

OVERVIEW OF THE COMMUNITY CORRECTIONS SYSTEM OF THE REPUBLIC OF KOREA

I. INTRODUCTION TO COMMUNITY CORRECTIONS IN THE REPUBLIC OF KOREA

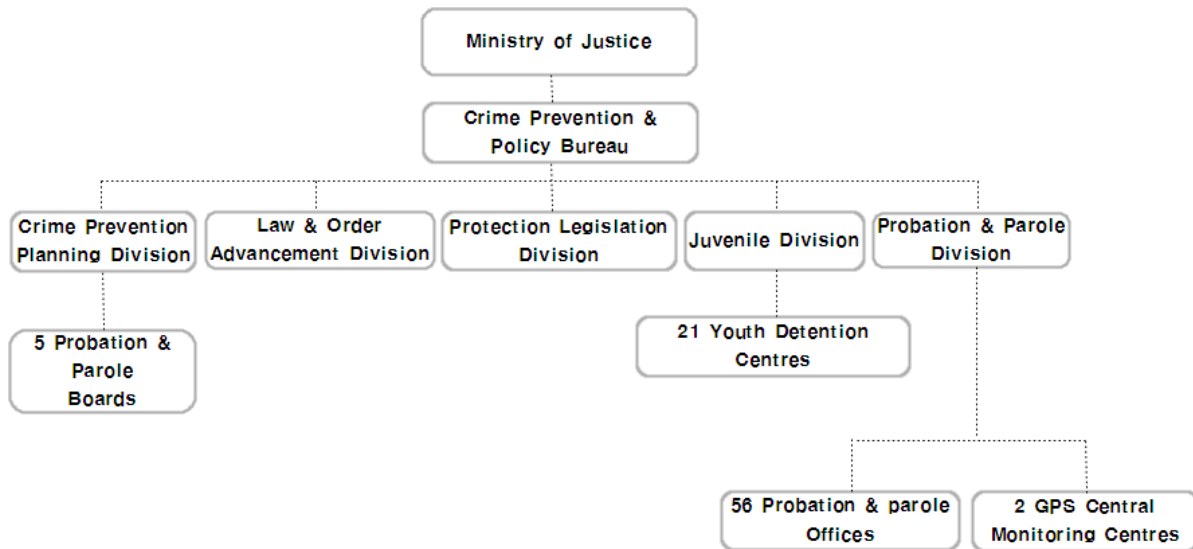
A. Historical Development of Community Corrections

The system of Korean probation services was introduced in 1989. It was first made available to juvenile offenders, and then the services were expanded to adult offenders throughout the country in 1997. The range of the services has been widened, including community service work programs, educational programs and investigations. Also, the 25-year-old Korean probation services have expanded its boundary implementing up-to-date applications such as electronic monitoring, sex offender registration and notification, pharmacological treatment program for sex offenders and so on.

B. Legal Basis of Community Corrections

Probation Supervision	Criminal Act
	Juvenile Act
	Psychiatric Treatment and Custody Act
	Special Act on Punishment of Sexual Violence
	Special Act on Punishment of Domestic Violence
	Act on Punishment of Intermediating Sex Trafficking and Associated Acts
	Rules of Referral to Probation & Parole Office
Community Service Order	Criminal Act
	Special Act on Punishment of Sexual Violence
	Special Act on Punishment of Domestic Violence
	Juvenile Act
	Act on Punishment of Intermediating Sex Trafficking and Associated Acts
Education/Treatment Order	Act on Child/Juvenile Protection from Sex Offenses Special
	Act on Punishment of Sexual Violence
	Criminal Act
	Special Act on Punishment of Domestic Violence
	Act on Punishment of Intermediating Sex Trafficking and Associated Acts
	Juvenile Act
Electronic Monitoring	Act on GPS Tracking of Specific Offenders
Pharmacological Treatment Program	Act on Sexual Impulse Medication Treatment for Sex offenders

C. Organization and Personnel



The Crime Prevention & Policy Bureau has 86 facilities nationwide, including 5 Probation & Parole Boards, 56 probation offices, 21 youth detention centres, 2 GPS Monitoring Centres and 2 Institutes of Forensic Psychiatry. About 1500 officers (the year of 2013) do their best to make the society better and safer place.

To become a probation officer, an applicant must pass a written and oral examination. In some cases, a master's degree or upper-level, and field experience are required. Probation officers are required to possess excellent oral and written communication skills and broad knowledge of the criminal justice system.

The staff members support the officers with administration, maintenance of facility and etc. They need to pass the application phase and oral exam as well. Some of them work as a contract employee, however, their role in the bureau is as important as the officers'.

D. Main Tasks

Probation officer's main tasks are;

Offender Supervision

Enforcement of Community Service Order

Enforcement of Education/Treatment Order

Investigations:

Pre-sentence investigation (requested by judge)

Pre-ruling investigation (requested by judge)

Pre-decision investigation (requested by prosecutor)

Pre-petition investigation (requested by prosecutor)

Environment investigation (requested by head of correctional facilities)

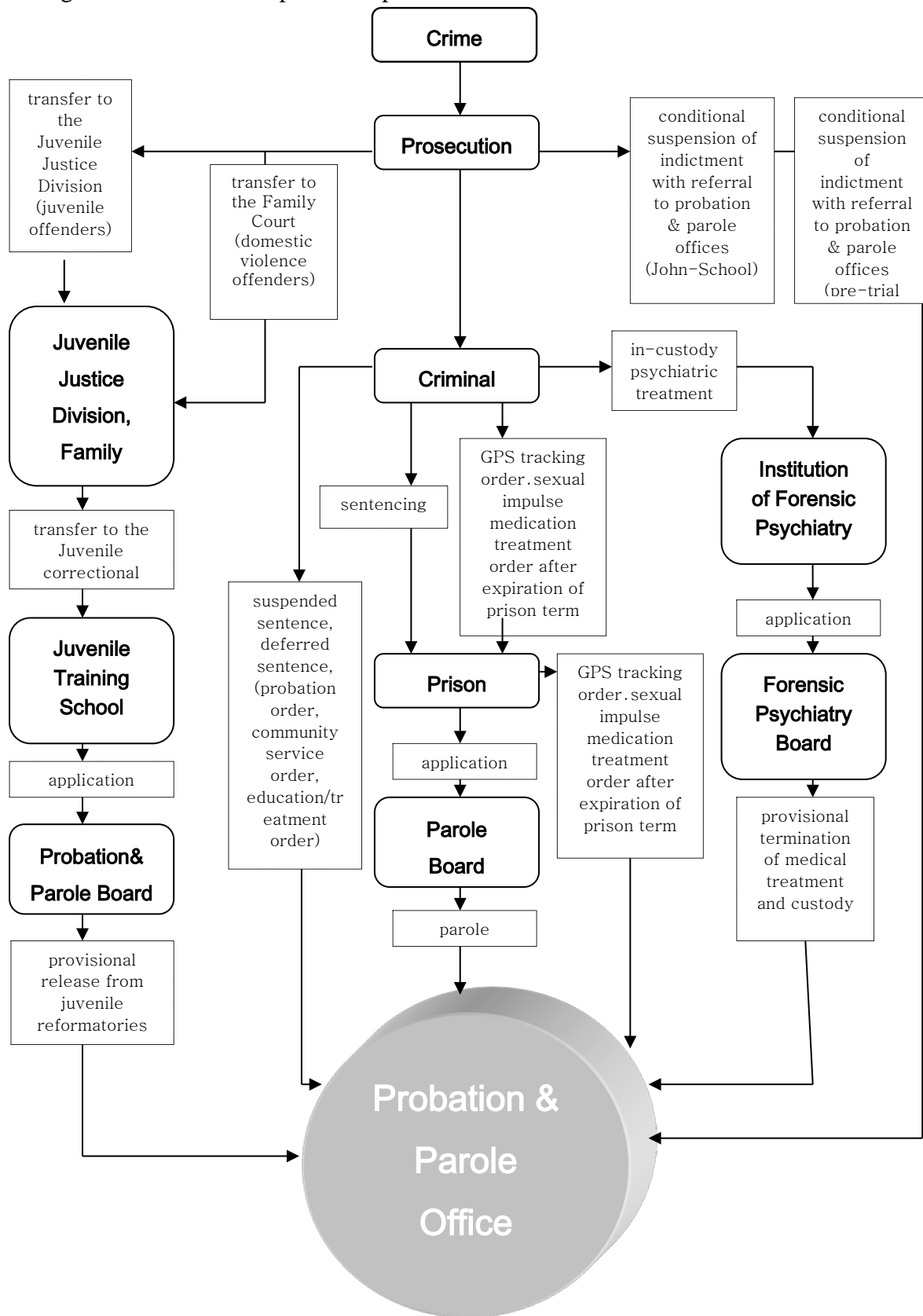
Electronic Monitoring for rapists, murderers and child abductors for 24hours a day and 7 days a week

Implementation of Pharmacological Treatment Program for Sex Offender

E. Probationary and Parole Supervision

Type (Category)	Description/eligible offenders	Sentencing authority	Supervision/ Treatment period
Adult Probationers	Persons under suspension of execution of sentence	Criminal court	Period of suspension of execution of sentence (maximum 5 yrs)
Juvenile Probationers	Persons under protective disposition	Family court	Short-term: 1yr Long-term: 2yrs

1. Organizational Chart of probation process.



2. Conditions of Probation and Parole Supervision

Standard conditions

- Maintaining employment and residence at the registered address
- Being of good conduct and refraining from consorting with people likely to engage in criminal activities
- Faithfully following all the instructions by the probation officers
- Reporting any change of address and getting permission from the probation officer prior to domestic or international for one month or more

Special conditions

Special conditions are imposed by the court, the probation & parole board or the forensic psychiatry board to reflect the probationer's individual needs and risks

e.g)

- complying with any curfew
- refraining from frequenting specific places or areas
- refraining from contact of certain people such as the victim
- Making an effort to repair damages caused by the crime
- Complying with residency restrictions for those who do not have a permanent address
- Abstaining from the excessive use of alcohol
- Refraining from use of addictive substances such as illegal drugs
- Submitting to drug tests for substance abuse evaluation as directed by the probation officer

3. Probation and Parole Supervision

Intake process: refer to the flow chart above

Classification, and Level of Supervision of Probationers and Parolees: Based on KPRAI(Korean Probationers Risk Assessment Inventory) score, the probationers are classified in 3 tiers;

1. High Risk Offender
2. Medium Risk Offender
3. Low Risk Offender

Frequency of contact: A probation officer shall have face to face contacts with a high risk offender at least 4 times a month for 90 days from the classification. After 3 months, meeting with the offender 2 times a month should fulfil the guideline. With a medium risk offender, a

probation officer has face to face contacts one time per month, and one time for every 2 months with a low risk offender.

Revocation of probation/parole: When a probationer violates any of the conditions of probation given by the court, or commits a new crime, the probation officer decides whether or not to seek revocation. If a violation is considered serious enough, the officer initiates the process and it will be brought to a sentencing judge for hearing while the probationer in custody.

Termination of probation/parole :

Probation or parole is terminated in case of ;

- The termination of period of probation
- The revocation of suspension of sentence or suspension of execution of sentence
- The revocation of parole or provisional termination of medical treatment and custody
- The modification of probation
- The termination of penal servitude for an indeterminate term
- Being convicted with a new crime which is punishable by imprisonment

F. Halfway Houses (or other residential facilities within the Probation Services)

There's no halfway house or similar system provided by the official probation services. However, probation officers strive to provide probationers who are recently released from jail or can't afford residency a place to stay collaborating with agencies such as Korea Rehabilitation Agency and private organizations.

G. Specific Measures and Programmes of Community Corrections

community service, electronic monitoring, educational programmes, psychological programmes, vocational training, pharmacological program, sex offender registration and notification, etc.

II. PARTICIPATION OF THE COMMUNITY

A. Volunteer Probation Officers

1. Mission

The official name for volunteer probation officers is “a member of the Crime Prevention Volunteer committee.” Their mission is to assist professional probation officers and aid offenders of all ages with rehabilitation and to work on crime prevention.

2. Status

The term of appointment is three years and is renewable. The position a member of the Crime Prevention Volunteer committee is a post without remuneration, nonetheless, the member is entitled to be paid in part or in full for actual expenses during volunteer works and to be compensated for any damage incurred during the performance of the duty.

3. Main Tasks, Duties, and Roles are;

- Deploying the prevention activities for school violence and crime by establishing a mentor relationship with the delinquent juvenile
- Providing counseling and special instruction for those who have the suspension of indictment under the condition of guidance
- To aid the probation officer’s task in the areas of guidance, supervision, Community Service Order, pre-sentence investigation, and background investigation
- To support job search, vocational training, care, and financial aid

4. Appointment, Recruitment

A member of the Crime Prevention Volunteer committee is appointed by the Minister of the Ministry of Justice. The member is respected in society with virtues such responsibility, fortitude and possession of a passionate spirit for service. The chief of the probation office can appoint a person, who is qualified, as a special crime prevention member if the person is specially related to the offender.

There is no formal procedure for the recruitment of the volunteers. A survey conducted on the members shows that many of the members were recruited by means of informal procedures like being informed by advice of a related persons or agency or own interest in crime prevention activities.

5. Capacity building (training)

The Minister of the Ministry of Justice, the chair of the crime prevention committee, and the chief of the probation office should provide the members of the Crime Prevention

Volunteer committee with the necessary education for effective duty performance. Three stages of education are offered for the members are education for new members, professional education, and advanced or reeducation.

6. Organization of volunteer probation officers (national and regional levels)

The Crime Prevention Volunteer Committee is under the direct control of the Deputy Prosecutor General in the Supreme Public Prosecutor's Office.

The committee can also have the local collaboration committees as branch organizations in order to promote its function more efficiently. The local committees are operated in the offices of cities, provinces, and municipal areas. The local public prosecutor office and its branches can also operate the district committee to perform the same functions as the CPVC does.

7. Other Characteristics

N/A

III. REFERENCE

Web site

Ministry of Justice: <http://www.moj.go.kr>

Crime Prevention & Policy Bureau: <http://www.cppb.go.kr>

IV. STATISTICS

A. Number of Offenders

*Number of persons on probation (As of 2013. 12. 31)

	Total	Juvenile	Adult
Total	49,048	19,796	29,252
Male	43,734	16,477	27,257
Female	5,314	3,319	1,995

*Number by type of offence (2013 1.1. ~ 2013. 12. 31)

	Total	murder	economy	traffic	drug	fraud	sex	theft	violence	gambling	Other
Total	96,574	4,240	941	13,124	3,854	7,685	7,021	20,023	23,877	2,566	13,243
Adult	51,631	3,183	820	9,537	3,195	5,714	4,096	5,115	11,395	2,170	6,406
Juvenile	44,943	1,057	121	3,587	659	1,971	2,925	14,908	12,482	396	6,837

*Number by type of community- based measure (2013 1.1. ~ 2013. 12. 31)

Total	Probation	Community Service order	Educational Order	Investigation	Electronic Monitoring	Pharmacological treatment
	96,574	41,511	28,054	30,487	2,555	3
Juvenile	44,993	10,606	10,176	15,769	-	-
Adult	51,581	30,905	17,878	14,718	2,555	3

B. Recidivism Rate

*Re-entry during probation period

	Total	Juvenile	Adult
2013 year	7.6%	11.2%	4.5%

C. Number of Personnel

a. Governmental staff :1,507

b. Community Volunteers (Volunteer Probation Officers, other volunteers): about 13,800

D. Average Caseload per Staff Member (average caseload per Probation Officer):

127 cases per probation officer