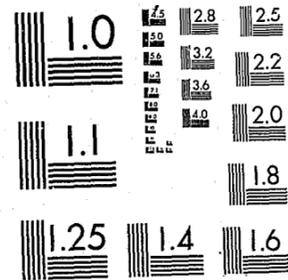


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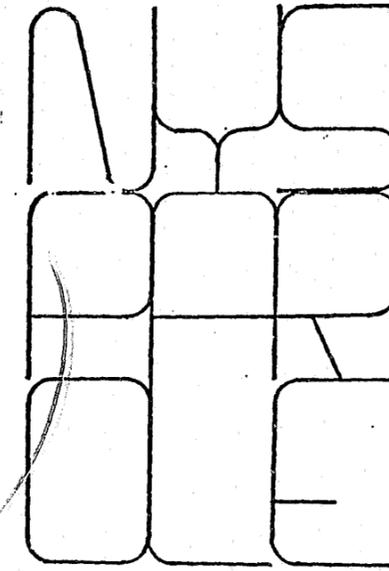
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United States Department of Justice
Washington, D. C. 20531

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12/01/81



NEW YORK STATE DIVISION OF PAROLE

1978 ADVANCE ANNUAL SUMMARY REPORT

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ACQUISITIONS

Annual Report Series prepared by the Evaluation and
Planning Unit of the Division of Parole.

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INTRODUCTION

January 1, 1978 marked the recreation of the Division of Parole as a State agency in the Executive Department. From January 1, 1971 to December 31, 1977, Parole was a part of the State's Department of Correctional Services. The change back to a Division was effected pursuant to Article 12-B of New York State Executive Law. The separation from Correctional Services, the establishment of new operational procedures as well as the controversy surrounding the role of parole boards in general, represented formidable tasks for the agency in 1978. An overview of the Division of Parole's achievements during last year is the subject of this report.

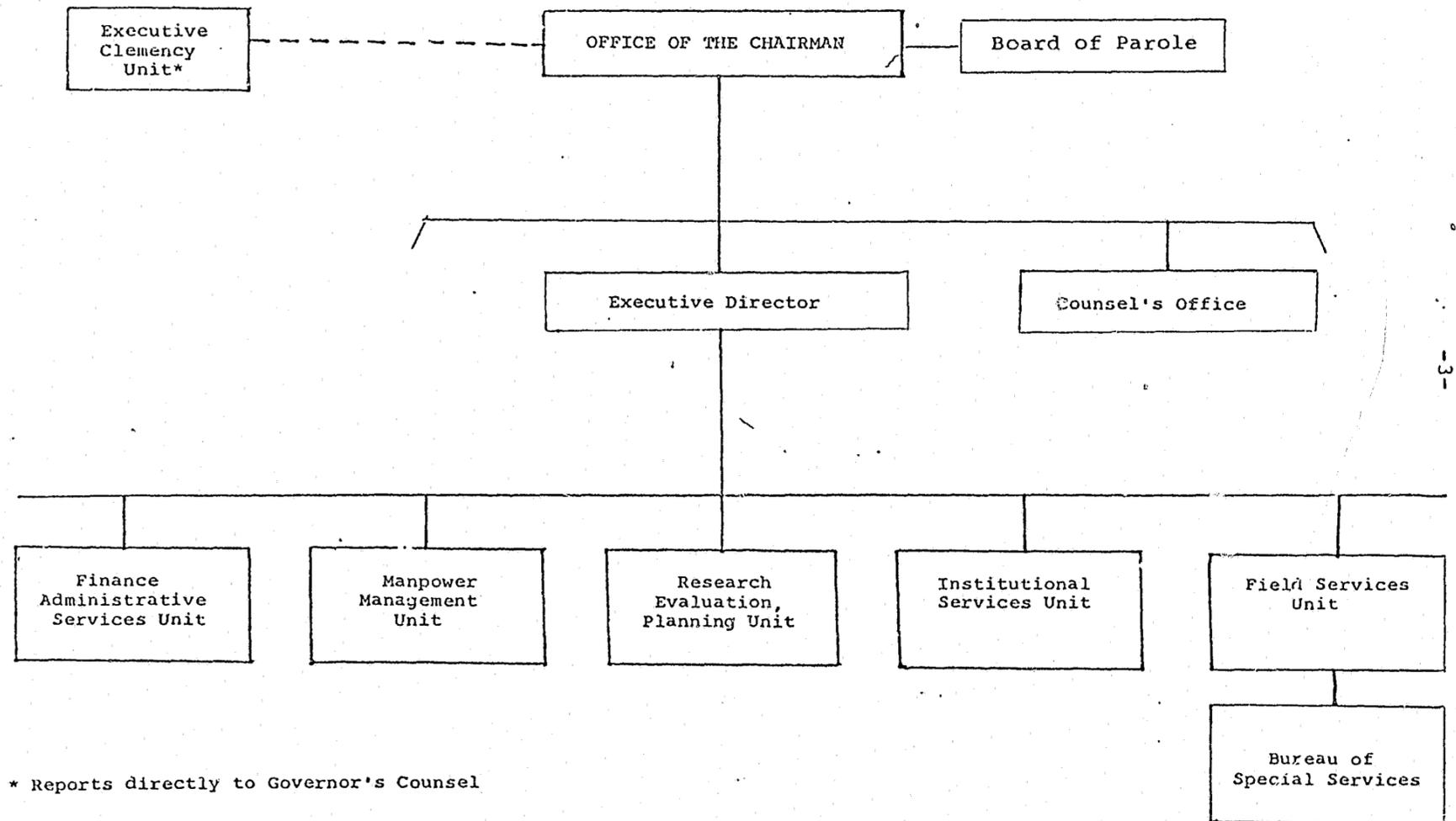
Traditionally, Parole annual reports in New York State have been issued at least twelve to fourteen months following the period of reporting. The result of this has been the unavailability of current information on the State's paroling functions. In an attempt to reduce this information void, it was decided that an Advance Annual Summary report will be issued soon after the close of the calendar year; and that more detailed reports will follow at a later date (see Appendix). In this way, updated information about the activities of Parole can be disseminated within more reasonable time frames, and consequently be of greater use to administrators and others.

The present Summary Report covers the period from January 1, to December 31, 1978. The report includes statistics on the number

of individuals supervised by Parole during the year, the outcome and cost of parole supervision. The report, also, highlights major issues that impact on the agency's operations and level of functioning.

Before proceeding with this information, below is a brief description of the organization and functions of the Division of Parole.

ORGANIZATION CHART OF DIVISION OF PAROLE



* Reports directly to Governor's Counsel

DIVISION OF PAROLE

The Division of Parole is responsible for maintaining an effective, efficient and equitable parole system in New York State.

In meeting that objective, the Division of Parole maintains complete files and records of all persons on parole supervision and of each inmate who is received in an Institution under the jurisdiction of the State Department of Correctional Services.

The Division prepares reports and other data for use by the Board of Parole in the exercising of its discretionary function.

The Division of Parole is responsible for the supervision in the community of all inmates released on parole or conditional release. That community supervision includes assistance to persons on parole or conditional release in securing employment, educational and vocational training.

BOARD OF PAROLE

Within the Division of Parole, there is a twelve member Board of Parole. Board Members are appointed by the Governor with the advice and consent of the Senate.

The Board of Parole is a quasi-judicial body which has the power to determine which inmates of State Correctional Facilities may be released on Parole, when and under what conditions. The

Board of Parole, also, has the power and duty of determining the conditions of release of persons released under conditional release.

The Board of Parole has the power to revoke the parole or conditional release of any person, and to authorize the issuance of a warrant for the retaking of such person. In addition, the Board of Parole has the power to grant and revoke certificates of relief from disabilities and certificates of good conduct, and when requested by the Governor, the duty to report to the Governor the facts, circumstances, and other information regarding inmates under consideration by the Governor for a pardon or commutation of sentence.

INSTITUTIONAL SERVICES

It is the objective of the Division of Parole, through a continuous social casework program in the correctional institution and under parole supervision in the community, to provide each offender the opportunity for constructive change. Thus, parole services begin in the correctional institution and are essential to the correctional process. Shortly after the offender is received in a State correctional institution, a Parole Officer of the Division of Parole offers his service in assisting the offender to make the most of the period of incarceration by preparing for eventual return to society.

In introducing services to the inmate, the Parole Officer must assess and understand the particular needs of the offender and the Parole Officer must be aware of the services of social agencies and community resources as well as facility programs for helping the offender. Parole Officers use this knowledge in conjunction with the social casework relationship to obtain the offender's participation in formulating a plan that will enable the inmate to benefit as fully as possible through these services.

In addition to an individual parole social casework service to inmates, other important objectives of institutional parole services are:

- * to initiate the processing and evaluation of information for use by the Board of Parole in all phases of selection for release or Board determinations, e.g., minimum period of imprisonment (MPI) decisions, and to facilitate release processing after a determination to grant parole by the Board or to facilitate the implementation of all other Board case decisions;
- * to assist correctional staff with the development and operation of viable facility programs and services which show promise for facilitating successful reintegration of inmates into the community through service on various facility committees, and

to serve as the linkage between facility and parole field operations and to represent the Division at the facility.

The Division maintains parole offices at 28 different correctional facilities and at Rikers Island. In addition, institutional parole services are provided to inmates by visiting Parole Officers at certain correctional camps for young adults as well as at certain facilities operated by the Department of Mental Hygiene and Division for Youth.

FIELD PAROLE SERVICES

The program of Field Parole Services is administered by the Director of Field Parole Services who is directly responsible to the Executive Director of the New York State Division of Parole.

There are nine Area Offices throughout the State which provide investigative, community preparation and supervision services to all cases which fall within their respective areas of responsibility.

The Field Parole Services, utilizing the information and case evaluation initiated by Institutional Parole staff, prepare for the offender's return to the community through investigation, assessment of individual needs, development of opportunities and use of resources which enhance the highest possible degree of social stability.

Individuals released to supervision are subject to conditions of parole which can be supplemented by rules as may be necessary in terms of individual needs and/or protection of the community. The intensity of supervision is determined by the progress and adjustment of each individual. Standards of supervision are established with sufficient flexibility to permit appropriate reduction or increase of case direction based upon the need for services and, if necessary, the interruption of the supervision process when a violation in an important respect has occurred and a danger to the individual or to the community exists.

Individuals whose adjustment is satisfactory may be discharged from supervision after three years as provided by the law. Applications for discharge are not utilized for persons under supervision, but appropriate action is initiated by Field Parole staff as part of the ongoing case process.

A detailed description of Field Parole Services will also be included in Volume 4.

Executive Clemency

Article 12-B of the Executive Law provides that the Board of Parole has the responsibility, when requested by the Governor, of making investigations and reporting to the Governor the facts, circumstances, criminal records, and social, physical, mental and psychiatric conditions and histories of offenders under consideration by the Governor for pardon or commutation of sentence. The function of the Board of Parole in executive clemency cases is limited to the making of recommendations at the request of the Governor. It is the Governor who pardons or commutes, not the Board of Parole.

The law empowers the Board of Parole to grant Certificates of Good Conduct to individuals who, through criminal conviction, have incurred certain legal disabilities. The certificates may be granted only where it is provided by law either that evidence of good moral character is required or that the grant of certificate may end a disability otherwise imposed, or upon proof of outstanding public service, or unusual and compelling evidence of rehabilitation. A Certificate of Good Conduct is not a pardon.

The law further empowers the Board of Parole to issue a Certificate of Relief from Disabilities to an eligible offender meeting prescribed criteria. Such certificate would relieve the offender of a legal disability or bar to employment imposed by reason of his conviction.

SOME BASIC STATISTICS

Below are statistical indicators of Parole's activities and level of functioning during 1978. The data are presented as preliminary and subject to final verification. The need for verification relates to the high volume of individuals that come under Parole's jurisdiction during the year and the complexity of their movement within Correctional Services, through the courts and various points of the parole process.

The preliminary nature of the data should not, however, detract from the utility of the statistical indicators. The sole purpose of the indicators is to represent general trends in parole services for the year as compared with the prior year. More detailed statistical data will be reported in subsequent volumes of the 1978 Annual Report.

INSTITUTIONAL SERVICES

The workload of the Institutional Parole Officers is largely determined by the volume of Board hearings, i.e., over 70% of the Institutional Parole Officer work in 1978 was related to preparation for Board hearings.

Evaluation results on Institutional Services, incorporating findings from a recent management study, will be presented in Volume 4.

BOARD HEARINGS AND DECISIONS

The number of MPI hearings increased by 75% from 1977 to 1978. This dramatic jump relates to a 1977 revision in the law, which requires that an MPI hearing be conducted within 120 days of the date that an individual is received in a State correctional facility (Executive Law, §259-i, effective January 1, 1978). Prior to January 1, 1978, MPI hearings were conducted within the tenth month of admission to an institution. The revised time frame plus the fact that a majority of MPI hearings in 1978 were actually conducted within 90 days resulted in the increased volume of MPI hearings for the year 1978. A special report on MPI decision-making will be included in Volume 2 of this report. For a period of time in 1978, the Board was conducting old law (i.e., within ten months of receipt) and new law MPI's.

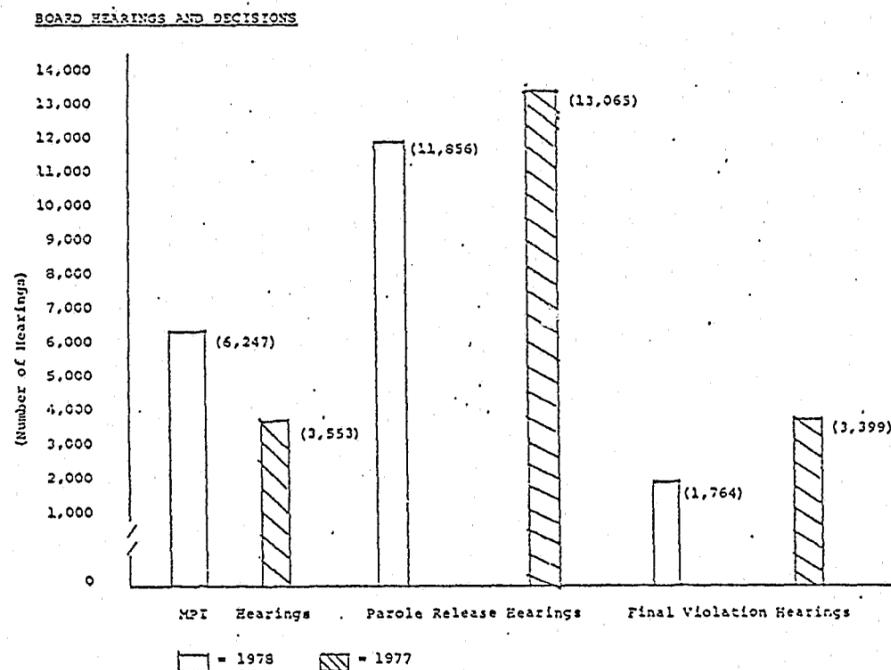


Figure 1. Type and number of Parole Board Hearings held in State Correctional Facilities and local jails during 1977 and 1978.

The overall number of release hearings for 1977 and 1978 includes initial parole release hearings, inmate reappearances before the Board for release and re-release hearings for violators who were reincarcerated. The total number of all release hearings from 1977 to 1978 declined by 9%. This drop was largely due to a decrease in reappearance hearings.*

* During November and December of 1976 and during 1977 the Board of Parole participated in a Special Project initiated by the Department of Correctional Services wherein inmates identified as within six months of a release appearance, where the minimum was not court imposed and there was no other legal impediment were considered for early parole release. Those inmates who were identified by the Department of Correctional Services as eligible for early consideration were given a parole release hearing, but where not released were again seen at their regularly scheduled parole release hearing date. Thus the number of reappearances during 1977 was significantly higher.

Finally, the number of final parole violation hearings held by the Board declined by 48% between 1977 and 1978. The reason for this relates to the fact that the Division of Parole began utilizing Hearing Officers in 1978 to conduct final violation hearings. The final decision making authority, however, remains to the Board. The effect was a reduction in Board held final violation hearings. Hearing Officers conducted an additional 1,616 final violation hearings during the year. The total number of Board and Hearing Officer final violation hearings for 1978 was 3,380 - a less than one percent drop from 1977.

A more detailed report on the activities and decision-making trends of the Parole Board and Hearing Officers will be included in Volumes 2 and 3.

INMATES RELEASED TO PAROLE, PAROLEE MOVEMENT AND CASELOADS

The number of prison inmates granted release to parole supervision in 1978 was 5% less than it was in 1977.* This decrease was largely due to a significant drop in the number of inmates granted release by the Parole Board.

The effect of this Board release trend on the size of the parolee population was, however, nullified by a 7% increase in conditional releases to parole supervision. Table 1 which follows offers summary statistics on these trends and other facets of parolee movement during 1978 and 1977.

* It should be noted, however, that there was no difference in the 1977 and 1978 percentage of inmates released who appeared before the Board. In both years, this was 47%.

Table 1
Parolee Movement and Census For 1978 and 1977

Movement/Census	1978	1977	Percent Change: 1977 to 1978
January 1 Active Parolees	12,854	11,747	+ 9.0%
Inmates Released by Board	5,621	6,205	- 9.4%
Inmates Released by Conditional Release	2,023	1,880	+ 7.6%
Total Inmates Released to Parole	7,644	8,085	- 5.0%
Parolees Restored to Super- vision (following can- cellation of delinquency)	523	603	- 13.0%
Total Caseload Removals*	7,684	7,581	+ 1.0%
Dynamic Population for Year**	19,658	18,762	+ 5.0%
December 31 Active Parolees	13,337	12,854	+ 4.0%
Delinquents***	3,356	3,013	+ 11.4%
Total December 31 Caseload	16,693	15,550	+ 7.0%

* Removals refers to parolees discharged from parole supervision by expiration of maximum sentence, declaration of delinquency, death, court order, etc.

** Dynamic population is the average number of parolees under supervision during all or any part of the year.

*** Delinquency figures are accumulative, e.g., the 1978 total (3,356) includes parolees declared delinquent in 1978 and previously, and who remained in delinquent status as of December 31, 1978. Delinquents refer to parole violators and absconders.

Caseload Distribution

Parolees are assigned to a particular level of supervision upon release from prison and are subsequently assigned to lower levels of supervision based on progress towards community adjustment.

The different levels of supervision are: (1) intensive which involves 6 parolee contacts per month; (2) active, 3 contacts; and (3) reduced, 2 contacts. Figure 2 below shows the distribution of active New York State parolees within supervision levels.

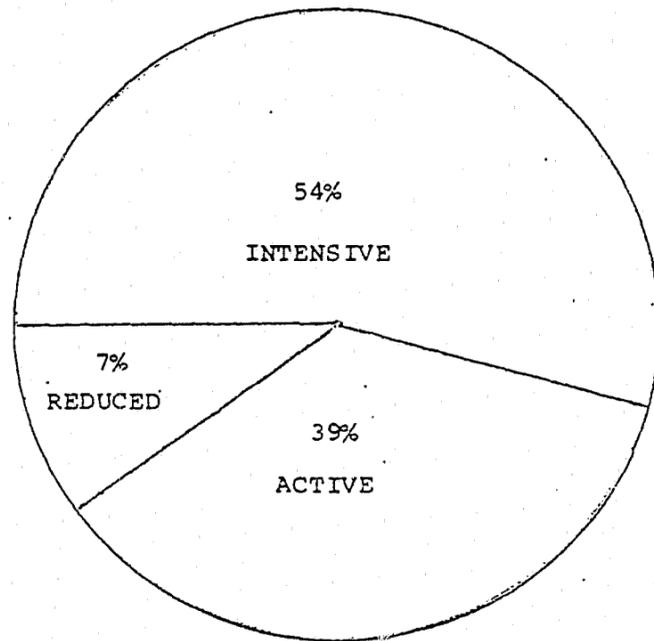


Figure 2. Caseload distribution by level of supervision for 1978.

Table 2

Overall Caseload Distribution by Area Office As of December 31, 1978

Area Office	Intensive	Active	Reduced	Non-Reporting	COOPS.*	Delinquent	TOTAL
New York	5,003	3,064	415	180	342	2,686	11,690
Albany	212	191	38	2	31	46	520
Buffalo	340	295	65	2	44	124	870
Rochester	295	266	66	2	25	138	792
Syracuse	242	194	107	1	29	106	679
Canton	80	37	8	-	9	9	143
Elmira	97	103	36	-	17	34	287
Poughkeepsie	220	283	47	8	38	90	686
Hempstead	277	493	72	9	52	123	1,026
Total	6,766	4,926	854	204	587	3,356	16,693 **

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* COOPS refers to parolees from other states supervised in New York State.

The largest concentration of parolees under community supervision are in the New York Area, which includes the five boroughs of New York City and Westchester. The New York Area is followed by Hempstead, Buffalo, Rochester, Poughkeepsie, Syracuse, Albany, Elmira and Canton, respectively.

Evaluative feedback on the services provided parolees during the year will be presented in Volume 4.

PAROLEE OUTCOME

The number of parolees who remained in the community without committing new crimes or violating conditions of parole increased by 6% from 1977 to 1978. Related to this is a 3% decline in number of parolees declared delinquent as well as an overall 7% decrease in the number of parolees returned to prison (i.e., for violating major conditions of parole or committing new crimes during the 1977-1978 period.

There was, however, a slight increase in the number of parolees returned to prison following new criminal convictions, up from 636 in 1977 to 675 in 1978. The nature of these new offenses and their relative preventability by the Field Parole Officers will be examined more fully in Volumes 4 and 5 of this report.

The reader should note that there are measures of parolee outcome other than criminal recidivism, e.g., whether parolee is able to maintain employment, progress in resolving substance abuse problems, etc. These social adjustment measures will, also, be presented in Volumes 4 and 5.

Table 3 which follows provides some specific statistics on parole outcome for 1977 and 1978.

Table 3

Parolee Success and Recidivism Rates
During Calendar Years of 1978 and 1977

Outcome Measures	1978	1977
Number of Parolees Who Remained Crime-Free	17,256	16,286
Crime-Free Rate *	87.8%	86.8%
Number of Parolees Declared Delinquent During Year	2,402	2,476
Delinquency Rate *	12.2%	13.2%
Number of Parolees Returned to Prison by Parole Board for Violating Conditions of Parole	1,191	1,366
Number of Parolee Violators Returned by New Court Commitments	675	636
Total Number of Parolees Returned to a Correctional Facility	1,866	2,002
Total Return Rate *	9.5%	10.7%

* The dynamic populations of 19,658 for 1978 and 18,762 for 1977 were used as base populations for computing rates.

EXECUTIVE CLEMENCY

Table 4

Executive Clemency Applications Processed In 1978

Applications Processed and Outcome	Number	Percent
Applications for Certificate of Relief	546	100%
Outcome:		
Granted	351	64%
Denied	9	2%
Pending	186	34%
Applications for Certificate of Good Conduct	88	100%
Outcome:		
Granted	48	55%
Denied	1	1%
Pending	39	44%

AGENCY ACHIEVEMENTS

During 1978, the Division of Parole focused on improving the administrative policies of Parole Board functions, due process rights of parolees and parole officer capability to provide effective supervision for violent offenders. In addition to this, the need to re-establish certain agency procedures and resources laid the groundwork for Parole's tasks for the year. There was a concentrated staff effort to carry out these tasks, along with the cooperation and support of the Governor, Legislature and other criminal justice agencies.

Some highlights of the Division's achievements are:

With a grant from the State Division of Criminal Justice Services, explicit decision-making guidelines for Parole Board MPI and release hearings were developed and instituted, along with an appeals procedure. Specific rules and regulations for the conduct of the Board as well as the Division were filed with the Secretary of State and became effective March 23, 1978 (9NYCRR, Part 8000).

In an attempt to improve the due process rights of alleged parole violators and to reduce to a more manageable size the number of Board held violation hearings, use of Hearing Officers was introduced. These Officers allow the Board more time to devote to MPI and parole release decisions and improving the decision-making process.

- . The Hearing Officers, trained in law and revocation procedures, conduct final revocation hearings for violators. Hearing Officer recommendations are affirmed by the Board. During 1978, the Hearing Officers conducted 1,616 hearings.
- . As part of the Governor's "Crime Package" of September 1978, the Division began developing a special supervision program for violent offenders on parole. Elements of the program include comprehensive classification of parolee needs in adjusting to the community, parolee involvement in deciding on his or her service needs, involvement of community volunteers to support parolees in making a transition from prison, reduced caseload size and greater use of voluntary residential, substance abuse and employment agencies. The program is scheduled to start in the spring of 1979.
- . A procedural manual for field supervision parole officers was developed and disseminated. The manual incorporates recent changes in the laws governing parole and policy changes that resulted from Parole's separation from the Department of Correctional Services. Under a grant from the Division of Criminal Justice Services, procedural manuals will be updated for parole institutional and administrative operations.

The Division established its own training unit for parole officers to orient and train new recruits and to provide new training to existing staff. Approximately 40 parole officers, hired in the fall of 1978, have been fully trained in parole laws and procedures, use of firearms and qualifications, etc.

Thirty-four field supervision parole officers in the New York City Area were trained in identifying problems of alcohol abuse and utilizing community treatment resources. Alcoholism has become a more evident part of parole violations and poor community adjustment. The training took place during an 8 day period, and was provided by the New York Affiliate of the National Council on Alcoholism. Parole Officers responded favorably to the training sessions. The Division is now pursuing additional resources from the New York State Division of Alcoholism and Alcohol Abuse and the National Institute of Alcohol Abuse and Alcoholism to expand this training on a statewide basis for both field and institutional parole officers.

Finally, the Division began developing a computerized management information system to provide more accurate and timely feedback on agency objectives, operations and

fiscal management. While there were innumerable delays in recruiting technical staff due to the general crunch for programmers in state government and budgetary constraints, some staff were hired by the end of the year.

In facilitating the development of the MIS, the Crime Control Section of the 1978-79 Supplemental State Budget provided funds for Parole to interface with DCJS in having an electronic Parole Registry for immediate transmission of arrest notifications and entry of data regarding status changes of parolees under supervision. Development of the Registry is scheduled for completion by the fall of 1979. The Registry represents a core component of the agency's MIS.

DIVISION OF PAROLE FINANCIAL DATA

1978 State Funds Available

<u>Administration and Parole Board</u>	\$ 2,425,700.
<u>Institutional Parole Services</u>	2,580,400
<u>Field Supervision Services</u>	14,728,200 ^{1/}
	<hr/>
Total	\$ 19,734,300
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Federal Grant (DCJS)

Parole Decision-Making Project	\$ 275,425
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Grand Total	\$ 20,009,725
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^{1/} Excludes 2.9 million dollar appropriation made for special enhanced supervision program for violent offenders. Program is scheduled for implementation in spring of 1979.

APPENDIX

1978 ANNUAL REPORT SERIES

Below is a listing of the five volumes of the 1978 Annual Report Series for the Division of Parole. Volumes 2 to 5 are scheduled for distribution during 1979.

- Volume 1. Advance Annual Summary
- Volume 2. Use of Parole Board Decision-Making Guidelines
- Volume 3. The Parole Revocation Process
- Volume 4. Institutional and Field Parole Services
- Volume 5. Outcome of Parole and Cost-Effectiveness

END