

Probation and Parole 101

HOW DOES A PERSON ENTER
THE CRIMINAL JUSTICE SYSTEM
in MISSOURI?

WHAT HAPPENS FIRST

- 1) PERSON IS ARRESTED AND CHARGED.
- 2) PERSON PLEADS GUILTY, FOUND GUILTY,
OR AQUITTED.
- 3) IF FOUND GUILTY OF A FELONY:
 - E FELONY – 4 YEARS
 - D FELONY – 7 YEARS
 - C FELONY – 3 to 10 YEARS
 - B FELONY – 5 to 15 YEARS
 - A FELONY – 10 to 30 YEARS (or life)

Minimum Sentences (RSMO 558.019.1)

Prior to being considered for parole or conditional
release the following minimum sentences apply.

- 1 prior commitment(s) -
40%
- 2 prior commitment(s) -
50%
- 3 prior commitment(s) -
80%
- Violent Felonies -

PROBATION SENTENCES

Suspended Imposition of Sentence (SIS)

- No sentence imposed (no back-up)
- No record of conviction after probation
- Up to 5 year term of probation to serve
- Judge can impose the full sentence if revoked

Suspended Execution of Sentence (SES)

- Sentence Imposed but suspended (back-up)
- Record of conviction after probation
- Up to 5 year term of probation to serve
- Judge can impose the back-up if revoked

Exclusions

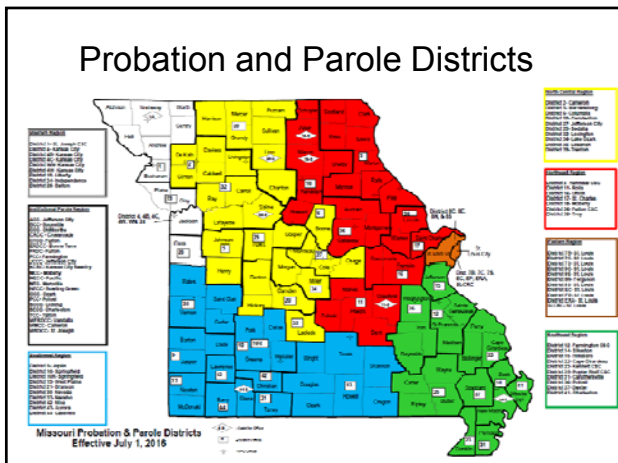
- Only certain misdemeanors are supervised.

For example Assault 4th, Domestic Assault 4th, some sexual offenses etc. IAW RSMO 217.750

- Some felonies are not eligible for probation.

For example are Capital Murder, Child Molestation 1st Degree, or Force-able Rape/Attempted Force-able Rape etc. IAW RSMO 566.030

Probation and Parole Districts



Judicial Circuits



Rules of Supervision (Probation or Parole)

- #1 LAWS – Report arrests to P&P
- #2 TRAVEL – Request permission to travel (Instate / out of state)
- #3 RESIDENCY – Report current address
- #4 EMPLOYMENT – Must remain employed
- #5 ASSOCIATION – Request permission
- #6 DRUGS – Possess or use of Drugs

Rules of Supervision (Cont.)

- #7 WEAPONS – Cannot possess
- #8 REPORTING/DIRECTIVES – Report in person to Probation Officer and comply with directives
- #9 SUPERVISION STRATEGY – IE. Domestic Violence or Sex Offender Agreement, Electronic Monitoring etc.
- #10 INTERVENTION FEES - \$30 per month.
- #11 SPECIAL CONDITIONS

Other notes on Probation

- Based on a comprehensive risk assessment, clients report 2x per month, every other month, or only as needed (FRRRI and GRA).
- Clients are required to provide random urine, hair, or breath samples.
- Treatment Courts are intensive programs that require up to weekly court dates and up to 2x per week visits with a Probation Officer.
- Probation Officers visit client's homes quarterly or annually based on risk.

Difference Between Probation and Parole

PROBATION: Ordered by the court after a guilty plea or guilty trial verdict.

- Status of violations and completion of requirements is reported to the sentencing judge.

PAROLE: Release occurs as decided by the Parole Board prior to sentence being completed (12/12)

- Status of violations and completion of requirements is reported to the Parole Board.

Not all probation is State Supervised

Other types of probation:

- Supervised by the court (court supervises)
- Unsupervised probation (monitored, but not required to report)
- Contracted supervision (court hires a company to supervise probation)

WHAT HAPPENS NEXT

- During the period of probation, the client cannot vote or possess any kind of weapons.
- Once the probation or sentence is served for a felony offense, the client can no longer possess a weapon (SIS = No conviction).
- If a domestic assault (of any kind), the client can never legally purchase or possess a handgun or obtain a concealed carry permit.
- Most likely will not be able to join a military service.

WHAT HAPPENS NEXT

- A person's criminal record can be easily searched by checking public records on case.net.
- An official records check through the highway patrol will detect any arrests and SIS dispositions even years after the probation is discharged.
- When applying for jobs or presenting their criminal record, any arrest or prosecution, even without a conviction, leaves the reader questioning their character (and hiring someone else normally).

Employment Considerations

- . Often lack transportation
- . Substance abuse issues
- . Certain offenses are barriers for employment
- . Some employers just won't hire felons
- . Social skills can be developed with coaching
- . P&P Officers try to work with clients to help them through these issues, but we don't always have the time/resources to deal with it effectively.

?QUESTIONS?

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