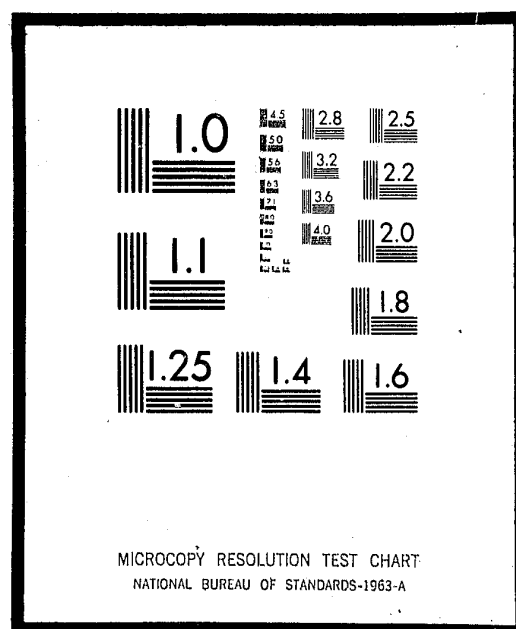


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7/27/76

PROBATION

A VIABLE

COMMUNITY ALTERNATIVE

1975
ANNUAL REPORT
OF THE
STATE DIVISION OF PROBATION

NCJRS

MAY 17 1976

ACQUISITIONS

State of New York
Division of Probation
Empire State Plaza
Tower Building
22nd Floor
Albany, New York 12223

April 1, 1976



STATE OF NEW YORK
DIVISION OF PROBATION

TOWER BUILDING
EMPIRE STATE PLAZA
ALBANY, NEW YORK 12223

ROBERT F. SULLIVAN
Acting State Director of Probation

April 1, 1976

The Honorable Hugh L. Carey
Governor
State of New York
Executive Chamber, The Capitol
Albany, New York 12224

Dear Governor Carey:

We are pleased to submit this 1975 Annual Report of the Division of Probation in keeping with Section 243 of the Executive Law.

The year 1975 was a most productive year for the Division of Probation. All available knowledge was consolidated. Local probation services were provided with an up-to-date statement of goals, standards, rules, methods and procedures to assure the public efficient and effective services. Perhaps of greatest future significance was the effort devoted to the development of management information systems for Probation which, when fully operational, will permit a more rational use of available resources and provide the State with a clearer picture of the effectiveness of Probation.

Of particular note is the section of the Report which graphically presents the increasing work load for Probation in New York State which, we believe, is reflective of both the higher incidence of criminal and delinquent activity and the growing recognition that Probation is one of the most effective and economical ways of handling selected offenders.

It was also a year which saw a steady decline in the fiscal resources available to Probation in the highest work/volume area, New York City. Probation in New York City began experiencing serious difficulties in 1971 as a result of controls placed on vacancies. The problems attendant to

The Honorable Hugh L. Carey -2-

April 1, 1976

the consolidation of four probation departments into the New York City Department of Probation in 1974 tended to compound the difficulties. All during this period the Division of Probation has worked closely with the administration of the New York City Department of Probation to provide the best services possible under trying conditions. Our most recent effort was the assignment, in late 1975, of several staff to the New York City Department of Probation to develop some accurate data as to the nature and extent of services required and the capacity of the currently allocated staff to provide same. The resolution of this dichotomy of increased demand for services and decreased resources for providing same must continue to be the principal focus of Division of Probation efforts throughout 1976.

While the accomplishments of the Division of Probation in 1975 resulted from participatory effort by State and local Probation personnel and related criminal justice agencies they are, in no small measure, attributed to the dedication and hard work of the late Walter Dunbar, former State Director of Probation, who passed away on September 28, 1975.

Sincerely,

ROBERT F. SULLIVAN
Acting State Director
of Probation

RFS/pmc

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Management Analysis and Information Systems

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Mutual Objectives Probation Program

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Comprehensive Community Probation Program

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Probation Program Area Administrators

William Clancy - New York
Charles Testo - Albany
John Bongiovanni - Buffalo
John Maceri - Syracuse
Theodore Kusnierz - Glens Falls

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Probation is a program of Corrections within the juvenile and criminal justice process which operates at the New York State and local levels of government.

Probation may be described in multiple ways. It is a sentence decision of the court; it is the status of the convicted offender under a sentence served in the community, subject to specific conditions; it is a department of government at the county level carrying out the program, services and functions of intake/diversion, investigation reports, supervision, support and collections, program evaluation, and administration; it is a Division of State government under the Executive Department with responsibility for promulgation of rules, consultation and advice, training and administration of local assistance funds.

The purpose of a Probation Department is to protect the safety and property of persons by prevention of juvenile delinquency and adult crime and related family malfunctioning, with maximum effectiveness and at reasonable cost.

Probation, as the principal community-based correctional effort, has long been recognized by authorities in the field of Criminal Justice as one of our prime programs for effective crime prevention. Where properly funded, programmed, and administered, it is the most humane, effective, and economical of all our correctional efforts.

Probation initially focused upon pre-sentence investigation and post-adjudicatory field supervision of adult criminals and delinquents but became increasingly involved in pre-adjudicatory and preventative areas as the courts themselves expanded their involvement in services. The result has been that Probation now provides such services as marital counseling, intake diversion, and support and collections in addition to its traditional services of investigations and supervision. These services are provided for both the Family Court and the Criminal Court in New York State (see Exhibit 1).

This report highlights the major accomplishments of the State Division of Probation as well as those of the fifty-nine county and municipal Probation departments throughout the State during 1975.

II. BACKGROUND

Probation programming had its beginning in informal citizen advice and assistance to the courts about offenders. The advice often resulted in community placement of the offender under a sentence of probation in lieu of imprisonment for punishment and deterrence of others. Counsel and assistance to offenders in the community was rendered by citizen volunteers.

Through the twenty decades of American nationhood there has been great growth in the population and in the size and complexity of government for rendering services to the public.

During these many years, the establishment and organizational placement of new and varied governmental functions were influenced by constitutional concepts and public needs for services.

Probation as a governmental function had its roots in services to the courts as related to information about juveniles and adults, family matters, court dispositions and community supervision of persons.

There have been several factors which have influenced the organizational placement of probation as a governmental function and the scope of probation services in New York State. As a service to the local court, the probation unit was placed under the administration of the court and as a part of a local unit of government. For improvement in management of probation services, administrative direction has been changed to the county executive and legislature. For rendering financial assistance in relation to State standards for probation effectiveness and efficiency, a State Division of Probation within the Executive Department was established.

The first general Probation law in New York State was enacted in 1901 and the service was carried out by volunteers. In 1907, the State Probation Commission was established to supervise and develop probation work. In 1911, for the first time, salaried probation officers were appointed in Monroe County Children's Court and in Putnam County; salaried officers in cities were appointed in Albany and Kingston; and in New York City, twenty-seven salaried officers were temporarily appointed pending a decision by Civil Service. Chapter 606 of the Laws of 1926 created a Division of Probation in the State Department

Exhibit 1

FLOW PROCESS

PROBATION SERVICES IN NEW YORK STATE

BACKGROUND (continued)

of Corrections, headed by the State Probation Commission. Amendments to the law in 1928 further changed the status of the Commission and created the office of the Director of Probation. The Director became the administrative head of the Division of Probation and the Commission became an advisory body.

The next significant change in the administration of Probation did not occur until 1970 when the State Division of Probation was transferred to the Executive Department and established as an independent agency with the Director reporting directly to the Governor. The independence of Probation was established in recognition of its growing importance in the criminal justice system.

Currently, Probation services are administered at the local level, but supervision over these services is the responsibility of the State Division of Probation. The administration of Probation services in New York State has grown from a small group of agencies which supervised 1,672 offenders with 35 probation officers in 1907 to 59 semi-autonomous agencies which supervised 98,217* probationers with 2,319 professional Probation personnel in 1975.** Additionally, as this report will show, the concept of Probation has expanded with correspondingly added areas of responsibility for the Probation service in New York State.

Although Probation services are provided by 59 local Probation agencies in the State, the State Division is empowered to supervise the overall administration of Probation, to administer a State Aid program to local Probation departments, as well as to administer a program of hostels and foster homes. Furthermore, the Division, when funds are appropriated, provides direct Probation services at State

*This figure represents the total number of persons under supervision during 1975 including those sentenced during the year as well as the 57,224 persons on Probation as of January 1, 1975.

**Supervision is only one aspect of a Probation Officer's responsibility.

BACKGROUND (continued)

expense upon the request of any county having five or fewer officers. Such service has been provided on a demonstration basis in the counties of Warren, Fulton and Montgomery where it continues to serve as a laboratory for testing and implementing innovative Probation practices.

During 1975 the Division of Probation has identified the following three major program areas through which Probation delivers service:

A. Management Programs

1. Personnel selection and training.
2. Organization and supervision of personnel.
3. Workload standards and budgeting.
4. Development and use of community resources.
5. Planning and evaluation.

B. Pre-Adjudicatory Programs

1. Release on own recognizance.
2. Services to detention cases.
3. Intake/diversion.
4. Pre-plea investigations and reports.

C. Post-Adjudicatory Programs

1. Assessment of violence or aggressive history.
2. Differential investigations and reports.
3. Case evaluation and sentence recommendation.
4. Mutual Objectives Probation Program.
5. Differential supervision.
6. Addict, DACC/Probation sentence program.
7. Jail/Probation sentence program.

Sentences to Probation

Not every offender can be sentenced to Probation and for those so sentenced there are mandatory years of sentences (see Exhibits 2 and 2a).

State Division's Objective

The Division of Probation, within the Executive Department of State Government, has as its purpose, the development and operation, by State and local government, of Probation services as a part of the justice process so that public protection is afforded through prevention of juvenile delinquency and adult crime.

BACKGROUND (continued)

The Division of Probation's specific area of responsibility is to assist in the maintenance of an effective probation service consistent with (Statewide) standards and procedures. The Division fulfills this specific responsibility by providing leadership, assistance, training, coordination, program evaluation and general supervision of the operation of 59 separate county and city probation departments as well as direct services in three upstate counties.

The strategy of the Division of Probation, adopted to accomplish its objectives, can be stated as follows:

- (1) the establishment of minimum statewide standards for probation services;
- (2) the monitoring of local departments' adherence to these standards;
- (3) the development of service delivery innovations and their demonstration and incorporation into local Probation operations; and
- (4) the ongoing review and upgrading of rules and standards in the light of successful innovation and new knowledge.

Exhibit 2 - AUTHORIZED SENTENCES TO PROBATION

For Various Classes of Felonies and Misdemeanors

Note: The term of the probation sentence indicated is mandatory and a lesser or greater term cannot be imposed. The court may, however, discharge from Probation prior to the maximum term.

1. Class A-I felonies - probation not authorized.
2. Class A-II felonies - probation not authorized.
3. Class A-III felonies - probation not authorized except probation, for life, is authorized where the prosecutor so recommends on the basis of the defendant's material assistance in connection with Article 220 drug felonies and the administrative judge concurs.
4. Class B felonies - probation not authorized.
5. Class C felonies - probation authorized - 5 years - except as indicated below (see #8).
6. Class D felonies - probation authorized - 5 years - except as indicated below (see #8).
7. Class E felonies - probation authorized - 5 years.
8. Specific C and D felonies - probation is not authorized for the following C and D felonies: Attempt any B felonies; assault - 1; burglary - 2; robbery - 2; possession of weapon - 2; possession of drugs - 5 (except marijuana); sale of drugs - 5 (except marijuana); attempted assault - 1; assault - 2; rewarding official misconduct - 1; receiving reward for official misconduct - 1.
9. Second and persistent felony offenders - probation not authorized.
10. Youthful offender treatment is not available if indictment for Class A-1 or A-2 felony or previous conviction and sentence for a felony. Probation - 5 years - is authorized for youthful offenders convicted of other felonies.
11. Class A misdemeanors - probation authorized - 3 years.
12. Class B misdemeanors - probation authorized - 1 year.
13. Unclassified misdemeanors (misdemeanors outside Penal Law) - probation is authorized - 3 years if the authorized sentence exceeds 3 months, otherwise one year.
14. Violation - probation not authorized.
15. Youthful offenders - probation authorized - 3 years if the underlying charge is a Class A misdemeanor; one year if a Class B misdemeanor.

In any case where the court imposes a prison term of 60 days or less, it may also impose probation, with the limitation that the total term may not exceed the term of probation which is authorized for the crime in question.

Exhibit 2a

AUTHORIZED PLACEMENT ON PROBATION
UNDER THE FAMILY COURT ACT

1. Support - so long as order of support, order of protection or order of visitation applies to such person.
2. Juvenile Delinquent* - 2 years.
3. Person in Need of Supervision (PLNS)* - 1 year.
4. Family Offense - 1 year.

*The court may continue for an additional year if there are exceptional circumstances.

III. COMMON QUESTIONS ABOUT PROBATION

The following are some frequently asked questions about Probation:

1. *What are the purposes of Probation?*

Probation is a planned program designed to protect the community by reeducating the offender to the acceptance of responsibility for his actions, teaching him to live with others with a minimum of friction, and guiding him in his conduct so that he will become a responsible citizen. It provides support in assisting him to conform to the demands of society. In Family Court, the emphasis is upon trying to preserve family life.

2. *How does Probation rehabilitate the offender?*

The probation officer counsels and guides the offender to assist him to accept responsibility for his own actions, to teach him to respect the laws and customs of society and to help him to mobilize his own inner resources and to use constructively the resources of the community to bring about a harmonious adjustment between the person and his environment.

3. *How does Probation protect the community?*

Probation protects the community:

- a. By screening and providing diversion services to cases at intake so that only those cases which require court action are referred to the court.
- b. By furnishing an adequate and relevant legal and social history of adult offenders, juvenile delinquents and persons in need of supervision so that the judge may have sufficient, accurate and relevant information for determining which offenders may be allowed to remain in the community under Probation supervision, and which offenders should be sentenced to correctional institutions.
- c. By helping families to solve their problems, thus insuring the child the security so necessary for personal and social adjustment.

COMMON QUESTIONS ABOUT PROBATION (continued)

10.

- d. By providing supervision to the offender in his own community to guide him to respect the law and to aid him to live within the conditions of release set by the court.

4. *Is Probation leniency?*

No. It is a sound approach to the problem of reeducating the offender to responsible citizenship. If the probationer should prove to be a danger to the community, he may be returned to court and committed to an institution or given any other sentence which the court might have imposed at the time of original conviction.

5. *Is Probation an alternative to state training school, reformatory or prison?*

Yes, but only for those individuals whose history, thoroughly investigated and evaluated, indicates that they may benefit from Probation supervision.

6. *Are all offenders good risks for Probation?*

No. Some are too hardened or present problems which can be managed only in an institutional setting.

7. *What are the advantages of Probation?*

- a. Allows a probationer to remain at home where he is given the opportunity of becoming a useful citizen with the encouragement and help of family, friends, employer and community.
- b. Offers him guidance and reeducation to the acceptance of responsibilities inherent in a democratic society.
- c. Assists him in making adjustments at home, at work and in the community.
- d. Does not subject him to the regimentation of prison, which often has a crippling effect on personality.
- e. Avoids the stigma of a prison or reformatory sentence.

8. *What are the advantages of Probation for the community?*

- a. Probation protects the community by providing supervision and guidance for the offender in the community.

COMMON QUESTIONS ABOUT PROBATION (continued)

11.

- 8. a. If the offender is successful on probation and makes use of the service to achieve a satisfactory mode of living, the community has little to fear from him. If, on the other hand, he should violate the conditions on which he was released, he may be returned to the court for resentence.
- b. It saves the community money. The per capita cost of Probation is about \$1,000, whereas the cost of keeping an adult offender in prison is approximately nine times that amount and 16 times that amount for a juvenile kept in an institution. In addition, the probationer contributes to the economy of the community by his work and purchasing. The prisoner, however, must be supported in an institution and his family may have to turn to welfare for aid while he is in prison.

9. *What is the difference between Probation and Parole?*

Probation is supervision in the community in place of a prison or reformatory sentence.

Parole is the conditional release of an inmate from a penal or reformatory institution after he has served a portion of his sentence. The parolee remains under the supervision of a parole officer until he has completed the maximum sentence for which he was committed. Therefore, commitment to an institution is a prerequisite for parole. Probation is a substitute for such commitment.

10. *What does a Probation Officer do?*

The Probation Officer attempts to counsel and guide the offender away from the illegal behavior and back to socially acceptable behavior. In so doing, he uses his own resources as well as any other available services in the community.

11. *What are the qualifications for Probation Officer?*

The minimum qualification for beginning employment as a Probation Officer is a bachelor's degree from a recognized college with 30 undergraduate credit hours in social or behavioral sciences. Required knowledge, skills and abilities include: (1) social sciences including sociology, psychology and economics; (2) social

COMMON QUESTIONS ABOUT PROBATION (continued)

11. sciences programs and other community resources; (3) laws pertaining to Probation work and functions and procedures of Family and Criminal courts; (4) factors related to crime and delinquency.
12. *Why should a Probation Officer be a specially trained and qualified person?*

The Probation Officer deals with the most difficult and complex human problems. He deals with individuals whose delinquent or criminal behavior may be a symptom of emotional problems, complicated by many incidental problems--unemployment, marital discord, poor housing, and a host of others.

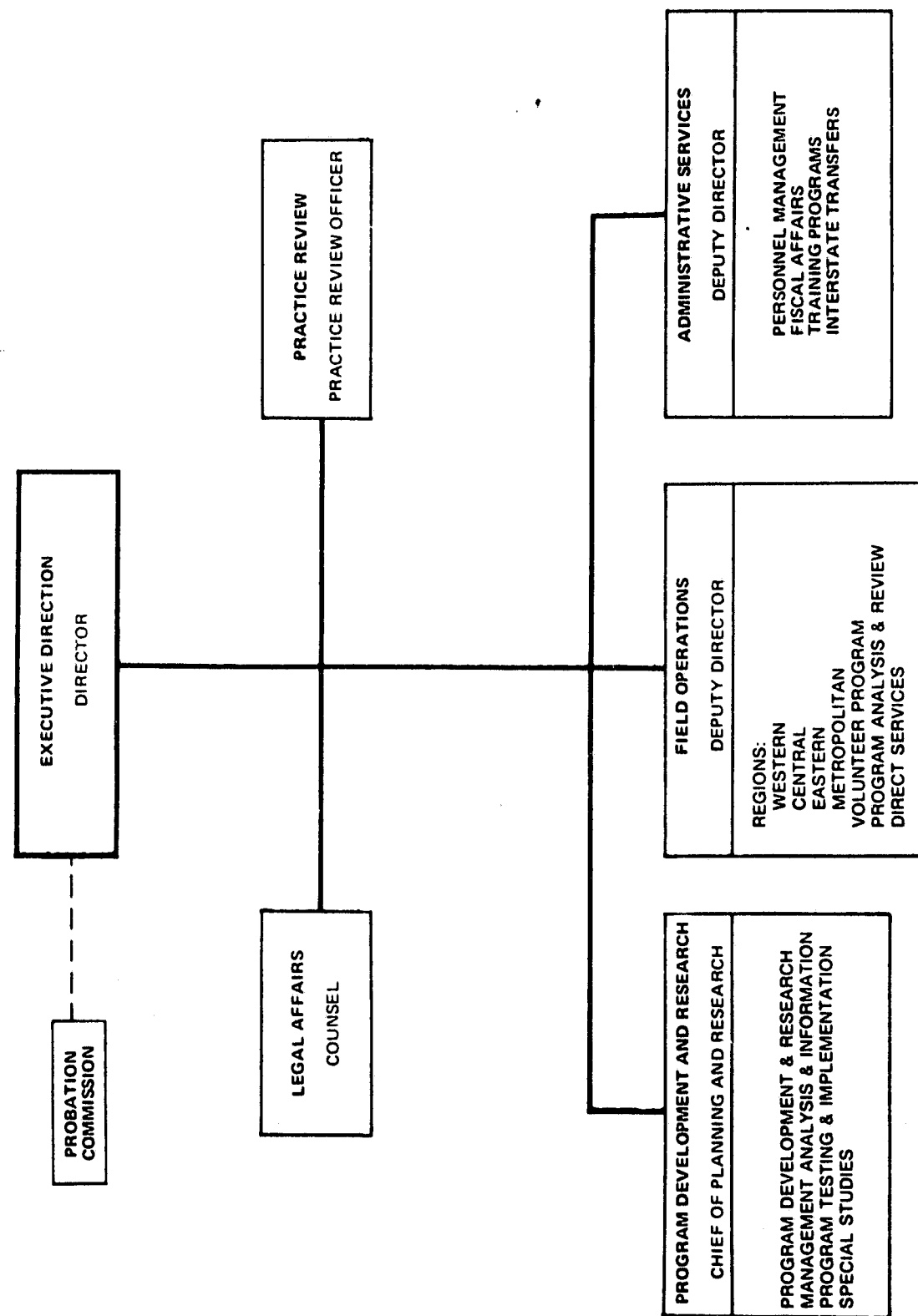
IV. ORGANIZATION OF THE STATE DIVISION OF PROBATION

With Major Accomplishments - 1975

To best accomplish its objectives, the State Division is organized into the following major components* (see Exhibit 3):

- (1) Executive Direction;
- (2) Probation Commission;
- (3) Legal Affairs;
- (4) Practice Review;
- (5) Program Development and Research;
- (6) Field Operations;
- (7) Administrative Services.

*In 1975, the responsibilities for Program Development and Research and Administrative Services were combined into a single Planning and Administration Bureau. The Chief of Planning and Research now functions internally as Deputy Director for Planning and Administration and is responsible for the combined operations of those two formerly separate units.



14.

*DOES NOT INCLUDE 5 MEMBERS OF PROBATION COMMISSION

15.

EXECUTIVE DIRECTION

"The director shall exercise general supervision over the administration of probation throughout the state, including probation in family courts and shall collect statistical and other information and make recommendations regarding the administration of probation in the courts. He shall endeavor to secure the effective application of the probation system and the enforcement of the probation laws and the laws relating to family courts throughout the state. After consultation with the state probation commission, he shall adopt general rules which shall regulate methods and procedure in the administration of probation, including investigation of defendants prior to sentence, and children prior to adjudication, supervision, casework, record keeping and accounting so as to secure the most effective application of the probation system and the most efficient enforcement of the probation laws throughout the state..."

Section 243, Executive Law

The activities of the State Director of Probation during 1975, in keeping with law and pursuant to perceived needs, are highlighted below.

Program Analysis and Review: Discussion and consideration with local probation directors and Division staff of results of intensive program analysis and review of the major metropolitan probation departments in New York State, exclusive of New York City, to assess probation practice and to assure conformance to goals and standards.

Planning Seminars: Two seminars were organized to instruct and assist the major probation departments in the State in the development and implementation of planning capabilities that would insure their closer collaboration with the State criminal justice planning effort.

Criminal Justice Systems Planning: In collaboration with county executives and Criminal Justice Coordinating Council staff, effort was made in several counties to interface the resolution of probation program problems with the total criminal justice effort for those localities.

Probation Services - New York City: Several meetings were held during the year with New York City Probation Department officials in an effort to develop strategies which might alleviate the impact of severe fiscal cuts on the delivery of probation services in that City.

EXECUTIVE DIRECTION - CONT.

Variations in Sentencing Patterns, Inappropriate and/or Illegal Sentencing: Considerable effort was devoted to the development and distribution to interested agencies of information depicting wide variations in sentencing practice with respect to those convicted after indictment on felonies. The impact of these variations on local probation services and other components of the criminal justice system was also discussed. Through our Practices Review office inappropriate and/or illegal sentences, insofar as they related to probation practice, were also reviewed.

Liaison with Affiliated Organizations: Through annual organization meetings and meetings on request with organization executives, ongoing liaison was had with the Council of New York State Probation Administrators, the New York State Probation and Parole Officers Association, the Statewide Probation Committee of the Civil Service Employees Association, and the Probation and Parole Officers Association of Greater New York.

State Crime Control Planning: The Director participated, as a member of the State Crime Control Planning Board, in meetings to approve criminal justice grants under LEAA funds.

Juvenile Justice Advisory Board: The Director participated as a member of the Juvenile Justice Advisory Board with respect to making recommendations to the State Crime Control Planning Board for the allocation of grant funds under the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974.

American Probation and Parole Association: The Director was selected to serve on the Board of Directors of the newly formed American Probation and Parole Association.

STATE PROBATION COMMISSION

<u>Member</u>	<u>Date Appointed</u>
Robert F. Sullivan, Acting Chairman	
Alexander Carmichael	6/25/69
Egon Plager	6/ 8/55
William E. Lytle	3/21/63
Robert Golden	1/27/72
Avis Mulvaney	5/31/74
Richard J. Bartlett	2/ 1/74

The statutory duty of the members of the Commission is to meet and consider all matters relating to Probation in the State within the jurisdiction of the Division of Probation, and to provide advice and consultation to the Director.

During 1975 the Commission met three times and participated in briefings and discussions concerning probation in the State, including the following subjects:

- . Comprehensive Community Probation Programming;
- . General Rules regulating methods and procedure in the administration of Probation in the State of New York;
- . LEAA grant projects for Probation in New York State;
- . Legislation related to Probation;
- . Court goals and standards;
- . Division of Probation training programs;
- . Sentencing patterns throughout the State; and
- . Problems in the delivery of Probation services in New York City.

PRACTICE REVIEW

The Probation Practices Review Team is responsible for investigating and overseeing the general procedural operation of Probation Agencies statewide. To accomplish these objectives, the Probation Practices Review Officer performed the following activities in 1975:

- . Developed a proposed general rule, procedures and forms to promptly follow-up on complaints, commendations and recommendations on probation practice;
- . Installed a telephone recording service to provide after hour coverage for anyone wishing to register a complaint;
- . Provided major assistance in establishing a probation registrant system in the Division of Probation's Direct Service Area;
- . Developed a probation violator profile for the purpose of specifying criteria to be used in the identification of sensitive probation cases;
- . Conducted a probation violation procedure survey to identify current statewide practice with a view toward the expansion of Part 352 of the General Rule on Violation of Probation, Declaration of Delinquency and Revocation of Probation;
- . Conducted a probation presentence report survey, with the assistance and cooperation of the New York State Commission on Correction, to secure information on the availability of required presentence reports for those cases committed to local correctional facilities;
- . Conducted a presentence report survey, in cooperation with the State Select Committee on Crime, to secure information on the availability of probation presentence reports on 272 cases which were committed to state correctional facilities;
- . Conducted an on-site review of 1,384 cases in four (4) MPA probation departments, one (1) DPA probation department, and five (5) RCA probation departments to secure information on probation sentences. Of the 1,384 sentences reviewed, 1,278 or 92% of the sentences were validated as legal and 106 or 8% of the sentences were identified as in variance with the Penal Law;

PRACTICE REVIEW - contd.

- . Developed a data processing system in cooperation with the Division of Criminal Justice Services, whereby timely computer printouts on probation sentences in variance with the Penal Law are reviewed and corrective action is initiated;
- . Conducted 34 investigations involving complaints and questionable probation practices. Of this number, 23 cases were resolved in 1975. Eleven cases are currently being monitored;
- . Conducted training sessions at the New York State Correctional Services Training Academy. Thirty-nine probation officers representing 24 local probation departments were instructed on the scope and function of the Practices Review Program. Two articles exploring the activities of the program were also published in "Probation News", which includes a circulation of over 4,000 criminal justice personnel.

In December 1975, under a grant from the New York State Division of Criminal Justice Services, the Team was awarded funds to continue its operations for an additional year. In 1976, the Team will be accountable for achieving the following objectives:

- . Prevent probation practices contrary to laws and rules;
- . Prompt investigation of complaints from varied and multiple sources regarding Probation practices;
- . Monitor probation practices regarding sensitive (public interest) cases;
- . Maintain liaison with criminal justice agencies regarding case information and processing;
- . Develop procedures to secure information on a more timely basis;
- . Increase the Team's capacity to collect, analyze and report data;
- . Develop a Code of Ethics for probation personnel;
- . Increase the number of on-site review of probation cases to 3,000;
- . Report findings to the State Director of Probation to permit corrective action.

LEGAL AFFAIRS

The Division Counsel is the primary legal resource for the State Director of Probation and the staff of the Division. He is responsible for the interpretation and analysis of all legal issues and for the drafting, review and evaluation of legislation relating to Probation.

In addition to providing on-going legal assistance to the Director and staff of the Division, the Division counsel performed the following responsibilities in 1975:

- . Prepared and presented instructional material on legal issues relating to Probation and participated in demonstration hearings as part of the Division's training program at the Correctional Services Training Academy;
- . Prepared a column on Legal Issues In Probation for each issue of the PROBATION NEWS, published by the State Division of Probation;
- . Functioned as legal advisor for the Direct Services Program of the Division in Fulton, Montgomery and Warren counties;
- . Provided the Probation Practices Review Officer with legal advice and research assistance in order to carry forward this vital new program;
- . Expanded his role in the legislative process including the preparation of legislative memoranda which are utilized by the Probation Commission and local Probation administrators as well as the Division staff;
- . Provided legal opinions on a wide variety of issues to certain county Probation agencies which are unable to obtain adequate legal expertise locally;
- . Provided major assistance in the development of a training program to aid local probation departments in their implementation of the Division's Rules and Regulations;
- . Coordinated a survey of each local probation department's compliance with the Division's Rules and Regulations;
- . Chaired a task force which developed an 18 volume Consultant Kit containing information of use to the Division's Probation Program Consultants;

LEGAL AFFAIRS - contd.

- . Coordinated an inventory of all State Division of Probation records;
- . Provided legal advice and assistance to local probation departments to aid in the implementation of Title IV-D of the Social Security Act relating to the location of absent parents, determination of paternity and support collections.

FIELD OPERATIONS

The main responsibility of the Field Operations Unit is the operation of the Consultant Service Program. The field positions of the Division of Probation--Probation Consultants, Volunteer Coordinators, the Program Analysts, and State Probation Officers--constitute the line operation of the Division of Probation. These individuals are distributed among the Central Office and five regions throughout the State (Metropolitan New York, Eastern, Northern, Western and Central).

Consultant service is the principal program through which the Division works to accomplish its objectives. Thus, the role of the Consultant is four-fold:

- (1) to monitor the local departments' adherence to the minimum standards promulgated by the Division of Probation;
- (2) to stimulate and to participate with local departments in providing innovative probation services;
- (3) to provide feedback to the Division of Probation regarding local departments' needs, conditions, operations, strengths and weaknesses so that the Division can knowledgeably revise its guidelines, standards and procedures;
- (4) to provide direct services upon request.

Among the major accomplishments of the Field Operations Unit during the past year were the following:

- Implemented a Mutual Objectives Probation Program in four counties in northern New York: St. Lawrence, Jefferson, Lewis, and Franklin. The objectives of this program are: greater client participation in probation programming, more individualized conditions of probation, reduction in unnecessary time on probation, testing short term intensive supervision with a view toward increasing probation sentences and decreasing the number of offenders incarcerated, where possible;
- The implementation of a Comprehensive Community Probation Program in nine target county probation departments. Here again, the objective was to reduce unnecessary institutionalization, improve the quality and increase the number of pre and post-adjudicatory programs and realize cost savings with respect to incarceration. The project also compiled seventeen program models into a Source Book, or "how-to" manual, for distribution in 1976;

FIELD OPERATIONS - contd.

- Conducted ten training workshops throughout the State to promote the institutionalization of volunteer programs in an effort to strengthen local probation program development. During 1975, 41 probation departments established volunteer programs and designated coordinators for this service. Over 18,000 hours of volunteer services were made available during the final two quarters of 1975;
- Completed the intensive program analysis and review of the major metropolitan probation departments outside of New York City. During the coming year this program will be extended to 14 additional counties throughout the State;
- Conducted orientation/training on the new General Rules regulating methods and procedures in the administration of probation in New York State for all probation departments in this State;
- Provided direct probation services to the New York City Department of Probation, and the Ulster, Schenectady, Oneida, Madison, Chenango, Tioga, Saratoga, Albany and Dutchess County Probation Departments;
- Assisted in the development of diversion programs for both Juvenile and Criminal courts in Chautauqua, Niagara, Orleans, Oneida, Oswego, Tompkins, and Cortland Counties;
- Assisted in the development of applications for LEAA grants in Chenango, Erie, Lewis, Monroe, Orleans, New York City, Lewis, Jefferson, Franklin, St. Lawrence, Oneida, Cortland, Tompkins, Rensselaer and Onondaga Counties;
- Participated in various public relation and public information activities through presentations to college groups and participation in career days;
- Assisted in the development of student internship programs in cooperation with local probation departments and colleges;

FIELD OPERATIONS - contd.

- . Management of the Direct Services Program in Fulton, Montgomery and Warren Counties to: (1) explore the concept of a regional probation service, and (2) to provide the Division with a field capability in which new standards, methods and procedures can be demonstrated and evaluated;
- . Administration of the Interstate Program providing for accommodation handling of exchanged probationers;
- . Participated in local Criminal Justice Coordinating Councils;
- . Monitored compliance with the new General Rules regulating methods and procedure in the administration of Probation in New York State by local probation agencies.

ADMINISTRATIVE SERVICES

The Support Services activity of the Division is provided by the Administration Services Unit which includes Personnel Management, Fiscal Management, Support Services, and the Training Academy.

Some of the major accomplishments of this Unit during 1975 were as follows:

- . Administrative support to the Division's other areas. This has included responses to the many non-routine requirements arising from the creation and implementation of the various Federal grant projects. These projects have increased the quantity and complexity of standard budgeting, reporting, payroll details, travel, mail and supply, purchasing, and accounting.
- . Administration of the Division's program of financial aid in support of local probation agencies. In 1975 these funds amounted to \$22.6 million. The State Aid Program requires intensive analysis to maximize the benefits of State allocations. A recent innovation is the required submission of a Probation Program Plan by each county with its application for State Aid. Revised rules for participation in and administration of the State Aid Program have been implemented.
- . The Division's personnel program during 1975 included, among others, the following elements: administration and refinement of the agency Affirmative Action Program; partial development of an automated personnel records processing system for local departments; definition, classification and preparation of requests for new positions in many Federal grants; collaborated with the Finance Unit in reviewing increment eligibility and the 1975 bonus; agency seniority listing of all personnel necessary in the face of proposed budget cuts; development and management of agency parking in the Empire State Plaza.
- . Continuing a Staff Development Program involving: Civil Service Tuition Reimbursement Program; training programs administered by the New York State Department of Civil Service; and in-house training programs, attendance by staff at seminars, conferences and workshops.
- . Provision of supporting services to Probation Consultants in their work with local departments.

ADMINISTRATIVE SERVICES - contd.

The Division's Training Unit at the New York State Correctional Services Training Academy provides a formal ongoing program of educational experiences for all levels of Probation personnel employed in both local and State Probation Departments. This centralized training facility in Albany, New York offers the advantages of an integrated teaching program which brings together the philosophies and procedures of the major agencies involved in the post-adjudicatory services delivery system. The objective of the Division's Staff Development Program is to maintain and improve the ability of probation personnel in the performance of their duties. During 1975 the Probation Training Center offered 45 courses and seminars.

<u>Course</u>	<u>Number of Students</u>
Fundamentals in Probation Practice	101
Advanced Practice in Probation Service	139
Theories and Techniques in Counseling	140
Introduction to Group Work	62
Issues Around Alcoholism	35
Supervisory Management Part One	46
Management by Objectives	16
Correctional Management Laboratory	20
Seminar in Probation Administration	83
Seminar for Probation Program Planners	61
Seminar in the Use of The Probation Source Book	52
Seminar for Probation Volunteers	13
Seminar in Probation Planning	20
Seminar on New Probation Rules and Regulations	75
Seminar for Probation Training Coordinators	43
Seminar in Probation Program Analysis and Review	46
Seminar in Video Methods	13
TOTAL trained during 1975	965

The Training Center aids in the growth and development of both the New York State Department of Correctional Services and New York State Commissions on Corrections personnel. During 1975 the Division's Training Unit presented several programs for the personnel in both agencies on the function of Probation, its organization and services to the offender population within the State's Criminal Justice System.

ADMINISTRATIVE SERVICES - contd.

The Probation Training Center during 1975 developed a bi-monthly Training Probation Newsletter and a Probation Media Communications Center at the Academy. 4,000 copies of the Probation Training Newsletter are distributed bi-monthly to local and State Probation Agencies, universities and other interested parties within the Justice System. The Probation Media Communications Center prepares and distributes TV Audio-Visual training material for use within the Academy and in local in-service training programs.

Finally, during 1975 a decentralized system of training was designed and partially implemented to augment the centralized facility programs in Albany. The decentralized system will be fully operational in 1976.

PROGRAM DEVELOPMENT AND RESEARCH

The Research and Planning Unit is an integral part of the Division of Probation. It completes the feedback cycle between the local and State programs by providing evaluations on a variety of programs, recommending new program approaches, and/or modifying existing programs. The Unit's major objectives are:

- . To conduct broad range planning and development studies of innovative Probation services;
- . To design, test and implement new methods for the delivery of Probation services on a Statewide basis;
- . To provide feedback to the Division regarding the effectiveness of Probation programs.

Some examples of specific accomplishments during the year include:

- . Developing Federally funded grant programs from the Law Enforcement Assistance Administration through its New York State affiliate, the Division of Criminal Justice Services. See Exhibits 4 and 5 for a list of the Federal grants for the Division of Probation as well as for local Probation departments that were terminated, initiated, or approved in 1975. The Unit is also responsible for the research component for the above mentioned State projects as well as some of the local projects. It developed the evaluation designs and instruments for these projects and ascertained the significance of each of these projects for the improvement of Statewide Probation services;
- . Gathering statistical information by tabulating and analyzing the monthly reports from all local Probation departments as well as the felony processing quarterly reports issued by the Division of Criminal Justice Services in order to assist in program planning;
- . Provided the Governor's Task Force on the Title XX Federal program with a comprehensive program analysis and fiscal data report on all of Probation's service programs potentially eligible for Federal funding under Title XX of the Social Security Act;

PROGRAM DEVELOPMENT AND RESEARCH - contd.

- . The Family Court Support Analyst Program was activated June 26, 1975. This study will analyze information obtained through field visits and evaluative instruments, in order to develop guidelines for the most effective and efficient method of performing support and collections functions. The final report will recommend the most advantageous placement of those functions either within Probation departments or other agencies.
- . Part D, Title IV, of the Federal Social Security Act (P.L. 93-6 & 7) entitled "Child Support and Establishment of Paternity" became effective on July 1, 1975. Its requirements have had a significant impact upon this study. Probation participation has evolved concurrently under an agreement between the New York State Department of Social Services and the Division of Probation. As the program develops, parallel and differential procedures are being promulgated for field implementation.
- . Participated in the development of an evaluation design and evaluation instruments for the regional demonstration Mutual Objectives Probation Program and provided related planning services to the Project Director;
- . Participated with the Division Counsel's Office in producing an 18 volume kit designed to be a resource package for the Division's field consultants;
- . Coordinated the development of a Source Book of Comprehensive Community Probation Programs. This book, is a compilation of 17 programs to serve as a programmatic "how-to" manual for the purpose of improving Probation services Statewide;
- . Provided direct planning assistance, at the request of the Onondaga County Probation Department, to assist them in: assessing data needs, planning for a grant to establish an in-house planning capacity and assessing management staffing needs;
- . Participated in several interagency task forces including: the Interagency Task Force on Juvenile Justice, Children's Service Task Force. In addition, testimony was given before Governor's special Panel on Juvenile Violence;

PROGRAM DEVELOPMENT AND RESEARCH - contd.

- . A major activity of this unit is the review, analysis and synthesis of various reports and proposals so as to keep the Division current regarding changes in "the state of the art." Projects initiated during this past year include: a computerized data system to develop a Probation Management Information System; a computerized personnel information system designed to assist in establishing a training curriculum and formulating an affirmative action program; an examination methodology to assist the Department of Civil Service in establishing oral and other examination techniques for the selection of Probation personnel.

The grant projects, guidelines, surveys, program evaluations, manuals, and revised reporting systems developed by the unit are devices utilized by the Division in fulfilling its responsibilities to monitor the local Probation departments' delivery of services, as well as to provide these departments with leadership, training and assistance.

To fulfill the above responsibilities, the Division of Probation is currently involved in two projects that will assist in the development of a statewide Probation Management Information System. An Offender Based Transaction Statistics System (OBTS) is being developed by the Division, together with other functional areas of the criminal justice system. The focus of this system will be on the tracking of the individual offender through the criminal justice system, rather than on any particular agency's workload.

Also, the Information Systems Analysis Package (ISAP) is being utilized to assess the information system requirements of local Probation departments. The results of this effort will be used to make recommendations regarding ways of improving and standardizing the reporting of statistical and programmatic information and, in addition, will be the basis for a statewide Probation Management Information System.

V. LOCAL PROBATION GRANT PROJECT SUMMARIES

Project Titles and Descriptions

The following local probation projects were federally funded through grants from the New York State Division of Criminal Justice Services and were approved, begun, in process or terminated in 1975 (see Exhibit 4).

This list includes all local grant projects known to the Division.

- . Monroe County PINS Project

Provides diversion services on a 24 hour basis for juveniles referred to family court intake as Persons in Need of Supervision (PINS).

- . Probation Officer Film (NYC)

A project to develop a film depicting actual probation operations (pre-sentence and post-adjudicatory). The film analyzes probation as an alternative to incarceration and will be used as a training tool for staff and other criminal justice agencies.

- . Community Resource Center (NYC)

A project to establish a community resource center to provide updated knowledge and consultation on existing community resources for probationers and court related clients, develop a comprehensive directory of agencies to identify gaps in services and develop needed resources where they are lacking.

- . Probation Special Narcotic Court Program

Provides professional staff to conduct presentence investigations.

- . Richmond College Reading Center

Provides services for educationally deprived 14 to 18 year old youths involved in the Criminal Justice System.

- . Livingston County Offender Program

R.O.R., volunteer and satellite office provided for probationer and jail counseling services for misdemeanor inmates.

V. LOCAL PROBATION GRANT PROJECT SUMMARIES - contd.

. Onondaga County Probation Outreach Project I and II

State and County cooperative efforts to provide Probation services in the inner City of Syracuse utilizing store front offices.

. Nassau County Probation Juvenile Intercept

Short term intensive innovative treatment for juveniles.

. New York City Probation Department Planning

Permits hiring of a management firm to assess the planning needs of the department to design a division for planning.

. Westchester Probation Research and Planning Unit

Provides research and planning services to improve the Probation Department's program development capability.

. Genesee County Intensive Counseling Services I and II

Pre-diagnostic assessments for Family Court cases by a social worker, intensive individual and group counseling for supervision cases, and counseling training for Probation Officers.

. Tompkins County Intensive Supervision Facility

A comprehensive program of intensive supervision of 16-21 year old probationers within a residential facility and for work release from county jail.

. New York City Probation Training Strategies II

Training of Probation Officers in organizational assessment, change agency, changes in the community, and effects of poverty and racism in the correctional system.

. Suffolk County Probation Emergency Dangerous Drug Control Program

A program for the investigation and supervision of offenders arrested on narcotics charges who subsequently appear in special narcotics parts.

V. LOCAL PROBATION GRANT PROJECT SUMMARIES - contd.

. Cortland County Youth Services Center I and II

Community based services for 16-21 year old probationers to strengthen and expand existing Probation services and to reduce recidivism.

. Orleans County Intake Outreach Project I and II

A satellite office and staff in a migrant neighborhood providing intake and other services for migrants to reduce Family Court appearances and criminal complaints.

. Suffolk County Alcohol Abuse Treatment Program

A program developed for the identification and treatment of alcohol abuse among probationers.

. Probation Employment Guidance II - Monroe

Provides employment guidance to offenders under Probation supervision.

. Chenango County Multi-Purpose Facility

A home for 16 to 20 year old youths who: (a) cannot reside in their own home; (b) are returning from camp; (c) are awaiting transportation to camp. The home also serves as a reporting station for probationers.

. Erie County Probation Volunteer Services Program

Develop volunteers and coordinate community resources.

. Chemung County Juvenile Services Project

A group home, youth center and foster homes for juveniles.

. Erie County Juvenile Intervention Service I and II

A field unit of Probation Officers and a Probation Aide to provide intensive intake services for juveniles.

. Queens Probation Reading Clinic II and III

The NYC Department of Probation, in cooperation with C. W. Post and College of the City of New York, provides diagnostic, remediation and supportive services to juveniles age 7-16 who are clients of the Queens Probation Office.

V. LOCAL PROBATION GRANT PROJECT SUMMARIES - contd.

- Harlem Probation Rehabilitation Project II and III
Training of para-professionals in counseling and other probation services through Harlem Teams for Self-Help.
- Department of Probation Administration Unit (NYC)
Staff to carry out policies and procedures involving grant awards.
- Probation Vocational Remedial Education Training I and II (NYC)
Vocational training in remedial reading and job placement.
- Chautauqua County Probation Rehabilitation Offender Project
Diversion of adult offenders, services for jail inmates, and alternatives to jail confinement for misdemeanant offenders.
- Hillbrook Activities and Recreation Program - Onondaga County
Design and coordinate arts and crafts, recreation and physical activities for juveniles residing in the Hillbrook Detention Facility.
- Oneida/Herkimer Comprehensive Pre-Trial Intervention Services
Mobile ROR, intake and referral services for probationers.

Exhibit 4

Local Probation Grant Projects funded through the NYS Division of Criminal Justice Services which were approved, begun, or in process during 1975

<u>Federal Grant Program</u>	<u>Title</u>
1. \$ 90,000	Monroe County PINS Project
2. 10,000	Probation Officer Film (NYC)
3. 126,396	Community Resource Center (NYC)
4. 205,730	Special Narcotics Court Program
5. 137,038	Richmond College Reading Center
6. 38,031	Livingston County Offender Program
7. 35,775	Cortland County Youth Services Center
8. 39,960	Orleans County Intake Outreach Project
9. 37,539	Suffolk County Alcohol Abuse Treatment
10. 52,437	Probation Employment Guidance II - Monroe
11. 42,811	Chenango County Multi-Purpose Facility
12. 54,956	Erie County Probation Volunteer Services
13. 56,432	Chemung County Juvenile Services Project
14. 217,155	Erie County Juvenile Intervention Service
15. 224,546	Queens Probation Reading Clinic II and III
16. 265,850	Onondaga County Probation Outreach Project
17. 243,259	Nassau County Probation Juvenile Intercept
18. 75,000	New York City/Probation Department Planning
19. 58,690	Westchester Probation Research and Planning
20. 29,707	Genesee County Intensive Counseling Services
21. 67,167	Tompkins County Intensive Supervision Facility
22. 58,127	New York City Probation Training Strategies II
23. 15,925	Suffolk County Emergency Dangerous Drug Control
24. 150,659	Harlem Probation Rehabilitation Project I and II
25. 103,184	Department of Probation Administration Unit (NYC)
26. 68,830	Probation Vocational Remedial Education Training I and II (NYC)
27. 73,341	Chautauqua County Probation Rehabilitation Offender Project
28. 21,440	Hillbrook Activities and Recreation Program - Onondaga County
29. 99,128	Oneida/Herkimer Comprehensive Pre-Trial Intervention Services

VI. STATE PROBATION GRANT PROJECT SUMMARIES

Project Titles and Descriptions

The following state probation grant projects were federally funded through the New York State Division of Criminal Justice Services and were approved, begun, in process, or terminated in 1975 (see Exhibit 5).

- Urban Specialist II

State Division provided with additional consultants and central office staff to: (a) develop grant applications for Probation projects in urban counties; (b) work with planning and research unit to develop evaluation design for DCJS funded projects; (c) provide consultative services; and (d) review progress reports of funded projects.

- Probation Practices Review I and II

State Division staff investigates complaints, makes spot checks and on-site visits to Probation field operations, responds to requests from Probation staff and the general public for specialized investigations, and follows sensitive and high risk cases through to the resolution of the problems.

- Program Analysis and Review I and II

A Program Analysis and Review Unit to provide an analysis of urban and rural Probation departmental operations.

- Technical Assistance Capability

In cooperation with the Department of Correctional Services and the Division for Youth, this discretionary grant program provides for the enhancement of State and local planning capability.

- Support and Collections Study

A one year study of the support and collection function of local Probation departments and other agencies to determine the best procedure and/or method of providing this function and the criteria for recommending the most appropriate individual or agency to provide this function.

VI. STATE PROBATION GRANT PROJECT SUMMARIES - contd.

- Management Analysis Team

Provides staff to: (1) develop an automated management information system and (2) provide planning assistance to local Probation departments.

- Testing and Implementation Team

State Division of Probation provides a team of probation officers for direct service and consultant specialists for extended on-site consultation for local Probation departments testing new concepts in delivery of Probation services.

- Probation Examination Methodology

In conjunction with the Department of Civil Service, this program provides for a job analysis of the duties of probation officers in preparation for conducting a job related civil service examination.

- Mutual Objectives Probation Program

Probation departments in Franklin, Jefferson, Lewis, and St. Lawrence counties to implement a project whereby offenders participate in setting goals, activities and time schedules for their Probation programs.

- Statewide Probation Training Center I and II

Training of a yearly maximum of 1200 probation officers, administrators and consultants throughout the State.

- Offender-Based Transaction Statistics

This discretionary program provides the Division of Probation with the capacity to determine at any time the status of an individual offender in the criminal justice system.

- Statewide Probation Volunteer Coordination Program I and II

State Division of Probation provides staff to assist local Probation departments to develop volunteer programs primarily in urban areas.

- Comprehensive Community Probation Program

This project provides assistance to nine target counties to implement specific management and service delivery programs as alternatives to incarceration.

Exhibit 5

State Probation Grant Projects funded through the
NYS Division of Criminal Justice Services which
were approved, begun, in process or terminated
during 1975:

Code
* Approved
** Begun
*** In Process
**** Terminated

Federal Grant Amount	Title	
1. \$263,415	Urban Specialist II****	
2. \$108,948	Probation Practices Review***	
3. \$302,958	Program Analysis and Review ***	
4. \$ 99,307	Technical Assistance Capability*	
5. \$ 37,687	Support and Collections Study**	
6. \$141,743	Management Analysis Team**	
7. \$224,768	Testing and Implementation Team ***	
8. \$211,927	Probation Examination Methodology*	
9. \$138,842	Mutual Objective Probation Program***	
10. \$323,400	Statewide Probation Training Center***	
11. \$ 99,836	Offender-Based Transaction Statistics*	
12. \$114,900	Statewide Probation Volunteer Coordination Program***	
13. \$119,088	Comprehensive Community Probation Program**	

VII. 1975 WORK LOAD AND COST DATA

In 1975, fifty-nine county and municipal Probation departments employed an average of 2,319 probation officers who supervised 98,217* probationers, completed 80,829 regular and 79,172 other investigation reports, and opened for intake counseling 46,755 cases. During this period Probation departments collected and disbursed \$109.1 million in payments for family support, fines and restitution.

These services accounted for a minimum of savings to taxpayers of \$332 million through Probation supervision in lieu of institutional placement. It is estimated that 31,000 of 62,000 under Probation supervision on December 31, 1975 could have been sentenced to prison. The annual cost of such placement would be \$363 million. Deducting an annual cost of \$1,000 for each of the 31,000 cases, or a total of \$31 million, leaves the balance of \$332 million.

Greater emphasis has been placed lately on community based rehabilitation programs rather than simply confinement of offenders, on the rationale that most of them do return to the community. The argument is made that because institutional care isolates the offender from the community to which he must eventually return, total separation from the community makes eventual adjustment that much more difficult. Several studies have shown that probationers are less likely to become recidivists than are those placed in institutions.

It costs far less to supervise an offender in the community than it does to place and treat him in an institution. This may be one factor in the trend toward the increased use of Probation over the years (see Exhibit 6). Probation supervision costs approximately \$1,000 a year per client as compared to \$23,500 for juvenile institution treatment and \$11,500 a year for adult institution treatment.

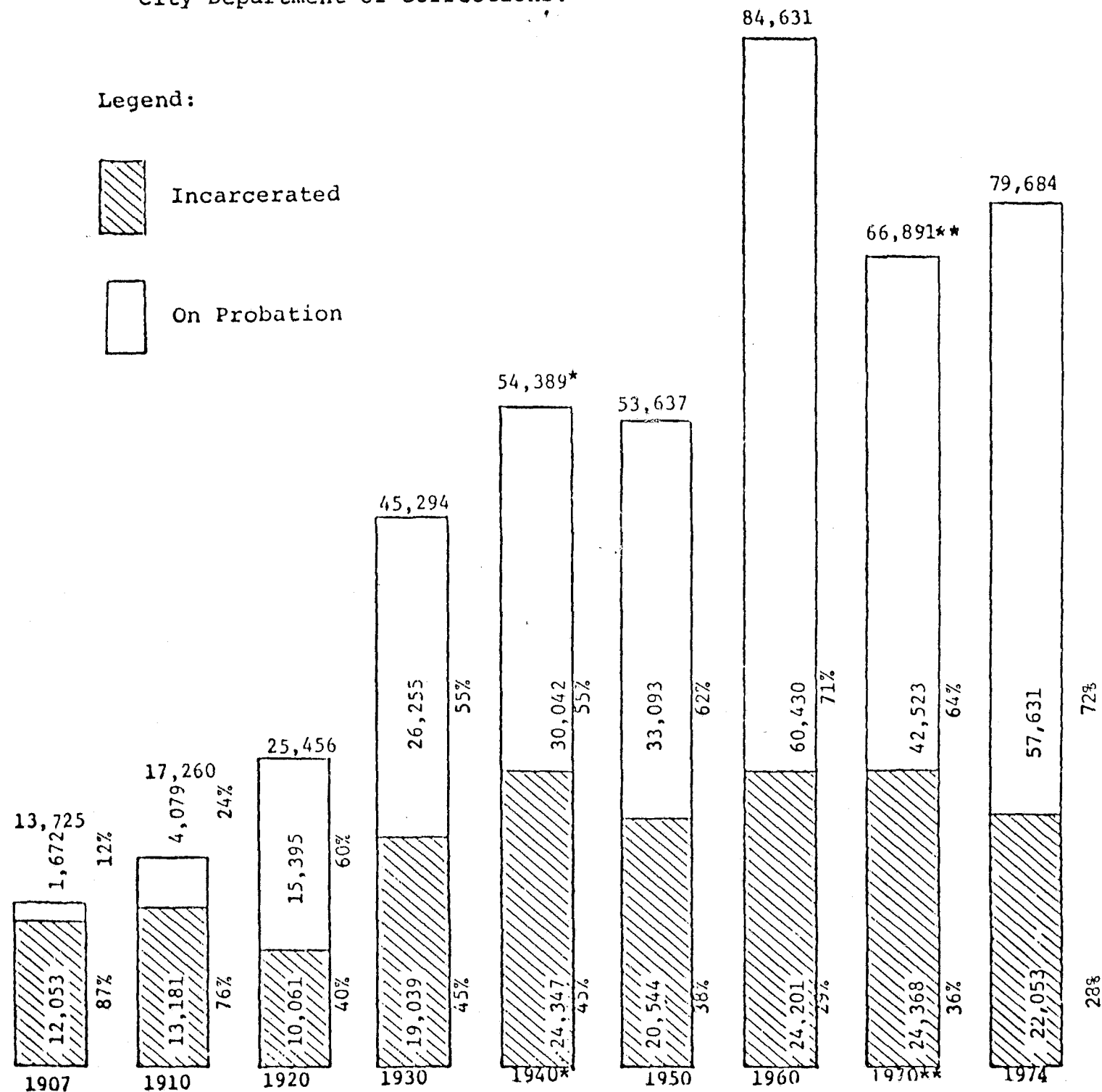
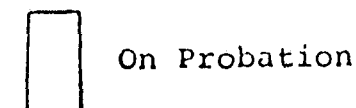
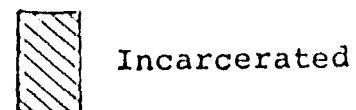
The combined efforts of all county (including direct services) agencies in 1975 resulted in the following accomplishments during 1975 (see Exhibits 6 through 11).

*This figure represents the total number of persons under supervision during 1975 including those discharged during the year as well as the 61,711 persons on Probation supervision as of December 31, 1975.

Exhibit 6

Comparison of the Number on Probation in New York State with the Number Incarcerated in Correctional Facilities, NYS Training Schools, County Penitentiaries, County Jails, and the New York City Department of Corrections.

Legend:



*1937 incarceration figure began to include juveniles.

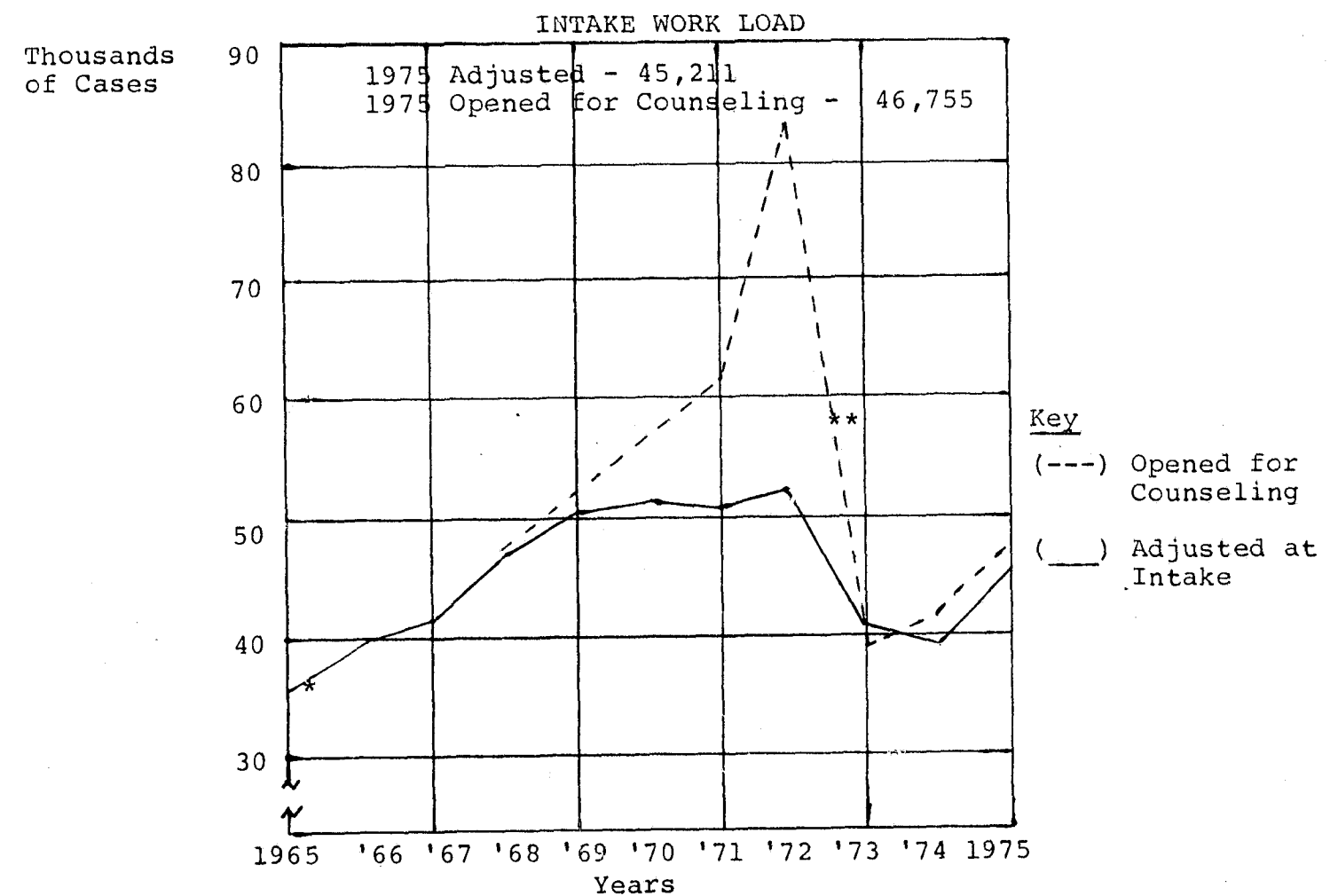
**1963 NYC PATERNITY and Nassau County court orders were removed from Probation caseloads.

Exhibit 7 - INTAKE WORK LOAD

Definition: The receipt of complaints in the Family Court by the probation department and the determination of the legal basis for providing intake/diversion services.

Comment: This chart shows the development of intake from 1965 when the data collected showed results from the start of the Family Court Act in 1962. At Intake, probation departments are responsible for interviewing and screening matters which fall under the jurisdiction of Family Court.

This preliminary procedure performed by the Intake officer may result in immediate petition to Family Court, referral to another agency for services, or being opened for counseling at Intake and possible adjustment following program services without court action.



Note: *Intake statistics were not accurately reflected until 1965. Family Court Act authorizing preliminary procedures began in 1962.

**"Counseling" re-defined during second half of 1972.

Exhibit 8 - INVESTIGATIONS AND REPORTS COMPLETED

Definition: The Process of relevant information gathering for preparation of presentence reports to assist judicial sentencing.

Comment: A presentence investigation is required in felony conviction cases. In misdemeanor cases, the court may not sentence to probation or imprisonment in excess of 90 days without a presentence report.

This chart represents the number of full investigations ordered by all courts, including Family Courts, per year. Each investigation report contains the legal and social history of the defendant or respondent and usually a recommendation for sentencing or disposition. Omitted are the number of supplemental, up-date and support investigations also ordered by the courts and conducted by local probation departments.

INVESTIGATIONS COMPLETED

Thousands of Investigations

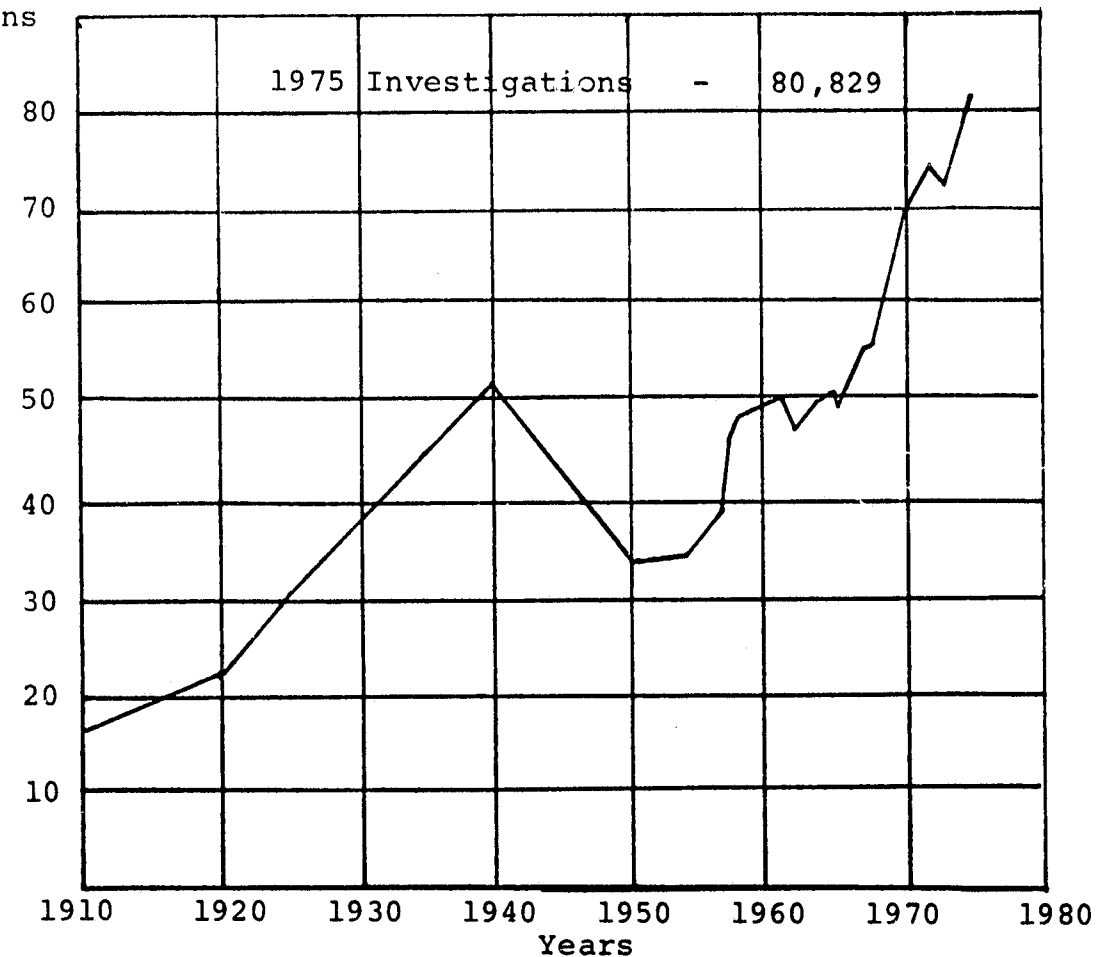


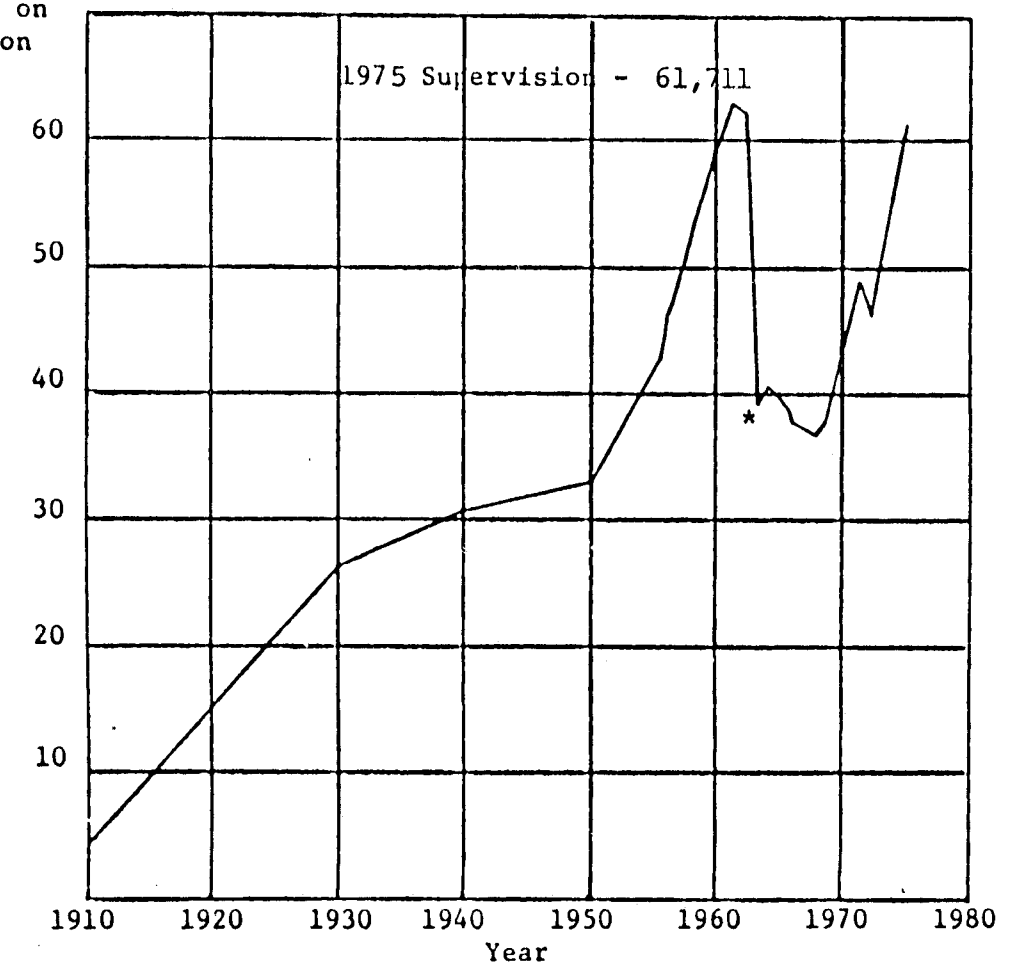
Exhibit 9 - NUMBER OF PERSONS ON PROBATION SUPERVISION AT END OF YEAR

Definition: The supervision of a probationer's activities and the provision of counseling and other services through the marshalling of departmental and community resources.

Comment: This chart represents the total number of persons actually on probation supervision in New York State at the end of each year. The type of supervision may vary from intensive to special depending both on the nature of the case and on the number of probation officers available to supervise probationers and implement treatment programs.

PERSONS ON PROBATION SUPERVISION AT END OF YEAR

Thousands of Persons on Probation



*NYC Paternity cases and Nassau County Court Orders taken out of 1963 caseloads.

Exhibit 10 - PERSONS PLACED ON PROBATION DURING YEAR

Comment: This chart represents the growth in the number of persons placed on probation each year from all courts.

PERSONS PLACED ON PROBATION DURING YEAR

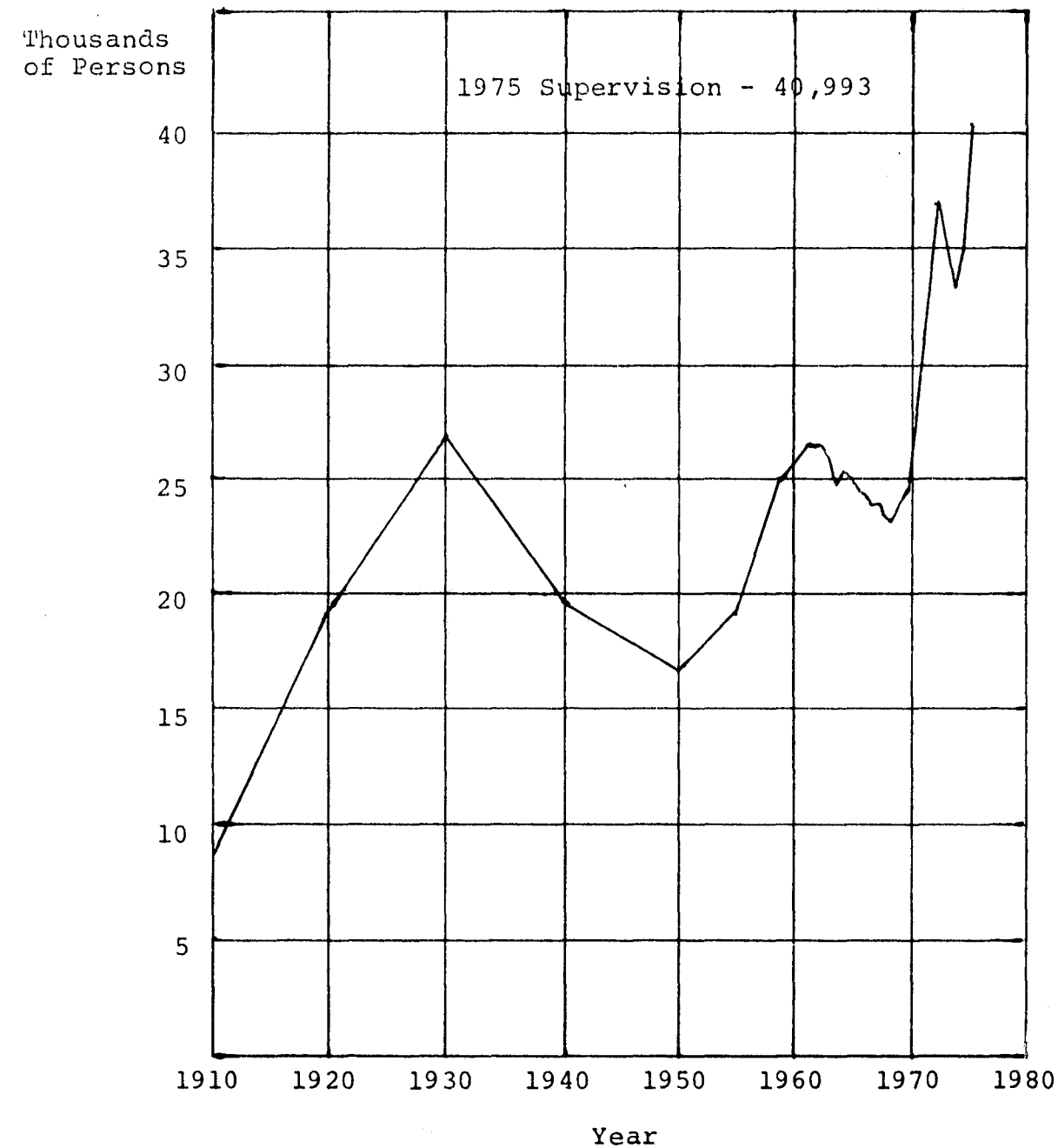
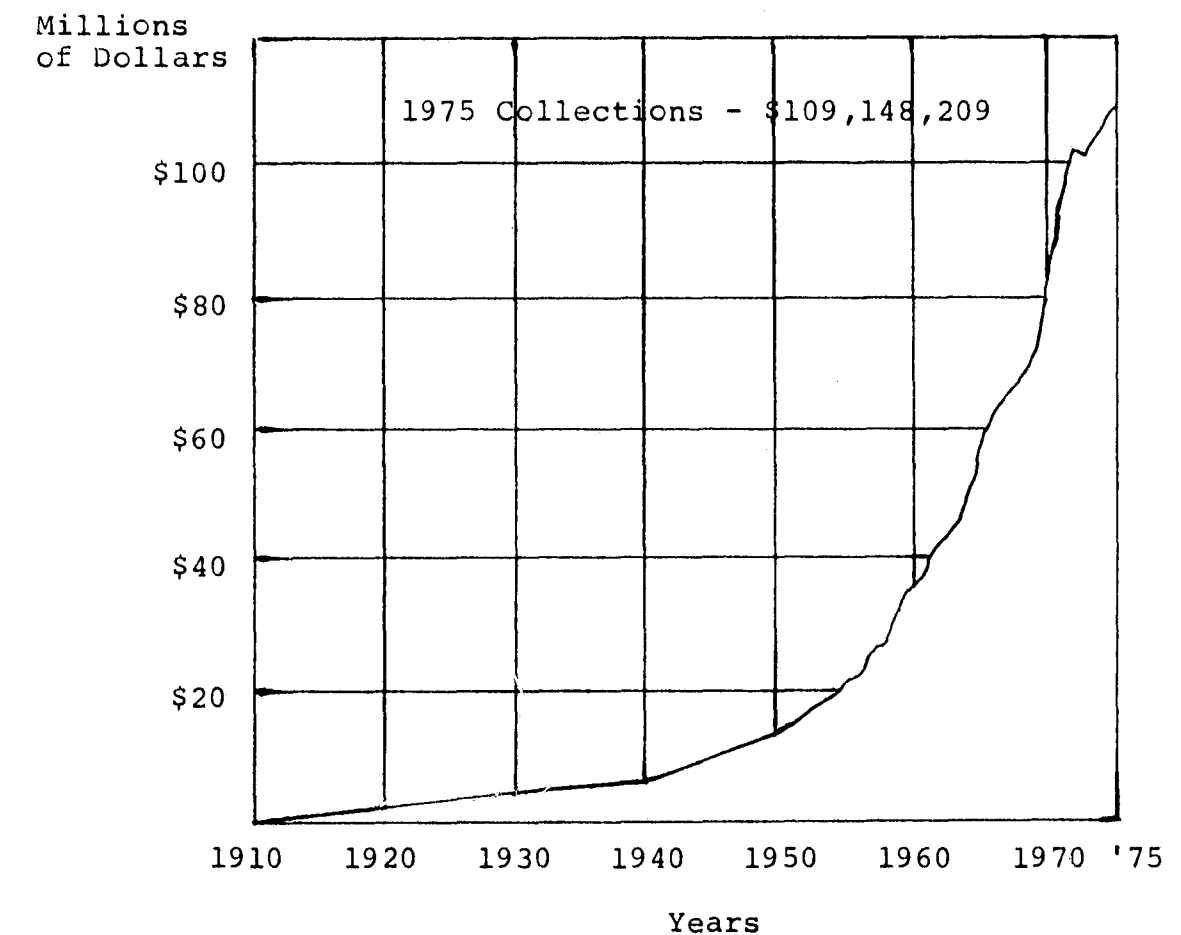


Exhibit 11 - MONEY COLLECTED BY LOCAL PROBATION DEPARTMENTS

Definition: Payments made to the probation department pursuant to court order (i.e. support, restitution, fines, etc.).

Comment: "Collections" include support payments ordered by Family Court, fines ordered by Criminal Court and restitution ordered by either court. More than any other chart in this series, collections displays growth at an ever-increasing rate. Family Support accounts for 99% of all collections.

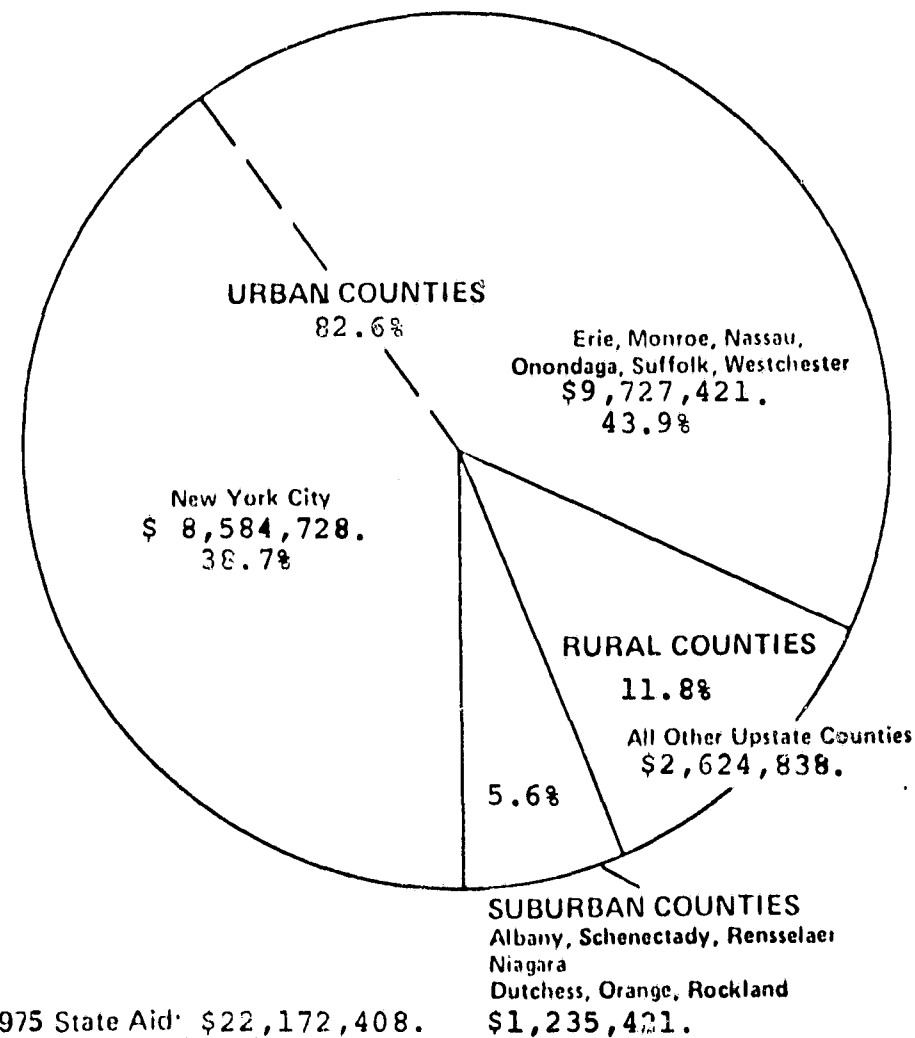
MONEY COLLECTED BY LOCAL PROBATION DEPARTMENTS
for Family Support, Fines, Restitution

VIII. STATE AID - 1975

Section 246 of the Executive Law provides for State Aid to counties and the City of New York to stimulate the development and improvement of local Probation services. An approved plan and compliance with standards relating to the administration of Probation services promulgated by the State Director are prerequisites to eligibility for reimbursement. In 1975 total State Aid was \$22,556,311.09. (see Exhibits 12 and 13) of approximately \$63 million spent on all Probation services Statewide.

Exhibit 12

State Division Aid



Total 1975 State Aid: \$22,172,408.
(Fourth quarter is projected)

STATE AID - 1975

COUNTY	TOTAL
Albany "Adult"	64,407.34
Albany "Family"	56,185.36
Allegany	35,148.20
Broome	240,731.00
Cattaraugus	66,038.63
Cayuga	44,880.19
Chautauque	131,421.92
Chemung	199,365.78
Chenango	36,241.02
Clinton	58,553.35
Columbia	25,948.33
Cortland	76,438.34
Delaware	26,154.09
Dutchess	190,328.86
Erie	904,240.00
Essex	30,731.96
Franklin	47,787.24
Genesee	73,950.38
Greene	31,807.23
Hamilton	3,999.65
Herkimer	35,301.84
Jefferson	99,397.09
Lewis	22,117.49
Livingston	31,600.83
Madison	67,947.34
Monroe	976,675.00
Nassau	3,739,568.63
Niagara	204,611.00
Oneida "Adult"	78,540.00
Oneida "Family"	68,315.72
Onondaga	593,106.00
Ontario	79,192.00
Orange	215,622.20
Orleans	43,907.51
Oswego	109,273.43
Otsego	30,992.68
Putnam	43,487.10
Rensselaer	142,388.70
Rockland	244,143.00
St. Lawrence	131,486.43
Saratoga	65,164.27
Schenectady	117,734.88
Schoharie	19,045.02
Schuyler	31,870.89
Seneca	23,855.63
Steuben	120,679.92
Suffolk	2,296,450.04
Sullivan	38,036.27
Tioga	39,630.00
Tompkins	81,348.23
Ulster	101,576.11
Washington	35,172.89
Wayne	78,675.22
Westchester	1,217,380.92
Yates	19,026.83
TOTAL Counties	13,587,679.98
New York City	8,584,728.42
TOTAL ALL	22,172,408.40

Note: Totals include fourth quarter projections.

IX. PROBATION AS A VIABLE COMMUNITY ALTERNATIVE

The State Director of Probation is charged under Article 12, Section 243 of the Executive Law, to "...secure the effective application of the Probation system and the enforcement of the Probation laws and laws of the Family Courts throughout the State". Other responsibilities include collection of data on Probation services and making recommendations concerning the administration of Probation (see Exhibit 14).

Exhibit 14

OUTLINE OF RESPONSIBILITIES OF THE STATE DIVISION OF PROBATION

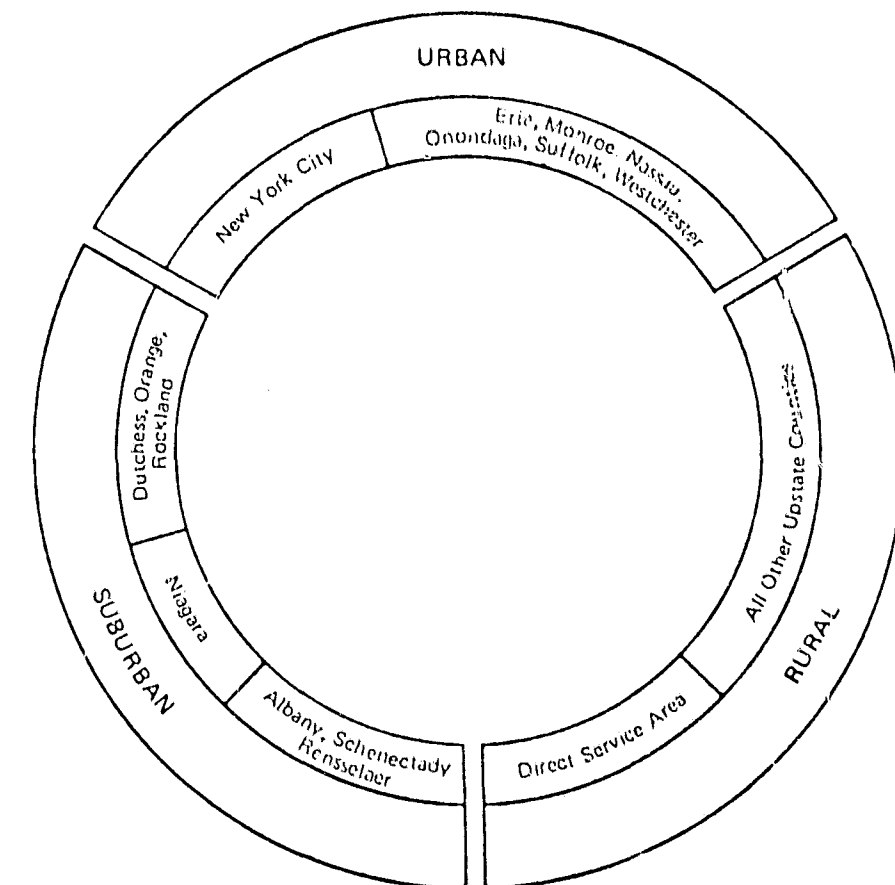
RESPONSIBILITY	EXECUTIVE LAW SECTION
	Article 12
• General supervision of administration of Probation	§243
• Collection of data	243
• Make recommendations re: administration of Probation	243
• Insure effective application of Probation system	243
• Prescribe rules	243
• Keep informed re: work of Probation Officers	243
• Investigate	243
• Issue Annual Report	243
• Publish other reports	243
• Provide for foster homes and/or hostels	244
• Conduct training	245
• Interest persons in Probation; collaborate with universities	245
• Administer State Aid	246
• Provide Direct Services	247
• Grant scholarships	248
• Provide additional minimum qualifications for Probation personnel	257
• Certification to county need for staff	257

PROBATION AS A VIABLE COMMUNITY ALTERNATIVE - contd.

Numerous factors, however, made this legislated mandate difficult to accomplish until 1970 when the State Division of Probation was removed from the Department of Correctional Services and established as an independent agency within the Executive Branch. At the same time, local Probation departments (New York City in 1974) were separated from court jurisdiction and established as organizational entities.

The primary factor has been the historical fragmentation of Probation services in New York State which in 1975 totalled fifty-nine semi-autonomous county and municipal Probation departments. These departments have traditionally been labelled as urban, suburban and rural and, as Exhibit 15 portrays, operated totally independent of each other. The result has been that each developed its own policies, programs, goals, etc., resulting in a disparity of services throughout the State.

Exhibit 15 - 59 SEMI-AUTONOMOUS PROBATION DEPARTMENTS GROUPED AS URBAN, SUBURBAN AND RURAL



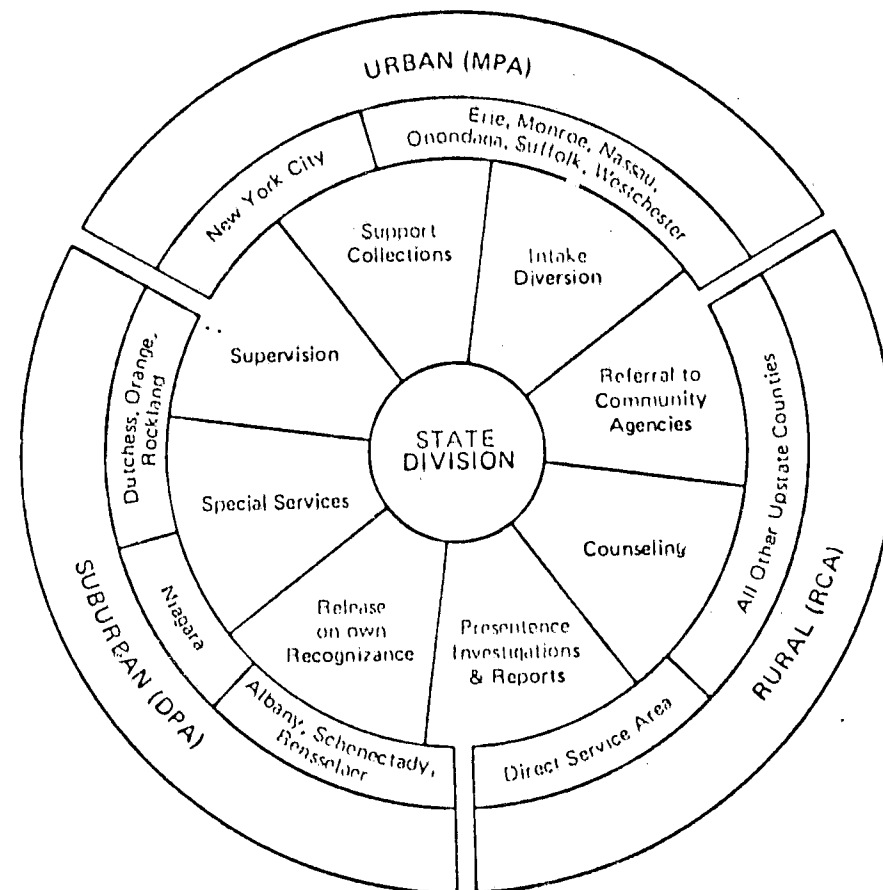
The transfer of the State Division of Probation to the Executive Department in 1970 allowed the State Division of Probation to more aggressively address the local Probation service delivery programs which, until 1970, were similar only in the four general functional areas of responsibility--intake/diversion, investigations, supervision and support collections.

PROBATION AS A VIABLE COMMUNITY ALTERNATIVE - contd.

As noted in previous exhibits, Probation service delivery at the local level has experienced tremendous growth in the number of persons assisted. In addition, the scope of the functional area of responsibilities, especially in the Family Court area, has also expanded. Examples of these expanded duties range from marital counseling and adoption investigations to the management of group and detention homes, ROR and bail inquiries, counseling, referrals, as well as the traditional functional responsibilities such as the investigation and supervision of convicted delinquents and felons (see Exhibit 16).

(Exhibit 16 also demonstrates the attempt by the Division to keep abreast of the new planning process developed by the Division of Criminal Justice Services and so has altered urban to MPA, suburban to DPA, and rural to RCA.)

Exhibit 16 - EXPANDED LOCAL PROBATION SERVICES



Definitions

- Metropolitan Planning Areas (MPAs) - containing the major counties and city-county combinations which together account for approximately 90% of the State's reported Index Crimes and felony arrests.
- Developmental Planning Areas (DPAs) - containing several additional cities and counties whose population, crime and arrest statistics are appreciably lower than those of the MPAs, but sufficiently high to indicate a significant problem.
- Regional Coordinating Areas (RCAs) - containing all remaining units of local government.

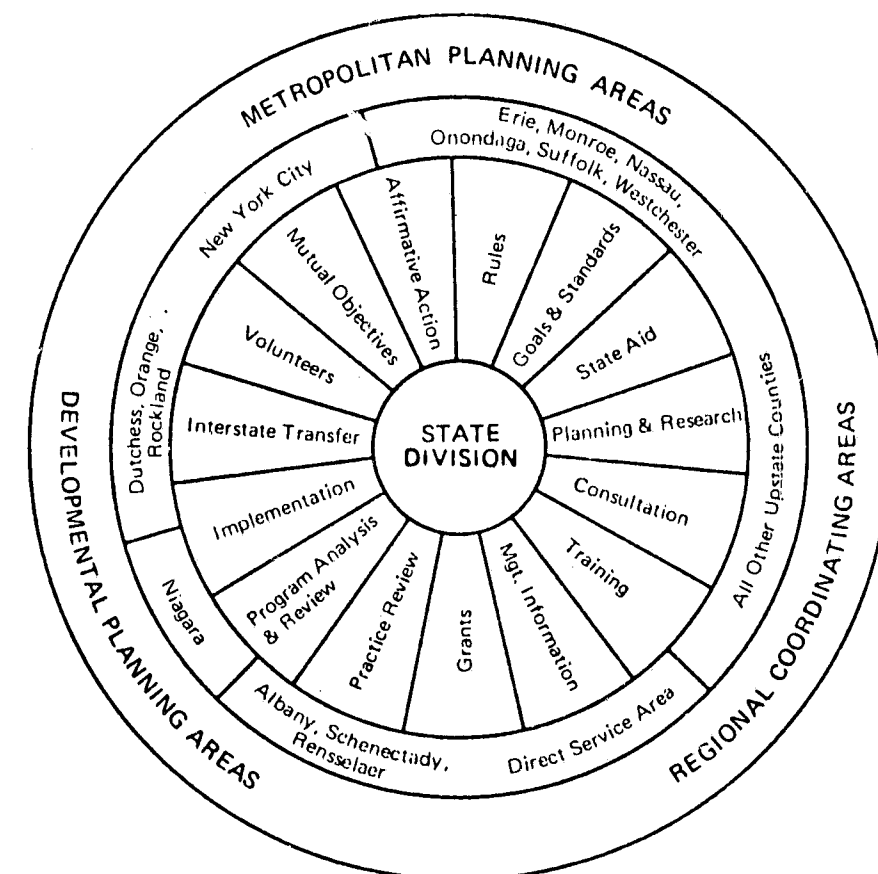
PROBATION AS A VIABLE COMMUNITY ALTERNATIVE - contd.

As a result, Probation as a term and operation has come to have many meanings and has become a heterogeneous mixture of programs making it difficult to identify Probation as an integrated "system".

Further aggravating this situation over the years has been the administrative and organizational problems of operational location, as Probation has had many "bosses" which at one period of time included the State Judicial Conference, the local Board of Supervisors, the local judiciary, and the State Division of Probation.

With the establishment of the before-mentioned independence in 1970, the State Division of Probation, in conjunction with local Probation departments, was permitted to more aggressively identify and assess what appeared to be disparate Probation service delivery with the objective of establishing an integrated Probation "system" (see Exhibit 17).

Exhibit 17 - PRINCIPAL PROGRAMS OF THE STATE DIVISION



PROBATION AS A VIABLE COMMUNITY ALTERNATIVE - contd.

One of the first actions taken by the "new" State Division of Probation was to initiate a number of management and administrative improvements. The initial program established was a Planning and Research Unit to gather and interpret information and data to recommend programmatic improvements at both the State and local level.

The next area addressed involved the training of Probation personnel which was centralized in a Correctional Services Training Academy in conjunction with the State Department of Correctional Services and the State Commission of Correction.

The next step was the establishment of an Urban Specialist Unit which allowed for more intensive local programmatic consultation and the capacity to design Federal grant programs for the State Division and local Probation departments.

A concerted two year effort on the part of the State Division of Probation has resulted in the establishment of a Manual of Probation Goals and Standards and a self-evaluation Guidebook. This allows local Probation departments to have a standard by which their department's operations can be measured as to effectiveness and efficiency, and for the State Division to be able to more appropriately monitor the State Aid reimbursement program and local Probation service delivery by operational analysis and review.

During 1974 the State Division of Probation established three units with the specific goal of directly assisting local Probation departments. They include a unit to assist in the implementation of newly developed innovative Probation service delivery programs, a practice review unit to monitor Probation practices from the standpoint of community protection, and a statewide volunteer program to enhance the local service delivery by the increased use of citizens.

Other direct action taken includes the improvement of the Interstate Transfer Program and the establishment of an affirmative action program.

The revision of the rules regulating the operations of Probation at the local level was accomplished. Their completion and promulgation assisted the State Division of Probation and local Probation units in reducing or eliminating disparate Probation service delivery.

PROBATION AS A VIABLE COMMUNITY ALTERNATIVE - contd.

The above management and programmatic improvements constitute the Division's previous efforts designed to create an "integrated Probation system". During 1975, the first steps in the development of a Probation Management Information System were taken.

By means of a federal grant through the New York State Division of Criminal Justice Services, the design of an Offender-Based Transaction System has been initiated. Eventually, this system will have the capacity to determine, at any time, the status of an individual offender in the criminal justice system.

The Division has enhanced its capacity to assist local departments through the expansion of its planning capability. In addition, nine target counties will be the focus of a Comprehensive Community Probation Program designed to implement specific management and service delivery programs as alternatives to incarceration.

In conjunction with the Department of Civil Service the Division has embarked on a job analysis program of the duties of Probation Officers in preparation for conducting a job related civil service examination.

All of these programs are designed to improve the delivery of service and reflect the reality of the changing role of line personnel in achieving program goals and objectives of Probation and the criminal justice system and to assure reliability of Probation as an efficient and effective community alternative.

X. THE FUTURE

In the immediate future, the Division of Probation will continue to engage in the cyclical process of:

- . Issuing revised rules designed to regulate the practice of Probation.
- . Reviewing, developing and promulgating standards and goals for effective Probation practice while encouraging program innovation.
- . Researching and planning new and innovative programs designed to increase efficiency and effectiveness.
- . Providing consultation to local departments.
- . Providing expanded training for management and line personnel.
- . Reviewing the practices of local operations.
- . Undertaking in-depth program analysis and review of local activities.
- . Evaluating the efficiency and effectiveness of programs.
- . Undertaking intensive evaluation of Program Analysis and Review and Training Academy programs.
- . Encouraging the establishment of volunteer programs.
- . Implementing a Statewide Probation Registrant System.
- . Developing a Statewide Management Information System.
- . Designing and implementing a Community Resource Program.

These and other efforts are all intended to standardize and improve the provision of Probation services.

For example, the development of a Probation Management Information System will be given substantial attention. Probation administrators have long recognized the importance of continuing program evaluation as a tool for program management. The gathering, reporting and analyzing of statistical data are essential to program evaluation and management decision-making.

THE FUTURE - contd.

There are, as well, certain issues that must be resolved in the immediate future. For example, organizational issues which have confronted Probation include State vs. local operation, executive or judicial direction, separate juvenile or adult departments vs. a consolidated department function, and a single Probation agency to service all courts. The issue of State vs. local operation remains.

This issue must be considered in relation to the following organizational and operational objectives: the effective and uniform application of standards; the effective and efficient deployment of manpower and resources; cohesive management direction with appropriate staff support in administrative, planning and research services; a career and merit service with equitable salaries and career opportunities for all personnel; coordination with other agencies in the justice process and a statewide balanced utilization of available fiscal resources.

There are required characteristics of a Probation service if it is to be effective and efficient in promoting public protection, client assistance and justice:

- a. Continuity of effective leadership;
- b. Career service marked by standard position specifications, broad recruitment and merit selection and uniform and fair working conditions;
- c. Sound and timely application of methods which get results (attain goals);
- d. Adequate financial resources;
- e. Staff support services for planning and evaluation;
- f. Effective collaboration and coordination with other criminal justice services for control and reduction of crime and promotion of justice; and
- g. Organizational placement which insures adequate authority, responsibility and accountability to carry out Probation functions.

THE FUTURE - contd.

There are other issues as well that must be faced in the coming months and years not the least of which is the current diversity and fragmentation of State organizations which have responsibility for delivery of criminal justice services. Such fragmentation:

- a. Impedes the development and execution of personnel management programs under a merit system which would promote a career service of competent persons;
- b. Demonstrates the problems of and need for coordination in planning for delivery of services;
- c. Raises questions regarding productivity and cost effectiveness and whether goals are being realized.

Accordingly, high priority should be given to the consideration of development of a new State organizational structure for integration and management of services now being conducted by several departments and agencies.

Thus, Probation will continue its endeavors to contribute to the health and safety of all citizens of this State as it seeks through creativity and sensitivity to community needs to fulfill its mandates as part of the criminal justice system.

END