



**Division of Criminal
Justice Services**

Criminal Justice Statistical Report

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Legislative Report Series

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Executive Law Article 13-A Classification/Alternatives to Incarceration Program 2014 Annual Report

Introduction

New York Executive Law Article 13-A requires that counties submit an Alternative to Incarceration (ATI) Service Plan for Classification Funding to New York State. The Plan is designed to identify and provide eligible ATI programs as determined by either an advisory board established pursuant to this law or by an existing criminal justice coordinating council.

The annual ATI Service Plan provides counties the opportunity to examine their criminal justice and jail populations and to conduct planning for effective ATI programs that reduce unnecessary reliance on incarceration. Upon approval of the Plan, the state provides counties funding (requires 50% match) for those programs, as well as the authority for the continued use of reduced classification at the jails they operate.

Pursuant to Section 267, the New York State Division of Criminal Justice Services (DCJS) shall submit its evaluation and assessment of ATI planning and programming efforts by the counties. Such report shall include, but not be limited to, the status of the development of such plans, the approval and implementation of such plans, the success of the programs in terms of their utilization, effect on jail population, results of the analyses provided counties and New York City (comprising five counties) on the relationship between alcohol, drugs and crime, and the success of the eligible alcohol and substance abuse programs and sentencing decisions; together with any recommendations with respect to the proper operation or improvement of planning and implementation of effective alternatives to detention and alternatives to incarceration programs in counties.

Development of ATI Service Plans

The DCJS Office of Probation and Correctional Alternatives (OPCA) oversees ATI programs. OPCA received a total of 56 ATI Service Plan Application, from New York City and all other counties in the state, except Hamilton, for State Fiscal Year 2014/15. Counties were asked to analyze their jail populations as well as the relationship between substance use and abuse and incarceration practices. Their analysis is to be used to inform the types and nature of programming to be included in the plan when supporting the funds for one or more of the following program model options:

- Pretrial Services
- Defender-Based Advocacy Services
- Community Service
- Specialized and Drug/Alcohol Services
- Treatment Alternatives for Safer Communities (TASC)

Counties responded as follows pertaining to the planning and development of their ATI Service Plans and Advisory Board activities (see Table 1 below):

- 83 percent (45 out of 54 counties) reported that they had analyzed the county’s jail population to determine incarceration practices and trends.
- 91 percent (49 out of 54 counties) reported that they had analyzed the relationship between alcohol, drugs and crime and the effects of alcohol and substance abuse on the local criminal justice system and jail, probation and alternatives to incarceration populations.
- 81 percent (44 out of 54 counties) reported that they had met to review the Annual Service Plans before they were approved and submitted to the state.
- 48 percent (or 26 out of 54 counties) reported that they had met to review the ATI programs’ Quarterly Reports and Tracking Logs prior to their submission to the state.

Table 1
Advisory Board Activities

	Counties Reporting	Does your Advisory Board analyze or review the following?			
		Incarceration Practices and Trends	Relationship between Substance Abuse and Crime	Annual Service Plans before Submission	Quarterly Reports and Logs before Submission
Total Reporting	54	45 – Yes	49 – Yes	44 - Yes	26
Percent of Total		83%	91%	81%	48%

Approval and Implementation of ATI Service Plans

ATI Service Plan Applications were provided to counties in March 2014 and New York City in April 2014. ATI Service Plan Applications describing the ATI programs to be delivered were reviewed and approved by OPCA by September 2014. A total of \$5,318,310 in funding for those programs was provided through renewal contracts effective July 1, 2014. All ATI contracts are performance-based. Annual submission of the ATI Service Plan to the state requires an internal review by DCJS of contractual milestone targets and program performance.

Program Utilization

Tables 2 through 6 provide information about the number of individuals served by the various ATI program models funded by DCJS from January 1, 2014, through December 31, 2014. These numbers represent the State's payment made pursuant to performance-based contracts and may not represent the total number of participants served by such programs and funded primarily by localities.

Pretrial Services Programs

A total of 44 pretrial services programs report 28,026 releases with an overall Failure to Appear Rate of 2.7 percent.

Table 2

Pretrial Services Program Utilization 2014

	Number Screened	Number Interviewed	Total Number Released	Percent Released	Administrative Discharges	Total Number Under Pretrial Release ¹	Persons FTA	FTA Rate
Total	82,145	51,764	28,026	54.1%	351	46,386	1,269	2.7%

¹This number includes those under supervision from previous year.

Defender-Based Advocacy Programs

Eight defender-based advocacy program prepared 2,616 individualized client-specific plans and 2,467 were accepted by courts or other releasing authorities.

Table 3

Defender-Based Advocacy Program Utilization 2014

	Number Prepared	Number Accepted	Percent Accepted
Total	2,616	2,467	94.3%

Community Service Programs

A total of 38 community service programs report that 94 percent of participants successfully complete the service.¹

Table 4

Community Service Program Utilization 2014

	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges	Completion Rate
Total	12,939	10,542	673	200	94%

¹ Nassau CSSP data from January-June 2014 included as they did not renew their contract for the 2014-15 year.

Specialized and Drug/Alcohol Service Programs

A total of 27 specialized and drug/alcohol service programs report 9,800 individuals placed in programs and 94.2 percent completing.

Table 5

Specialized and Drug/Alcohol Service Program Utilization 2014

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges	Completion Rate
Total	12,104	9,800	6,695	413	54	94.2%

Treatment Alternatives for Safer Communities (TASC) Model Programs

A total of 10 TASC Model Programs report 4,321 placements and 2,904 successful completions.

Table 6

Treatment Alternatives for Safer Communities Program Utilization 2014

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges	Completion Rate
Total	3,603	4,321	2,904	659	143	81.5%

Review of Jail Population

Each year, DCJS publishes the [Jail Population Outside of New York City \(Annual\)](#) report, which summarizes census data for local jails outside of New York City for the last 10 years. The report includes the average daily population for each local jail, as well as the number of inmates that are un-sentenced. These numbers are provided to each county in a summary table and are used by the counties to develop their ATI Service Plans.

Alcohol, Drugs and Crime

Each year, DCJS provides counties with a table summarizing the prison under custody population, by county of commitment. The summary includes the percentage of inmates from the county that are under custody for drug or property offenses. As with the jail populations, counties compare their individual under-custody populations to the regional and the statewide totals and report the use of this information in preparing and submitting their ATI Service Plan.

Tables 5 and 6 above present the number of individuals assessed for and admitted to drug and alcohol service programs and TASC model programs. Overall, these substance abuse programs placed 15,707 participants. The majority (90%) of discharges successfully completed the programs. See Table 7.

Table 7

Alcohol and Substance Abuse Programs

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Admin Discharges	Completion Rate
Alcohol and Substance Abuse Programs	12,104	9,800	6,695	413	54	94%
TASC Model Programs	3,603	4,321	2,904	659	143	82%
Total	15,707	14,121	9,599	1,072	197	90%