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April 28, 2022

## Probation Practice Review and Continuous Improvement

Special points of interest:

- > Peer Support & Officer Wellness
- > Training Unit Updates
- > Probation Practice Tips
- > Research In Brief

The Division of Criminal Justice Services' Office of Probation and Correctional Alternatives oversees probation practice in New York State and regularly reviews all Critical Incidents Reports filed by the county/City of New York Probation Departments. Critical incidents are comprised of instances when individuals on probation supervision are involved either as perpetrator or victim in shooting deaths, kidnappings, and/or other high visibility occurrences in the community. The review of critical incidents provides an opportunity for OPCA to learn where probation officer training can be improved through the refinement of probation curriculum. The review process also provides an opportunity to review probation practices in the field and recommend change in various probation practices. Importantly, the goal of the critical incident review process is the improvement of probation officer training and practice.

In 2021, OPCA received 99 Critical Incident Reports (CIRs), the highest number received since inception of case tracking began. Of those, 69 were homicides, largely comprised of shooting deaths involving individuals on probation supervision who were either the perpetrators or victims of such crimes. The state director reviews all CIRs, and nearly 50 percent of cases are closed thereafter. Nearly 50 of the CIRs were referred to OPCA staff to present to the weekly Case Review Committee. Forty-five (45) of the CIRs resulted in Case Level 1 recommendations to Probation Directors through informal email correspondence. Three cases went on to Case Level 2 studies and written reports. Case Level 2 reviews include recommendations for practice improvement and often request that departments develop written plans for practice improvement.

While the case reviews identify opportunities for practice improvement, they also cite and confirm the strengths of probation practice demonstrated in both the investigation and supervision process. The pre-plea/sentence and pre-dispositional

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investigation reports are an important and highly valued product of probation work in New York State. The wealth of information and analysis by probation officers included in investigation reports are highly regarded by sentencing/dispositional courts, corrections agencies and departments, the Parole Board, and other law enforcement agencies that have access to these confidential reports. The case reviews also often cite the level of caring and persistence demonstrated by probation officers in attempting to work with individuals in achieving lasting behavior change.

At the same time, the case reviews identify opportunities for practice improvement and often recommend and reinforce the importance of probation departments establishing their own quality review process. This type of program can assist departments to ensure documented standards for work performance and identify areas that need improvement to meet departmental standards and regulations. The quality assurance program should have clearly defined policies and procedures which implement a continuing process of randomized selection and review of cases each month with a report function to the director and probation supervisors. Establishment of a sound quality assurance program provides departments with an internal system of checks and balances that builds a culture of improvement, collaboration and supports best practice.

### **New York Probation Leads in Interstate Transfer Performance**

New York State continues to achieve high scores with the performance measures established by the national Interstate Commission for Adult Offender Supervision (ICAOS). Utilizing the Interstate Compact Offender Tracking System (ICOTS), the national office makes available to member states, including New York, quarterly performance data. OPCA and the Department of Corrections and Community Supervision's interstate units comprise one of the busiest offices in the nation. OPCA Interstate Unit staff manage over 5,000 individuals on probation supervision. The Interstate Unit, in partnership with the county/City of New York Probation Departments, continues to perform as a national leader in rule compliance and service delivery. The six audit measures that the ICAOS reviews include: Reply to Request for Reporting Instructions (99 percent); Transfer Request Replies (92 percent); Requested Progress Reports (95 percent); Case Closure Notices (93 percent); Case Closure Replies (95 percent); and Replies to Violation Reports (100 percent). ICOTS expresses its appreciation to all probation departments in New York State for their continued work in this area. Should you have any questions, please contact [Matthew.Charton@dcjs.ny.gov](mailto:Matthew.Charton@dcjs.ny.gov).

OPCA has recently convened the Probation Financial Obligations Workgroup to study and enhance uniform procedures concerning the collection and payment of court-ordered restitution. This is a complex area of practice which poses many challenges to partner agencies in the criminal justice system. Probation departments are frequently audited regarding restitution collection and disbursement practices, internal controls, etc. Significantly, probation departments collect and disburse \$16 million to \$18 million in court-ordered restitution annually. Madison County Probation Director Joanne Miller and Orange County Probation Director Tim Davidian are co-chairing the Financial Obligations Workgroup. The Workgroup Financial Sub-Committee has also been established to better understand the capacity of Caseload Explorer Financial application and identify areas for program enhancement. Workgroup Sub-Committee members, and many probation directors participated in a presentation by AutoMon, of the CE Financial application. Director Miller subsequently convened a Sub-Committee meeting, including Lisa Baker of Tioga County, to discuss enhancements to the CE application. Probation Director Tim Davidian is also joining the discussion as the work continues to design and implement a uniform restitution court order with the Office of Court Administration. Should you have any questions or concerns, please feel free to contact Community Correction Representative Colleen Thorn at [Colleen.Thorn@dcjs.ny.gov](mailto:Colleen.Thorn@dcjs.ny.gov) or at (518) 469-1413.

## New York State Probation Officers Association Swears in Newly Elected Officers

On April 7, the New York State Probation Officers Association confirmed the newest slate of officers. Gladys Larson (Tompkins County) will continue to serve as president. Russ Zocco (Monroe County) will be vice president, Laura Provost (Clinton County) will serve as treasurer and Pamela Cole (Orange County) will serve as secretary. The New York State Probation Officers Association is a not-for-profit professional organization comprised of current and retired probation officers with the common goals of increasing public safety, raising awareness, and promoting professionalism in the field of community corrections. The New York State Probation Officer Association assumes the responsibility of developing public relations, education programs, legislation, and standards that highlight, enhance and promote the professionalism of the field of probation. In addition, on April 7, the Probation Officers Association presented Deputy Commissioner and State Director Robert M. Maccarone with the challenge coin. Similar to the military, law enforcement challenge coins are used today to instill unity among unit members and to recognize excellent work. The Probation Officers Association wanted to recognize the dedication, perseverance, and excellence in the field of probation that has been demonstrated by Deputy Commissioner/Director Maccarone throughout his career.



**Save the Date!** The New York State Probation Officers Association conference for 2022 will be held in Syracuse, N.Y., July 27-29.

Dutchess County Probation was selected through a competitive application to participate in a probation system review initiative led by the RFK Children’s Action Corps, based on the RFK probation system review guidebook. While the initiative faced some early delays due to COVID-19, the project has proceeded through implementation. Dutchess County Probation has begun the recommended trauma screening for all probation youth by engaging with expert Fordham University Professor Keith Cruise, who has a doctorate in psychology. In 2016, Cruise assisted six probation departments with implementing the use of the Child Trauma Screen (CTS) as part of the Project Second Chance. With Cruise’s guidance, and Director Mary Ellen Still’s leadership, the work on trauma-related topics and trauma screening has been very beneficial. According to Director Still, “Our work on understanding trauma, child and adolescent development has also been addressed -- something that was identified as a need and which we will continue to work on. We are currently collaborating with our community mental health providers to develop trauma-informed assessment and treatment so youth identified will have an appropriate follow-up. In fact, the head of our local child mental health clinic is going to meet with our entire youth staff to discuss programming and future opportunities.” OPCA would like to thank both Dutchess County Probation and Professor Cruise for their extensive work and positive impact on our system. Great work, Dutchess County Probation!

### **Schenectady County Probation Department — Programming Calendar**

Schenectady County is prioritizing training probation officers in cognitive behavior interventions and other evidence-based programs that promote positive behavior change, accountability and law-abiding behavior.

Schenectady probation officers deliver programs directly to supervised individuals to promote informed and individualized case planning, timely and targeted programming, meaningful in-person contacts and program completions. This is consistent with DCJS Regulation 9 NYCRR §351.2 which “promotes evidence-based practices in the field of probation to advance public safety by holding the offender accountable, improving offender competencies, restoring victims and reducing recidivism.” In 2022, the department trained all adult officers in Interactive Journaling—the Courage to Change Series and assigned Forward-Thinking Journals to all juvenile intake cases that were afforded adjustment and/or diversion services. The goal is to ensure all individuals on probation, whether adult or juvenile, receive support specific to their offense, that the support is informed, and that it is delivered in a timely manner. The department has also had success with other interventions such as Decision Points-DUI, Girls Circle, Health Relationships Group (YMCA at Probation) and restorative practices (Conversations, Circles).



In June 2020, during a time of national crisis and civil unrest following the murder of George Floyd, a group of Onondaga County probation officers began meeting to examine how the department was engaged with and perceived by the minority community. As representatives of the law enforcement community, and as active minority community members, officers aspired to improve the relationship between people of color and law enforcement. The civil service job descriptions and responsibilities specific to Community Liaison and Spanish Speaking (CLASS) probation officers closely mimicked what many were already doing personally and wanted to bring to the department. Community work would fulfill job requirements of the probation department. Probation Director Phil Galuppi concurred and authorized the group



to meet regularly and to develop a plan for moving forward. Since December 2020, these officers have used their personal community relationships, to develop professional partnerships between the probation department and other departments and local agencies. CLASS officers collaborated with the Syracuse City School District, Syracuse Police Department (Syracuse Police Athletic League, CAMP415), Syracuse Fire Department, Office of Court Administration, and Onondaga County Department of Diversity and

Inclusion. Other partners included 100 Black Men of Syracuse, Greater Southside Homeowners Association, Albany County UCAN Court Staff and the YWCA. These partnerships created numerous opportunities to improve client and community engagement and improve the overall perception probation supervision. The officers provide afterschool programming, community basketball tournaments, community outreach events, athletic leagues and various projects with community leaders and youth advocates. These community partnerships also led to the launch of other department initiatives including a food distribution service for individuals on probation and their families. Enrollment provides individuals access to food stores twice per week, regardless of household size, income or residence within the county. On distribution days, officers prepare the grocery bags, as well as deliver to those with transportation challenges.



Other initiatives include expanded translation services, as well as intentional deliberate recruitment and training of future classes of minority officers from communities where interest in law enforcement careers is low. The recruitment effort includes a career shadowing program for high school students



and career mentoring through a Junior Cadet program of elementary school students. Officers also committed to providing the department with insight when formulating culturally sensitive responses to socially challenging situations. Last year, CLASS officers met with Hon. A. Ackerman and UCAN Mentor Court staff in Albany, in the interest of incorporating U-CAN

Mentor Court to Onondaga County's existing problem-solving court structure. This multi-faceted engagement is designed to enhance the department's perception and improve community relationships while allowing the probation department to effectively serve in communities of color, removing as many barriers to success as possible.

Other probation departments are encouraged to examine the Community Liaison and Minority Group Specialist positions within the "Standard Specifications for Professional Probation Positions".





## Probation Officer Wellness and Peer Support Program Updates

Cattaraugus County Probation Department Making Officer Wellness a Priority! On Feb. 4, the Cattaraugus County Probation Department offered Imagine 23: Overcoming COVID Fatigue presented by the Pillittere Group. The training focused on the power of positive thinking and mental fortitude while dealing with stressors, especially the global pandemic spanning the last two years, and was featured in the Olean Times Herald. Probation Director Michael Sharbaugh was quoted as saying, "This training is an investment in the health and well-being of our employees. For almost two years, they have been on the front lines during the pandemic, and it's important that we continue to find ways to keep them healthy - - both mentally and physically." Probation Officer and Peer Support Team Specialist Heather Snider stated, "I have always felt that positive thinking was powerful, but this training showed us the mechanics of how a positive outlook can change your whole vantage point."

The full article can be read [here](#).

Many thanks to all the peer team specialists for their continued commitment in providing peer support services!

## 2022-23 Annual Probation Plan, Certifications, and Application Released to Probation Departments

On April 18, OPCA shared the 2022-2023 Annual Probation Plan and Application with all probation departments. Departments are being asked to answer a number of questions on probation warrants, as part of the Focal Issues Section of the application this year, to better understand how probation warrants are requested and managed by departments.

Submissions are due May 18, 2022.

## State Director's Memoranda

The following State Director's Memorandum is available through the IJP: Resources > Reference Library > Probation > Director's Memoranda

- **State Director's Memorandum #2022-2: New Probation Officer Training**
- **State Director's Memorandum #2022-3: Sexual Exploitation Screening— Cases Opened for Juvenile Delinquency Adjustment Services**

## **DMV Electronic Notification Project Advances --Removal of the A4 License Restriction**

Ten probation departments have now joined the electronic notification project for the removal of the A4 License Restriction. Operators routinely arrange for removal of the ignition interlock device (IID) having satisfied the requisite installation term. All too often, operators fail to follow through with Department of Motor Vehicles (DMV) to have the A4 restriction removed from their license and driving record. Through this project, probation officers in participating departments will be able to electronically submit the IID Certificate of Completion form to DMV through a designated email box. Thereafter, DMV will initiate removal of the A4 IID restriction from the operator's license and driving record. Operators may thereafter apply online for new drivers' licenses when appropriate. As of March 31, a total of 13,561 certificates have been sent and processed by DMV with no issues to report. This new electronic notification streamlines procedures for IID monitors to remove the A4 restriction from an operator's DMV record and adds significant security measures to protect the document and reduce the possibility for fraud. DMV related data will be further improved, resulting in law enforcement officials accessing the most up to date information available while on patrol and when encountering motorists. It will also reduce foot traffic at local DMV offices. Should you have any questions or need assistance, please contact Michele Melendez at [Michele.Melendez@dcjs.ny.gov](mailto:Michele.Melendez@dcjs.ny.gov) or by phone at (518) 457-7277, or Leonard Price at [Leonard.Price@dcjs.ny.gov](mailto:Leonard.Price@dcjs.ny.gov) or by phone at (518) 485-9941.

## **Probation Professional Practice Tips**

### **Adjudicated Youthful Offender & Ignition Interlock Device Installation**

Any person convicted or adjudicated a youthful offender for a violation of subdivision two, two-a or three of section §1192 of the New York State Vehicle and Traffic Law is required, as part of their sentence, to install an ignition interlock device (IID) on any vehicle that they "own or operate". To verify that your department is receiving information on all operators requiring monitoring, OPCA in conjunction with the New York State Office of Information Technology Services, created the Persons Requiring IID Supervision report. This report contains all operators who require monitoring of their IID restrictions in each jurisdiction. The report is located on the IJ Portal: Resources > Reporting Services > IPRS Reports > IID/ Ignition Interlock Device Reports > Persons Requiring IID Supervision.

Should you have any questions or need assistance, please contact Michele Melendez, at [Michele.Melendez@dcjs.ny.gov](mailto:Michele.Melendez@dcjs.ny.gov) or by phone at (518) 457-7277



**DNA Collection Guidance**

Probation officers are reminded that the DNA Owed Report found on the IJ Portal Reference Library is updated monthly. A DNA owing individual will remain on this list until their DNA submission is uploaded to the Combined DNA Index System (CODIS). An estimated timeline of this process is as follows:

The New York State Police generally receives the DNA submission within a week and forwards it to DCJS' Office of Forensic Services (OFS) the following day. If the submission form is completed appropriately and all required supporting documentation is present, OFS approves the submission approximately one to three days after receipt. The DNA specimen analysis can take 30 to 90 days. Once complete, the individual's RAP sheet/IPRS will show as "DNA Sample on File in the Databank" (CODIS).

If the DNA collection date is beyond the 45-day mark without upload to CODIS, it is generally a sign there is an issue with the submission. OFS will notify department heads via email in all instances of these types of issues, requesting re-collection or supporting documentation. It is recommended departments reach out to OFS for confirmation, after the 45-day mark, if they are unsure of the individual's DNA submission status.

Please note if the "Offender Index" states "Subject Offender," but the individual is legally required to submit DNA as a "Designated Offender," either a new DNA collection must be submitted or the "DNA Sample- Index Transfer Form" must be completed and returned to OFS via one of the following methods:

- Via Email: [Forensics@dcjs.ny.gov](mailto:Forensics@dcjs.ny.gov)
- Via Fax: (518)457-9384
- Via USPS:

DCJS/Office of Forensic Services  
80 S. Swan St. 8th Floor, Rm 804  
Albany NY 12210

**State Director's Memorandum # 2021-14 & Interstate Warrant Face Sheets**

Effective April 1, 2022, states must comply with the newly established 15 business day requirement for ICAOS warrants to be issued and entered into the National Crime Information Center (NCIC) database. In preparation for this change, State Director's Memorandum #2021-14 was issued and provided guidance to probation departments, which included specially marked ICAOS "face sheets" that were to be submitted to the court with the violation. The "face sheets" should be used by all probation departments with the request for the timely issuance of all ICAOS warrants. The distinctly designed face sheets with the ICAOS logo readily identify interstate cases.

### **Caseload Explorer Enhancements – DWI Offenses**

Recent enhancements to the Ce Probation Case Management System include the following changes to assist Probation Officers and monitors:

- “Order Received Date” to allow the monitor to view the number of business from the date the order was issued.
- “date field” to help monitors identify when a Violation of Probation is filed, a Declaration of Delinquency is signed, and the warrant is issued/received by the monitors to help track and ensure compliance with sentencing and supervision requirements as described in CPL §410.
- “DWI Sentencing Report” was also established to help monitors identify the number of cases convicted of a DWI offense in their specific jurisdictions who have been sentenced to a term of supervision. This report is posted in the IJ Portal to assist jurisdictions in ensuring that all orders for individuals requiring IID monitoring have been received.

To review the additional enhancements made to the Caseload Explorer System, please refer to the Ignition Interlock Webinar delivered on Nov. 30, 2020, which can be found on the IJ Portal: Resources > Reference Library > Probation > Training.

### **Training Unit Update**

On April 4, OPCA launched the first Fundamentals of Probation Practice Academy presented on the newly acquired Statewide Learning Management System (Blackboard). Students will now have a seamless experience working within one platform to access materials and video conference with instructors and one another. This class of 16 students representing 14 different counties will graduate on May 6. OPCA intends to offer both fully virtual and blended model opportunities for the Fundamentals academy using this platform moving forward.

### **Training/Webinars Available**

*“Decision Points—Driving Under the Influence”*

**June 6-10 & June 13-17:** OPCA is pleased to offer probation departments the next opportunity for staff to be trained as program facilitators in the cognitive-behavioral intervention “Decision Points-Driving Under the Influence.” Decision Points was developed to address the criminal thinking and criminal attitudes related to impaired driving, assist individuals change deeply rooted attitudes and habits, and provide long-term solutions to reduce the risk of recidivism. Probation departments will have an additional tool to effectively manage DWI populations and empower individuals to make responsible choices to live well-balanced and safe lifestyles. Interested probation departments must apply as follows:

A. The probation director must complete and return the attached attestation that the department will commence delivery of the program no later than 30 days following completion of the training event, and

B. Each probation professional (teams of two) must complete the application found [here](#). Applications must be received by OPCA by the close of business **Friday, May 6, 2022**. Should you have any questions or need other information, please contact Michele Melendez by email at [Michele.Melendez@dcjs.ny.gov](mailto:Michele.Melendez@dcjs.ny.gov) or by phone at (518) 457-7277.

*MAYSI-2 Training Recording Available*

OPCA is pleased make available the Feb. 4, recorded MAYSI-2 training with Professor Keith Cruise, Ph.D., of the University of Massachusetts Chan Medical School. Mental health screening is required in juvenile delinquency adjustment services per 9 NYCRR Part 356.7(a)(2) and when probation performs PINS diversion services per Part 357.5(a)(5). Participants of this training received instruction on how to complete the MAYSI-2 screening and interpret the results. The MAYSI-2 training and supplemental materials can be located on the IJ Portal: Resources > Reference Library > Probation > Specialized Supervision > RTA. For questions related to the MAYSI-2 screening tool, directors may visit the [website](#) or reach out to the MAYSI-2 Help Desk ([nysap@umassmed.edu](mailto:nysap@umassmed.edu)). For questions related to probation use of the screening, please contact OPCA Juvenile Probation Operations team at [opcaRTATA@dcjs.ny.gov](mailto:opcaRTATA@dcjs.ny.gov).

## Research in Brief

The practice of utilizing early developmental programs that focus on enhancing child, parent-child, or family well-being to prevent social deviance and criminal justice system involvement has been rated effective by the National Institute of Justice Crime Solutions – for reducing deviance and criminal justice involvement. Read more [here](#).

The Council of Juvenile Justice Administrators has released “The Impact of COVID-19 on Juvenile Justice Systems: Practice Changes, Lessons Learned, and Future Considerations.” This report summarizes the responses to COVID-19 from a sample of juvenile justice agencies nationwide. Read more [here](#).



Click [here](#), for more information on the National Institute of Justice CrimeSolutions research database.

## Awards

## Onondaga County Probation Department Receives NYS Annual Law Enforcement Recognition

On April 5, the Onondaga County Probation Department received the Department of the Year Award at the 2022 Annual Law Enforcement Recognition Luncheon, sponsored by the Governor's Traffic Safety Committee and DCJS. These awards honor law enforcement officers, district attorneys, and agencies for their dedicated work in drunk and drugged driving enforcement, prosecution and programs to help curtail drunk and drugged driving. Congratulations to the entire Onondaga County Probation Department on a job well done!

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*eFocus is published by the  
DCJS Office of Probation and  
Correctional Alternatives (OPCA)  
to further the goal of promoting  
public safety through probation  
services and other community  
corrections programs.*  
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## In Memoriam

Helen Bouton

On Feb. 26, with her loving family by her side, Helen Bouton passed away. Helen was a long-standing employee of the DCJS Office of Probation and Correctional Alternatives and the Interstate Unit. Helen was well liked by everyone who met her, and she had many friends at OPCA and throughout New York State. DCJS expresses its sympathy and deepest condolences to Helen's family and friends.