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# 2012 ANNUAL REPORT

## DUTCHESS COUNTY OFFICE OF PROBATION AND COMMUNITY CORRECTIONS



**Marcus J. Molinaro**  
County Executive

**Mary Ellen Still**  
Director of Probation

**Catherine A. Lane**  
Deputy Director

# 2012 Annual Report

## A Message From the Director



I am pleased to submit the 2012 Annual Report for the Dutchess County Office of Probation and Community Corrections.

The report contains the highlights and achievements of the various units within the department. Once again, our staff has performed superbly in dealing with the many opportunities and challenges inherent in a community corrections environment.

In many ways, 2012 has been a transition year as we prepare for the implementation of a new supervision rule—the first major change in policy governing the supervision of individuals placed on probation in over 30 years. Commensurate with the change in the rule, preparation has begun to modify the computer system in order to accommodate these changes.

We have also begun to prepare for a change in the rules governing detention for juveniles, the first step in an anticipated restructuring of the juvenile justice system. As the department has used assessment instruments and evidence-based practices for many years, this transition is expected to be smooth and seamless.

Pretrial Services continues to present a viable option to incarceration for appropriate individuals, thereby significantly reducing costs related to “housing out” inmates in other counties. The range of alternatives offered is carefully matched to the risk and needs of each individual. In 2012, over 1,000 defendants were released through the intervention of the Pretrial Services Unit.

The department continues to serve all courts in Dutchess County by producing over 1,500 investigations annually. Individuals placed on probation are supervised according to the risk level they present to the community and their individual needs.

The Office of Probation and Community Corrections remains committed to maintaining evidence-based practices and to quality assurance through review of performance based measures and outcomes.

The department gratefully acknowledges the support of Dutchess County Executive Marcus J. Molinaro and the Dutchess County Legislature.

Respectfully Submitted,

Mary Ellen Still  
Director

# 2012

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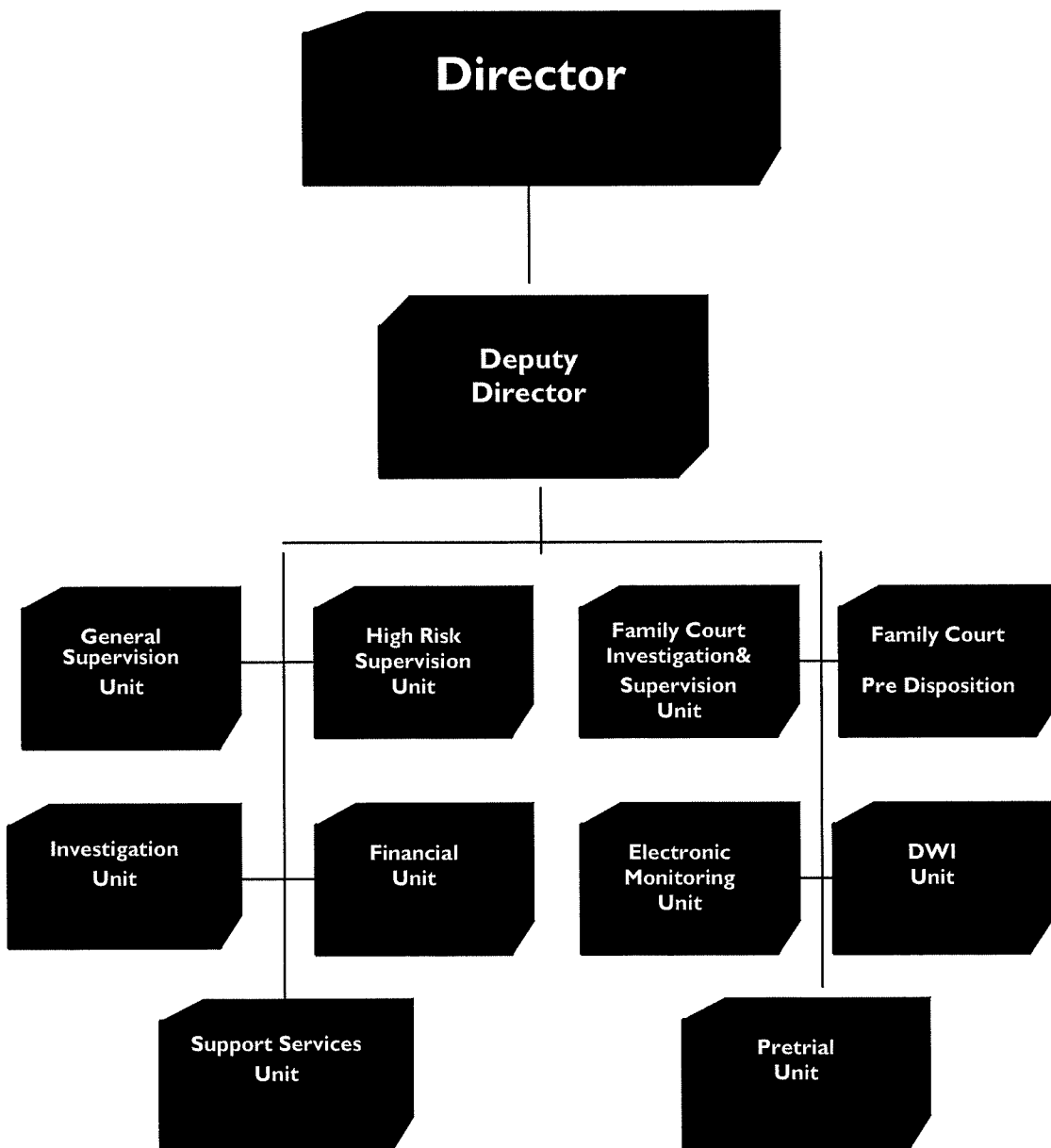
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# Office of Probation and Community Corrections





# Mission Statement

*The Mission of the Dutchess County Office of Probation and Community Corrections is to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change. We operate in collaboration with our criminal justice partners and the community. We provide services to courts, help strengthen families and give victims a voice in the justice system. We provide leadership and services in a cost effective community based setting.*

**Dutchess County Office  
of  
Probation and Community Corrections**



**Units**

Family Court Supervision  
Family Court Diversion  
Pretrial Services  
Electronic Monitoring  
Investigations  
High Risk Supervision  
General Supervision  
DWI  
Financial  
Support Services

**Unit Administrators**

Audra Schumacher  
Karen DeSimone  
Jonathan Heller  
Thomas Morris  
Daniel Bryant  
Karen O'Connor  
Jane Walker  
Joanne Nellis  
Peggy Milone  
Karen Kotchie

**Dutchess County Legislature  
Public Safety Committee**

Kenneth Roman, Chairman  
Peter Wilkinson, Vice Chairman

Sue Serino  
Robert A. Weiss  
Steve White

John M. Thomes  
James R. Doxsey

## **Family Court Unit Intake/Diversion Services**

**Karen DeSimone, Unit Administrator**  
Diane Whiteman, Senior Probation Officer

Probation Diversion programs assist youth at risk; striving to address and resolve their needs while diverting them from a more formal response in a courtroom. Youth who enter the juvenile justice system are challenged by so many negative factors: drug/alcohol abuse, bullying/cyber bullying, family problems, peer pressure, poverty, and gangs to name just a few. As the issues become increasingly complicated, we respond by use of evidence-based practices to ensure the most appropriate and beneficial assistance is provided to the youth who have the greatest needs. Identified needs are addressed with research-based service referrals provided both within and outside of the Office of Probation. The Functional Family Therapy program is now in its fifth year and offers services to Dutchess County youth and families at the Office of Probation in both Poughkeepsie and Beacon. In addition, the Diversion Unit continues a Restorative Justice approach for the Juvenile Delinquency Diversion cases including an Empathy/Apology Letter Workshop and community service requirements.

The Diversion Unit is staffed with a team of Probation professionals who exhibit dedication, caring, and commitment to the youth and families they serve. We are reminded every day that the youth of our community represent our strongest asset and our greatest hope for the future.

The Dutchess County Office of Probation Juvenile Diversion Unit provides the following:

### Intake Function

*Family Court Intake* assists the public by preparing various petitions necessary to access Family Court. The various petitions prepared include petitions for spousal support, modification of child support, custody, visitation, paternity, guardianship and family offense petitions for those who seek Orders of Protection. Representatives from Grace Smith House Inc. assist in completing family offense petitions as well as providing advocacy for domestic violence victims.

Appearance tickets issued by police departments to potential juvenile delinquents alleged to have committed a crime throughout the county are returnable to Intake. In 2012, **169** Appearance Tickets were issued in Dutchess County returnable to Probation Intake.

Intake also accepts PINS complaints from parents/schools and occasionally police officers. In 2012, **311** PINS complaints were filed in Dutchess County.

### **Persons In Need of Supervision (PINS)**

712(a) of The New York State Family Court Act defines a Person in Need of Supervision as a person less than eighteen years of age who does not attend school in accordance with the provisions of part one sixty-five of the Education Law or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other person legally responsible for such child's care, or other lawful authority, or who violates the provision of section 221.05 of the New York State Penal Law which is the unlawful possession of marijuana.

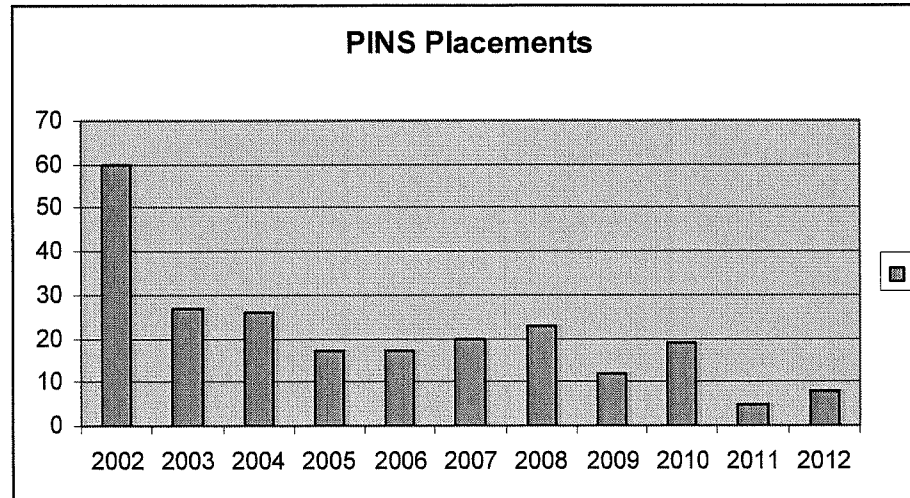
### **PINS Diversion Services**

All youth subject to a PINS complaint are offered a period of Diversion services. During this time, the youth and their family, working with a probation officer, are referred to various identified community programs to address the needs which led to the complaint. Diversion services are voluntary and also require the cooperation of the parent/guardian of the youth. Diversion services typically remain open for six to nine months with services ending when the case plan objectives are met and the behavior has improved.

The probation officers in this unit assist the youth in completing a Case Management Plan which is developed with the family and part of the initial YASI Assessment (see YASI below for further information). During the period of PINS Diversion Services, the probation officers work closely with the youth and families to address the identified needs that brought them to Diversion by referring them to various programs both within and outside of the agency. If diversion does not resolve the complaint, the matter may be referred to Family Court for further intervention. The probation officers in this unit are committed to divert cases from the Family Court whenever possible; as it is a far better outcome to address the needs of a youth and their family on a voluntary basis. This successful effort has resulted in a reduction in PINS petitions forwarded to Family Court and a dramatic reduction in PINS placements in the past several years.



## PINS PLACEMENTS



The PINS Coordinator receives and assigns all new cases, and facilitates cases through the assessment process including the scheduling of School Review Meetings and the review of the 30-day Youth Assessment Screening Instrument [YASI] which includes a case management plan. The PINS Coordinator organizes and facilitates a weekly Intake Review meeting during which all cases accepted for diversion services during the preceding week are reviewed with the various co-located services available on-site to consider early referral for assistance. The PINS Coordinator also communicates regularly with all school districts regarding utilization of the program and coordination of individual cases.

**YASI** - The YASI (Youth Assessment Screening Instrument) is an evidence-based tool effective in determining risk and protective factors. The domains with the highest risk factors are targeted in the case management plan. PINS diversion youth with a PRE-YASI low risk level are referred out of the agency to the Youth Services Unit as evidence shows keeping low risk cases in the juvenile justice system actually increases risk of recidivism.

**MAYSI** A mental health screening is conducted on all consenting PINS & JD Diversion youth by use of a MAYSI questionnaire. The MAYSI (Massachusetts Youth Screening Instrument) identifies signs of mental health issues among youth between the ages of 12-17 years. Depending on the results, immediate referrals to an appropriate agency may be made or a further evaluation recommended.

**The Collaborative Solutions Team** assists in mental health screens, consultations, interventions [including crisis], safety assessments, and substance abuse screening and assessment. They can be utilized as a team or individually at any stage from intake to case supervision.

**Functional Family Therapy (FFT)** Functional Family Therapy is an evidence-based family counseling approach that has been demonstrated to be effective to a wide range of at-risk youth and their families. A team of professionals comprised of a Probation Officer, Astor clinical staff, and staff from the Dutchess County Department of Mental Hygiene currently make up the team providing this service to youth and their families involved with the Dutchess County Office of Probation and Community Corrections. A single team member will provide the actual family sessions, but will also work closely with the assigned probation officer. The FFT counseling approach works to develop the unique strengths of each family, and to enhance the families' ability to make positive changes in the future on their own.

### Juvenile Delinquent (JD)

301.2(1) of The New York State Family Court Act defines a Juvenile Delinquent as a person over seven and less than sixteen years of age, who, having committed an act that would constitute a crime if committed by an adult.

### **JD Diversion Services**

Following the Appearance Ticket Intake interview, Juvenile Delinquency complaints are reviewed and considered for Diversion services. Similar to PINS Diversion services, participation in the JD Diversion program is voluntary on behalf of the youth and family, however, the victim of the youth's crime must also be in agreement to divert the case and the youth must be willing to accept some responsibility for the crime they are accused of committing. Most JD cases meeting that criterion are offered JD Diversion services for a period of two to four months. JD Diversion youth with a PRE-YASI low risk level are referred out of the agency to the Youth Services Unit as evidence shows keeping low risk cases in the juvenile justice system actually increases risk of recidivism. The remaining appropriate JD complaints are assigned to a probation officer who completes a YASI and a Case Management Plan and then helps facilitate the youth in meeting the obligations of the plan. The youth work closely with the probation officer to address any identified needs that may be contributing to the behavior that brought them into probation and monitor the payment of restitution, if necessary. Additionally, the youth is required to complete the JD Diversion Restorative Justice Program initiatives.

### **JD Diversion Restorative Justice Program**

Launched in 2009, the JD Diversion Restorative Justice Program brings to the unit the traditional philosophy of Restorative Justice; a community response to crime whereby the central focus is shifted to victim needs and offender responsibility for repairing the harm caused. As such, cases assigned to the JD Diversion program have the following requirements for successful program completion:

1. All youth are required to complete **Community Service** hours. The amount of hours is determined by the classification of crime committed. The youth and the probation officer will strive to find a community service location which connects to the act committed.
2. All youth are required to attend an **Empathy/Apology Letter Workshop** facilitated by two probation officers. This 90 minute workshop is scheduled monthly and also offered as an individual session for any youth who may not benefit from the group environment (such as a younger participant).

During the workshop, there is a 45 minute interactive discussion with written exercises regarding the definition of empathy as it relates to the actions of the participants. This is followed by a 45 minute session during which each participant produces a letter of apology to the victim of his/her criminal act. The letter produced is forwarded to the assigned probation officer who then works with the youth to make corrections as needed.

3. All cases require direct contact with the victim of the offense. Probation Officers will seek information from victims, refer victims for support services if needed, and use the victim input to complete a **Victim Impact Statement**. Victim input is also sought to determine what type of community service is selected or if the victim chooses to receive a letter of apology from the youth. However, no victim is required to provide information or participate in any activities.

## Family Court Investigation and Supervision Unit

### **Audra Schumacher, Unit Administrator**

Sarah Kennedy, Senior Probation Officer

Chantal Sherwin, Senior Probation Officer

The Family Court Investigation and Supervision Unit provides probation services to children and families who are involved with the juvenile justice system. These services include pre-dispositional investigations for Custody, Visitation, Guardianship, Family Offense, Persons in Need of Supervision (PINS) and Juvenile Delinquency (JD). Probation supervision is provided for youth adjudicated as Persons in Need of Supervision and Juvenile Delinquents, as well as for youth who received Supervised Adjournments in Contemplation of Dismissal on JD and PINS petitions. Pre-dispositional supervision of juveniles who were arraigned in Family Court is also provided.

### Investigations

Two full-time and one part-time officer in the Family Court Unit prepared the different types of investigations that are used in the juvenile justice system. In 2012, the officers completed a total of 209 Predispositional Investigations. The majority of reports produced by the Family Court Unit are for Juvenile Delinquency and Person in Need of Supervision (PINS) matters. The investigations are used by the Family Court, County Attorney's Office, Office of Children and Family Services, therapists and supervising probation officers. The investigations are used to assist the Family Court in making decisions about the children and youth who appear before them. In addition, officers whose primary assignment is supervision of probationers are regularly called upon to prepare updated investigations and reports on probationers under their supervision.

The Predispositional Investigation regarding Juvenile Delinquency and Person in Need of Supervision (PINS) matters include a description of the present offense, including the respondent's statement, the victim or petitioner's statement as well as the arresting officer's input, if applicable. Additionally, the report includes information pertaining to the respondent's legal history and analysis thereof, social and family history, community and peer relationships, use of free time, alcohol/drug use, physical and mental health, home environment, evaluative analysis and recommendation. The Youth Assessment Screening Instrument (YASI) which is an evidence-based assessment tool is completed during the Predispositional Investigation and assists the officer in identifying the youth's risk and protective factors.

### **Predispositional Services and Programs**

In an effort to reduce the number of medium and lower risk youths being housed in detention prior to the disposition of their case, we continue to expand and utilize a variety of pre-dispositional programs. In addition to having a probation court liaison present in Family Court on Tuesdays when most juvenile cases are heard, the Office of Probation and Community Corrections receives the daily census of all youth remanded to Non Secure Detention as well as Secure Detention. A probation officer reviews each case to determine if the youth can be released from detention and safely maintained in the community under the supervision or intervention of one of the pretrial programs. A risk assessment tool (YASI detention tab) is utilized to assist in determining the youth's risk of not appearing in court and/or committing a new offense while the disposition of their case is pending. We continue to work towards the goal of providing rehabilitative services, while maintaining youth in their homes whenever feasible, in light of need to maintain the safety of both the youth and the public.

**Continued Diversion / Restore to Diversion** – This program continues to expand. It involves only PINS cases. When a petition is filed in Family Court due to refusal to participate in diversion or poor performance on diversion, the judge may order a family to participate with diversion services until disposition of the case. In 2012, the Office of Probation received 46 cases which were Restored to Diversion by the Court.

**Released Under Supervision (RUS)** – Pre-dispositional supervision of JD cases based on specific conditions of pre-dispositional release outlined by the Family Court Judge. In 2012, the Office of Probation received 73 Juvenile RUS cases.

**Curfew Monitoring Program** – Probation staff conduct in-person and phone curfew checks several times a month to verify curfew compliance. The Court can mandate the youth to participate in this program or it can be a voluntary participation agreed upon by the family. Both PINS and JD cases can be placed on the Curfew Monitoring Program. In 2012, the Family Court ordered 42 youth to participate in the Curfew Monitoring Program while their case was pending.

**Juvenile Electronic Monitoring (JEM)** –. The pre-dispositional use of the Juvenile Electronic Monitoring (JEM) Program has remained a popular option used by the Family Court Judges in Dutchess County. This has given potential probationers the opportunity to demonstrate, while their case is pending, that they can safely remain in the community, thus preventing placement outside their home. The investigating officer takes into consideration the progress of those released to pre-dispositional JEM in their report to the court. A majority of pre-dispositional electronic monitoring juvenile cases have achieved successful completion. In 2012, the Probation Department received 80 predispositional Juvenile Electronic Monitoring Orders.

**Juvenile Risk Intervention Services Coordination (JRISC)** –The Juvenile Intervention Service Coordination Program (JRISC) is grant funded and provides intensive services to prevent out of home placement of high risk youth as identified by the Youth Assessment and Screening Instrument (YASI). A probation officer, a probation case manager aide, and an Astor therapist are all on-site at the probation department and work collaboratively. The JRISC team maintains a caseload of fifteen families. Families participate in Functional Family Therapy; an evidence-based program which research has shown effectively reduces recidivism. The case manager aide provides support to the families, assisting in accessing community resources as well as engaging the youth in prosocial activities and completion of community service.

## **Supervision**

The mission of the Family Court Unit, as it applies to supervision, is to prevent youth from becoming further involved in the juvenile justice system and to prevent their progress into the adult criminal justice system by addressing the issues that brought them into the system. Caseload size varied with one Sr. Probation Officer and two probation officers assigned to intensive specialized caseloads which includes those participating in Youth Treatment Court or in the Juvenile Sex Offender caseload. Due to the intensity of services provided to those on specialized caseloads, the number of youths per officer is limited. The officers assigned to these caseloads work collaboratively with the treatment providers and courts to improve outcomes of the youth.

A Senior Probation Officer oversees various groups held in the office and co-facilitates several groups to address needs and develop strengths. The Youth Treatment Court officer is part of the Treatment Court Team and attends the team meetings and court sessions, facilitates referrals to the Treatment Court and has intensive contact with rehabilitation programs, schools and service providers. The Juvenile Sex Offender (JSO) Officer has extensive contact with the Juvenile Sex Offender therapists and attends bimonthly meetings with the JSO staff and PDI writer assigned to JSO cases. Maintaining these intensive caseloads and incorporating treatment and service providers through successful collaboration has maintained the availability of services within the probation framework, thus preventing out of home placements whenever feasible within the constraints of community safety.

In addition to assessing risk and protective factors, the officers monitor behavior at home and at school and intervene as appropriate to address the identified needs. The probation officers offer opportunities for children to increase the protective factors in their lives by establishing groups on site, in school and within the community. Groups included: education, leisure activities, social skills development, anger management, gang resistance education and cognitive behavioral interventions.

We continue to have a Senior Probation Officer assigned to the BOCES BETA site who works with youth who are on both diversion and formal probation supervision. We also continue to have two probation officers within this unit who taught the Gang Resistance Education and Training (GREAT) program in the Poughkeepsie City Schools in 2012. In 2012, through a grant from the state, GREAT officers also provided the GREAT family program as well as a summer program at Catharine Street Center.

Probation Officers directly linked youth with services within their communities to address needs and develop protective factors. Included were community service opportunities, employment programs, parenting classes, school counseling, and treatment for substance abuse, mental health issues and sexual offending behaviors.

In 2012, the Family Court placed 130 youth under probation supervision, including 50 PINS cases and 80 JD cases.

### **New in 2012**

In 2012, a full time clinician from Astor Services for Children and Families began working on site at the Office of Probation. The on-site therapist provides individual and family therapy to youth referred by probation officers. Having a therapist on-site has improved service linkages with the youth and families and enhanced collaboration. Often a youth and his/her family will be seen for an intake with the Astor therapist on the same day or within a few days of seeing a probation officer. Probation Officers often are able to schedule probation appointments on the same day before/after the youth's therapy appointments, thus improving their likelihood of keeping both appointments and engaging in treatment.

To promote consistency in the violation process, ensure adherence to evidence-based practices and consistent use of alternatives to detention, the Office of Probation established the Juvenile Dispositional Review Committee (DRC). The Committee is an in-house committee chaired by the Deputy Director and is comprised of staff members of all levels and various units and areas of expertise. All potential violations of probation must be reviewed by the DRC before filing. Also, in any case that may result in an out of home placement or detention recommendation, the case is presented before the DRC. The Dispositional Review Committee gathers vital information that will assist in planning and quality assurance through analysis of performance and outcome measures.

The Family Court Supervision and Investigation Unit continues to evolve while providing the youth of Dutchess County with innovative evidence-based alternatives to placement.

## **PRETRIAL SERVICES UNIT TRANSFER SERVICE BUREAU/ADULT INTAKE**

### **Jonathan Heller, Unit Administrator**

Carol Hooper, Senior Probation Officer

Timothy Meester, Senior Probation Officer

Elizabeth Bobela, Senior Probation Officer

This Unit is a specialized division in the department that has the primary responsibilities of Pretrial Release Services, both interstate and intrastate probation transfer services and adult supervision Intake. In addition to the Supervisor and the three Senior Officers, staffing includes six Probation Officers and one Probation Case Manager Aide.

### **Pretrial Services Unit**

Local jails throughout New York face increasing challenges in managing inmate populations, particularly those inmates incarcerated while their criminal cases are pending in court. In many situations, these defendants find themselves incarcerated as a result of an inability to post bail. The presence of an effective pretrial release program has been shown to provide a viable alternative for those who cannot post bail.

Most counties in New York State operate some form of formalized pretrial release program. These programs facilitate release without financial conditions by identifying appropriate defendants for release on recognizance (ROR) or release under supervision (RUS). In general, ROR refers to the release of a defendant on his or her promise to appear in court. RUS refers to the release on a promise to appear along with other conditions, which impose certain requirements or restrain the defendant's behavior and movements, and are monitored by the pretrial service. Defendants may be released with probation monitoring or just on their promise to appear. All releases referred to in this report were to probation.

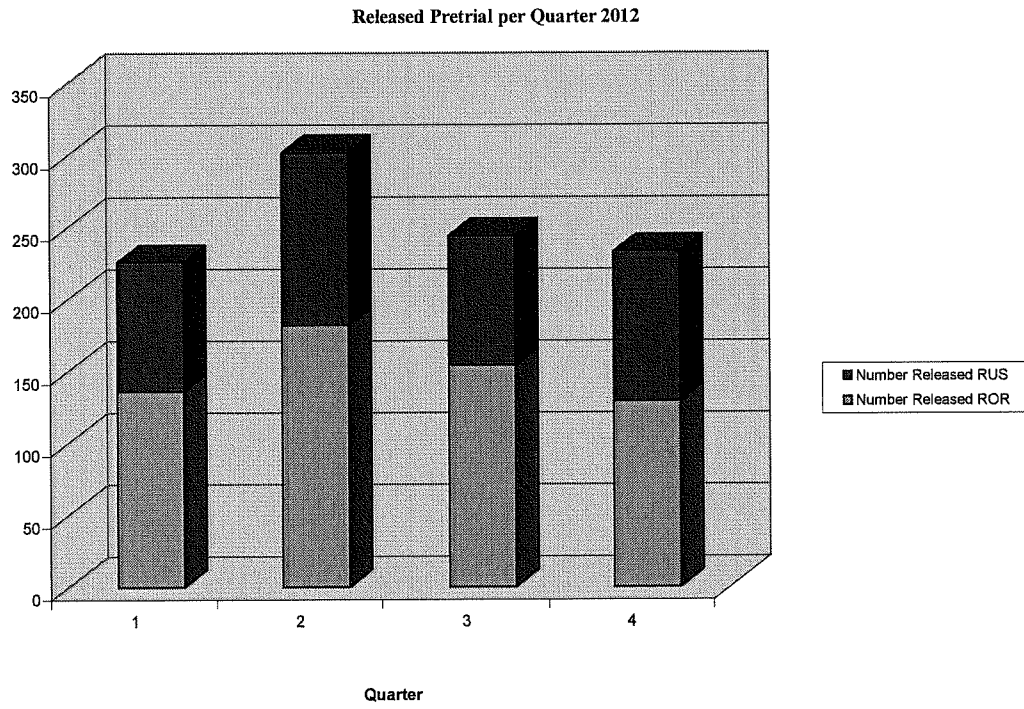
Dutchess County has been involved in providing pretrial service programming for the past 39 years. The Office of Probation structured a pretrial release protocol in 1974 in order to avoid unnecessary pretrial incarceration of primarily indigent defendants, based on the premise that if the purpose of bail is to ensure the defendant's appearance in court; then bail is fair only for those who can afford it. A risk instrument born out of the Vera Institute's Manhattan Bail project in the 60's and 70's provided an element of uniform and objective assessment in making release recommendations. Today, an updated instrument, COMPAS, is used.

The Pretrial Services Unit within the department remains primarily focused on providing courts with an alternative option, rather than setting an amount of bail, with the goal of reducing unnecessary pretrial detention. Dutchess County continues to offer release services along a 'continuum of control'; defendants are considered initially for those programs that are least restrictive, however, if release is not achieved, or the defendant presents a greater risk, more limiting release options are considered, such as electronic monitoring. This approach has proven successful and aids in dispositional planning across the entire criminal justice process, providing other options and tools as alternatives to incarceration.

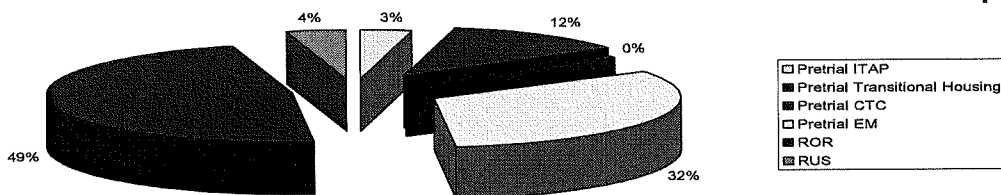
Commonly referred to as ROR/RUS, the program continues to follow the same basic structure as previous years: an interview is conducted, information is verified and a validated risk tool (COMPAS) is applied to make a determination as to the risk of failure to return to court. The Proxy risk instrument was added to screening protocol in late 2011. This program has expanded through the years as needs presented, to include screening at the jail twice daily on business days and once daily on weekends.

Additionally, officers within this unit staff the higher volume courts in order to preclude the incarceration of those defendants deemed appropriate and eligible for release. Screening and evaluation for these least restrictive programs occurs following the guidelines set by both state and national pretrial standards. As such, evaluations are completed expeditiously and the information and recommendations are forwarded to the courts as soon thereafter as possible. Those defendants deemed ineligible are carefully reviewed for more restrictive programming such as Electronic Home Detention, Intensive Treatment Alternative Program, and Transitional Housing (Electronic Home Detention or E.M., is described in detail elsewhere in this report).

For the period of 2012, the number of interviews and releases remained consistent with previous years and are presented below:



**2012 Releases to Pretrial Programs by Percentage**



**A total of  
1,161 were released  
to a pretrial  
program in 2012**



## **Pretrial in 2012**

Continuing with the restructuring that occurred last year, the Intensive Treatment Alternative Program, ITAP and the Transitional Housing Program remain under the umbrella of the Pretrial Services Unit. The ITAP Probation Officer and the THP Senior Probation Officer continue to work together with these two programs. ITAP, which is jointly operated by the Department of Mental Hygiene and Probation, has one full-time probation officer assigned and provides intensive outpatient substance abuse treatment Monday through Friday to defendants mandated to the program by the courts. The probation officer assigned to ITAP utilizes the full COMPAS Probation Risk Assessment Instrument to identify primary and secondary risk and need factors, and then develops a case plan with input from ITAP counselors.

The structure of the programs lends itself to the seamless transition from pretrial to sentenced status for the addicted offender. In 2012, ITAP averaged 64 individuals involved in the program per month, with the maximum 50 actually in receipt of direct treatment services with the remaining in aftercare. There were 74 new admissions during the year.

The Transitional Housing Program, a 38 bed locked residential facility, provides defendants, who have agreed to participate in treatment, with a secure, supervised, substance free residential environment. Most defendants placed in ITAP are housed initially at Transitional Housing to help insure compliance with treatment goals while they attend ITAP. Alternative step down housing becomes available as defendants progress in treatment and eventually reintegrate into the community. The program also provides a temporary residence to some defendants before they enter inpatient treatment.

In 2012, 168 individuals were admitted to the Transitional Housing Program, including those admitted via the PVRC, (Probation Violation Residential Center) described in detail below. Of that number, 129 were successfully discharged to inpatient treatment programs, half-way houses or the community.

Since 2008, Project MORE, Inc., the contract agency for the Transitional Housing Program, has operated the Probation Violation Residential Center (PVRC) in the mid-Hudson area, as the result of a grant from the New York State Office of Probation and Correctional Alternatives. PVRC was established as an alternative to incarceration program for felony probation violators facing revocation and re-sentencing to a term with the Department of Correctional Services. Those individuals determined eligible for PVRC reside at Transitional Housing where they are provided with a variety of supportive services including GED training, Moral Reconnection Therapy, substance abuse evaluation/education/treatment, and employment and life skills training. Currently, PVRC allows a maximum of eight individuals in the program at any given time for up to 90 days depending on each individual's risks, needs and progress. Individuals who successfully complete PVRC can expect a favorable disposition in their violation of probation proceeding. During 2012, Project MORE, Inc. admitted 25 probationers into the PVRC program. Also in 2012, a total of 20 PVRC participants were discharged as successful. Program participants are eligible from nearby counties, but most non Dutchess county placements were from Ulster, Orange, Putnam and Columbia.

The Pretrial/Mental Health Diversion Initiative continues to respond to the increasing number of criminal defendants entering the Jail with serious mental health issues. The program, first piloted in the City of Poughkeepsie Court, targets a population of individuals with mental health issues. The Diversion Initiative seeks to connect, or in many cases reconnect, these individuals with services, addressing the underlying issues and avoiding incarceration. The pretrial services officer staffing City Lockup conducts initial screening via the Pretrial Release eligibility interview.

Specific responses may then require that the case be forwarded to a Forensic Screener employed by the Dutchess County Department of Mental Hygiene. Both immediate preliminary plans and longer term plans are put in place and in many cases the criminal prosecution is avoided entirely, netting a savings of both jail and court time and ultimately leading to better outcomes.

### **Adult Drug Courts**

The role of the Drug Court in Dutchess County has been undergoing change as the state Office of Court Administration (OCA) faced budget issues. In 2012, the Beacon Drug Court continued as a Hub Court and was able to maintain services. The Diversion Court at the felony level, which operates within one of the Dutchess County Courts, has continued to operate as well.

### **Transfer Service Bureau and Administrative Unit**

Administration of the Interstate Commission for Adult Offender Supervision (ICAOS) Interstate Compact Offender Tracking System (ICOTS), an automated, web based interstate transfer facility, is also centralized within the unit. Supervision cases that are approved for transfer to other states are processed through and maintained by a staff member in the unit. Cases are continuously monitored as per ICAOS policy and regulations.

In a continued effort to efficiently utilize departmental resources and staff, probation case manager aides are assigned to the unit to perform duties that include Intake of adult offenders, Intrastate Transfers of Adult Offenders, case monitoring of offenders unavailable for supervision (i.e.: long term hospitalizations), and case monitoring of very low risk offenders. Additionally, the CMA's collect DNA, perform drug testing and assist in transports.

2012 was a year of fiscal and resource challenges. Throughout the year, the staff of the Pretrial Services Unit performed superbly, delivering services using a fair, balanced and cost effective approach.

# Electronic Monitoring/Warrant Unit

## Tom Morris, Unit Administrator

John P. Egan, Senior Probation Officer

The department has been supervising adult offenders on Electronic Monitoring since 1989. This technology allows probation officers to continuously monitor defendants/probationers in their homes through the use of a small transmitter attached to the ankle and a receiver installed in the home that is attached to their land-line telephone service. Teams of probation officers working around the clock, seven days a week, supervise individuals on this program. Pagers carried by probation officers enable officers to respond in the event that an individual on EM leaves his or her residence without authorization. Mobile EM receivers carried by officers in vehicles allow them to detect transmitters in the community, if the transmitter is in range (within approx 300 to 600 feet).

In February 2006, our department began using EM technology to monitor juveniles following an agreement with the County Attorney's Office and Dutchess County Family Court. At risk juveniles considered for EM can be either adjudicated or pre-dispositional, and facing the possibility of placement in non-secure or secure detention. By providing these individuals with the enhanced supervision available through electronic technology, along with services to address any special needs, their chances of maintaining lawful and productive behavior are improved significantly.

The courts use this alternative to incarceration/detention option extensively because it allows individuals under intensive supervision to remain employed or in school, and therefore productive, while enabling probation officers to respond in the event of a violation of program rules.

During 2012, 477 new Electronic Monitoring cases were received from the courts, 115 of which were juveniles.

| EM CASES RECEIVED<br>2012          |            |
|------------------------------------|------------|
| Pre- Trial E.M. ( <i>Adult</i> )   | 318        |
| E.M. Pre-Trial ( <i>Juvenile</i> ) | 75         |
| Sentenced E.M. ( <i>Adult</i> )    | 44         |
| E.M. Sentenced ( <i>Juvenile</i> ) | 40         |
| <b>Total</b>                       | <b>477</b> |

The Electronic Monitoring program has had a significant impact on managing the jail population over the years, and it has also been helping to reduce the number of juveniles placed in non-secure and secure detention. As an alternative to incarceration/placement, EM has played a significant role in reducing the number of days served by defendants/respondents in custody.

| EM AVERAGE DAILY POPULATION 2012                |            |
|---|------------|
| Pre- Trial E.M. ( <i>Adult &amp; Juvenile</i> ) | 115        |
| Sentenced E.M. ( <i>Adult &amp; Juvenile</i> )  | 36         |
| <b>Total</b>                                    | <b>151</b> |

| <b>EM CASES DISPOSED OF<br/>2012</b> |            |
|--------------------------------------|------------|
| Satisfactorily Completed             | 377        |
| Non-compliant ( <i>General</i> )     | 107        |
| Absconded                            | 8          |
| Re-Arrested ( <i>New Crime</i> )     | 2          |
| <b>Total</b>                         | <b>494</b> |

In the area of information technology, 2012 saw numerous advancements with regard to developing computer based reports that aid both officers and supervisors in managing the large volume of information they are confronted with on a daily basis. Training on the various computer applications used at probation continued in 2012 for newly hired staff members.

The Warrant Bureau is also a part of this Unit. A probation officer assigned to the Warrant Bureau oversees efforts to apprehend individuals for whom judges have signed Violation of Probation warrants or, in some cases, bench and arrest warrants. This officer works closely with local and state law enforcement agencies to enhance execution of these various warrants. During 2012, 176 Violation of Probation warrants were issued by various courts in Dutchess County and investigated by our department's Warrant Bureau. Also during 2012, 196 Violation of Probation warrants were disposed of by this department directly or with the assistance of police agencies within New York or adjoining states. Swift action on warrants helps hold these offenders accountable and contributes to community safety. Additionally, the Warrant Bureau assists the United States Department of Homeland Security, Immigration and Customs Enforcement (ICE) in the arrest of foreign born probationers who are in the United States illegally, and who have been determined by ICE to be subject to deportation based on certain eligible convictions. These individuals are taken into custody at the Office of Probation by ICE agents and held in federal custody while the disposition of their deportation case is decided.

| <b>WARRANTS DISPOSED OF - 2012</b>                  |            |
|---|------------|
| <b><i>Arrested / Executed By Probation</i></b>      | <b>94</b>  |
| <b><i>Extradited from outside of the County</i></b> | <b>1</b>   |
| <b><i>Police/Jail TOT Probation</i></b>             | <b>10</b>  |
| <b><i>Surrendered to Court</i></b>                  | <b>11</b>  |
| <b><i>Surrendered to Police</i></b>                 | <b>10</b>  |
| <b><i>Surrendered to Probation</i></b>              | <b>9</b>   |
| <b><i>Vacated</i></b>                               | <b>61</b>  |
| <b>Total</b>  | <b>196</b> |

In addition to efforts made by the warrant officer and other probation officers to apprehend probation violators, this department is also involved in crime reduction as a member of the NYS Division of Criminal Justice Services (DCJS) Integrated Municipal Police Anti-Crime Team (IMPACT). The primary goal of IMPACT is to reduce violent crime and gun violence in designated counties through strategies developed by respective District Attorney's Offices, local/state /federal police agencies as well as probation and parole.

As part of this strategy, and in conjunction with IMPACT guidelines, this department has designated two probation officers as IMPACT Field Intelligence Officers (FIO). Their duties include collecting information regarding local criminal activity and sharing it with other law enforcement agencies to further crime prevention. Frequently, this information is obtained from individuals on probation with the assistance of their supervising probation officers. The IMPACT grant has also permitted the FIO's to receive specialized training in such areas as search warrants, gang identification and criminal intelligence. Probation Field Intelligence Officers also serve as a point of contact for other law enforcement agencies when requesting assistance from the Office of Probation in their efforts to solve crimes.

## Adult Investigations Unit

### **Daniel Bryant- Unit Administrator**

Donna Rhoads- Senior Probation Officer

Pamela Francis- Senior Probation Officer

Robert Dosiak- Senior Probation Officer

Within the criminal court system, determination of an appropriate sentence rests with the Judge. Determining an appropriate sentence is influenced by a number of different factors, and each sentence is individualized to a particular defendant. The presentence investigation and report is likely the most powerful tool that the Judge will utilize in determining sentence for a criminal defendant.

New York State requires that the probation agency within each county, in our case, the Office of Probation and Community Corrections, complete each presentence investigation. The New York State Penal Law, Criminal Procedure Law and the Executive Law each govern the scope and nature of the investigation and resultant report, as well as setting other specifications, such as the requirement that the investigation and report shall be completed by a probation officer.

The purpose of a presentence investigation report itself is to provide the sentencing court with pertinent and objective information prior to the sentencing of an adult offender and will include information on the following:

- ◆ Legal history information and analysis
- ◆ Facts of the presenting offense(s) from the points of view of the prosecution, defendant and victim
- ◆ Input from the arresting officer
- ◆ Social circumstances
- ◆ Education
- ◆ Employment
- ◆ Military Service, if any
- ◆ Physical health
- ◆ Mental health (including drug/alcohol use or abuse information and treatment history)
- ◆ Restitution information (if applicable)

Finally, the presentence report includes an evaluation and recommendation for sentencing. Included in the investigation process is the application of a risk assessment screening tool, the COMPAS®. **COMPAS** is a statistically based risk assessment specifically designed to assess key risk and needs factors in correctional populations and to provide decision-support for justice professionals when placing offenders into the community. It aims to achieve this by providing valid measurement and succinct organization of the relevant risk/need dimensions. A further goal of **COMPAS** is to help practitioners design case-management support systems for offenders in community and institutional placements.

Fully web-based and windows compliant **COMPAS** is applicable to offenders at all seriousness levels from non-violent misdemeanors to repeat violent felons.

A second risk assessment tool, the **Proxy**, was put into use during 2012. The **Proxy** is a pre-screening instrument completed at the time of the pre-sentence report that assesses risk of recidivism and provides valuable data used for offender tracking. For cases on both ends of the spectrum-those who will be sentenced to Conditional Discharges and not become involved with probation services, as well as those who are destined for State Prison with no chance of probation involvement, the **Proxy** provides a quick yet accurate assessment of risk level that is not as time consuming for the assessor as other tools.

The conclusion of the fully prepared presentence investigation report includes an analysis by the officer of the factors that he or she believes led to the offender's involvement in the criminal activity that culminated in the sentence about to be imposed. The officer also makes a recommendation toward a specific sentence that will best achieve reduced recidivism, victim restoration, and community safety, while meeting the legal requirements set by statute.

Additional statutory functions of the presentence investigation include the establishment of Youthful Offender status and the investigation and determination of restitution, if any.

Youthful Offender adjudication by the court first requires that the probation department verify eligibility, and indicate whether in fact the adjudication is mandatory.

Victim loss verification in order to determine the amount of restitution owed, the determination of any codefendant's responsibility toward payment, and an appropriate, realistic repayment plan are all established at the point of investigation.

A sub category of the presentence investigation is the Pre-Plea investigation and report. In some cases, and when all parties (the Judge, the DA, the defense attorney, and the defendant) are in agreement, it may be appropriate for the court to order an investigation and report prior to taking a plea. This would permit all parties to have an informed view of the implications of a potential sentence prior to entering into the proposed plea agreement so the process can move forward.

While not bound to the sentence recommendation as put forth in the investigation report, it is rare that the recommendation and the ultimate sentence imposed will deviate significantly. Additionally, the report is utilized post sentence by probation officers to form the basis for a supervision plan, by prisons to appropriately classify defendants, by release boards in making parole decisions, and by treatment providers to address individualized treatment needs.

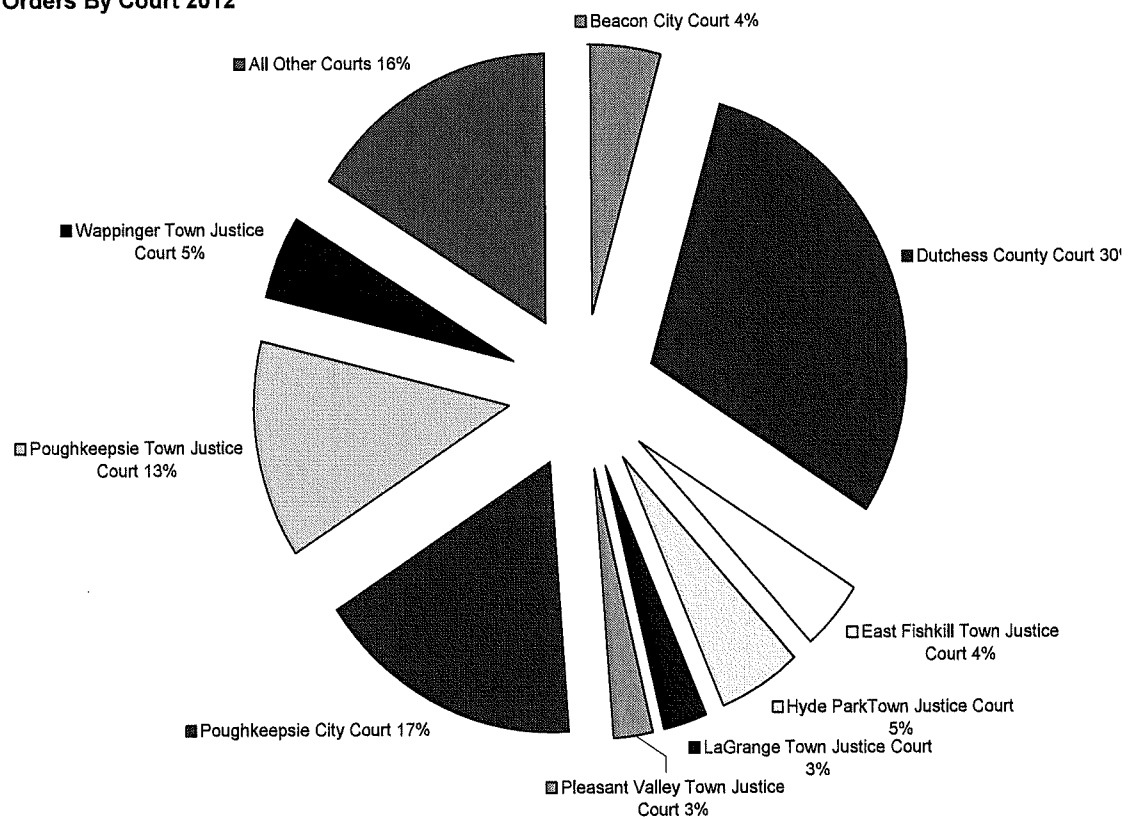
In addition to the adult presentence investigation and report, the unit is responsible for the application processing, investigation and production of reports for Certificates of Relief from Disabilities (CRD) imposed by the Court. When an individual is convicted of a felony or certain misdemeanors, he or she is forbidden by statute to hold or make application for certain professional licenses, such as a CNA or liquor license. In some cases, it may be appropriate for the individual to obtain permission to apply for such a license. The CRD allows the application to proceed, however the presence of the conviction may still be grounds for denial of the license.

In Dutchess County, the investigations unit serves the 34 criminal courts and conducts courtesy investigations for other counties.

For 2012, the number of court orders for investigations increased slightly from last year's number of orders:

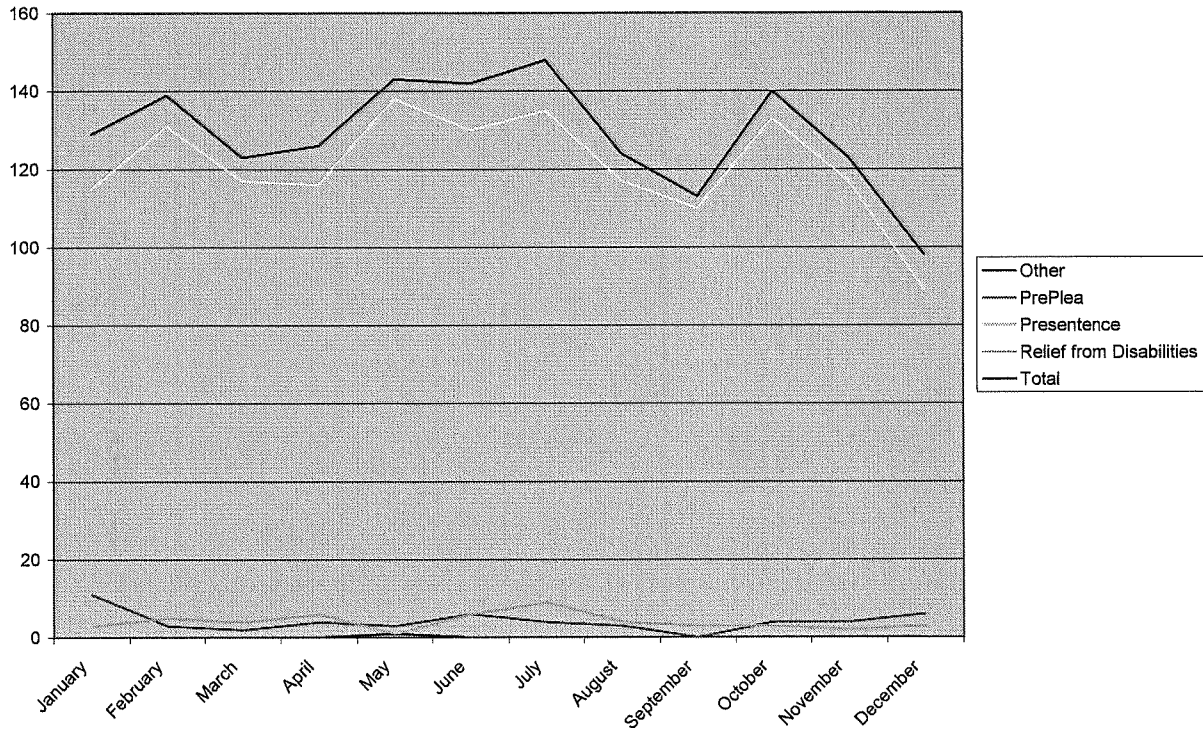
|      | Other | Pre-Plea | Pre-Sentence | CRD | Total |
|------|-------|----------|--------------|-----|-------|
| 2012 | 1     | 50       | 1448         | 49  | 1548  |
| 2011 | 1     | 76       | 1369         | 50  | 1496  |
| 2010 | 3     | 82       | 1491         | 89  | 1665  |

PSI Orders By Court 2012





Annual trend analysis by month -Investigations Ordered



The primary procedural change during the year was the implementation of the Proxy, a risk assessment tool used in addition to the COMPAS.

Plans for 2013 include preparation for and implementation of a new statewide repository for presentence investigations. We will also work with the Office of Computer Information Services to explore the possibility of electronic delivery of the Investigation reports to the courts. Finally, enhancements to our computer system, Caseload Explorer, will have a significant impact on the way presentence reports are created and delivered to the courts.

## **Adult Supervision Units**

### **High Risk Supervision Unit**

**Karen K. O'Connor, Unit Administrator**

Donna Gorman, Senior Probation Officer

Scott McCloud, Senior Probation Officer

Jeff Walraven, Senior Probation Officer

### **General Supervision Unit**

Jane F. Walker, Unit Administrator

Thomas Jones, Senior Probation Officer

Evidence-based practices and community supervision strategies that evolved from the pivotal "What Works" correctional literature, continue to have a major impact on probation and community corrections throughout New York State. The impact of instituting changes that reflect this department's commitment to evidence-based practices has been the theme of the annual reports submitted over the past several years. In the adult supervision units, most of those reports have documented attempts made to shift from a historic, contact-driven supervision strategy that emphasized risk management (one size fits all probation supervision) to the implementation of tools and programs (many in-house) aimed at both classifying offender risk and formulating more individualized supervision programs to match risk level.

Last year's annual report discussed some of the attitudinal challenges encountered along the way, especially since risk control strategies were and remain a necessary aspect of community corrections work. They had also proven to provide a reasonable assurance of public safety, at least in the short term. Two of the driving forces behind risk control strategies were the lack of financial resources commensurate with the staggering number of offenders entering the correctional system as the result of get tough on crime policies of the 1980s and 1990s, as well as an historical lack of credible research able to identify a consistent methodology on how best to cope with the range and variety of incoming offender populations. The issue was that solely relying on risk control strategies had not improved long term offender outcomes. As jail and prison populations also began to explode in this country (and this county), newer evidence-based research was demonstrating that once the external controls were lifted, most offenders reverted to the same criminal behavior, and more than half returned to the correctional system. Staggering projections for continued growth in the corrections population made it abundantly clear that strategies had to change. Research was simultaneously suggesting that community corrections programs like probation could take the lead in shifting to a set of principles and practices which had the potential to drastically improve long term correctional efficacy. In addition, research clearly showed that certain interventions, matched to the risk of the offender did, in fact, work.

As noted in prior annual reports, the first step in this process within units supervising adult offenders was the introduction of an actuarial based assessment tool that assists in identifying an offender's risk of recidivating. The department initially introduced the LSI (Level of Service Inventory) as the assessment tool of choice. However, in anticipation of most of the departments within New York state moving to the use of one assessment tool, the department transitioned to the use of the COMPAS (an equivalent) assessment tool. The COMPAS assigns classifications of risk, ranging from lowest to greatest, and identifies issues specific to the offender that could result in further criminal activity if not addressed. Cognitive based interventions are then sought to target those issues.

### **Transitions**

From the onset it was recognized that shifting from "one size fits all" supervision strategies was going to change the way we were doing business. At the very least, it would and did entail a division of units and the development of specialized caseloads within those units. One of the first changes made was to separate non-DWI offenders from the rest of the population, since non -DWI offenders tended to have the widest range of risks and needs. As a result, non-DWI offenders classified by risk as medium and low were assigned to the General Supervision Unit.

The offenders who were found to be at a higher risk to offend, or those with special supervision needs, such as offenders convicted or adjudicated for sex offenses or domestic violence, or those who have serious and persistent mental illness, were assigned to the High Risk Unit. This unit is assisted by a Social Worker on site who works for the Dutchess County Department Mental Hygiene. The High Risk Unit also includes the Community Transitions Center, with a Probation Officer II who is assigned to the offenders who attend the day reporting center that is a contract agency to the county.

During 2012, both units have continued to meet the challenge of utilizing and incorporating evidence-based practices. This year has seen the introduction of the Dispositional Review Committee, a quality control committee that reviews each potential Violation of Probation to insure that alternative options have been utilized and that sentencing recommendations are consistent throughout the department. We have also been preparing for a major change in policy and procedure at the state level. This is the first major rule change in over thirty years. It is being implemented so that evidence-based practices are used consistently across the State. Finally, we are anticipating a change in the computer software that drives the risk based system and records the data that is invaluable to analyze evidence informed outcomes. Fortunately, the Dutchess County Office of Probation and Community Corrections has been ahead of the curve in anticipating both the underlying reasons for a rule change on the state level and in making the internal adjustments needed to insure a seamless change in mid 2013, when the rule becomes effective.

## **Highlights of Services and Special Programs: General/High Risk Unit 2012**

### **Sex Offenders**

The sex offender program expanded several established supervision initiatives during this year. The objective is to ensure that known and potential victims of these offenses remain safe in our community, and that offenders are held accountable not only for the offense for which they were convicted, but in the management and avoidance of high risk activities, thereby reducing the likelihood of new or repeated sexual offending behavior.

Supervision officers now conduct presentence home visits to offenders living in the community who are awaiting sentencing. This effort is to ensure that the offender is living at the reported address, and to gain information as to whether the residence is in compliance with the proposed conditions of probation.

The Office of Probation and Community Corrections has implemented new revisions in conditions of probation for offenders convicted of sexual offenses, better clarifying the expectations for the offenders as well as providing evidence-based rationales for these revisions.

Supervision officers, with the assistance of Crime Victim Assistance Advocates, have increased their efforts to establish and maintain contact with victims of sexual offenders supervised by Probation. This contact is intended to ensure that victims and their families are receiving services and advocacy that they may need, as well as establishing a relationship between the victim and an individual who would be a resource for any future needs.

Supervision officers have amplified their collaboration with local law enforcement in monitoring and verifying offender addresses and activities, improving information sharing with these agencies and assuring offender adherence to conditions of probation.

Supervision officers continue to work closely with the Relapse Intervention for Sex Crimes program (RISC) at Family Services, Inc. This is the primary sex offender specific treatment program providing services to probation sentenced offenders. The number of offenders who have successfully completed this course of treatment and continue to attend treatment groups on a maintenance status, has increased substantially during this year. This voluntary continuation of treatment while continuing to be supervised by Probation serves to reinforce the self management skills developed during treatment as well as to provide a forum for offenders to seek assistance with changing life circumstances.

The Sex Offender Supervision Unit continues to utilize evidence-based best practices in community supervision of sexual offenders. Of particular note are efforts to limit and eliminate potential victimization through technological means. Most offenders, because of the high risk nature and potential anonymity of the internet, are not permitted computer use. We have continued to monitor the permitted computer and internet usage of a select group of offenders through an offender paid monitoring program. This has shown to be successful in assisting offenders to manage otherwise impulsive computer behavior, while allowing them to develop occupationally and educationally.

### **Domestic Violence Supervision**

The Domestic Violence Unit consists of a Probation Officer II and two Probation Officers. A third probation officer was added to the unit this year as there was over a 30% percent increase in domestic violence offenders sentenced to probation from 2011 to 2012. These officers now supervise over 150 cases of probationers who were involved in intimate partner abuse. Additionally, the officers are involved in pretrial screening and do research that informs jail release and retention decisions. These officers are part of the county wide Domestic Violence Response Team (DART) and they are all involved in the DART teams from various jurisdictions.

There have been many changes in the county wide domestic violence response over the past year. Unfortunately, these changes were partially driven by several cases where serious injury or death was the result. These changes were put in place to attempt to further improve communication and intervention when domestic violence occurs in the community. Probation Officers participate on the inter-agency high risk committee that was put in place to track domestic violence cases that score high on the "Lethality Assessment." Training was done for all those involved with domestic abuse response. The Universal Response to Domestic Violence Steering Committee made a decision to use this assessment at the front end of the criminal justice system and it is done by first responders.

The Domestic Abuse Response Team organized county wide training for all Dutchess County senior staff to receive training on "Domestic Violence in the Workplace" and flyers were placed in all county departments. Additional training was received by the domestic violence probation officers and the unit administrator on "Interviewing High Risk Offenders" a training provided by the State Office of Probation and Correctional Alternatives.

The Dutchess County Office of Probation and Community Corrections is an intricate part of the response to domestic violence in Dutchess County. We are looking forward to the changes and advances in assessing domestic violence cases and will continue to be a major contributor to domestic violence prevention in the county.

## Community Transition Center

There have been many changes at the Community Transition Center in 2012. The enrollment and successful completions have increased by 50%. In large part the enrollment has increased, because we have made all the classes available to any adult probationer and to some older Family Court probationers.

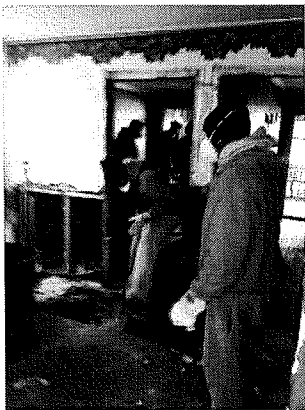
Community Transitions has added a class called "Ready, Set, Work" to the programming. Two staff member were enrolled and completed the New York State Offender Workforce Development training, a curriculum designed by The National Institute of Corrections. "Ready, Set, Work" had 100% participation the first time it was offered and all participants obtained gainful employment. Employment retention is also part of the curriculum and we will be tracking success in that area.

An evening GED class was also added to accommodate those probationers who work or have childcare issues. Adding this class more than doubled the number of probationers able to participate. MRT and Anger Management are also offered in the evenings and both programs have a waiting list.

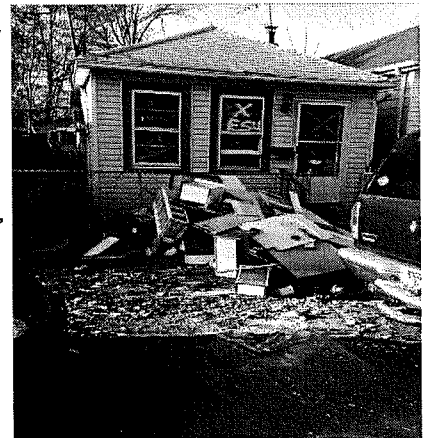
The Community Transitions Center also added several venues to the community service component of the full time program. Community service has also begun accepting part time participants this year. Community Transitions clients have volunteered for Habitat for Humanity, the Walkway Over the Hudson, and participated in the Hurricane Sandy Cleanup, in addition to community service done for the Children's Museum, and other community based programs.

The Community Transitions Center plans to continue to add programming that will address the criminogenic needs of the participants and help motivate them toward achieving their goals in education, life skills, and employment.

*On Friday, November 16<sup>th</sup> the Community Transitions Center had four young men and women volunteer to assist with cleanup and relief efforts following Hurricane Sandy. Clients and staff traveled to Staten Island, where they went through a volunteer orientation. The volunteers learned how to respectfully approach hurricane victims in need of a helping hand and how to properly clean up flooded homes. The group unloaded and organized emergency supplies at St. Mary Margaret Church, a distribution center where hurricane victims can get free supplies. The clients displayed impressive compassion, helping many hurricane victims find and carry needed supplies. After all the day's supplies were unloaded, the group was dispatched to a local home where they assisted the homeowner with an extensive clean-up effort. The group*



*ripped up and removed moldy, water damaged flooring and dry wall, working as a team to get these materials to a location where city sanitation workers could pick up the debris. Clients reported that they were shocked by the damage and that Staten Island "looked like a war zone." Clients showed compassion and initiative, they often went above and beyond the simple tasks assigned, seeking to help in any way they were able. Despite the long drive and difficult working conditions, the clients are eager to return to help finish the recovery effort.*



## **Employment**

Officer Beth Bobela continues to be certified as a Offender Workforce Development Specialist. She facilitates the department's Ready, Set, Work program for unemployed or underemployed offenders. The goal of this program is to provide comprehensive pre-employment preparation, job-retention planning and post release case management for offenders assessed as facing the greatest barriers for successfully gaining and keeping employment.

## **Non-DWI Victim Impact Panel**

Two more Non-DWI Victim Impact Panels were held in 2012, facilitated by Senior Probation Officer Diane Whiteman. The panel provides a forum for crime victims to tell a group of offenders about the impact of the crime on their lives and the lives of their families, friends and neighbors. The goal of the panel is to help offenders understand the impact of their crimes on victims and communities. The panels also provide victims with a structured, positive outlet to share their personal experiences and to educate offenders, justice professionals and others about the physical, emotional and financial consequences of crime. Finally, these panels aim to build partnerships among victim service providers and criminal justice agencies that can raise the individual and community awareness of the short and long term impacts of crime. In 2012, both panels were filled to capacity.

## **Youthful Offenders**

In 2011, it was recognized that a different assessment tool was needed for the YO (Youthful Offender) population due to their cognitive and developmental status. In 2012, the department started using the Youth Assessment and Screening Instrument (YASI) to assess risk, needs and protective factors in youth populations. Since this population represents unique challenges in the "adult" units, it is anticipated that one or more specialized caseloads will be developed to serve this population in the upcoming year.

## **Quality Control Audit**

In 2012, both the General and High Risk Units were subject to an internal quality control audit as part of the department's commitment to best practices. Results were positive and subsequently used to highlight and acknowledge strengths as well as identify training needs.

## **Summary**

It is anticipated that upcoming changes in the computer software that provides case management and records the data needed to measure and analyze results will continue to improve and transform community supervision programs. Since evidence-based practices are less focused on process and more on outcomes, it is anticipated that better information will produce better programming and better results. Furthermore, internal review processes, like audits, will continue to be implemented to ensure program fidelity and delivery. Changes in technology and strategies notwithstanding, we do continue to retain and share an important link with Boston boot maker John Augustus, credited as the "Father of Probation," who started to petition courts for the release of low risk offenders as early as 1841. That link is the basic understanding that we continue to do what we do and improve how we do it for the betterment of communities where we live and offenders we work with.

# **DWI Unit Annual Report**

**Joanne E. Nellis, Unit Administrator**

**Mark Jaggi, Senior Probation Officer**

The work of this department, over the last several years, to incorporate evidence-based practices into our approach to probation supervision continues in full force. This past year in the DWI Unit has been a challenging one as we prepared to begin work under the new Supervision Rule promulgated by the State Office of Probation and Correctional Alternatives. The new supervision rule fully incorporates the use of evidence-based practices statewide. Fortunately, our past reorganization and extensive use of the COMPAS actuarial risk assessment tool has put us in a good position to handle the provisions of the new rule.

In 2012, the department's staff underwent extensive training regarding the new supervision rule, which guides the classification of an offender, development of the case plan and the required case contacts. In keeping with the foundation of evidence-based practices, the department also implemented the use of a Dispositional Review Committee (DRC) designed to promote uniformity to the Violation of Probation process and capture the outcomes. The DRC is comprised of staff at all levels, who review cases prior to a Violation of Probation being filed. The committee members contribute their ideas/experience and creativity as well as the application of evidence-based practices to assess the appropriate course of action to take on a particular case. The staff in the DWI Unit has embraced the concept of the DRC and the officers have noted that in most cases, it is beneficial to have a "fresh" perspective in a particular case.

The use of the COMPAS, risk/needs assessment tool and the resulting case plans have also impacted the supervision of the DWI offenders. This tool is used to determine an offender's level of risk (high, medium, or low) and the best method of addressing the risk factors that increase the likelihood of criminal behavior. The case plan is developed around the identified need areas in conjunction with the offender, through the use of Motivational Interviewing (another evidence-based practice.) The officers have continued to re-assess on a six month interval to determine if risk areas have, in fact, been reduced.

The specialized DWI Unit has taken up the implementation of all the evidence-based practices, while continuing to closely monitor these offenders whose behavior presents a significant danger to the community. Close monitoring of these individuals includes extensive field work, surveillance and interagency cooperation, particularly with treatment providers.

In addition to dealing with the challenges of learning the new supervision rule, and the programs created within the department to effectively implement the rule, the staff of the DWI Unit has continued to meet the challenge of the increased workload involved in the monitoring of offenders sentenced under Leandra's Law.

Leandra's Law has two main components: the first created in recognition of the accident that took Leandra's life, makes it a felony to drive drunk with a child under the age of 16 in the vehicle. The second requires anyone who has been convicted of a DWI to get an ignition interlock device installed in his or her vehicle. The monitoring of these offenders, which went into effect in August 2010, requires regular inquiries with the Department of Motor Vehicles (DMV) to check the status of any vehicles that may be titled or registered to the offender. If an offender has a motor vehicle registered or titled in their name they are required to have an Ignition Interlock Device (IID) installed in the vehicle within ten days of sentence, or assuming ownership. (The IID is a deep lung breath test that measures alcohol in the driver's breath.) If alcohol is detected, the device does not allow the car to start. The law requires the probation officer to notify the sentencing court of failure to have the IID installed within the allotted time frame. The officers are required to make the notification within 5 days.

Once an offender has the IID installed, the probation officers are required to monitor the reports generated by the Interlock company. Most devices require an individual to have the information downloaded on a monthly basis. However, any violations of the IID will generate a report to the officers. Again, these violations must be reported to the sentencing court within five days of our notification.

The unit's workload has been impacted by the initial and periodic DMV checks. There are six different Interlock companies contracted with New York State to provide services and each has different procedures for reporting information and how the officers access the information. This has been somewhat challenging.

In 2012, of the 305 new cases received into the DWI Unit, 188 of these were sentenced under Leandra's Law (62%) and by the end of 2012 we had approximately 35 offenders with the IID installed in their vehicles, up from 21 at the end of 2011, an increase of 66%. We anticipate that the number of IID installations will increase over the coming years as these offenders become eligible for relicensing and will presumably acquire a motor vehicle. The current trend among these offenders is to relinquish ownership of their motor vehicles while under license suspension/revocation.

We continue to use a spectrum of evidence-based interventions with the DWI offenders. Some of the strategies we have employed include the use of cognitive behavioral groups, a gender specific (women's) caseload, and group reporting sessions.

The DWI specific cognitive behavioral group is a 16 week curriculum focused on: individual responsibility, cost/benefit analysis in decision making, problem identification, communication skills, trigger/antecedent recognition and relapse prevention. Homework assignments are part of the class expectations and support learning goals.

The women's caseload allows us to address issues specific to women offenders and works on building positive coping skills

In 2012, our department was asked to participate in a study of female DWI offenders, conducted by the Canadian based Traffic Injury Research Foundation. In January 2012, TIRF was contracted by The Century Council to conduct a study to provide a more current understanding of female drunk drivers and inform the development of effective interventions tailored towards this population. The overall goal is to help women avoid impaired driving in the future.



The objective of the research is to build on what is already known about female drunk drivers. Other goals are to close important knowledge gaps with respect to the magnitude of the problem, the characteristics of female drunk drivers, and the availability of programs. Approximately 25 of our female DWI offenders voluntarily participated in the two focus groups held at the Office of Probation and Community Corrections.

Some of the issues that were touched upon during the focus groups include: factors leading up to the offense; substance use; discussion of the offense; demographics/characteristics of the population; experiences with police; experiences with the court; experiences with probation; experiences with assessment/treatment; and reintegration into the community. All of our participants were grateful for the opportunity to share their experiences. We look forward to reviewing the completed report in 2013.

Although often challenged by changes in rules, technology, and correctional philosophies, the staff of the DWI Unit remains committed to providing efficient and effective community based supervision.

# FINANCIAL UNIT

**Peggy Milone, Business Manager**

## **Financial Unit Responsibilities**

The financial unit is divided into 2 sections:

Section one is responsible for:

- ◆ State claims for revenue reimbursement
- ◆ The supervision of contracts with various agencies throughout the county
- ◆ The accountability of all expenditures our department incurs during the year from various outside vendors and interdepartmental services.

Section two is responsible for:

- ◆ The collection of supervision fees and restitution charges that go directly into county revenue
- ◆ The collection of restitution and the distribution of money to pay victims

### **Section One:**

We have state claims which reimburse the county monies that are spent through enforcing the laws within our county. The claims with the state include various special programs and the regular State Aid claim. All of these state contracts need constant supervision and management to ensure that money spent from supervising probationers on probation has been reimbursed in all four quarters of the fiscal year. In 2010 the state introduced a Block Grant which included Regular State Aid, and special program contracts combined. The block grant reimbursement is considered an entitlement. Every year an amount is decided by the state and for each quarter a state aid voucher is completed with 25% of the allotted amount of the grant for reimbursement. In 2012 we received \$1,535,605.00.

We use the services of interdepartmental county offices such as the Auto Center, which services and supplies all our vehicles; OCIS, which maintains our computers and computer programs; the mailroom; and the print shop. All these departments bill us monthly for their services. We are responsible for payment to each department for their services.

We use the services of county and not-for-profit agencies. These contracts may be renewed every year and are completed by the budget process. These agency contracts are administered by this unit and monitored to make sure expenditures are spent as agreed within the contract.

We also manage contracts with the county for vendors such as doctors, interpreters, vendors to provide equipment and to monitor probationers, drug testing companies, drug supply companies, leases for equipment, and rental properties.

### **Section Two:**

The Financial Unit collects restitution from probationers who have been ordered by the courts to pay back their victims. For five years we have been using Caseload Explorer Management computer system for our financial case recordings. The system has been an asset for our unit and the department. We record all payments made by the probationer and can view all victim payments and see the balances due in each case. We can document facts that are needed for future transactions in the financial comment area and in the events section. We print checks once a month to pay the victims of all probationers who have made payments during that month. During this process, revenue checks are distributed to the Dutchess County Finance Department which includes the 5% surcharge of restitution payments and the supervision fees which are collected monthly from offenders.

The new Policies and Procedures for the collection of restitution and supervision have been completed.

## RESTITUTION SURCHARGES AND SUPERVISION FEES COLLECTED IN 2012 FOR REVENUE

JANUARY - FEBRUARY - MARCH

SURCHARGE/RESTITUTION: \$ 4,494  
ADULT SUPERVISION FEES: \$ 48,997

APRIL - MAY - JUNE

SURCHARGE/RESTITUTION: \$ 4,828  
ADULT SUPERVISION FEES: \$ 38,683

JULY - AUGUST - SEPTEMBER

SURCHARGE/RESTITUTION: \$ 4,273  
ADULT SUPERVISION FEES: \$ 39,401

OCTOBER - NOVEMBER - DECEMBER

SURCHARGE/RESTITUTION: \$ 3,330  
ADULT SUPERVISION FEES: \$34,427

**TOTALS FOR 2012**

**SURCHARGE/RESTITUTION: \$ 16,925**

**Restitution collected for 2012 was \$416,835**

Figures in this chart have been rounded off.

## **SUPPORT SERVICES**

### **Karen Kotchie – Supervisor**

Lori Olheiser – Senior Program Assistant

In 2012, Dutchess County Office of Probation and Community Corrections had a total support staff of 16. The Support Services Assistant supervises one Senior Program Assistant, four Program Assistants, seven Office Assistants, and three Receptionists.

In October of this year, the Senior Program Assistant in charge of the payroll for all three probation locations also took on the responsibility for all mileage and meal reimbursements for all probation employees.

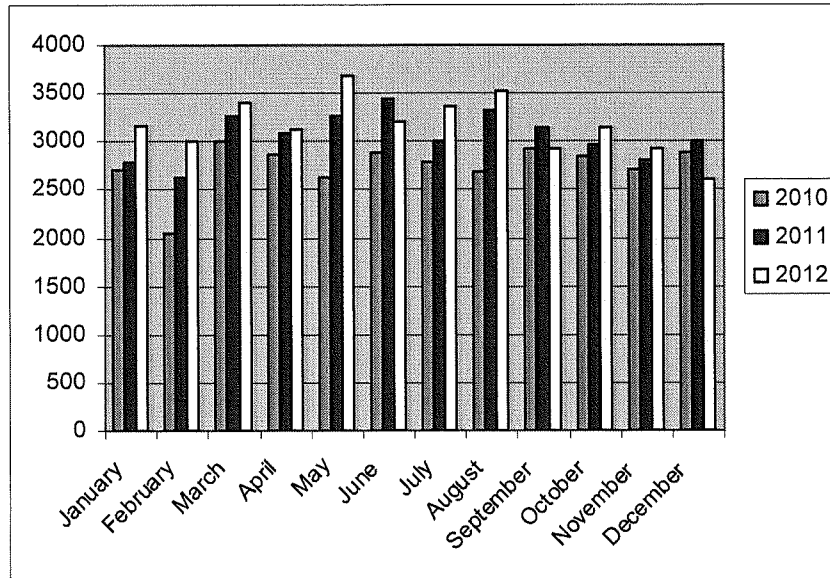
The support staff assists the Family Court Unit with reports, investigations, school letters, opening and closing PINS records and entering information received on these cases. They are the liaison to the Social Services Preventative Services Unit and are responsible to open, close, recertify all applicable PINS and JD cases, and enter all case notes and any contact information for each into the Department of Social Services Connections system.

The support staff assists the many different units in the Office of Probation and Community Corrections at all locations. They assist the officers with typing, letters, memos, preparing documents for court, processing all requests for information from other agencies, maintaining all closed records and processing all legal requests for those records. The support staff enters case notes, home visit notes, and case conference notes for many of the officers. They assist with filing, mailings, and various other support duties as needed. The support staff is responsible for collecting, processing, and the data entry of the majority of all incoming information from the courts, other probation departments and NY State ICOTS (transfer services). They open and close all new cases, all ROR cases, EM cases, and transfer cases.

Additionally, in January of 2012 the support staff started to receive all DMV lens reports, enter that information into the computer and forward that information to the appropriate probation officer. January of 2012 also saw the launch of the Dispositional Review Committee which a member of the support staff facilitates, coordinates, and collects and maintains all the statistics for.

Support Services also include a reception staff of three who are responsible for answering all phone calls to probation and greeting every person who comes in through the main doors. Each year, more and more people are greeted into Probation by our courteous and professional reception staff. Last year a total of 38,072 were signed into Probation, an increase of 1,365 over the previous year.

## TOTAL NUMBER OF PROBATIONERS FOR A THREE YEAR PERIOD



Our professional reception staff also greets many additional visitors daily, whether for one of our groups, meetings, interns, or just for directions to other county offices. In addition to greeting everyone who comes through our front doors, the reception staff also handles over 1,000 phone calls weekly.

This past year our reception staff took on the additional responsibility of processing all our incoming faxes electronically; eliminating the need for the faxes to be printed, saving paper and time as all faxes are now immediately forwarded to the appropriate recipient via email.

Our reception staff also assists the officers with data entry of case notes and home visits, mailings, creating folders, and searching all Domestic Incident Reports (DIR) that are received electronically, helping to ensure that the appropriate Officer is informed of any DIR for current probationers in a timely manner. Last year, of the 2,438 Domestic Incident Reports which were received by our department, 491 were open to probation at the time of the incident.

The support staff of the Dutchess County Office of Probation and Community Corrections rises to meet the many different challenges of each day with competence, professionalism and a skill set that allows them to increase efficiency in all aspects of the agency. They support and work with each unit, as well as each other, to meet the needs of the department and face each new challenge with creativity, insight and enthusiasm.

# Training

Professional staff are required to complete twenty-one hours of professional training each year. Newly hired probation officers must attend a three week training series held in Albany that includes Fundamentals of Probation Practice, Peace Officer and Officer Safety training within the first six months of hire. Training for probation officers must encompass a wide range of topics in order to equip them with the tools necessary to perform their duties. Officers also need to be trained in evidence-based practices in community corrections on a regular basis. Consequently, the average probation officer receives many more hours than the required twenty-one hours of training each year. In 2012, the Staff Development Committee was created to assess and prioritize the comprehensive training needs of staff in addition to developing and facilitating some of the trainings. The Staff Development Committee is comprised of Probation Officers who have received their General Instructor Certification from the New York State Division of Criminal Justice Services/Office of Probation and Community Corrections and are, therefore, qualified to develop and facilitate training for probation staff. 2012 priorities for officer training included training on the new probation Supervision Rule promulgated by our state oversight agency, best practices in reducing recidivism, use of evidence-based assessment tools, Motivational Interviewing skills, mental health issues for people in the criminal/juvenile justice system, alcohol/substance abuse issues, Functional Family Therapy, officer safety, offender employment, domestic violence, sex offenders and Restorative Justice practices, including methods to improve collection rates of restitution. In 2012, the Staff Development Committee focused on developing training modules for probation staff on the new supervision rule which will be in full force and effect in 2013. We also meet our training requirements by taking advantage of Webinar trainings and utilizing our staff development officers to provide in-house training to staff on a number of topics ranging from firearms and defensive tactics to managing sex offenders and domestic violence offenders in the community.

## PUBLIC ACCESS DEFIBRILLATION PROGRAM

Dutchess County has developed a Public Access Defibrillation Program (PAD) to increase the chances of survival for citizens and/or staff members who may become victims of cardiac arrest. The Dutchess County Office of Probation and Community Corrections became a PAD site in September 2003. Since that time, 24 people have been trained as "lay rescuers" in the use of the Automated External Defibrillator (AED) by the County Health Department. Having the AED on site with trained officers and the entire department participating in drills has helped us develop new skills to meet staff and community needs.