Annual Report 1990

Thomas S. Gulotta
County Executive

Joseph L. Sciarrotta Director of Probation



Nassau County Probation Department

ANNUAL REPORT

1990

NASSAU COUNTY PROBATION DEPARTMENT JOSEPH L. SCIARROTTA, DIRECTOR OF PROBATION

132181

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PROBATION DEPARTMENT

COUNTY SEAT DRIVE & ELEVENTH STREET P.O. BOX 189 MINEOLA, NEW YORK 11501-0189

June 30, 1991

Honorable Thomas S. Gulotta County Executive One West Street Mineola, New York 11501

Dear Mr. Gulotta:

I submit herewith the Annual Report of the Probation Department for the year ending December 31, 1990.

This report is essentially a statistical overview of major program activities during 1990 with comparative statistics for previous years.

I gratefully acknowledge your support of Probation and the ongoing cooperation of your entire staff. I must also acknowledge the dedication and loyalty of the employees in the Probation Department who have made it possible for us to maintain the highest standards of service to the people of Nassau County.

Respectfully submitted

Joseph L. Sciarrotta Director of Probation

JLS:jb

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Judge of the Surrogate's Court

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A MESSAGE FROM THE DIRECTOR

1990 marked the completion of the first full year of a new administration. During this time, efforts were concentrated on effecting greater efficiency in internal operations and on initiating several important projects designed to maximize the department's effectiveness in its community supervision of offenders.

TO help control the escalating caseloads of supervising probation officers, an administrative caseload of discharge-ready probationers was established. These probationers require little or no supervision and in most cases are closing out their restitution or community service obligations. The transfer of these cases from the line to an administrative caseload has enabled the supervising probation officers to more effectively service their difficult, complex cases.

ANOTHER measure to help control caseloads that was introduced in 1990 was a community service component as a condition of a conditional discharge disposition. This program was designed for offenders who have committed certain misdemeanors of a non-violent nature where community service provides a meaningful intermediate sanction between a disposition of conditional discharge and a disposition of probation.

IN discharging probation's continuing responsibilities to the community and the offender, this Department recruited and worked cooperatively with Mothers Against Drunk Driving (MADD) to initiate a Victim Impact Panel at the close of this past year. All Probation-sentenced DWI offenders plus offenders convicted of certain other alcohol or drug-related crimes are mandated by the department to attend a Victim Impact Panel during the course of their probation supervision. The MADD panelists are the surviving victims of drunk driving crashes and family members of loved ones killed in drunk driving accidents. They help to break through the denial of alcohol and drug abusers — an important step in rehabilitation — by providing probationers with personal experiences of the heartbreak inflicted by drunk or drug-impaired drivers.

IN 1990, the department continued to strengthen its ties with other law enforcement agencies as well as community groups and service providers. A joint, undercover operation with the Nassau County District Attorney's office resulted in the arrest and prosecution of a number of convicted drunk drivers who were operating motor vehicles with revoked licenses. The diligence of several probation officers also led to the apprehension of a probationer wanted by the FBI for conspiracy to distribute narcotics.

BUDGET constraints and disquieting economic conditions predict troublesome times ahead. It is expected that probation, even with reduced staffing and resources, will be called upon to a greater degree than ever before to help in controlling the jail and prison populations through its expertise in community corrections. As in the past, the Nassau County Probation Department will answer the call with innovative and adaptive strategies.

Joseph L. Sciarrotta Director of Probation The Director of Probation is responsible for the overall administration of the department and for the supervision of administrative programs.

Under the Director's authority and in compliance with the mandates of the New York State Division of Probation and Correctional Alternatives, the Administrative Division studies, evaluates, and reports current trends on crime in Nassau County. The division uses this data to meet present and future needs of the department within budgetary and personnel constraints. In line with the department's leading role in community corrections, the division seeks to develop cost-effective programs as alternatives to incarceration. It then initiates and refines these programs for ultimate inclusion into the line operations.

The Administrative Division also directs a number of programs designed to support and augment the effective functions of the line staff.

ADMINISTRATIVE DIVISION

Budget and Finance

The total Probation Department budget for 1990 was \$24,851,366. Revenues amounted to \$9,375,000 and were derived mainly from reimbursement of 41.5% by the New York State Division of Probation, from the Stop-DWI program, and the Intensive Supervision Project. In addition, the Probation Department received grants for youth employment services from the New York State Division for Youth and the New York State Division of Criminal Justice Services totalling \$78,125 for the year.

Personnel

The Personnel Office administers an integrated, comprehensive personnel program for the department's employees as well as additional grant project employees. The Personnel Office works cooperatively with the County Executive's Office, Board of Supervisors, State Division of Probation, local Civil Service and the County Budget Office.

Reflecting a dedicated staff of long-term employees, over 78% of probation's personnel have from 10 to more than 30 years of service with the county and/or the department.

In 1990, the total number of full-time staff budgeted for the Probation Department was 481. As of December 31, 1990, there were 445 employees on payroll, 36 below this authorized level.

Research & Staff Development

Research and Staff Development provides the Administrative, Family and Criminal Divisions with a comprehensive array of services including: program development; statistical data; research analysis; staff training in compliance with the State Division of Probation and Municipal Police Training Council Guidelines; an audio-visual studio with special filming and taping projects; management of the department's speakers' bureau; college and university liaison with supervision of internship placements; and maintenance of the department's professional library.

In 1990, all staff probation officers completed mandated peace officer training including firearms qualification, handgun retention and the required 21 hours of training. This was accomplished through 351 certified training courses, of which 198 were conducted in-house and 153 were offered outside the department. Over fifteen courses were offered to probation personnel in domestic violence, child abuse and child sexual

abuse. The problems of ongoing drug abuse were covered in over 40 courses offered to further the understanding of probation officers in dealing with these issues. Mandated seminars on AIDS were provided to all professional staff.

In addition, a variety of courses in other areas was also made available to staff, such as lectures and workshops on crisis intervention, community resources, investigative counseling and supervison techniques, writing and dictation skills, and behavioral science and criminal justice.

The audio-visual section with its on-site videotaping capability provided many quality training programs to staff. A project of on-site videotaping at the major residential institutions for juveniles in New York State was concluded in 1990. These videotapes are used at Family Court by both court and probation personnel to help youngsters and their families become familiar with residential placement alternatives. At present, the productions of the audio-visual section are being utilized for staff training in criminal justice agencies throughout New York State.

Employment Services Unit

Securing and maintaining employment, or participation in vocational training is a condition of probation for most adult offenders. It is a key factor in effecting law-abiding behavior and has been cited as a deterrent to recidivism.

The Employment Services Unit provides diverse programs to assist probationers from both the Criminal and Family Divisions gain access to employment and training. It also helps probationers with special needs overcome barriers to employment through referrals to appropriate services.

Because of the economic conditions this past year, demand for services at the Employment Services Unit increased 28.5% in 1990. More than 1900 probationers from the Criminal and Family Divisions received almost 4500 services ranging from job placement to referrals to a wide variety of vocational and educational programs.

An extensive job bank is maintained by the unit for unemployed and underemployed probationers. The employment counselor and youth employment specialist also develop jobs for probationers with special needs or distinct skills and aptitudes.

A vocational guidance counselor is available to assist probationers. Vocational testing and counseling help determine appropriate vocational goals. Referrals to

community resources are made to encourage probationers to pursue vocational training and cultivate career paths.

The unit administers subsidized and unsubsidized employment programs for youthful probationers 14 to 21 years of age. These programs incorporate two-day job readiness workshops, job placement, and follow-up services. After placement, the unit maintains contact with the probationer and the employer to ensure job retention. During 1990, 205 youthful probationers participated in the job readiness workshops. Of these participants, 97 were placed in subsidized job sites and 90 were placed in unsubsidized employment.

The Community Service Juvenile Program is another component of the Employment Services Unit. This program offers an alternative sanction to Family Court for 11 to 16 year olds. Since its inception, 332 juveniles have completed 9096 hours of community service at non-profit and tax supported agencies throughout Nassau County. Computed at a minimum wage pay scale, this represents almost \$36,000 in savings to community-based programs.

The Employment Services Unit is actively involved in expanding its network of resources to maximize employment opportunities for the probation population. The services it provides are pivotal to successful completion of probation and to preventing recidivistic behavior.

EMPLOYMENT SERVICES UNIT

1990 Statistical Data

Service	# Probationers Seen	# Service Units
Employment Counseling	976	1192
Vocational Guidance	562	2136
Youth Employment	205	851
Community Service	185	256
Rehabilitation Counseling	14	<u>37</u>
Totals	1942	4472

(25% increase from 1989)

JUVENILE COMMUNITY SERVICE PROGRAM

(28.5% increase from 1989)

Participants to date	332				
Participants in 1990	185 (11.5% i:	ncrease	from	1989)
Hours completed to date	9096				
Hours completed in 1990	5011 (10.2% i	ncrease	from	1989)
Number of participating					
agencies	153				
Savings to tax suported					
& nonprofit agencies	\$35,658 (compute	d at mir	nimum	wage)

YEPWEP/PEP Programs

Job readiness workshop participants	205
Subsidized placements	97
Unsubsidized placements	90

Hempstead Community Services

An outreach program serving the Village of Hempstead and surrounding communities, Hempstead Community Services strives to enrich family life by providing a wide range of services including crisis intervention, financial counseling, and referrals for assistance with housing, food and transportation. In cooperation with Cornell Cooperative Extension of Nassau County, the unit conducts weekly workshops in life skills for clients in crisis.

A walk-in facility, the center is managed by professional and para-professional staff. Here, juveniles living in Hempstead report to their Family Court probation officers after school. During evening hours, adult probationers residing in Hempstead report to their Criminal Division probation officers.

During 1990 the following services were provided:

Adult Probation Reports	5470
Juvenile Probation Reports	448
Information and Referrals	774
Employment Counseling	103
Vocational Training Referrals	27
Marital Counseling & Referrals	17
Financial Counseling	209
Transportation Information	32
Drug Abuse Referrals	44
Others (referrals for food, housing,	
and life-skills workshop)	544

Community Resources Specialist

The Community Resources Specialist continued to provide the Criminal Division probation officers with information on various county and community resources. These included drug facilities, alcohol services, drug and alcohol programs at the Nassau County Correctional Center, and literacy programs.

During the year the Community Resources Specialist worked closely with the Nassau County Youth Board in relating the needs of the Criminal Division to a number of the Youth Board's funded agencies.

In addition, the Community Resources Specialist arranged for the department to exhibit in several conferences and community events.

The Nassau County Probation Department is known as the "quiet member" of the criminal justice system. Its tasks are to protect the community and redirect offenders to law-abiding, non-criminal behavior. It performs these tasks efficiently, resourcefully and unobtrusively.

Because a continuing expansion of the prison system is no longer an affordable option, attention is turning toward non-incarcerative sanctions for even more offenders. The focus is now shifting to probation as community corrections.

At the Nassau County Probation Department, community corrections begin immediately after arrest.

The Criminal Division of the Nassau County Probation Department operates a seven-day-a-week, 365-day-a-year Pre-Trial Services Bureau. This Bureau provides reports and recommendations to Arraignment Court to assist in determining those eligible for release pending plea or trial, either on their own recognizance or under supervison of the Pre-Trial Services Bureau. Probation's Pre-Trial Services Bureau contributes significantly to reducing the detainee population at the Nassau County Correctional Center.

Pre-sentence investigations are a major function of the Criminal Division. These comprehensive, evaluative reports are prepared for the courts in Nassau County and the cities of Long Beach and Glen Cove for guidance in sentencing convicted offenders. They include recommendations for sentencing and the treatment needs of the offender.

As in the past, probation continues to be the most frequently invoked criminal sentence and remains the most cost-effective method for monitoring offenders in the community. The supervision of sentenced criminal offenders in the Criminal Division is the largest single program in the Nassau County Probation Department. It is designed to hold offenders accountable for their actions. All individuals sentenced to probation are required to comply with their conditions of probation, as ordered by the court, under the direction of a probation officer.

The increased numbers of high risk offenders has required more stringent standards and the use of intermediate sanctions as special conditions of probation. In Nassau County most of these sanctions operate under the purview of the Probation Department. They include:

- · intensive supervision for high-risk offenders
- · split sentence (jail time followed by probation)

- restitution (monetary payments by offenders through probation to their victims)
- inpatient or outpatient treatment for alcohol abuse, drug addiction, mental illness
- community service (specified work hours performed without pay at selected non-profit community sites)
- MADD Victim Impact Panels (mandated for DWI offenders)
- electronic surveillance and detention (round the clock supervision through electronic monitoring equipment)
- · comprehensive urinalysis and breathalyzer programs

In addition to an extensive network of community referrals, special employment, mental health, and substance abuse services are maintained by Nassau County Probation in support of the department's investigation and supervision programs.

With management responsive to changing conditions, a diversity of programming, and an inherent flexibility of service delivery, the Nassau County Probation Department will continue to meet the needs of the community, courts and offenders as the dynamic, albeit quiet member of the criminal justice system.

PRE-TRIAL SERVICES BUREAU

The Pre-Trial Services Bureau operates seven days a week, three hundred sixty-five days a year. Its mission is to provide reports and recommendations to the judiciary of Nassau County's criminal courts on individuals who are arrested and held in detention. In preparing its pre-parole risk reports, the Bureau averages over 4500 contacts per month with the community and every element of the criminal justice system. With services directed to those not yet convicted or sentenced, the Pre-Trial Services Bureau is a vital component in helping to contain the population at the Nassau County Correctional Center.

Release on Recognizance [ROR]

The Bureau conducts investigations, before arraignment, on persons arrested in Nassau County and provides recommendations to the court with respect to release (ROR, CRP or bail) based on the likelihood of return for scheduled court appearances. The Pre-Trial Services Bureau plays a key role in facilitating informed decision-making during the arraignment process.

Conditional Release Program [CRP]

This unit of the Pre-Trial Bureau monitors individuals who have been referred by the judiciary to ensure their return for subsequent court appearances.

Probation Detention Reduction Program [PDRP]

The Pre-Trial Bureau's PDRP program is designed to identify and investigate those offenders who have not yet been convicted, but who have been remanded to the Nassau County Correctional Center to determine if they can be considered for supervised release. Because these offenders pose a higher risk, under PDRP they can be released only with very special and specific conditions. They are intensively supervised by the Pre-Trial Services Bureau pending disposition of their cases.

PRE-TRIAL SERVICES

	1989	1990	Inc/I	Dec %
ROR Investigations Completed	5029	6427	+1398	+27.8
Conditional Release Cases Under Supervision	5831	5041	- 790	-13.5
PDRP Cases Screened	7887	6815	-1072	-13.6
PDRP Cases Monitored	167	139	- 28	-16.8

CRIMINAL DIVISION

INVESTIGATION
PROGRAM

Probation Alcohol Screening Services [PASS]

Created to address the serious and escalating problem of alcohol-related driving offenses, the Probation Alcohol Screening Service (PASS) reaches out to the first-time DWI offender as soon after arrest as possible. It is a crisis intervention and rehabilitative strategy that offers defendants the opportunity to enter alcohol treatment prior to sentencing with the possibility of a conditional discharge at sentencing.

PASS provides evaluation and referral services and monitors offenders' compliance with court mandated conditions. During 1990, a total of 947 cases were screened of which 913 were referred for evaluation. At the year's end, 737 cases were being actively monitored and 300 cases had completed treatment. Since the inception of the PASS program in 1986, a total of 804 cases have completed treatment.

Jail Services Unit

The probation officers assigned to the Jail Services Unit, housed within the Nassau County Correctional Center complex, maintain an essential liaison between the Probation Department, community agencies, staff and inmates. Services performed by the unit in 1990 included:

- Interviewing inmates for all pending pre-parole risk reports Total interviews: 3144
- Answering inquiries by probation officers on inmates concerning outstanding warrants, disciplinary reports new arrests, and participation in jail programs. Total inquiries: 3502
- Responding to inquiries on inmates by community agencies, law enforcement agencies, Department of Social Services, and families of inmates. Total contacts: 3444
- Providing the Nassau County Conditional Release Commission (parole of sentenced defendants) with presentence reports.
 Total contacts: 496
- Arranging special appointments at the Correctional Center for interviews by investigating probation officers. Total contacts: 2110

Investigation Assignments

Alcohol, substance abuse and larceny cases dominated the investigation program in 1990. Investigation assignments totalled 8167, a decrease of 751 or 8.4% over 1989, the Criminal Division's highest year. The County Court with felony jurisdiction accounted for 2997 or 36.7% of the overall assignment total. District Court with misdemeanor jurisdiction comprised 5170 or 63.3% of the total.

The number of investigations completed and sentenced or otherwise disposed of by the courts in 1990 totaled 8429, a decrease of 682 or 7.5% over 1989. Of these dispositions,

3757 or 44.6% were sentenced to straight probation

1120 or 13.3% received a split sentence (probation with a special condition of short-term incarceration)

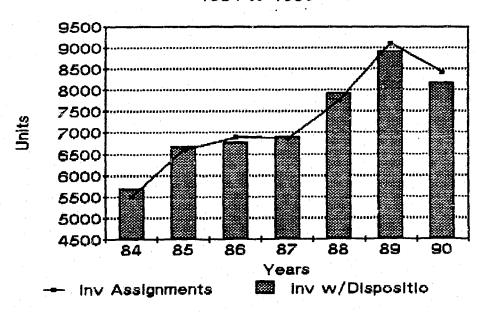
1814 or 21.5% were sentenced to the Nassau County Correctional Center

1040 or 12.3% were committed to state prison

698 or 8.3% received discharges, fines or dismissals

There was a slight increase in 1990 of 0.9% in the probation rate over 1989 and a decrease of 1.6% in sentences to the Nassau County Correctional Center and state prison.

PRESENTENCE INVESTIGATIONS 1984 to 1990

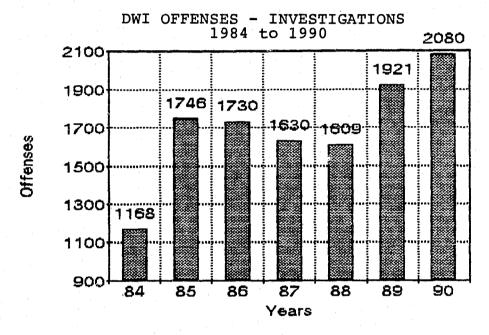


DWI Offenses

The past year saw an increase of 8.3% over 1989 in Driving While Intoxicated (DWI - alcohol) investigations for an all-time high of 2080 cases. Continued strong enforcement of vehicle and traffic laws by the police and a reduction in plea bargaining DWI offenses to other traffic violations are largely responsible for the increase.

Of the 2080 DWI cases in 1990, 1449 or 69.7% were sentenced to probation; 295 or 14.2% received a split sentence (jail/probation); 214 or 10.3% received jail sentences; and 122 or 5.8% received conditional discharges, fines or dismissals.

An additional 71 cases of Driving While Impaired by Drugs were referred for investigation in 1990.



Drug Offenses

In contrast to the previous three years which showed large increases in drug abuse offenses referred for investigation, 1990 brought a decrease of 11.8% over the previous year. Of the 1989 drug convictions disposed of in District Court in 1990, possession or attempted possession of a controlled substance was the most frequent. Sale or attempted sale of a controlled substance was the most frequent drug conviction in County Court.

Continuing the trend of the past three years, however, cocaine remained the leading drug with crack, the cocaine derivative, ranking second. Together, cocaine and crack dominated the types of drugs involved in probation investigations by over 87%. Marijuana and heroin continued to occupy third and fourth places respectively in the list of the various drugs involved in probation investigations in 1990.

TYPE OF DRUG CHARGES IN PROBATION INVESTIGATIONS, 1989 & 1990

					Inc/Dec			
		1989		.990	1990 over 198			
<u>Type</u>	No.		No.		No.	7.		
Cocaine	1101	48.8	970	48.8	-131	- 11.9		
Crack	880	39.0	765	38.4	-115	- 13.1		
Marijuana	156	6.9	126	6.3	- 30	- 19.2		
Heroin	81	3.6	58	2.9	- 23	- 28.4		
Valium	2	0.1	. 8	0.4	+ 6	+300.0		
LSD	6	0.3	28	1.4	+ 22	+366.7		
PCP	12	0.5	8	0.4	- 4	- 33.3		
Angel Dust	2	0.1	1	0.1	- 1	- 50.0		
Quaaludes	0	0.0	. 0	0.0	0	0.0		
Hashish	1	0.1	1	0.1	Õ	0.0		
Barbiturates	0	0.0	1	0.1	+ 1	+100.0		
Amphetamines	2	0.1	0	0.0	- 2	-200.0		
Diazepam	0	0.0	3	0.1	+ 3	+300.0		
Other	12	0.5	20	1.0	+ 8	+ 66.7		
Total	2255	100.0	1989	100.0	-266	- 11.8%		

Major Criminal Offenses

A review of all the crime categories in the 1990 investigation caseload discloses that 7.8% were property-type crimes; 27.5% were crimes involving theft; 7.8% were crimes against persons; 24.7% were DWI offenses; and 19.1% were all types of drug offenses.

	1989		Z.		1990		7
Rank	Offense	No.	Total	Rank	<u>Offense</u>	No.	Total
1.	DWI	1921	21.1	1.	DWI	2080	24.7
2.	Larceny	1626	17.8	2.	Larceny	1452	17.2
3.	Poss.Cont.Sub.	978	10.7	3.	Poss. Cont. Sub.	819	9.7
4.	Sale Cont.Sub.	736	8.1	4.	Sale Cont. Sub.	684	8.1
5.	Assault	556	6.1	5.	Assault	504	5.9
6.	Burglary	323	3.5	6.	Poss. Stolen Property	310	3.6
7.	Poss.Stol.Prpty.	322	3.5	7.	Unauth. Use Vehicle	308	3.6
8.	Unauth.Use Veh.	307	3.4	8.	Burglary	284	3.3
9.	Crim.Misch.	275	3.0	9.	Criminal Mischief	284	3.3
10.	Robbery	252	2.8	10.	Robbery	237	2.8

Felony Offenders

Felony offenders represented about 30% of the 1990 investigation caseload. Class D and E felony convictions accounted for 63.4% of the felony offenses investigated. Of all the felonies pled to and disposed of in 1990, 28% were D and E felony drug convictions. Almost 40% of these offenders were sentenced to state prison.

1990 FELONY OUTCOMES BY CRIME CLASS

					•							
	EF	el	D	Fel		Fel	E	Fel		Fe1	Tot	als
Probation	213	237	99	117	47	7%	7	3%	3	5%	369	137
Split	298	32%	226	26%	160	22%	13	5%	5	87	702	25%
Jail	210	2.2%	166	20%	76	11%	4	27	0	0	456	16%
Prison	206	22%	373	43%	433	60%	242	90%	53	87%	1307	46%
Other	9	12	3	0%	0	0%	0	07	_0	0%	12	07
Total	936	100%	867	100%	716	100%	266	100%	61	100%	2846	100%

Offender Profiles

The proportion of male and female cases remained essentially stable with 7148 (84.8%) male cases and 1281 (15.2%) female cases. Female offenders were more likely to be involved in crimes of theft and fraud and less likely to be involved in property crimes such as burglary. In 1990, female cases comprised 13.1% of drug offenses and 8.8% of DWI offenses.

Consistent with the trend of the 1980s, the data in 1990 revealed a continuing aging of the offender population. Offenders in the 16-20 year age group formed 22.0% of those investigated; offenders in the 21-29 year age group constituted 39.0%; and those in the 30 year and over age group made up 39.0%.

Crimes committed in Nassau County by non-residents continued at a high level. In 1990 non-resident offenses comprised 29.4%, a slight decrease of 0.7% over 1989, for a total of 2477 cases in the investigation caseload.

In 1990, 64.2% of the cases in the investigation program involved offenders who had prior convictions either as adults or juveniles. These are the persons classified as recidivist. They present an important variable since the presence or absence of a prior criminal record has a significant relationship to an offender's adjustment to probation supervision and to outcome after discharge.

Mental Health Services

The Probation Mental Health Unit provides consultation and referral services to probation officers concerning probationers' substance abuse, psychiatric and emotional problems. The unit also serves as liaison with substance abuse and psychiatric treatment facilities and participates in discharge planning and after care for those probationers who have been hospitalized.

In 1990 the Mental Health Unit performed a total of 1642 alcohol consultations resulting in 1263 referrals for treatment evaluation and 982 drug consultations with 562 referred for evaluation.

In consultations on cases involving psychiatric issues, the Mental Health Unit makes referrals to community-based mental health facilities for evaluation and/or treatment. In addition, the Mental Health Unit provides clinical issues and questions for psychiatric evaluations performed by the Forensic Services Section of the Nassau County Department of Mental Health, Mental Retardation and Developmental Disabilities.

In 1990, a total of 248 cases involving psychiatric issues were consulted. Of these, 83 were referred to community based agencies and 109 were referred to Forensic Services for psychiatric evaluation. An additional 124 court ordered psychiatric and competency evaluations were processed through the unit.

The Mental Health Unit works closely with the child abuse coordination and treatment team of the Nassau County Coalition against Child Abuse and Neglect. Concerns include planning for both interfamilial and non-familial sex offenders.

The supervisor of the Mental Health Unit is the department's representative to the Nassau County Traffic Safety Board. The Board addresses issues of traffic safety including Driving While Intoxicated offenses and oversees the expenditure of funds to enhance the safety of the county's roads and highways.

Victims Assistance Unit

compensation rights important Victims' and are considerations in the sentencing process. During the pre-sentence investigation, the Victims Assistance Unit gathers documentation and assesses the crime monetary losses. The unit then makes recommendations to the court regarding the amounts of restitution to be paid by After sentencing of offenders to their victims. offender, each victim is contacted and informed of any restitution that may have been ordered by the court. unit conducts between 400 to 600 restitution investigations per month.

In addition to performing restitution investigations, the Victims Assistance Unit also enforces restitution ordered by the court where probation is not a sentence of the court. In conditional discharge cases with a condition of

restitution, the unit actively monitors restitution payments by defendants. Where offenders are sentenced to state prison or the Nassau County Correctional Center, the unit monitors the restitution payments they are required to pay to their victims.

In 1990, \$1,283,604 in restitution payments were collected by the Probation Department for disbursement to crime victims. This reflects a 14% increase over 1989.

Court Liaison Unit

This unit is the day to day voice and ears of the Probation Department in the 40 criminal parts acting as a conduit for information and communication between the Probation Department and the court systems of Nassau County, the Long Beach City Court and the Glen Cove City Court.

Probation liaison officers work directly in the courtrooms communicating probation policy, handling judicial inquiries, and conferencing with judges, law secretaries, district attorneys and defense attorneys.

In 1990, the court liaison function was reorganized to effect greater efficiency in processing probation's cases through the courts. Under the resulting set-up, the Nassau County Court and the Nassau District Court were each assigned a separate unit of probation liaison officers with each unit headed by a "working" courtroom supervisor. These units are based at or near each of the respective courts to enhance services and to permit immediate trouble-shooting of any problems or difficulties that may arise.

A third related unit, Case Control, is responsible for investigation case assignments; obtaining information from the courts and Police Department; screening pre-sentence reports; preparing commitment papers for New York State Division of Correction and the Nassau County Sheriff's Department; and conducting court-ordered Relief from Disability investigations.

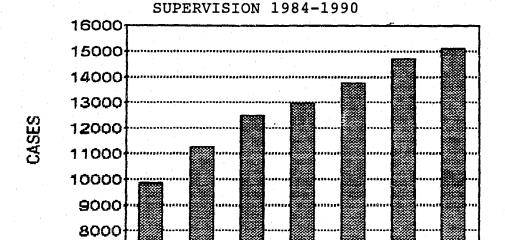
Supervision Caseloads

Offenders convicted of drug and alcohol offenses are supervised by probation officers in the drug and alcohol units (DAU). The regular supervision units monitor defendants convicted of all offenses other than drug and alcohol crimes. The intensive supervision units supervise high-risk offenders. Non-resident offenders sentenced to probation in Nassau County are monitored by the compact unit while transfer of supervision to their home jurisdiction is arranged. Offenders sentenced by the court to electronic detention are supervised by the Electronic Surveillance and Detention Unit (ESD).

In 1990, the total supervision caseload reached a new record high of 15,103 cases, an increase of 2.8% over 1989.

To reduce the average monthly supervision caseloads which had approached 103 cases per officer in the DAU and regular 1989, an administrative caseload discharge-ready probationers was established. These probationers require little or no supervision and are generally completing their restitution payments or community conditions. Close to 400 such service cases transferred from the DAU and regular supervsion units to the administrative caseload affording the line probation officers more time to supervise their more difficult cases.

TOTAL POST-ADJUDICATORY CASELOAD



Success Rates For Supervision

7000

The type of discharge (improved or unimproved) received by a probationer is one determination of the overall progress of the offender in the supervision program. In 1990, the percentage of probationers discharged as improved in the

86

87

YEARS

88

89

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CRIMINAL DIVISION

SUPERVISION PROGRAM

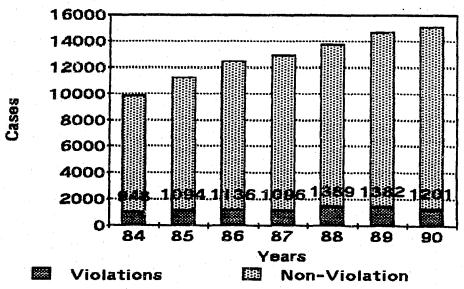
regular supervision unit program declined from a high of 63.7% in 1989 to 56.0% in 1990. There was also a decline in the improved rate of the drug and alcohol supervision program in 1990 from 72.6% in 1989 to 67.7%. These declines most likely reflect the increasingly difficult offender population entering the supervision program. The intensive supervision program (ISP) with a special screening unit is planned for the high-risk offender. The probationers in the ISP program are selected primarily on the basis of alternative sentencing (court-mandated diversion for an otherwise prison-bound population) and secondarily on the basis of risk of probation failure. They are closely supervised through a State mandated low caseload - high contact management process.

Because the ISP program deals only with high-risk offenders, and since those who do well are transferred to other supervision programs prior to discharge, offender adjustment as measured by the percentage of probationers discharged as improved is much lower than the DAU and regular supervision programs. In 1990, based on 226 discharged probationers, the improved rate was 8.8% for the ISP program.

A second measure for evaluating the improvement in the largely recidivistic supervision offender universe, is the violation of probation rate. In 1990, the rate of violations filed per 100 cases under supervision decreased to a low of 8.0%, below the level of 9.4% in 1989, with 181 fewer violations filed than in 1989. The proportions of violations of probation filed by type – new conviction, failure to report, failure to attend therapy, failure to pay restitution or complete community service or absconding — remained essentially the same.

The violation rate in the intensive supervision program showed a 2.0% decline in 1990 over 1989, amounting to 26.8 violations per 100 cases.

VIOLATIONS OF PROBATION FILED 1984 to 1990



Problematic Probationers

More difficult offenders continued to enter the supervision program in 1990. The monitoring of undocumented aliens, mentally impaired chemical abusers, HIV positive offenders, and homeless individuals challenged supervising probation officers.

The high level of recidivists or repeat offenders presented additional issues for the supervision program, as offenders with prior records pose a higher risk for failure on probation and often require increased staff resources.

Compact Services

Approximately 30% of the crimes that take place in Nassau County are committed by non-residents. Those out-of-County offenders who are sentenced to probation in a Nassau County courtroom are supervised by probation officers in the Compact Services Unit. They are monitored for compliance with all court-mandated conditions while arrangements are made to transfer their probation supervision to their home jurisdictions. The compact unit retains jurisdiction for purposes of violation, modification and discharge of all inter-state transfer and intra-state cases involving uncompleted restitution.

In 1990, the Compact Services Unit continued to experience an increase in its total active caseload to 1451. This represents an increase of 348 cases or 31.6% over 1989.

Electronic Surveillance & Detention [ESD]

A sentence by the court that includes electronic monitoring as a condition of probation is imposed often in lieu of a jail term, on offenders who require a more stringent sanction than probation alone, but a less harsh one than incarceration. Generally, offenders are sentenced to electronic monitoring for an average of 90 days. The balance of their probation is served under drug and alcohol or regular supervision based on conviction.

The unit's electronic equipment provides twenty-four hour, seven-day-a-week monitoring. It consists of a transmitter (attached to the offender's ankle), a field monitor (attached to the offender's telephone), and a central computer in the ESD office. An offender's curfew schedule is programmed into the computer noting work hours, therapy appointments, and reports to probation. Any unauthorized absences from home, tampering, electrical or telephone outages, automatically generate a violation message to the computer.

A "DriveBi" unit, which operates on batteries or plugs into a car's cigarette lighter, enables the ESD probation officer to verify if a probationer is where he or she is supposed to be in accordance with the computerized schedule.

In 1990, ESD Unit's fourth year of operation, it provided electronically monitored supervision to 87 probationers.

Criminal Justice Treatment Services Program [CJTS]

To meet the increasing demand for substance abuse treatment services more proficiently the Probation Referral Program was reorganized during 1990 and renamed the Criminal Justice Treatment Services Program. A cooperative enterprise between the Nassau County Probation Department and the Nassau County Department of Drug and Alcohol Addiction, the program makes drug outpatient treatment services available at any one of 31 approved community agencies for probationers involved in drug offenses. Under the reorganization the CJTS program provides enhanced communication for probation officers with these community agencies and a mechanism for prompt management of problems.

Warrant Unit

The Warrant Unit is responsible for the apprehension probation violators, execution of bench warrants, and other outstanding warrants for individuals on probation. The unit processes arrests of probationers who have surrendered in the probation office, makes field arrests and pickups from other jails and facilities, and produces these offenders in court. With the approval of the sentencing judge and district attorney, the Warrant Unit can extradite Nassau County probationers from In 1990, any state in the union as well as Puerto Rico. officers in the unit conducted 24 such extraditions. Criminal justice computer clearances and National Crime Information Center, a nationwide registry of outstanding warrants and criminal records, are important tools in locating apprehending probation absconders throughout the United States.

The Warrant Unit officers are equipped with bulletproof vests and modern portable radios for communication. They receive weapons, self-defense, handgun retention, training in of physical force, and search and justification procedures. Because this unit processes offenders who may be intoxicated or psychotic or violent, a number of the officers additional training in crisis intervention, negotiations and mediation techniques. In 1990 the Warrant Unit executed 1298 warrants (1088 office arrests and 210 field arrests) averaging over 200 arrests per officer.

The Family Division of the Nassau County Probation Department provides a wide range of services to the Family, Supreme and Surrogate's Courts of Nassau County. It is involved with all civil matters referred by the courts at the intake, investigation and supervision levels.

Cases coming to the Family Court are processed through the Family Division's juvenile and adult intake units. The juvenile intake unit evaluates matters concerning juvenile delinquents (JD - a child under sixteen accused of committing an act which if committed by an adult would be a crime), and persons in need of supervision (PINS - a child under sixteen beyond the lawful control of parent or guardian). The adult intake unit manages cases involving family offense, custody/visitation, support and paternity matters.

Both the juvenile and adult intake units are mandated to provide:

Screenina

The intake section furnishes a walk-in facility which screens every case for its appropriateness for Family Court. If the case does not fall within the jurisdiction of Family Court, suggestions are made for the proper agency.

Referral

When a case requires the services of another agency, referrals are made by the intake probation officers.

Petition Preparation

When a case calls for formal Family Court action the petition and other paperwork are prepared by the intake probation officers.

Short-term Crisis Intervention

Counseling is offered in cases that are appropriate for short-term crisis intervention. The Family Court Act authorizes intake to work on a case for up to two months in trying to effect an acceptable resolution.

At the investigation level a report covering social, educational and legal histories including psychological data is submitted to the court on the child or adult awaiting adjudication to aid in arriving at a dispostion.

Juvenile and family supervision probation officers provide

monitoring and guidance for children and adults sentenced to probation.

It is Probation's responsibility to protect the community through the rehabilitation of the probationer, encouraging positive behavioral changes to avert any future antisocial or criminal conduct.

JUVENILE INTAKE

The juvenile intake unit offers intensive, short-term services to families with youngsters under the age of sixteen who have been referred to Family Court because of acting-out behavior in the home, school or community. The behavior addressed involves either juvenile delinquency (criminal activity) or persons in need of supervision (ungovernability, truancy from schools, incorrigibility, runaways, etc.).

Referrals come primarily from the police, parents or school authorities. The unit screens, evaluates and intervenes in all such referrals, utilizing a number of creative and effective programs as alternatives to formal court action. Through the use of mediation, community service, restitution, parenting education groups, crisis intervention and referrals for long-term counseling, this unit has been able to offer timely and effective services to parents and children seeking help from the juvenile justice system.

During 1990 new juvenile delinquency cases (JD) totaled 1265, an increase of 8.8% over 1989. New cases involving Persons In Need of Supervision [PINS] decreased from 670 to 627, a reduction of 7.7%.

As part of intake's legal mandate, attempts must be made to divert all appropriate cases from formal court action. Diversion permits intervention to be offered at the point of crisis when it often can be most beneficial. Many youngsters are more effectively helped when their penetration into the court system is minimized. This is accomplished by providing a wide range of services to prevent the necessity of court action. In addition, there is an obvious cost savings when the need for formal court action is averted.

As part of the adjustment process, restitution is arranged through intake to compensate victims. In 1990, approximately \$50,000 was collected from 97 juveniles. Through the department's Community Services Program, 103 juveniles who were referred by juvenile intake, completed more than 2200 hours of community service representing a labor value of more than \$9000.

Juvenile Intake 1989 - 1990

	C	ases Assi	Lgned		Pe	Petitions Filed			
	1989	1990	Inc	/Dec	1989	1990	Inc/	Dec	
Type			No.	7.			No.	7.	
JD	1163	1265	102	8.77	787	882	95	12.07	
PINS	679	627	- 52	- 7.66	210	245	_35	16.67	
Totals	1842	1892	50	2.71	997	1127	130	13.04	

JUVENILE INVESTIGATIONS

Following an affirmative finding, the court may order a probation investigation and report to assist in reaching a disposition. The investigation focuses on the individual and the offense in the context of the family and community. offers an in-depth assessment of the individual's strengths and weaknesses, including social and psychological functioning. The assessment provides the basis for a recommendation to the court on a plan of treatment. compiling the report, the investigating probation officer calls upon the expertise of several community based agencies including psychiatric and drug and alcohol facilities. recommendation to the court may also include the imposition of special conditions and the involvement in a specific that could be helpful in generating positive program changes.

In 1990, the juvenile cases referred for investigation showed an increase of 6.2% from 496 in 1989 to 525 in 1990. These cases continue to reflect the serious issues of family disorganization confronting our society. Since the more amenable JD and PINS cases are diverted at the intake level, the juveniles assigned for formal investigation tend to have more serious problems and are more resistant to behavioral change. Many of the juveniles referred by the Family Court come from families which have been or are currently known to Child Protective Services for incidents of alleged child abuse. Because of the difficulties these juveniles present, the number of out-of home placements in the investigation area in 1990 increased 23% over 1989, despite concerted efforts to find viable community-based alternatives.

Juvenile Investigations

1989			19	90	Inc/Dec	189-190
Type	No.	7.	No.	7	No.	
JD	327	65.93	332	63.24	5	1.52
Pins	169	34.07	193	36.76	24	14.20
Totals	496	100.00	525	100.00	29	6.18

Probation continues to be the most frequent disposition of the court in juvenile cases. In 1990, probation was the disposition in 56.3% of the JD cases and 57.3% of the PINS cases. Because of the availability of such services as intensive supervision and drug testing, a disposition of probation is often recommended despite serious behavioral issues. As required by law, all cases are screened to determine the least restrictive option consistent with the need for community safety.

	JD	Dispos		le Disposi		INS Dis	positi	ons
Type	1989	<u>1990</u>	Inc/D	ec 89-90	1989	1990	Inc/I	Dec 89-90
Probation	183	187	4	2.19	99	132	. 33	33.33
Placement	65	. 79	14	21.54	. 29	43	14	48.28
W/D & Dismissed	7	5	- 2	-28.57	. 7	8	1	14.29
CD & Susp.Judg.	26	29	3	11.54	5 .	. 9	4	80.00
ACOD	31	27	- 4	-12.90	2	7	5	250.00
Others	5	5	0	0.00	5	4	<u>- 1</u>	- 20.00
Totals	317	332	15	4.73	147	203	56	38.10

Of the JD investigations receiving dispositions, petit larceny was the number one ranking offense comprising 19.3% of all JD offenses. As evidence of the increasing drug problem, possession of a controlled substance was the fourth highest ranking offense. Prior to 1988, it did not rank in the top five.

Highest Ranking JD Offenses

	1989		1990				
Rank	Offense	No.	% all JD Offenses	Rank	Offense	No.	% all JD Offenses
1.	Petit Larceny	58	18.2	1.	Petit Larceny	64	19.28
2.	Assault	51	16.1	2.	Assault	45	13.55
3.	Poss.Cont.Sub.	34	10.7	3.	Burglary	38	11.45
4.	Crim. Misch.	26	8.5	4.	Poss.Cont.Sub.	33	9.94
5.	Burglary	23	7.2	5.	Crim. Misch.	29	8.73

JUVENILE SUPERVISION

Upon a disposition of probation, a juvenile is immediately assigned a supervising probation officer. The probation officer monitors the youngster to assure compliance with the conditions of probation established by the court, utilizing all available resources to help the individual acquire more acceptable behavior.

Probation officers supervising juveniles employ a wide array of techniques to promote positive behavioral change. Community resources are extensively used. Regular contact with school officials, parents, other law enforcement agencies, and therapists are maintained. Completing a community service requirement is an additional method used to help juveniles learn responsible behavior while remaining in the community.

Juvenile supervision was carried out in 1990 by $1\frac{1}{2}$ regular supervision units and one juvenile intensive supervision unit. The regular units supervised caseloads averaging about 50 juveniles.

The intensive supervision unit is a specialized area with caseloads of 15 to 20. This unit works with a high risk population. It is staffed by two specially trained senior probation officers who use a team approach in high crime areas.

In 1990 there was a 5.5% increase in the number of cases placed on probation. ACOD cases, which are assigned to the Probation Department prior to an adjudication, increased 25%. Such dispositions are seen by the Family Court as a less intrusive option and are being used more frequently by the Court. These dispositions present special problems since an investigation must be completed after the sentence.

	Post-Ad	judicatory Sup	ervision	
	1989	1990	Inc/De No.	c 89-90 %
JD	447	464	17	3.80
PINS	<u>222</u>	<u>242</u>	<u>20</u>	9.01
Total	669	706	37	5.53

			Pre-A	Adjudicatory Supervision			
					Inc/Dec	89-90	
			1989	<u>1990</u>	No.		
Total	During	Year	143	179	36	25.17	

SCHOOL LIAISON

This specialized unit serves the juvenile who is placed in a residential facility. The unit provides a continuum of case management that prepares the juvenile for reentry into the community, the time of greatest risk of recidivism. During the period of placement, the senior probation officers in the unit work closely with the residential school, the child, and the child's family. Because of the ongoing

cooperation and support provided by the school liaison unit, most placements of Nassau County juveniles are with private facilities at considerably lower costs than Division for Youth institutions.

ADULT INTAKE

Adult intake, the gateway to Family Court, is a high-volume five-day-a-week, walk-in service. The unit assists the public with such problems as family violence; custody; guardianship; visitation; certain support matters; paternity; and modification or enforcements of court orders.

Where appropriate, alternatives and options are explored in an effort to divert a case from court by offering services without formal court action. Diversion efforts include short-term crisis intervention counseling, referrals to community agencies, and mediation services. When diversion is not feasible, the applicants are assisted in preparing and filing petitions for formal Family Court action.

During 1990, 13,835 cases were serviced. This represents an overall increase of 1063 cases or 8.32%. The most dramatic increase in the workload was a 25% increase in custody/visitation cases. In part, this may reflect the newly enacted support laws which create financial incentives for custodial parents. Family offense cases, traditionally the most active area, increased by 4%.

The unit's overall diversion rate (alternative services) increased from 12% in 1989 to 18% in 1990. The most significant diversion increase was in the area of custody/visitation. In 1989 the diversion rate for these cases was 12%. In 1990, it climbed to 21%.

Adult Intake Unit 1989 - 1990

		Cases A	ssigne	gned		Petitions Filed		
	1989	1990	Inc	7Dec	1989	1990	Lı	nc/Dec
Category	·		No.				No.	7.
Custody/Visitation	3048	3812	764	25.07	2692	2619	- 73	- 2.71
Support	2489	2760	271	10.89	2282	2347	65	2.85
Family Offense	5807	6029	222	3.82	4870	5041	171	3.51
Paternity	254	266	12	4.72	228	224	- 4	- 1.75
Other	1174	968	<u>-206</u>	-17.55	1100	842	-258	-23.45
Totals	12,772	13,835	1063	8.32	11,172	11,073	- 99	- 0.89

FAMILY SERVICES UNIT I (Domestic Violence Cases)

This unit conducts court-ordered investigations on Family

Offense cases. It also supervises respondents placed on probation as a result of family violence.

The urgency of the domestic violence problem often requires probation supervison of family violence cases without a presentence investigation and report. The department's focus continues to emphasize the role of probation in protecting the petitioner/victim while recognizing that the cycles of family violence dictate therapeutic intervention. The family services unit refers cases to a range of appropriate rehabilitation and treatment programs and monitors their progress. The unit supervises not only spouse abuse cases but also those involving abuse by other family members.

Family Services Unit I - 1989-1990

	I	Investigations Assigned		Total Supervision Caseload During Year				
Type	1989	1990	Inc/Dec	89-90 %	1989	<u>1990</u>	Inc/Dec	89-90
Family Offense	120	111	- 9	-7.5	172	128	-44	-25.58

FAMILY SERVICES UNIT II

This unit conducts investigations for Family, Supreme and Surrogate's Courts in matters of custody and visitation, child abuse and neglect, and adoption proceedings.

Adoptions

Adoption investigations referred by both Family and Surrogate's Courts are conducted by the Family Division's Supreme Court Bureau. The backgrounds of the prospective adoptive parents are thoroughly explored as part of such investigations, and the court is advised as to their ability to assume parental responsibilities. There was a significant increase of 15.38% in this type of referral in 1990.

Child Abuse-Neglect

During 1990 there was an increase of 45 cases or 11.39% over 1989 in assigned investigations. Much of the increase is related to newborn children testing positive for drugs at the time of birth as the result of the mother's drug use during pregnancy. This has become the single largest case category of child abuse/neglect investigations.

Custody/Visitation

In 1990 there was an increase of close to 1% in

custody/visitation investigations. This increase was anticipated due to the changes in the New York State laws relative to support. However, the Department has yet to feel the full impact of this legislation.

Family Services Unit II, Supreme Court Investigations Assigned, 1989-1990

<u>Type</u>	1989	1990	Inc/Dec No.	89 - 90 <u>%</u>
Adoption	78	90	12	15.38
Custody/Visitation	680	686	6	0.88
Neglect/Abuse	395	440	<u>45</u>	11.39
Totals	1153	1216	63	5.46

COURT LIAISON

The court liaison unit represents the probation officers in court and facilitates communication and information sharing between the judges and probation staff.

The court liaison unit reviews the daily calendars of the eight judges at Family Court for probation cases. The unit then advises the appropriate probation officers on the court activity of their cases. At the end of the court day, the unit checks all disposition cases on the calendar and distributes the findings to the probation officers.

Liai	son Services	
•	1989	1990
Calendars reviewed for cou	rt 31,722	34,682
Probation reports given to	court 6,301	8,221
Referrals to probation from		3,290
Emergency services for cou	rt petitioners,	
respondents and probation	staff 2,554	3,521

Probation reports given to the court include oral reports on probation cases; addenda to presentence reports; investigations and reports on active cases; reports from the Forensic Services Section of the Nassau County Department of Mental Health, Mental Retardation and Developmental Disabilities; and information from intake reports on new JD and PINS cases.

Referrals to probation from court involve directing individuals and/or families to the correct location for an investigation and report interview; for probation supervision; for

voluntary counseling; and for outpatient mental examinations.

The court liaison unit performs such emergency services for the court as referrals to non-secure detention homes for juveniles, referrals to the Sagamore Mobile Outreach Unit for psychological evaluation, and referrals to alcohol and drug detoxification treatment programs.

In addition, the liaison officers advise the court on the availability of community resources and at the court's direction, implement referrals to these community agencies.

ANCILLARY SERVICES

Mediation Services

Since April of 1989 the Family Division has been providing mediation services for Family Court custody and visitation cases with probation officers trained as mediators by the American Arbitration Association. Where parties request the services of mediation, agreements are reached in 78% of the cases.

Voluntary Counseling

The Family Court Judiciary has the discretion to refer cases to the Probation Department for voluntary counseling. Most of these cases involve marital disputes and drug and/or alcohol abuse. Upon referral from the court, Family Services Unit I screens the case and based on the presenting problem makes a referral to the most appropriate agency. Probation then follows up with the petitioner, respondent and treatment agency to monitor progress.

Community Resources Specialist/Mental Health Services

During 1990, the community resources specialist assumed responsibility for the Family Division's mental health support services. The combined Community Resources/Mental Health Unit provided case consultation and planning services to probation officers in the Family Division. All cases referred for mental health evaluations are first screened by the mental health unit to determine the appropriateness of referrals to community agencies.

In addition to acting as liaison to public and private community agencies in the county, the community resources specialist also coordinated substance abuse treatment referrals made through the Criminal Justice Treatment Services Program and conducted groups for victims of spouse abuse involved with the Family Court.

To help insure that probation officers in the Division were aware of resources within the larger community of Nassau County, the community resources specialist arranged for several community-based organizations to offer presentations to Family Division probation officers.

NASSAU COUNTY PROBATION DEPARTMENT ORGANIZATIONAL CHART 1990

