



REPUBLIC OF ALBANIA
MINISTRY OF JUSTICE

PROBATION SERVICE

BULLETIN 1

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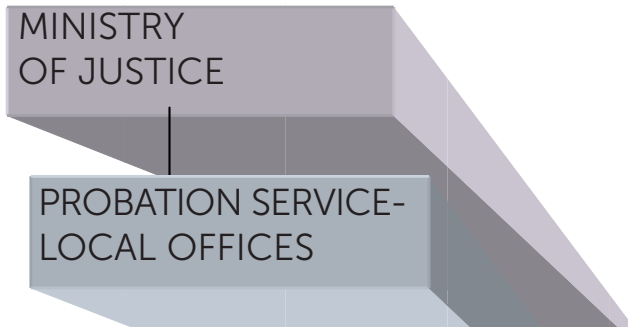
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Probation Service in ALbania



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Kati III, Lezhe
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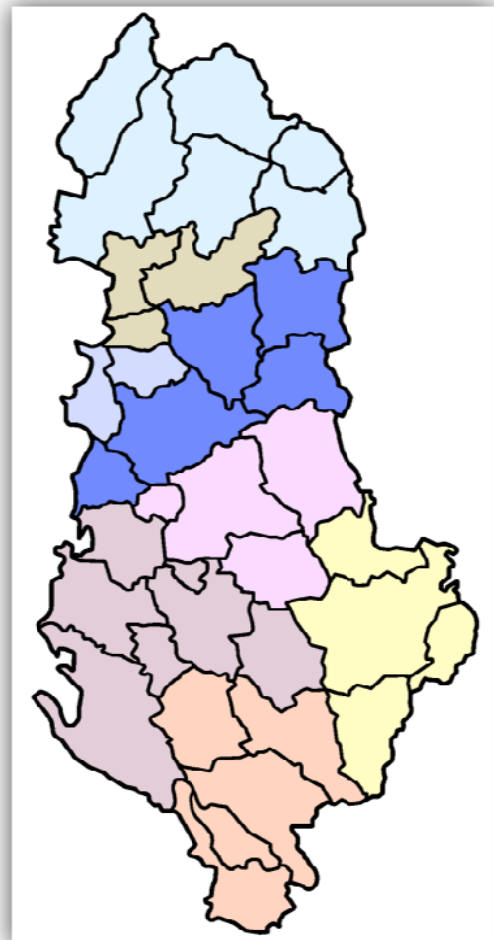
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Quick Facts

- The Probation Service started its functions on May, 2009
- Since the beginning and until currently, the Probation service has 2350 offenders under supervision, which imprisonment sentence has been suspended and substituted with an alternative sentence.
- Since the beginning and until currently, the Probation Service has issued for the courts 1032 Assessment reports of social conditions for offenders serving prison time and which have requested early release on parole and home stay.
- Since the beginning and until currently, the Probation Service has issued for the prosecution 424 assessment reports of social conditions for persons under investigation/defendants.



■ Një fillim i ri

Nëpërmjet kontributit maksimal të Qeverisë dhe Ministrisë së Drejtësisë për vënien në funksionim të institucionit të Shërbimit të Provës, është zgjidhur një ndër problemet më të rëndësishme ligjore, ai i zbatimit të dënimeve alternative në praktikë, në sistemin e ekzekutimit të dënimeve alternative, duke synuar që këto dënime të shndërrohen në stimuj për përmirësimin e standardeve të përgjithshme dhe regjimeve humanitare për personat që kryejnë vepra penale me rrezikshmëri të vogël shoqërore.

Me krijimin e Shërbimit të Provës dhe hapjen e zyrave të para vendore, filloi pa asnjë vonese aplikimi i dënimeve alternative dhe deri me tani ekzistojnë tregues numerikë pozitivë. Me datë 11 Maj 2009 u bë emërimi i Drejtorit të Përgjithshëm të Shërbimit të Provës dhe në kushtet e mungesës së informacionit, literaturës dhe traditës filluan përpjekjet për ndërtimin e themeleve dhe infrastrukturës së tij. Sigurisht që ndodheshim para një sfide të vërtetë.

Ndërtimi i themeleve dhe ngritja e institucionit u bë e mundur vetëm si rezultat i një pune të madhe e me përkushtim të stafit të ri të sapoemëruar, u bë e mundur për shkak të ndihmës dhe mbështetjes së plotë të qeverisë në dhënie e fondeve të domosdoshme për fillimin e aktivitetit, u bë e mundur për shkak të mbështetjes totale nga Ministria e Drejtësisë si dhe sigurisht për shkak të ndihmës dhe bashkëpunimit shumë të çmuar që na u dha nga misioni EURALIUS dhe OSBE.

Sot kemi një Shërbim të Provës i cili realizon funksionet e ngarkuara nga ligji vetëm në një kohë prej 1 viti e gjysme, kemi një staf që ka marrë kualifikim të mjaftueshëm për të realizuar detyrat; kemi siguruar ambiente pune për zyrat vendore dhe kemi tashmë 8 zyra që mbulojnë territorin e Shqipërisë; kemi bazën e domosdoshme teknike e materiale që po shkon drejt përmirësimit të kushteve të punës për stafin; kemi akte nënligjore të kërkuara nga ligji, të hartuara dhe miratuara; kemi marrëdhënie të shkëlqyera bashkëpunimi me organizatat ndërkombëtare më të rëndësishme të përfshira drejtpërdrejt me çështjen e krijimit të Shërbimit të Provës dhe legjislacionit përkatës si OSBE, EURALIUS, UNICEF etj.

Arritjet dhe puna e deritanishme janë një tregues i qartë dhe shpresëdhënës i mundësive të zhvillimit të këtij institucioni në të ardhmen si një pjesë e pandashme e sistemit të drejtësisë shqiptare.



The Background of the Probation Service in Albania

As part of the justice system reform, the Law no. 10024, date 27.11.2008 - On Some Amendments and Additions to Law no. 8331, dated 21.4.1998, "On the Execution of Criminal Judgments" -, the Albanian Parliament approved the normative legal framework for the establishment and functions of the institution of the Probation Service as a specialized institutional body concerning the supervision of alternative sentences to imprisonment.

Deprivation of liberty in the Western and Eastern Europe countries, as a result of a variety of offences with little social risk, is valued as a sanction of last resort, and should therefore be implemented only if the gravity of the offense would make the introduction of any other alternative measure impossible.

In particular, Western European countries try to limit as much as possible imprisonment for low risk offenders and substitute it with other forms of non-constrictive treatment based on the belief that imprisonment, even partially, has an adverse impact on the low risk offenders caused by the fallout of social and professional ties with the outside world, limitation of freedom, but also criminal contamination and stigma that comes inevitably along with imprisonment. Another reason is the high financial cost of imprisonment not only for construction and facilities maintenance, but also that of the staff working in prisons.

Provision of alternative sanctions intends to avoid the experience of imprisonment or to limit its duration. At the same time these sanctions provide a form of treatment or place restrictions on personal offender's freedom which is not imprisonment thus turning into stimulus for improving general standards towards more humanitarian regimes for persons who commit criminal offenses with low social risk.

Moreover, the implementation of sanctions aims, on the one hand, the need to protect society both in terms of legal enforcement, and also on the application of

norms that take care of the compensation of the damage caused to the harmed, on the other hand, covering an essential knowledge of the offenders criminal needs with the purpose of preventing any barriers to their adaptation and reintegration into society.

Implementation of alternative sanctions is equally valid for both the offender and the community, given that the offender is in a position that he can continue to exercise alternatives and to undertake social responsibilities. The implementation of these criminal sanctions within the community rather than through a process of isolation, may serve very well in better and longer protection for the society, always within consideration of the best interest of the harmed.

Up to May 2009, Albania has had the need for a specialized institution for monitoring and implementing of alternative sentences to imprisonment; therefore alternatives to prison provided in the Criminal Law were applied only in a limited way. The recent changes made to the Criminal Law were also adding two other alternative sentences: "partial incarceration" and "stay at home". The Probation Service is the responsible institution that will supervise the implementation of alternative sentences given by the courts.

As an institution under the Ministry of Justice, the Probation Service is organized into national and local levels. Its central level consists of the General Directorate of Probation while local offices of probation operate near district courts.

Detailed rules for the organization, rights and duties and standards of supervision are defined in the institution's regulation approved by the Council of Ministers Decision no. 302, dt. 25.03.2009 "On approval of Regulation" For the Organization and Operation of Probation and Setting Standards and Procedures, for the Supervision of the Execution of Alternative Sentences", while relations and cooperation with NGO's and the Mediation Service is regulated by the detailed regulation document approved by the Minister of Justice - Order no. 6325, date. 31.07.2009 "On Approval of Regulation": Co-operation of the Probation Service with NGO's and Mediation Service."

Mission of the Probation Service

The purpose of the Probation Service

Albanian Probation Service supervises and supports:

- Implementation of alternative sentences to protect the public's interest in helping the prevention of committing criminal acts.
- Assisting offenders to accomplish obligations deriving from alternative sentences
- Assisting offenders to overcome difficulties in social reintegration and bring positive change in their behaviors
- Co-operation and providing information and assessment reports before the Court and the Prosecution Office in accordance with legal provisions and regulations
- Determining methods of implementation of alternative sentences in accordance with legal provisions and regulations
- (When required) Co-operation with public institutions, central or local, local community and other agents/institutions/NGOs to implement alternative sentencing.

Values

- Respect for human dignity
- Notion of an individual's potential for change and growth
- Fairness and objectivity

Principles of the Probation Service

The activity is based on:

- The principle of legality, objectivity, respect for human rights and fundamental freedoms,
- No discrimination on the basis of race, color, sex, birth, language, nationality, ethnic or social origin, political opinion or other, religion, physical or mental conditions, economic status or any other status,
- Respect for the dignity of the person under investigation, defendants and prisoners
- Trying to develop a sense of responsibility on the part of the offenders towards the community and victim
- Supporting and encouraging social reintegration of offenders through a pro-active attitude towards work, the rule of law and rules of social interaction.

Approach

Probation Service aims to achieve:

- Supporting and encouraging prisoners to live a life without crime
- Safeguarding the community
- Supervising the restrictions and obligations of offenders under probation
- Influence the society as a whole so that working in accordance with the goals is possible and effective



The Legal Basis of the Probation Service

The term "Probation Service" appears for the first time in Albanian law No. 10023 and No.10024, dt. 27.11.2009. The Probation Service is a state body under the Ministry of Justice, established pursuant to Law no. 8331, dated 21.4.1998 "On Execution of Criminal Judgments", amended by Law No. 10 024, and dated 27.11.2008.

Currently the legal basis supporting the activities of Albanian Probation Service consists of:

- ✎ Constitution of Albania;✎ Marrëveshjet ndërkombëtare;
- ✎ International agreements;
- ✎ The Criminal Law and Criminal Law Procedure;
- ✎ Labor Code
- ✎ Law no. 8331, dt. 21.04.1998 "On the Execution of Criminal Judgments," as amended by Law no. 10 024, dt. 27.11.2008;
- ✎ Decision no. 302, dt. 25.03.2009 "On Approval of Regulation" For the Organization and Operation of Probation Service and Setting Standards and Procedures on the Supervision the Execution of Alternative Sentences;
- ✎ Order of the Prime Minister no. 140, dated 01.07.2010 "On Approval of the Organics and Structure of the Probation Service;
- ✎ Order of the Minister of Justice no. 7746/1, dated 24.09.2010, "On Determining the Location and Territorial Powers of the Local Probation Service Offices,
- ✎ Regulation "On Co-operation of the Probation Service with NGO's and Mediation Service" approved by Order no. 6325, date. 31.07.2009 by the Minister of Justice,
- ✎ Order of the General Director of the Probation Service nr.189, dated 03.07.2009 "On Approval of the Model Document" the Individual Treatment Program "For Offenders Under Supervision."
- ✎ Order of the General Director of the Probation Service nr.283, dated 21.08.2009 "On Approval of Statistical Data Forms forAdult and Juvenile Offenders and the Method of Completion,
- ✎ Order of the General Director of the Probation Service no. 319, dated 09.18.2009 "On treatment of Supervision Cases of Offenders with Alternative Sentences Residing Outside the Republic of Albania".
- ✎ Order of the General Director of the Probation Service "OnDealing with Cases of Supervision of Offenders with Alternative Sentences Residing Outside the Territorial Jurisdiction of the Local Office of Probation Service.
- ✎ As well as other sub legal articles.

Structure and General Organization of Probation Service

Probation Service is a centralized institution organized and operative in central and local level.

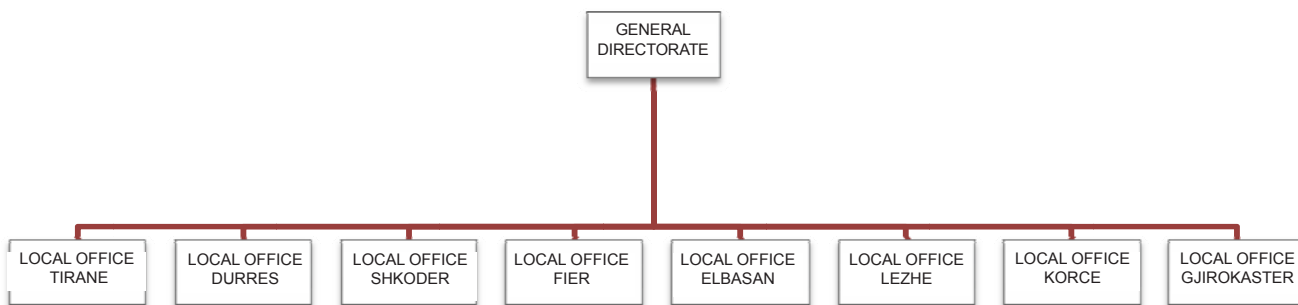
It consists of:

At a central level: The General Directorate of the Probation Service under the Ministry of Justice;

The General Directorate of the Probation Service directs, organizes and controls the execution of alternative sentences, and takes appropriate measures for the enforcement of the Probation Service and other laws and regulations.

office has jurisdiction over a particular case. As a general rule, when the offender is not imprisoned, the address of permanent residence defines the territorial jurisdiction. Meanwhile, for prisoners who are serving time in prison and who are subject to rehabilitation programs, the Local Probation Service Office nearest to the location of the prison institution has competence.

At the beginning its activity four local offices were located near the district courts Tirana, Shkoder, Durres and Fier. After these offices experienced problems with its operation due to their territorial jurisdiction and due to the fact that the Probation Service found it difficult to perform its function



At a local level: Local offices near First Instance Courts Local Offices supervise and support the implementation of alternative sentences and depend administratively by the General Directorate of the Probation Service.

Territorial competencies

Territorial jurisdiction determines which local office will have jurisdiction over a particular case. The Probation Service activity focuses on the current conditions of the prisoners and not so much on offence(s) committed. Consequently, territorial jurisdiction cannot be identified with that of the court at which these Probation Service offices are located.

Act 5 of the Probation Service Regulation, provides the criteria to be considered when determining which local

for all cases, the powers were extended to the place of residence where the offender is serving prison time and the place where the released offender has residence, so that the Probation Service extended its operation across all the country. Currently, the Probation Service has 8 local offices with locations in the cities of Shkodra, Lezha, Tirana, Durres, Elbasan, Korca, Fier and Gjirokaster. These offices extend their territorial powers in the judicial districts set forth in the Order of the Minister of Justice no. 7746 / 1, dated 24/09/2010, "On Determining the Location and Territorial Competence of the Local Probation Service Offices", covering the whole country.

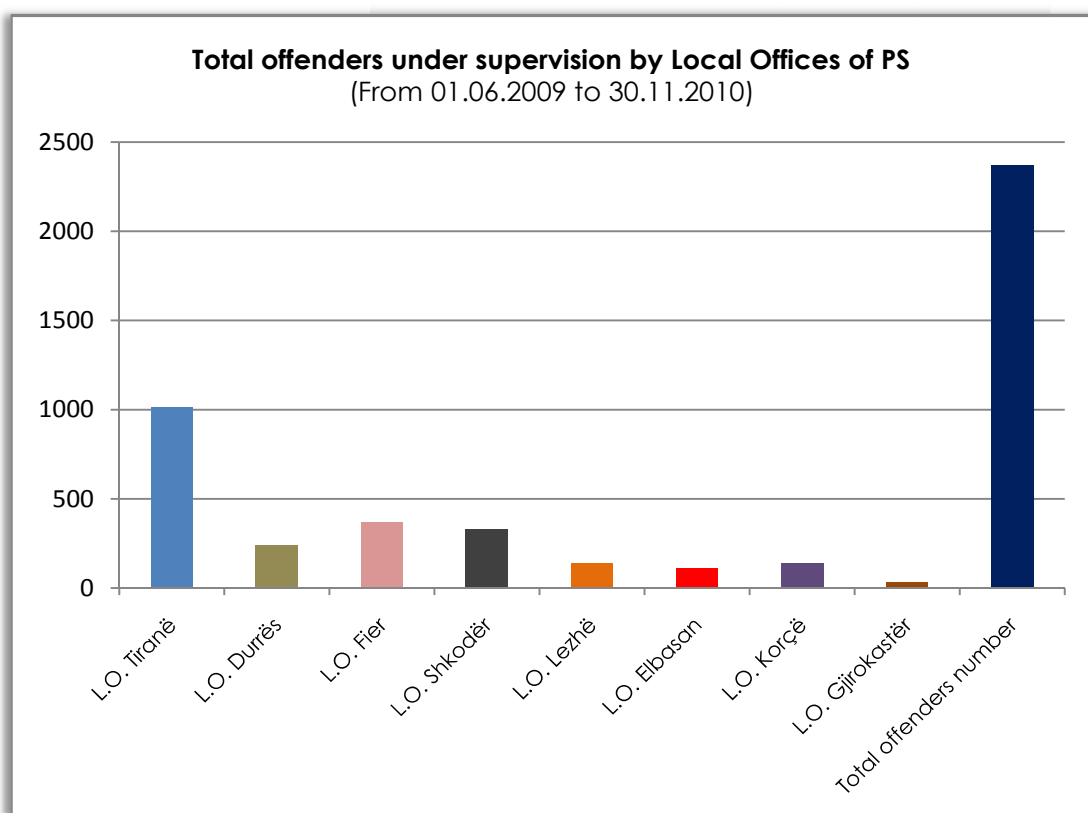
According to this order:

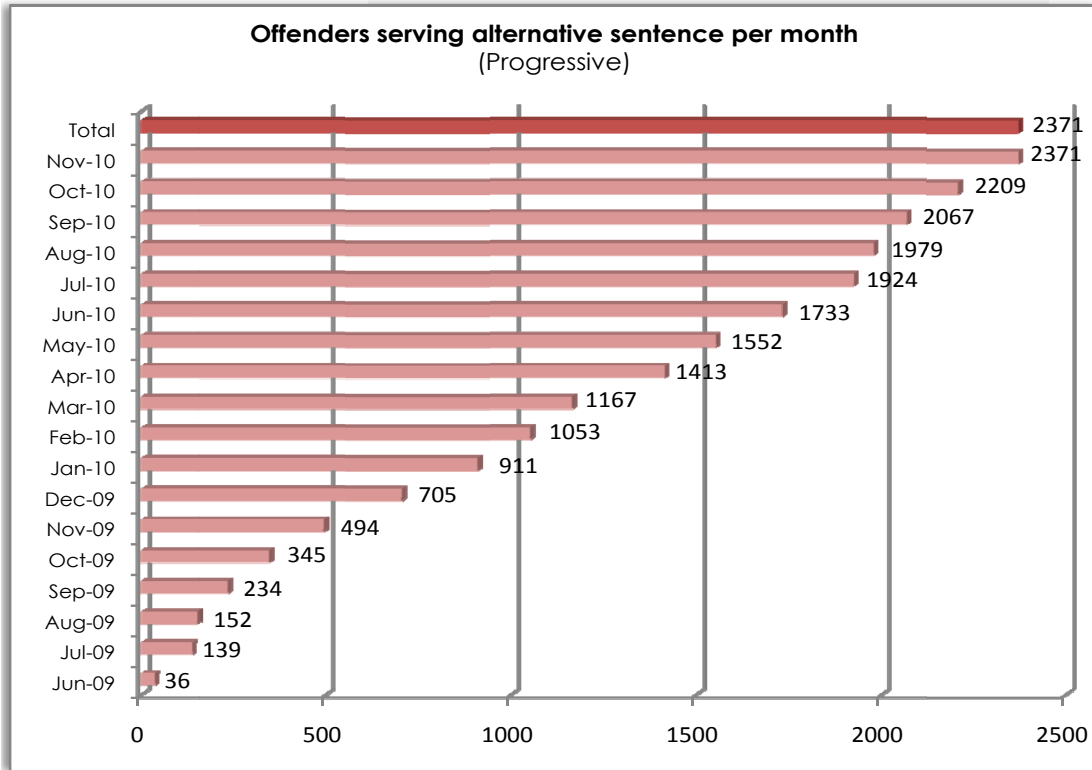
- Local offices of the Probation Service near the Tirana Court District is located in the city of Tirana

and extends territorial competencies in the judicial districts of Tirana, Diber, Mat, Kavaja.

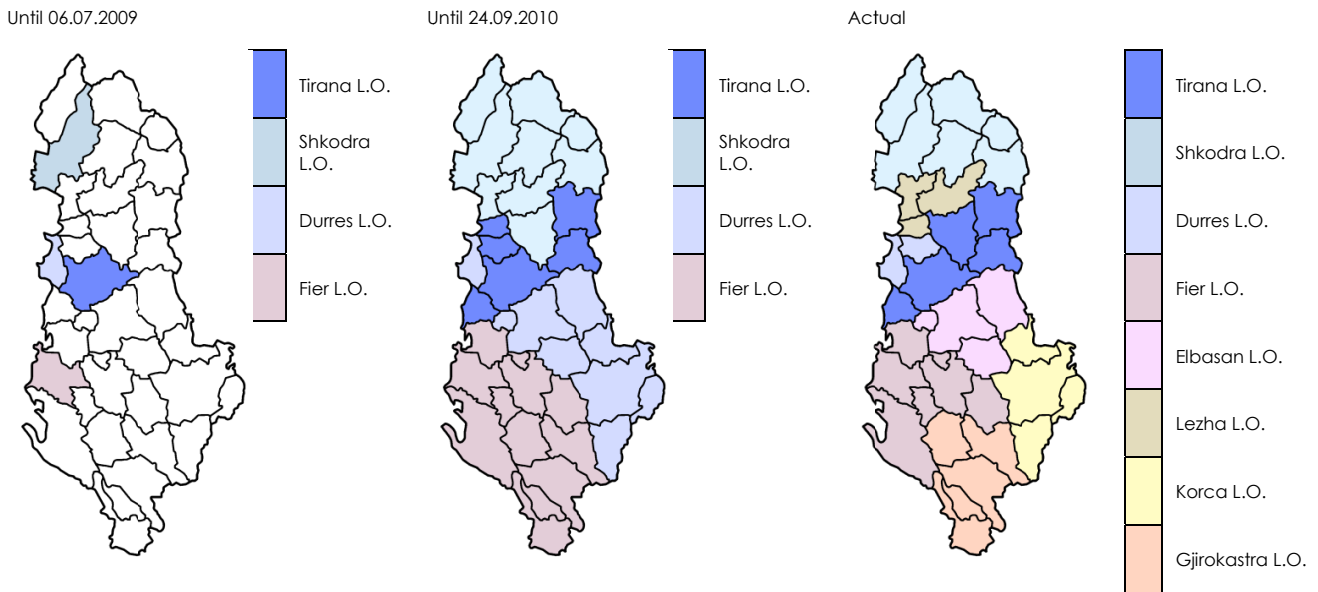
- ↘ Local offices of the Probation Service near the Durres Court District is located in the city of Durres and extends territorial competencies in the judicial districts of Durres and Kruje.
- ↘ Local offices of the Probation Service near the Shkodra Court District is located in the city of Shkodra and extends territorial competencies in the judicial districts of Shkodra, Kukes, Puke, Tropoje.
- ↘ Local offices of the Probation Service near the Lezha Court District is located in the city of Lezha and extends territorial competencies in the judicial districts of Lezha and Kurbin.
- ↘ Local offices of the Probation Service near the Elbasan Court District is located in the city of Elbasan and extends territorial competencies in the judicial districts of Elbasan.
- ↘ Local offices of the Probation Service near the Korca Court District is located in the city of Korca and extends territorial competencies in the judicial districts of Korca, Pogradec.
- ↘ Local offices of the Probation Service near the Fier Court District is located in the city of Korca and extends territorial competencies in the judicial districts of Fier, Berat, Vlora, Lushnje.
- ↘ Local offices of the Probation Service near the Gjirokastra Court District is located in the city of Gjirokastra and extends territorial competencies in the judicial districts of Gjirokastra, Permet, Sarande.

The main goal and part of the strategy is that during the year 2011 the final goal of creating local probation service offices near all district courts, i.e. 22 total local offices, to be completed.





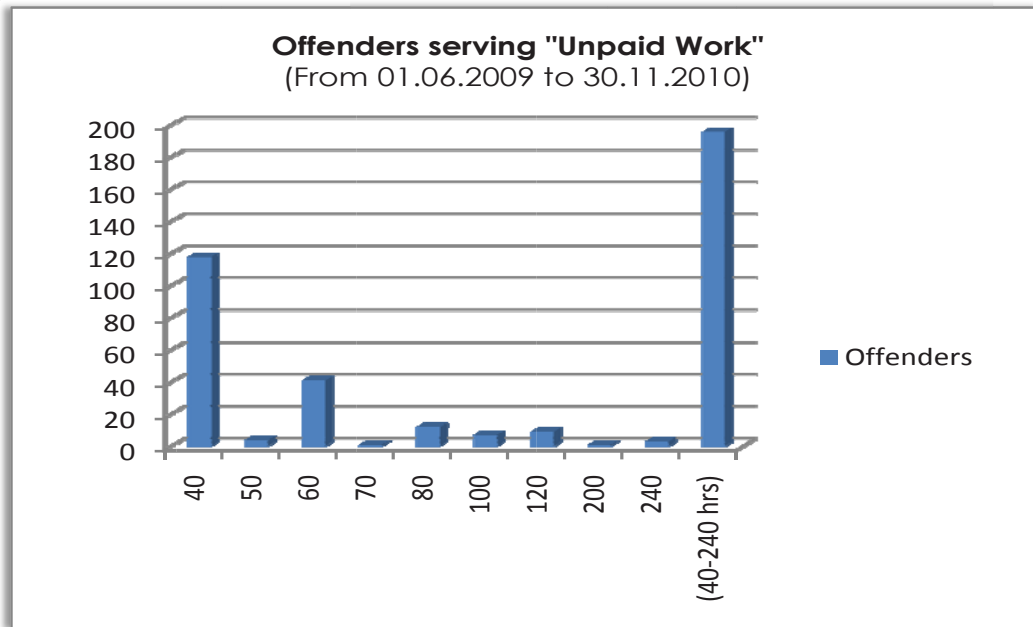
Territorial competencies of The Probation Service in time



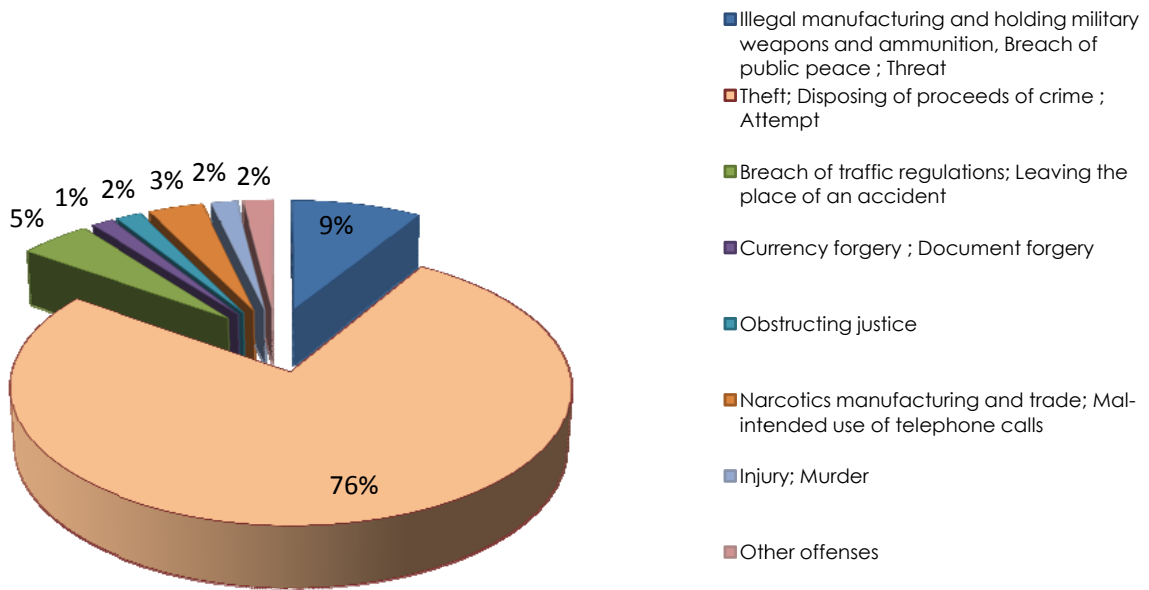
Community service

Policies

- Community sentences are convincing sanctions from the point of view of citizens, authorities and interest groups as well as convicts.
- Legal protection and uniform treatment of convicts are ensured
- Enforcement is carried out without delay and according to the law
- Supervision is sufficiently intensive



Type of offence committed by juveniles under supervision
 (From 01.06.2009 to 30.11.2010)



- ↘ This sentence applies if the court decides that the risk of the person and the circumstances of the offense are low in.
- ↘ This sentence has a peculiarity: it can not be decided by the Court if the offender does not wish to.
- ↘ Doing unpaid work consists in performing a job without monetary compensation, in favor of public interest.
- ↘ This work can be performed in a public institution or NGO as defined in the Court's decision.
- ↘ Its duration is from 40 to 240 hours of completed work and must be performed by the offender within a period of 6 months. Article 63 of the Criminal Law provides for the way of serving the sentence, taking into account family obligations, his interests and abilities, etc ... In any case, the amount of work cannot exceed 8 hours a day.
- ↘ This sentence will be revoked or replaced if the offender fails to comply with conditions set by the Court in the sentencing decision.

Cooperation

The Probation Service has concluded cooperation agreements with public institutions and specialized non-profit organizations whose help is more and more increasing in providing opportunities and varied services by encountering various needs of the offenders who suffer their sentence in the community.

Aksion Plus

Object of cooperation

- ↳ Psycho-social support,
- ↳ Counseling and treatment by means of raising awareness and taking measures to prevent narcotic drugs and psychotropic substances use, provided by the center with psychologists or therapeutic care programs
- ↳ Help in social reintegration and in fulfilling social needs and treatment of offenders who are drug users.

Foundation for Conflict Resolution and Disputes Reconciliation

Object of cooperation

- ↳ Providing of mediation service and restorative justice
- ↳ Organizing promotional activities, training and raising awareness in the field of restorative justice and mediation service.
- ↳ Aim to influence the youth age groups and other social groups of Albanian society, the promotion and education with the values of understanding, constructive conflict management, mediation and conciliation and tolerance.

Center of Integrated Legal Services

Object of cooperation

- ↳ Supervision of sentence in the community by providing supervision for the execution of juvenile cases and psychological support for them.

TLAS

Object of cooperation

- ↳ providing legal and psychological support for offenders

Methods of treatment

Drug users

Probation Service in cooperation with Aksion Plus provides intervention programs for offenders who have been or continue to be drug users. The main methods of support for this group of offenders are:

- ↳ methadone maintenance therapy
- ↳ Psycho-social Support
- ↳ Individual counseling
- ↳ Take steps to prevent narcotic drugs and psychotropic substances to persons convicted of narcotic drugs by users of this center psychologists.
- ↳ Therapeutic programs of care or assisting in social reintegration meeting social needs.

Conflict Resolution and Reconciliation of Disputes

- ↳ Mediation of conflicts between the offender/defendant and the victim by means of Trained Mediators suitable for individual differing cases.

Free legal services and psychological support

- ↳ Probation Service in cooperation with "QSHPLI" and "TLAS" enables the access to free legal services to individuals in need of legal advice, thus contributing in awareness on rights and duties and having a clear legal information according to needs.
- ↳ Legal and psychological support for juvenile offenders.

■ The probation service development strategy

Since the Probation Service was created in May 2009 has been in steady growth. Initially, local offices were opened which covered the entire Albanian territory. In September 2010 the number of these local offices has doubled. To the existing Local office in Tirana, Shkodra, Fier and Durres were added the office Lezhe, Korce, Gjirokaster, and Elbasan. The aim of the strategy since the creation of the probation office is for every court district in Albania to have a local probation office. So next year it is expected for this aim to be fully completed.

Probation Service in Albania has started operation of its activities since June of 2009 and continues to perform with professionalism and responsibility the duties assigned by law to date.

During the exercise of its activity, cooperation with international partners has been an important part of the Probation Service, a special acknowledgment goes to the Ministry of Justice of the United Kingdom.

This cooperation started with the Ministry of Justice of the United Kingdom, which will be our partner in the twinning project, which is part of the assistance extended by the European Commission for the Reform of the penitentiary system in Albania by supporting the Ministry of Justice of Albania in the implementation of the Probation Service standards and methodology Probation Service (Albanian Twining Project – Probation Service, AL 09 IB JH 01 "Support to the Albanian Penitentiary Reform").

This twinning project which is part of the IPA 2009 for consolidation of the Justice System in Albania, is based on six components which are:

- 1- Support of the Ministry of Justice for implementing the national probation standards and probation service methodologies.
- 2 - Creating a probation information system which enables political and management decision

to be made on the basis of accurate information, informs developments and targeting and can demonstrate the efficiency and effectiveness of probation work.

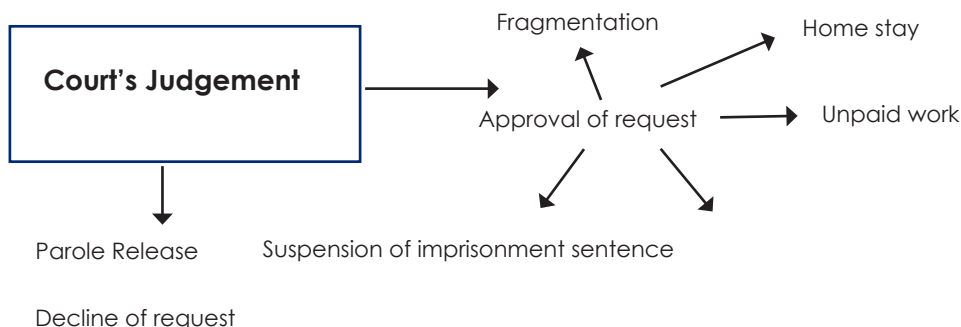
- 3 - Designing the training strategy, preparing the training curriculum and training the probation staff.
- 4 – Developing probation offices in different regions of Albania
- 5 - Developing and implementing a public relations strategy and briefing of judges, prosecutors, police, prison service, local authorities and NGOs about the probation system
- 6 - Further development of the Permanent Training center for prisons and a permanent staff training module.

This project will begin its implementation starting from January 2011.

Future objectives

- Future objectives
- Creating new organic structures for new local offices, as well as maintaining good performance for and necessary organic structures changes of the current local offices, based on the amount of work and workload dependent on that existing ones will afford in the future. Establishment of new structures, suitable for the treatment and management of various issues relating to the exercise of statutory functions of the Probation Service Institution.
- In cooperation with the Council of Europe, the OSCE Mission in Tirana and Euralius Mission will be carrying out a series of trainings, which will provide continuous training of staff of the General Directorate of the Probation Service and local probation offices, in order for them to perform efficiently and professionally their functional tasks.

Steps of the Procedure



8 Steps of the Procedure, Release on parole

The offender, who suffers the sentence in prison, is entitled to apply for parole release in accordance with Article 64 of the Criminal Law, near the court of the place of sentence execution. The application is reviewed by a judge, different from the one who provided decision imprisonment.

Step 1: meeting legal requirements:

- Half of the sentence for criminal offenses ranging up to 2 years of prison time
- 2/3 for criminal offenses ranging up to 5 years of prison time
- 3/4 for criminal offenses ranging up to 2 years of prison time
- Should not have committed another offence (not a recidivist),
- Must have a specific reason (having a contract promise of employment).

Step 2: convicts file

The institution of execution of criminal decisions (the prison institution) delivers a copy of the personal file of the convicted person and a report about it before the court.

Step 3: assisting the court

The court requests the Probation Service to submit

an assessment report on family conditions and social background of offenders, and concrete plans to enable its full reintegration upon release.

Step 4: assessment report

The Probation Service prepares a report based on two or more meetings with the person, contacts the members of his household, and every person and institution that could provide useful information about the offender's education, employment, housing, behavior, health, social and family circumstances. Inside the report is enclosed the nature of the criminal offense committed, the attitude of the convicted person towards the offense and the victim or the victim's family, any previous criminal offenses committed by him, physical and psychological condition of the convicted person, and the dynamics of his behavior in the institution of the execution of criminal judgments.

Step 5: court's judgment

The submission of the evaluation report from the Probation Service before the relevant court with relevant recommendation. After reviewing the assessment report the Court comes to a decision.

Step 6: execution order

When the court decides the release on parole of the

offender, the prosecutor sends the decision to the district court where the convicted person will reside after release and to the institution of execution of criminal decisions. The prosecution issues an execution order for implementation from the Probation Service.

Step 7: Supervision

Supervision of the released offender who must report regularly to the Probation Service during the probation period by agreeing to his rights and obligations (stated in the individual treatment program).

When necessary, the Probation Service cooperates

with local government institutions and the State Police for the supervision of offenders under parole.

The Probation service can request to the prosecution the alteration of one or more obligations of the offender under probation, when verified that the person cannot fulfill them.

Step 8: Final Report

When the supervision period for the offender is over the Probation Service issues a final report that reflects the ongoing of the supervision process.



8 Steps of the Procedure, act 59/A "Home stay – House arrest"

The offender, who suffers the sentence in prison, is entitled to apply for "Home stay – House arrest" in accordance with Article 59/A of the Criminal Law, near the court of the place of sentence execution. The application is reviewed by a judge, different from the one who provided decision imprisonment.

Step 1: meeting legal requirements

For sentences up to two years or when two remaining years on a longer sentence. The court may decide to serve the sentence remaining in "home stay", in a private home, other care center or a public health institution when the following circumstances exist:

- a) Pregnancy for women or mothers with children under 10 years of age,
- b) For fathers who have parental responsibility; has one or more children under 10 years old when the mother has died or is unable for care.
- c) For people with serious health conditions that require constant care by the health service, outside the prison institution.
- ç) For persons over 60 years of age, who have health problems
- d) For young people, under 21 years old, documented health needs, study, work or family responsibilities.

Step 2: convicts file

The institution of execution of criminal decisions (the prison institution) delivers a copy of the personal file of the convicted person and a report about it before the court.

Step 3: assisting the court

The court requests the Probation Service to submit an assessment report on family conditions and social background of offenders, and concrete plans to enable its full reintegration upon release.

Step 4: assessment report

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Step 5: Court's judgment

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Step 6: Execution order

When the court decides the release on parole of the offender, the prosecutor sends the decision to the district court where the convicted person will reside after release and to the institution of of execution of criminal decisions. The prosecution issues an execution order for implementation from the Probation Service.

Step 7: Supervision

Supervision of the released parole who must report regularly to the Probation Service during the probation period by agreeing to his rights and obligations (stated in the individual treatment program).

When necessary, the Probation Service cooperates with local government institutions and the State Police for the supervision of offenders under parole.

Hapi 8 – raporti përfundimtar

Raporti përfundimtar i përfundimit të periudhës së provës i cili paraqet ecurinë e të dënuarit gjatë kësaj periudhe si dhe përfshin rekomandimet përkatëse.

Hapi 8 i paperkthyer

Alternatives to Imprisonment Sentence

Article 58

- ↘ Fragmentation of imprisonment sentence
- ↘ For punishments up to one year of imprisonment, if the court notices grave family, medical, professional, or social circumstances, it may decide that the sentence be executed fragmentarily but for not less than two days per week.
- ↘ In any case, the execution of the sentence must be completed within three years.
- ↘ The court revokes the fragmented sentence when these circumstances cease to exist, or when the convicted violates the obligations defined in the sentence.

Article 59

- ↘ Suspending the execution of a sentence
- ↘ If the person and the circumstances under which the criminal act was committed are of little dangerousness the court, while sentencing with up to five years of imprisonment, may rule that the convicted be put on probation, thus suspending the execution of the sentence, provided that during the probation he will not commit any other criminal act equally serious or more serious than the previous one.
- ↘ Probation extends from eighteen months to five years.

Article 60

Sanctions against the convicted under probation

The court may compel the convicted under probation to meet one or some of the following sanctions:

1. To exercise a professional activity or to gain professional education or training.
2. To pay family pensions in due time.
3. To compensate for torts.
4. To be banned from driving certain vehicles.
5. To be forbidden to exercise a professional activity if the criminal act relates to such activity.
6. To be forbidden from certain places.

7. To be forbidden from shops serving alcoholic beverages.
8. To stay in his residence during certain hours.
9. To avoid the company of certain persons, mainly convicts or collaborators of the criminal act.
10. Not to carry weapons.
11. To be subjected to medical treatment against alcohol and narcotics.

Article 61

Convicted obligations during probation

During probation the convicted is obliged:

1. To respond to calls and demands of the legal organs supervising probation.
2. To inform the supervising organs of probation of working changes.
3. To obtain permission from the supervising organs of probation for any changes of residence or job, or visits abroad

Article 62

Revoking the sentence on suspending through probation

- ↘ If, during the term of probation, the convicted commits a criminal act of the same degree or even a more serious act than the previous one, the court shall revoke the suspension decision.
- ↘ Revocation is made even when the convicted, without having reasonable cause, has not met the measures and sanctions mentioned in Articles 60 and 61 of this Code, which were imposed upon him.
- ↘ When the suspending decision is not revoked, the [first] sentence given is considered void.

Article 63

- ↘ Suspension of imprisonment and compulsion to perform labor in favor of public interest
- ↘ The court may suspend the imprisonment sentence if the latter is less than one year, and replace it with the compulsion to perform labor in

favor of the public interest, if the person and the circumstances under which the criminal act was committed are of little danger.

- ↘ Labor in favor of the public interest extends from forty to two hundred and forty hours and consists of compelling the convicted to perform unpaid labor in favor of the public interest or to the benefit of an organization as nominated in the court verdict.
- ↘ The compulsion may not be ruled if the convicted refuses the suspension during the court hearing.
- ↘ Labor in favor of the public interest is performed within a six-month term.
- ↘ In its sentence the court determines the working hours, as well as the days of week when the labor will be performed.
- ↘ After the labor is accomplished, the sentence is considered non-existent.
- ↘ This kind of suspension is enforced according to the rules defined in Articles 61 and 62 of this Code.

Article 64

Early release on parole

(Amended by Law No. 8733, date 24 January 2001, article 7)

The imprisoned person may be released on parole for special reasons, if through his work and behavior he shows that the sentence has served its purpose for his education, and he has served:

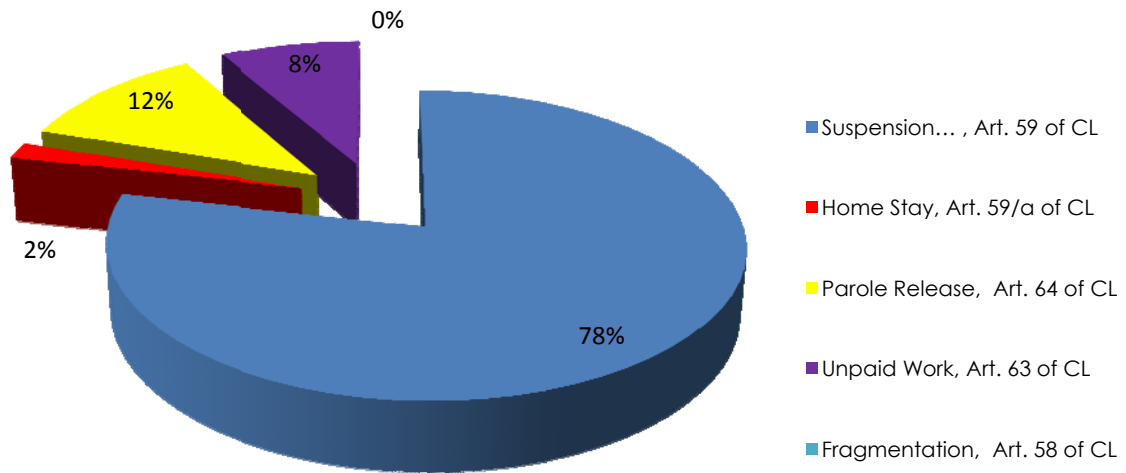
- ↘ not less than half of the sentence in cases of criminal contraventions;
- ↘ not less than two thirds of the sentence for crimes punished up to five years of imprisonment;
- ↘ not less than three fourths of the punishment for crimes punished by five to twenty five years of imprisonment.
- ↘ The time benefited from amnesty or pardon is not calculated as served punishment.
- ↘ Release on parole for recidivists punished for intentional crimes is not allowed.
- ↘ Release on parole is revoked by court, if a person punished for a criminal offence committed intentionally during the probation time, intentionally commits another criminal offence as serious or more than the first offense, applying the provisions for joint punishment.

Article 65

- ↘ A convicted serving life imprisonment is deprived of the right to early release on parole.
- ↘ Only in extraordinary circumstances may the convicted serving life imprisonment be released on parole, when:
- ↘ He has served no less than twenty-five years of imprisonment and, during the period serving his sentence, has had excellent behavior and it is deemed that the educational aim has been achieved.

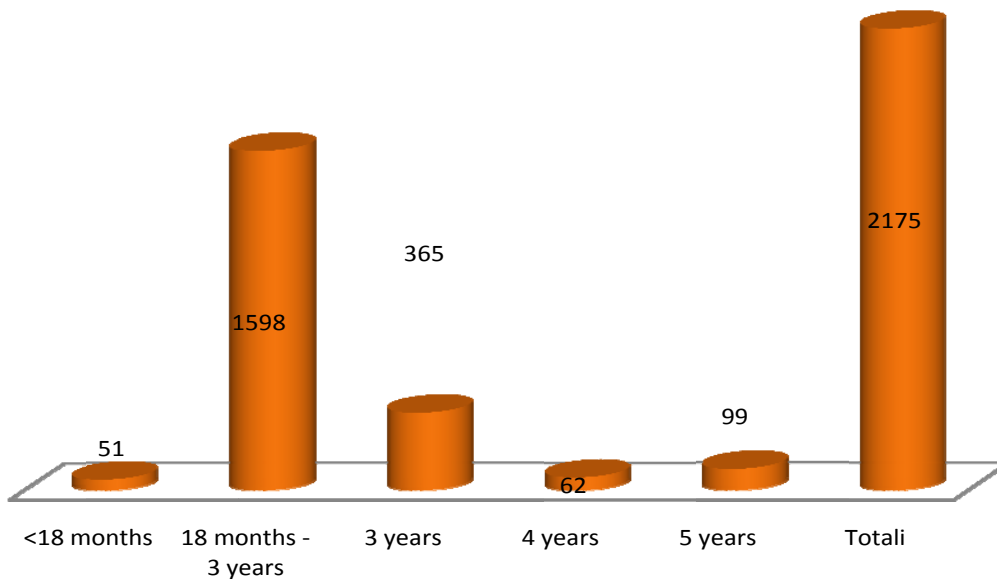
Total offenders according to alternative sentence type

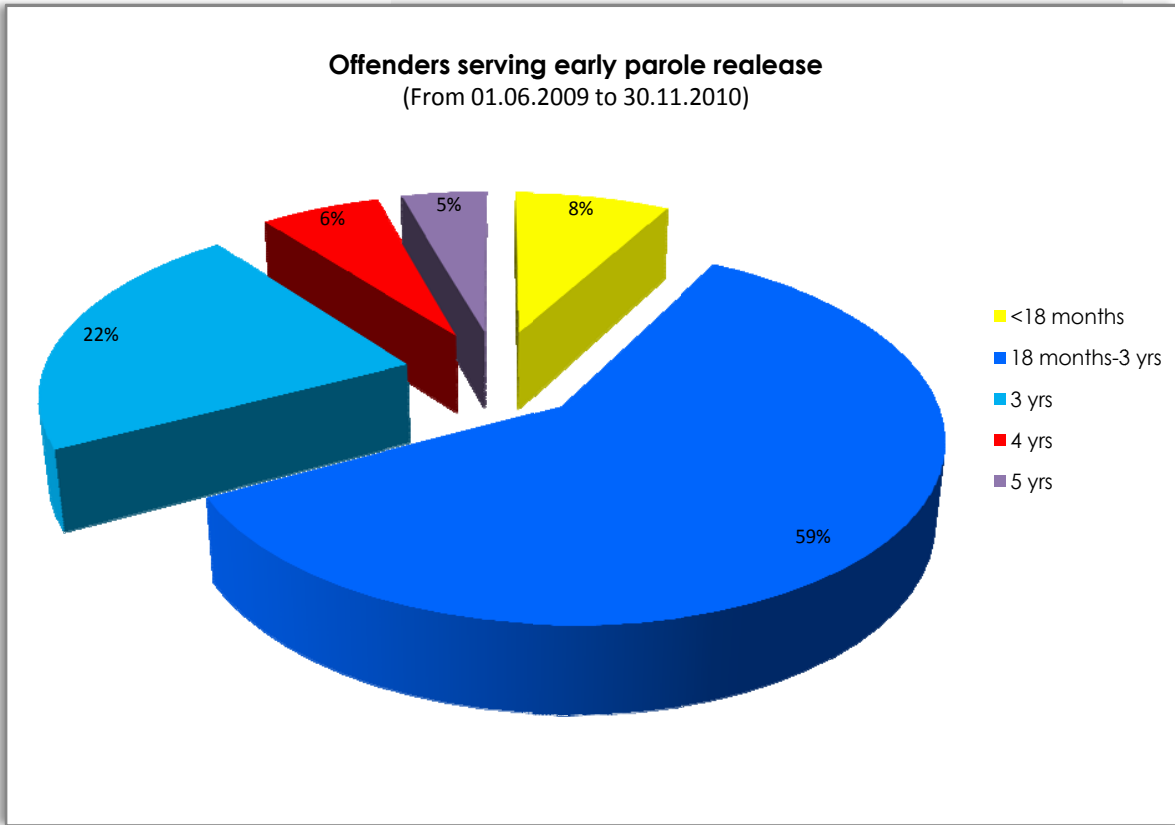
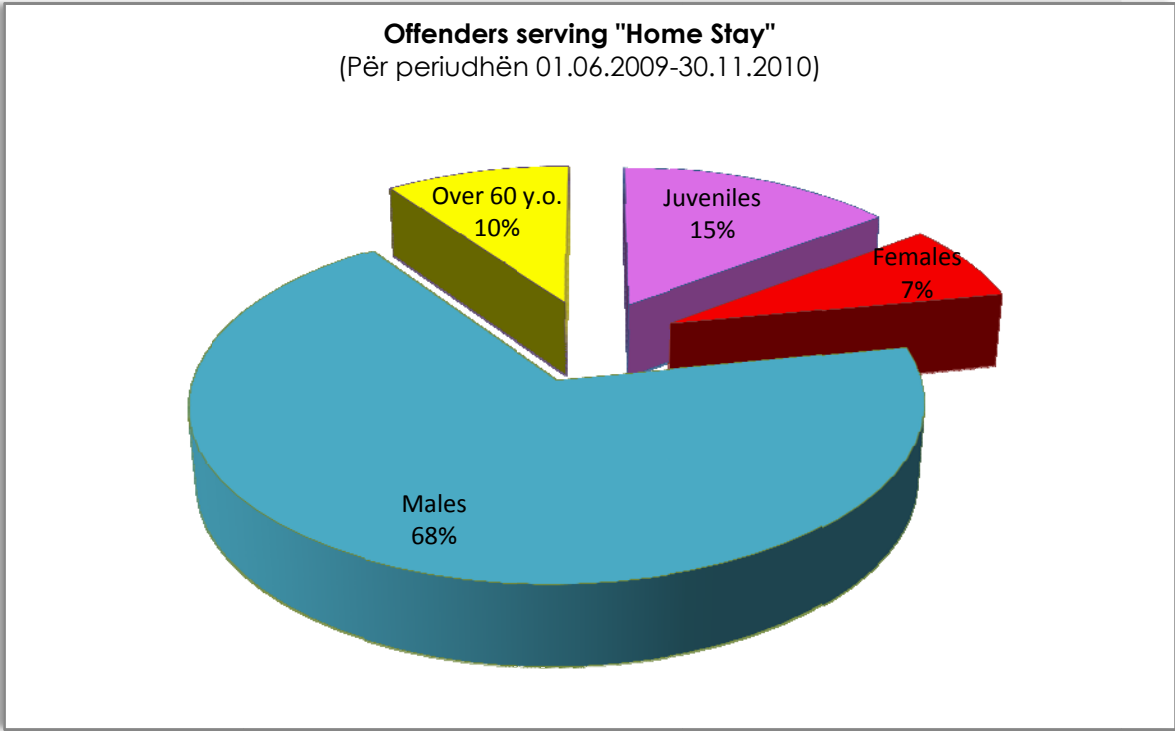
(From 01.06.2009 to 30.11.2010)



Offender's number per probation period

(From 01.06.2009 to 30.11.2010)







Staff

The Probation Service staff is a multidisciplinary team involving 58 individuals with education in the fields of justice, social work and psychology. The Probation Service staff is continuously trained for working with the offenders in order to provide the best service.

