


DPCA



The Future of Probation
in New York State: A
Shared Vision

The 12th Annual NYS
Probation Officers Association, Inc.
Summer Conference
Wednesday, August 2, 2006
Albany, New York

New Probation Funding

New Funding for SFY 2006/2007

- \$1 million for DNA sample collection from current probationers (on supervision prior to July 2006)
- \$1.2 million for Enhanced Sex Offender Supervision (for Level III Sex Offenders)
- \$310,000 for PROBER Phase II Implementation
- \$976,500 for Probation IMPACT III

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Probation in New York State

Adult Services

- 125,000 adult probationers; 140,000 adult cases—35,000 new cases each year
- 12-14% VFO's, 22,000 DWI, 22,000 Substance Abuse, 3,520 SORA
- 105,000 criminal pre-sentence investigations each year

Juvenile Services

- 100,000 PINS and Juvenile Delinquency Intakes
- 19,400 PINS and Juvenile Delinquents on Supervision
- 24,000 PINS and Juvenile and Delinquency Pre-Dispositional Investigations

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DPCA Mission

The mission of DPCA is to reduce crime by lowering recidivism among offenders on probation supervision and in community correction programs.

DPCA promulgates rules and regulations that reflect evidence-based practice and have the force and effect of law. DPCA provides training, funding, and program assistance to probation departments and community correction agencies with measurable outcomes.

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Training - Changing the Paradigm

- Fully implemented the evidence-based, skill-building written curriculum-Fundamentals of Probation Practice (FPP) consistent with NYS-Instructor Development Curriculum (IDC) Format
- Exported FPP to County-based training programs Trained the trainers in NYC, Westchester, Monroe, Nassau and Suffolk Counties and continue to provide technical assistance for quality assurance
- Provided regional two-day Supervisors' Training and written curriculum to support the implementation of FPP

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Training - Changing the Paradigm

- POA, COPA, Parole and DPCA re-wrote the Officer Safety and Survival Training (OSST) and Peace Officer Training (POC). Training provided by probation for probation officers
- Integrated Firearms Training into FPP while preserving the option for county-based firearms training and ensured statewide compliance through the Annual Plan
- Reconciled the Statewide Peace Officer Registry and incorporated this into the requirements of the Annual Probation Plan

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Training - Changing the Paradigm

- Established the six-month “Training Road Map” accessible to all probation officers through the Probation Services Suite in *E-Justice New York*
- DCJS/DPCA Implemented Probation Field Intelligence Officer (PFIO) Training.
- Offer Cognitive-Behavioral Treatment/Intervention Curriculum during 2006/07. Why CBT’s ?

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Reducing Recidivism

- *Tools of the Trade- A Guide to Incorporating Science into Practice*
See: <http://www.nicic.org/pubs/2004/020095.pdf>
- “Supervision: A Behavioral Management Process to Reduce Recidivism”
- “Guiding Principle: Supervision agencies should adopt behavioral management techniques as a goal of the organization. The behavioral management techniques should refer to actions that the staff use to achieve offender-related and organizational outcomes”

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The Role of Community Supervision

- “Research has identified the process through which people change their attitudes and behavior (Prochaski and DiClemente, 1986) and, correspondingly, a set of interventions and techniques, or tools, are available that can work powerfully to help people move through the process of change. At the same time, a new focus on the outcomes of government operations, rather than inputs, has helped define the task of supervision squarely in terms of protecting public safety.”
- Results-oriented approach demands that supervision reduce recidivism through all effective means, regardless of the previous law enforcement or social work purpose.

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Risk and Needs Assessment--the Core of Evidence-Based Practice

- Identify the highest risk cases and allocate resources
- Identify the “criminogenic” needs (criminal history, criminal thinking and attitudes, criminal associates/peers, substance abuse, family dysfunction)
- Target the risk and protective factors and build effective interventions-maximize quality of contacts
- Match offenders with appropriate services (the responsivity principle)
- Measure offender behavior change
- Use risk/need data for the development of policy and allocation of resources

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Risk and Needs Assessment Tools

COMPAS Adult Risk Needs Assessment

- Statewide Workgroup Convened in July 2005
- New COMPAS based on “structured professional judgment” delivered in November 2005
- Statewide Data Sample of 1,180 Assessments
- Programming of new COMPAS Web-based Instrument in August 2006
- Beta-testing in four pilot counties (Nassau, Ulster, Montgomery and Delaware) in September 2006.
- Web-based COMPAS deployed in October 2006

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Risk and Needs Assessment Tools

YASI Juvenile Risk Needs Assessment

- Deployed in nearly 50 counties in NYS
- Automates Case Plan and Pre-Dispositional Investigation
- Evidences reduced recidivism among highest-risk juvenile population
- Utilized by probation directors in guiding policy development
- Reduction of juvenile placement and cost-savings to counties

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Responsivity

- Ensure services that probation services refers to and relies upon are performance-based and outcome driven
- Implemented performance-based contracts for all Executive Law Article 13A Classification/Alternatives Funded Program including all demonstration programs
- Performance-based measures for pretrial and community services, defender-based advocacy, TASC and drug/alcohol treatment programs
- Implemented performance-based contracts for all TANF funded programs that provide wrap-around services
- Issued new statewide guidelines for pre-trial and community service programs to ensure best practices
- Developing statewide TASC guidelines

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Increasing Probationer Employment

- Established “Pathways to Employment” Initiative with the NYS Department of Labor –Skill Building
- Developed “Employment Matters”, “Ready, Set Work” and “Retention Counts” Program Components
- Secured NIC federal grant for Offender Workforce Development Specialist Training (OWDS) Certification Program
- Developed Employment Model Resource Centers in Monroe, Dutchess, Albany and Schenectady Counties—a fifth site is planned in New York City

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Increasing Probationer Employment

- Trained probation 650 probation officers throughout the state, focusing on those with high-risk probationer populations including ISP and PED
- January 2007—NYS seeks to become NIC certified to provide OWDS Training
- Employment is measured:
 - Annual Probation State Aid Plan
 - I-PRS Case Registration
 - Outcomes for PED, ISP and other high-risk programs

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Probation Automation

- Replaced Client Data System (CDS) with Integrated-Probation Registrant System (I-PRS)
- Reconciled CDS --65,000 MED cases closed by probation departments and maintained through the ‘threshold report’
- Reconciled I-PRS--6,000 MED cases closed by DCJS
- November 2005--Management reports available to probation officers at their desktops --DNA, Sex Offender, Probation Population, MED and Probation Transfers

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Probation Automation

- PROBER Phase I-Conversion of 20 Counties using Access-based PROBER to web-based PROBER/Caseload Explorer; Tioga and Chenango Counties automate directly to Caseload Explorer
- PROBER Phase II-Secured \$310,000 to offer funding to 17 new counties to automate using web-based Caseload Explorer
- Dutchess, Suffolk and Rockland Counties to automate using web-based Caseload Explorer

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Probation Automation

- Phase III -Seek additional funding to complete automation of county probation departments, addressing the needs of large and small county departments.
- Establish statewide integrated probation case record management system that fully integrates juvenile and adult risk needs instruments, drives the development of the case plans and produces the pre-plea/investigation and pre-dispositional reports
- Develop information technology account in state aid reimbursement to encourage and support automation

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Probation Rule Changes Implemented

- Probation Interstate and Intrastate Transfer
 - Strengthened compliance with conditions of release and addressed requirement for home plans, DNA sample collection, SORA and fingerprinting
- Case Record Management and Supervision
 - Provided clear guidance to directors which probationer information may and in some instances, must be shared
- Investigations and Reports
 - Strengthened practice to reflect statutory changes regarding sex offenders, DNA, DWI, Ignition Interlocks, etc.

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Probation Legislative Initiatives

- Empower probation officers to issue detainer warrants when courts are not available, particularly as it concerns high-risk offenders including sex-offenders and domestic violence batterers (S. 8135). This will ensure the swift and certain response to probationers who violate their terms and conditions of supervision.
- Amend the law to provide for the complete intrastate transfer of probationers. This will increase the enforcement powers of supervising probation departments while ensuring that victim restitution is collected.

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Probation Practice Strengthened

- May 2004-Chief Administrative Judge issued memorandum to all sentencing courts requiring the attachment of Orders of Protection to commitments to state prison and county jail facilities.
- June 2005-Implemented DPCA/Parole Protocol to assist probation departments in the preparation of pre-sentence investigations of state prisoners
- July 2005-Implemented DPCA/Parole MOU providing that interstate offenders transferring into NYS, having been incarcerated for periods greater than one year for any single offense, will be supervised by Parole

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Probation Practice Strengthened

- July 2005-Chief Administrative Judge approves memorandum for all sentencing courts to utilize new Uniform Sentence and Commitment. Sex offenders “certified” at sentencing.
- September 2005-Implemented simplified Critical Incident Report (CIR) Policy and Procedure. CIR distinguishes Probation Officer Safety Report and requests departments collect probation officer safety incidents, effective January 1, 2006.
- October 2005-Developed and implemented fiscal guidance/Internal Fiscal Controls for county probation departments, now available in the Probation Services Suite of E-Justice New York

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Current Statewide Initiatives

- Spring 2006-Statewide PINS Intake Workgroup convenes to review impact of the new PINS Intake Law and incorporates input from two statewide focus groups. New Probation Intake Rule is an anticipated outcome.
- Summer 2006-Statewide Victims Workgroup convenes to consider comprehensive probation policy for victims including victim impact statements, restitution, etc.
- Probation Sex Offender Survey-will facilitate the development of statewide best practices and the basis for expansion of Enhanced Sex Offender Supervision Funding

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Future Probation Initiatives

- Evaluate JISP, ISP and PED Funding to ensure that program assistance goes to the areas with the greatest need and effectiveness in reducing recidivism
- Examine probation violations and warrants and develop consistent policy guidance
- Work with DCJS to implement the fingerprinting of probationers on supervision for “non-fingerprintable” offenses; enable probation departments to fingerprint probationers for “fingerprintable offenses”

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Future Probation Initiatives

- Develop the “Measures of Success” or outcomes that probation departments share in reducing recidivism and promoting community safety
- Reconsider the H-10 Schedule-the standards and qualifications for probation officers and probation directors
- Provide departments with guidance on Specialized Risk/Need Instruments, particularly concerning the DWI, DV and Sex Offender populations
- Address Caseload Standards
- Work with the Judicial Task Force to strengthen Probation

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Probation Officers

- Sentinels of community safety
- Self-motivated, trained and expert in an increasingly complex community corrections world
- Leaders in the community
- I commend you/I salute you

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Visit the Probation Services Suite
In E-Justice New York
At

[http://www.criminaljustice.state.ny.us/ojis/
ejusticeinfo.htm](http://www.criminaljustice.state.ny.us/ojis/ejusticeinfo.htm)

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