase, the compliance monitor and the secondary monitor will meet with entity director and probation officer supervisor to review and discuss:

- Current Employee files
- Court Service Agreements/Contracts and addenda
- Probationers' Files (as needed)
- Probation case management findings and recommendations



Preliminary Findings

A copy of the audit guide including preliminary findings, recommendations, best practices and the contract review, are provided to the entity director during the onsite compliance visit.

The entity director is encouraged to provide responses to those findings and recommendations.



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Final Audit Report

Once the compliance monitor receives all responses, the monitor will review the responses and contact the director (if applicable) before the final audit report is released.

The final audit is distributed to the Probation Director and the listed Judge for all contracting courts.



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Misdemeanor Probation Webpage

<https://sites.google.com/a/dcs.ga.gov/departments-of-community-supervision2/>

This can also be found under the DCS webpage under Misdemeanor Probation Oversight.



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Contact Us

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Questions?



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