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AN EVALUATION
OF THE
COLEBROOK DISTRICT COURT
"COURT LIAISON AIDE"

GRANT NUMBER

78-II-A 1917 E01

PROJECT PERIOD

October 1, 1977 - September 30, 1978

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December 13, 1978

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ACT

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BACKGROUND

On October 10, 1975 grant 75-A-995 I01 was awarded to the Colebrook District Court to provide the salary for a part-time local probation officer, who would work twenty-five hours per week at an hourly rate of \$3.46. Funds under this grant were allocated as follows:

| | |
|------------|------------|
| LEAA | \$4,050 |
| GCCD | 225 |
| Subgrantee | <u>225</u> |
| TOTAL | \$4,500 |

The original project period was established as March 3, 1976 through March 31, 1977. Difficulties in filling the position delayed the start of work under the project. Hence, in September, 1976, the project period was extended to conclude on June 30, 1977, and the position under the grant was reclassified from "Part-Time Probation Officer" to "Court Liaison Aide".

In August, 1977 the Colebrook District Court applied to this agency for renewal funding, and a renewal grant, designated 78-II-1917 E01, was awarded on September 9, subject to availability of funds. In December, funds were identified after re-allocation and this agency awarded funds apportioned as follows:

| | |
|------------|------------|
| LEAA | \$4,410 |
| GCCD | 245 |
| Subgrantee | <u>245</u> |
| TOTAL | \$4,900 |

Under the renewal grant, the hourly rate paid to Mr. Purrington has been increased to \$3.77. The project period for the renewal grant began on October 1, 1977 and expired on September 30, 1978. Shortly after the award of the renewal grant, the original grant was adjusted to account for an increase of \$2,850.41 in project expenditures according to the financial records of the subgrantee, bringing the total project cost for the first

year to \$7,350.41. An application for third year funding is pending before this agency.

PROJECT DESCRIPTION

As originally proposed, the project objective was to provide the Colebrook District Court with a part-time local probation officer to "assist in the supervision and rehabilitation of juveniles in the Colebrook District Court jurisdiction". District Court Justice Ivorey Cobb submitted the request for funding in an effort to ease what he viewed as a staff shortage affecting the supervision of juvenile probationers in the court's charge. The Colebrook Judicial District includes an area approximately one-half the size of Coos County, and has a population of approximately 9,000. The population is widely scattered, and population centers are separated by uninhabited and unincorporated places. The largest population center is Berlin, the locality of the district offices of the state Department of Probation and Division of Welfare and the County Attorney's and Sheriff's offices. Berlin is fifty miles to the South of Colebrook, as is Lancaster, the county seat. It was hoped that the geographical problems encountered by the state probation officers in Berlin could be eased by the appointment of a local probation officer who would work exclusively, although only part-time, for the Colebrook District Court. The objectives of the grant were changed, however, when it was determined that the person under the grant would not be working as a probation officer, as the court was unsuccessful in hiring a person who would qualify as a municipal probation officer under the laws of the state and the regulations of the Department of Personnel. The objectives of the grant were modified thereafter to provide the court with a person who would act as a point of contact with the state Division of Welfare, the Department of Probation, and the schools, police departments, and other agencies and organizations serving the court. The liaison

aide lacks authority to act as a probation officer or counselor and has no real power as an officer of the court. As proposed, the liaison aide is primarily concerned with juvenile matters, specifically with the diversion of juvenile offenders from the processes of the court, but it was envisioned that the liaison aide would also perform other duties at the direction of the court.

Generally, the liaison aide assists those agencies that work with the court by performing the groundwork that is necessary when those agencies become involved in juvenile cases. It was proposed that the work of the liaison officer would obviate the necessity for officials of those agencies to travel to Colebrook to dispose of minor matters, and that this would result in a savings of time, effort, and other resources by those agencies.

PROJECT OPERATION

Mr. Lyman Purrington of Colebrook assumed duties as Court Liaison Aide on September 24, 1976. Mr. Purrington has a limited amount of experience in police work, but he lacks an education background which would qualify him for the liaison aide position. Judge Cobb acknowledges Mr. Purrington's lack of training and credentials, but he emphasized that Mr. Purrington's knowledge of the community, his ability to relate effectively to people, and his favorable execution of responsibility in the position since 1976 qualify him to continue in this position. Until January 1, 1977 he also worked part-time as a dispatcher with the Colebrook Police Department. Personnel adjustments in that department on that date resulted in the elimination of that position. He works part-time as a private-duty security policeman, but spends the majority of his time at work for the court. He keeps a detailed and typewritten narrative report of his daily activities, copies of which are submitted to Judge Cobb.

A problem arose shortly after Mr. Purrington assumed duties under the grant; at issue were Mr. Purrington's attempts to perform the duties of a probation officer and to engage in counselling and case investigations. Mr. Mark MacDonald, a state probation officer in Berlin, initiated a conference with Judge Cobb to discuss this situation in the fall of 1976, maintaining that Mr. Purrington lacked the credentials and authority to perform in that capacity. Mr. Purrington's responsibilities with respect to probation clients were subsequently recast by the court, and the problem was solved.

Mr. Purrington's position is quite unique; it resembles that of a court assistant, and it involves a number of administrative tasks. Often Mr. Purrington is called upon to deliver documents and locate people, and he has on occasion served the court as bailiff. There have been several vacancies in the court clerk's office in the past two years, and Mr. Purrington has in those instances scheduled hearings and appearances.

The writer was able to meet with representatives of the several agencies that serve the court and have worked with Mr. Purrington in the past. Mr. Mark MacDonald, who is mentioned above, has an average caseload of fifteen to twenty juvenile probationers. He was among the severest critics of Mr. Purrington's activities at the beginning of the project. However, since Mr. MacDonald's conference with Judge Cobb, and the modification of Mr. Purrington's responsibilities with respect to probationers, Mr. MacDonald and Mr. Purrington have established what both report to be a superior working relationship. In fact, Mr. MacDonald made a special trip to Colebrook from Berlin to meet with the writer to stress this point. Mr. Purrington is called upon by Mr. MacDonald to visit probationers and to gather information concerning them to forward to the probation office in Berlin, in an effort to supplement the service rendered by

Mr. MacDonald and to eliminate unnecessary travelling for minor matters. Mr. Purrington is also called upon to locate probationers for the court and for Mr. MacDonald. Mr. MacDonald emphasizes that Mr. Purrington does not supervise or counsel probationers, nor does he appear in court for the state Probation Department or file juvenile petitions on the Department's behalf. He does, however, render a valuable service to the court, the Probation Department, and to the probationers in that he is a native of Colebrook, is familiar to the townspeople, and makes himself available at all hours. Currently, Mr. Purrington is monitoring the progress of eight juvenile probationers at the request of Mr. MacDonald.

The writer also met with Mr. Stephen Dehl, the superintendent of the Colebrook School District, who has worked with Mr. Purrington in attempting to solve disciplinary and truancy problems. Mr. Dehl reports that Mr. Purrington has been able to "get through" to school children who have been disruptive and truant. In this way, reports Superintendent Dehl, Mr. Purrington has helped tremendously to reduce such difficulties in the school without need of court action in the majority of cases.

Stewartstown Police Chief Burleigh Placey also supports Mr. Purrington's work, particularly the help that Mr. Purrington has given the department in the handling of juvenile cases.

Mr. Purrington has also helped to find work for unemployed adult probationers and a few idle juveniles. In this regard it is noted that the Tillotson Rubber Company and the Manchester Manufacturing Company have become accustomed to hiring people on Mr. Purrington's recommendation.

During the period of July 1, 1978 through September 30, 1978, Mr. Purrington rendered assistance in the following matters:

| <u>Agency Assisted</u> | <u>Number of Cases</u> |
|---|------------------------|
| NH Division of Welfare (Berlin) | 3 |
| NH Department of Probation (Berlin) | 9 |
| NH State Police | 4 |
| NH Department of Fish and Game (Gorham) | 2 |
| Coos County Jail | 1 |
| Colebrook Police Department | 2 |
| Strafford Police Department | 5 |
| Pittsburg Police Department | 3 |
| Colebrook District Court | |
| as bailiff | 21 |
| as assistant at bail hearings | 2 |

COMMENT

Progress reports have not been submitted in a timely manner and the information set forth in the reports is usually quite brief and written according to a formula. Judge Cobb acknowledges the shortcomings of the formula presentation of progress reports and the need to make the reports more complete and descriptive. Lateness in submission of progress and financial reports occasioned subgrant suspension in August, 1977. As of December 4, 1978, the day that the writer met with Judge Cobb in Colebrook, the progress report for the period July through September 30, 1978, although prepared, had not been signed and submitted. The uniqueness of Mr. Purrington's position among the spectrum of projects supported by this agency makes it crucial that Mr. Purrington's work record be clearly and completely documented for the record.

It is noted in the description of Mr. Purrington's work in the court with respect to juveniles that first-time youthful offenders may be counselled and released by Mr. Purrington if, in his discretion, he feels it to be the "best course to follow". It is also noted that he may make referrals to "proper agencies" and counselors, and that if "all else" fails, juveniles will be "referred to the court system". (See 78-II-A1917 EOL Grant Application "NARRATIVE" response to Item #3, August 18, 1977). The writer expressed to Judge Cobb the proposition that

to the extent that juveniles come into contact with Mr. Purrington as a representative of the court under circumstances arising out of suspected or reported juvenile offenses they have in fact been "referred" to the court. It could be further argued that a referral for treatment or counselling made by Mr. Purrington under circumstances suggesting the commission of a juvenile offense would be a de facto determination of delinquency or need of supervision, and that any entry made in Mr. Purrington's work records with respect to such activity is entitled to the protection of confidentiality within the meaning of New Hampshire RSA 169:14. Finally, the writer proposed the argument that such juveniles are entitled to all the procedural safeguards guaranteed juveniles in court proceedings, including a hearing before a judicial officer, the right to be presented with written allegations and to refute those allegations, to confront and challenge accusers, to a finding made on the record, and to representation by counsel. Judge Cobb responded that Mr. Purrington's responsibilities in this area have been carefully and clearly limited and that there have been no difficulties. The writer and Judge Cobb agreed that this is a critical issue, that Mr. Purrington's activities as a representative of the court in juvenile matters must be precisely defined, and that the legal rights of juveniles must be zealously protected. Judge Cobb anticipates no difficulties in this area, and he stresses that Mr. Purrington has in all cases conducted matters in such a way as to guarantee juveniles who come in contact with him the full protection of the court.

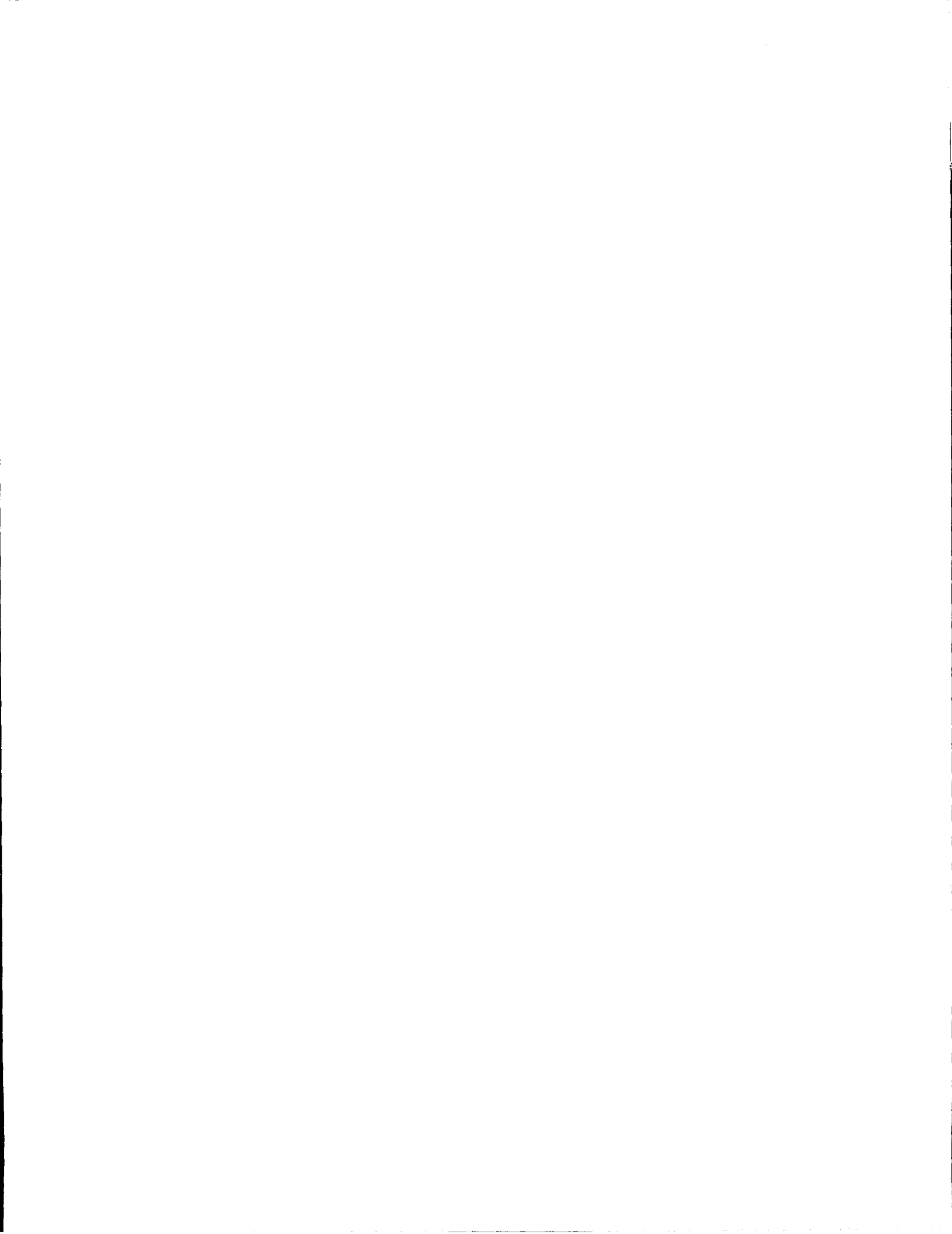
CONCLUSIONS AND RECOMMENDATIONS

The majority of persons with whom the writer discussed the Court Liaison Aide's activities commented favorably on his work and remarked that he has been an asset to the court and to the Colebrook

community. Many of those who work with Mr. Purrington, and who had at first doubted his ability and the value of his work, have changed their attitudes and depend upon him often and for a variety of services. Those who favor the work that he has done to date in this position remark that his performance on the job has improved since he first assumed duties under the grant, and that he is dedicated and takes a great deal of pride in his work. The majority of persons with whom the writer discussed Mr. Purrington's performance hope that his efforts will continue. The major difficulties encountered in the early days of the project appear to have been obviated. Although it is difficult to precisely describe the official nature of the Court Liaison Aide position, it is clear that those persons who work with Mr. Purrington in juvenile matters are aware of his ability and his value to their work and that they depend upon him a great deal.

Finally and unfortunately, Judge Cobb notes that the present likelihood of total financial support of this position at the local level is quite slim. Nevertheless, Judge Cobb is convinced that the town's apparent unwillingness to bear by itself the financing of this position will dissipate in the near future if Mr. Purrington is allowed to continue his work for the time being. In this regard, Judge Cobb observes that the shifts in attitude demonstrated by the several people mentioned above toward Mr. Purrington's work should be considered much to Mr. Purrington's credit, and that willingness by the town to undertake total funding of the project will hopefully be forthcoming with time. In short, notes Judge Cobb, Mr. Purrington is steadily building a reputation for good work in the town, and there is every reason to believe that he will continue to perform in an extraordinary manner.

The writer concludes by recommending that if this agency should approve renewal funding for this project, Judge Cobb should be encouraged to submit complete and detailed reports on Mr. Purrington's activities because of the unique nature of the liaison aide's activities and responsibilities. The writer also recommends that Mr. Purrington be encouraged to complete his formal education and to take advantage of as many training opportunities as he is reasonably able to; the scope of Mr. Purrington's responsibility with respect to juveniles continue to be carefully delimited; and the project be monitored within ninety days of the renewal of funding in accordance with Commission policy.



END