

**Appendix B: New York State Executive Law Article 13-A
Classification/Alternatives to Incarceration (ATI) Service Plan Application**

Article 13-A Classification/Alternatives to Incarceration (ATI) Application General Information:
<https://www.nysenate.gov/legislation/laws/EXC/A13-A>

DCJS funds Alternatives to Incarceration programs serving Criminal and Supreme Courts. The programs offer a range of services that include, but are not limited to, pretrial services, referrals and monitoring, program screening and assessment, case management, cognitive-based interventions, substance use disorder and mental health treatment, vocational/educational/and employment-readiness training. Programs may deliver these services directly or through referral to an established network of community-based providers.

Localities are asked to consider the justice-involved population to determine common trends that may impact the community (e.g., opioid drug related crimes). Additional information to be considered is an analysis of the jail population to assist in determining incarceration practices and trends, this information can be found at <https://www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm>. This information can be used to inform the types and nature of programming to be included in the county application. The Criminal Justice Advisory Board, Criminal Justice Coordinating Council, or Committee may be helpful in this analysis as the various agencies comprising the criminal justice system have representatives who are well-informed.

Term: The term is for 12 months beginning July 1, 2024, to June 30, 2025.

Availability of Funds: DCJS funding provided to localities through NYS Executive Law Article 13-A Classification/Alternatives to Incarceration (ATI) is contingent upon the approval by the NYS Division of Budget.

Annual Plan Requirements:

For Probation Department run Article 13-A/Classification programs ONLY--If a service plan application is being submitted for continued allocation of Article 13-A/Classification funding in 2024-2025 through the block grant, please complete the following. The completed application(s), an application must be submitted for each program being funded with Article 13-A money and should be approved by the chief elected official in each county.

PROJECT	PROPOSED SUBALLOCATION OF STATE FUNDS
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
Total Allocation	_____

Criminal Justice Advisory Board/Criminal Justice Coordinating Council/Local Planning Group:
It is recommended that localities utilize a Criminal Justice Advisory Board; Criminal Justice Coordinating Council; or Local Planning Group when developing the ATI application for funding.

Was there a Local Planning Group or Team utilized when developing the ATI application for funding? Yes No (if yes, please see Appendix B (2) to complete the names of the individuals that make up this board. Executive Law Article 13-A § 261 (2 (a-m)))

Please fully Complete the Program Contact Information Sheet below along with the following additional required items for each program proposed (multiple copies of the program contact information sheet and sections a-e will need to be made if your county funds more than one program with Article 13-A money):

- a. Program Information
- b. Program Funding ID form
- c. Program Staff form
- d. Table of Organization
- e. Actuarial Risk/Needs Assessment

Program Contact Information Sheet

LEGAL NAME OF PROGRAM		ACRONYM	
PROGRAM DIRECTOR		TITLE	
PROGRAM ADDRESS			
CITY, STATE		ZIP CODE	
PHONE		FAX	EMAIL

LEGAL NAME OF MANAGING/SUPERVISING AGENCY			
AGENCY HEAD		TITLE	
ADDRESS			
CITY, STATE		ZIP CODE	
PHONE		FAX	EMAIL

FISCAL REPORTING PERSON			
ADDRESS			
CITY, STATE		ZIP CODE	
PHONE		FAX	EMAIL

PERSON PREPARING QUARTERLY REPORTS			
ADDRESS			
CITY, STATE		ZIP CODE	
PHONE		FAX	EMAIL

(Please add Contact Information Sheets as needed)

(a) Program Information (all questions must be answered)

1. Provide a complete and detailed description of your program, the population served, and the services provided. Include a description of the program's impact within the local criminal justice system.

2. Describe any programmatic barriers the program has faced. N/A

2A. If the program is continuing and it has experienced barriers to providing services, please describe an action plan to address any barriers identified. N/A

3. If new programming or a modified program model is being applied for, please describe the program, the need for this program, and how the program will be implemented. N/A

(b) Program Funding Identification (ID) Form

A program funding identification form must be completed for **each program** and must reflect all funds expected to be spent to support this program for the proposed contract year.

	AMOUNT OF FUNDS
DCJS Funds	
Other State Funds (specify source)	
Federal Funds	
County Funds	
Total Program Budget (include all sources)	

(c) Program Staff Form *(positions that are supported with monies from Article 13-A Classification funds either in full or partially).*

Staff Position/Title	Incumbent	Salary Budgeted	Actual Salary	Contract FTE	Fill Date (Date began working in the program)

(d) Table of Organization

Please submit a Table of Organization that describes how this funded project fits within the overall county criminal justice system.

(e) Actuarial Validated RISK/NEEDS Assessment

Where appropriate, programs should be using validated risk and need instruments that identify the criminogenic needs that inform effective case planning and supervision/case management.

Please answer the following questions regarding the program's use of Actuarial Validated Risk and Needs Assessment Tools.

1. If the program requires, when and how is the Risk and Needs Assessment tool used to assess program population(s)? ***Please enter N/A if not applicable.**

2. What specialized screens or assessment tools are being used and for which populations? (e.g., sex offenses, domestic violence, mental health, substance abuse). ***Please enter N/A if not applicable.**

- 2A. Please provide a description of how specialized screens or assessments are used.

EXECUTIVE APPROVAL:

The chief elected official, or his/her designee hereby approves the application as submitted. The proposed allocation of state funds shall be distributed to each of the programs listed below in accordance with contractual agreements established subsequent to the submission and approval of this Application.

Appendix B (1): Programs Models

Program Model options include, but are not limited to:

Pretrial Services, when authorized or requested by the court, will interview individuals for conditions of release; review criminal history warrants, domestic violence history, weapons restrictions, and advise the Court. Additionally, pretrial services agencies will, when authorized or requested by the court, monitor or supervise individuals, and refer clients to court ordered services. When requested by the Office of Court Administration, pretrial services agencies will also notify defendants to return for all court appearances.

Defender-Based Advocacy Services (DBA) screen and identify individuals appropriate for community-based alternatives to incarceration programs. Programs are required to prepare written Client Specific Plans for individuals before the court that identify appropriate community-based services that will reduce (or in some cases eliminate) sentences to incarceration and reduce reoffending. DBA Service Programs refer clients to evidence-based services in the community and may provide monitoring/case-management services.

Community Service programs provide courts with community-based alternative sentencing. Community Service programs screen and identify individuals appropriate for community service. Community Service programs may refer clients to community-based service organizations or directly oversee clients performing community service. Programs work to ensure that individuals ordered by the court to complete the prescribed hours of community service do so and may be required to report the completion of community service to the court.

Treatment Accountability for Safer Communities (TASC) Model Programs screen, assess, and refer individuals with substance use disorder and/or mental illness for further evaluation and treatment. TASC model programs monitor the progress of individuals in treatment and report back to the court. TASC model programs may also provide cognitive-behavioral and/or employment-readiness training and job placement services.

Other Alternatives to Incarceration (ATI) Programs that use evidence-based services target individuals appropriate for community-based services with the goal of reducing unnecessary reliance on incarceration and reducing re-offending. These programs may refer individuals to community-based services or provide direct services, including residential. They may also provide monitoring and/or case-management services and report back to the court on client progress. Programs may provide gender specific services or services to individuals with behavioral health needs, developmental disabilities, individuals convicted of a sex offense, and other criminal justice involved populations.

Please refer to <http://www.criminaljustice.ny.gov/opca/standards.htm> or <https://nyapsa.org/pretrial-release> for ATI program standards

Depending on the type of program, the following are guidelines for program operation:

Screening, Assessment, and Intake: TASC, DBA, and Other Alternatives to Incarceration (ATI) Programs that use evidence-based services must use an actuarial validated risk and needs assessment; Community Service programs will use an actuarial validated risk and needs assessment where applicable.

Program Procedures and Services: The program shall develop and implement written protocols and procedures for delivering services. The procedures *may* include, but are not limited to the following areas:

- Some program models use a validated risk/need instruments that identify criminogenic factors to be addressed in the case plan. This protocol shall include a process for periodic review and assessments.

- Screening, monitoring and referral protocols (e.g., substance abuse, mental health, medical, entitlements, housing, employment, vocational and educational services, etc.) and follow up.
- Use of evidence-based practices and cognitive interventions, including the incorporation of risk, needs and responsivity principles.
- Mechanisms for regular reporting to the court on participant's program compliance and the prompt reporting of non-compliant behaviors.
- A written protocol for the use of incentives and rewards that recognize individual progress and achievement and graduated responses to address non-compliant behaviors.
- Discharge planning (if applicable).

Liaison/Court Staff: The program may maintain a presence in and/or staff the courts in the counties they serve. Program staff assigned to the court may:

- Screen potential participants, when authorized or requested by the court.
- Advocate for program services.
- Report to the court on participant's progress in program and compliance with court order(s) and conditions (if applicable).

Court Screening and Collaboration with Criminal Justice Agencies: The program will work with criminal justice agencies that may include: the court, prosecutors, defense counsel, police, probation and community-based agencies (housing, social services, treatment agencies, etc.) to facilitate participant identification, screening, assessment and enrollment in community-based services.

Personnel and Staff Development: The program will employ and retain qualified personnel. Programs will ensure that personnel are trained and continue to receive in-service training consistent with accepted evidence-based principles.

Appendix B (3): New York State Executive Law Article 13-A

Standardized Reporting Requirements

Below are the metrics that should be reported in each quarterly report submitted.

Due Dates:

***January 1 - March 31 DUE April 30
July 1 - September 30 DUE October 31***

***April 1 - June 30 DUE July 31
October 1 - December 31 DUE January 31***

Pretrial Release:

Number Screened

Number Interviewed

Number Released

a. *ROR*

b. *RUS*

c. *Bail*

Total Number Released

Total Number Under Pretrial Release

Number FTA With Warrant

Community Service:

Number Placed in the Project

TASC/Specialized:

Number Interviewed/Assessed/Evaluated

Number of Admissions/placements/Intakes

Defender Based Advocacy (DBA):

Plans Prepared

Plans Accepted

All Program Models:

Number Satisfactorily Completing Program

Number Terminated Unsatisfactorily

Number Administratively Discharged