



Criminal Justice Statistical Report

Kathy Hochul
Governor

Mark E. White
First Deputy Commissioner

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New York State Executive Law
Article 13-A Classification / Alternatives to Incarceration Program
Annual Report for Contract Period
July 2020 – June 2021

Introduction

Pursuant to New York State Executive Law Article 13-A, the Division of Criminal Justice Services (DCJS) provides funding to counties and the City of New York to examine their criminal justice and jail populations and to conduct planning for effective Alternatives to Incarceration (ATI) programs that reduce unnecessary reliance on incarceration. Counties are requested to consider the justice-involved population to determine common trends that appear to impact the community. This information can be used to inform the types and nature of programming to be included in the 13-A application for funding. Upon approval of an application for funding, the state provides funding for ATI programs and grants approval to continue to use reduced classification at the jails.

ATI programs funded under Executive Law Article 13-A provide a wide range of services to Criminal and Supreme Court defendants, including pretrial services, community service programming, defendant interviews, referrals and monitoring, program screening and assessment, case planning and monitoring, cognitive-based interventions, gender-specific services, substance use disorder and mental health treatment, family-focused programming, vocational training, employment-readiness training and job placement, educational programming and interventions, and access to medical and housing services. Programs may deliver these services directly or through referral to an established network of community-based providers.

DCJS is statutorily required to provide information on funded program models, participants served by ATI programs, program outcomes, and jail population trends in New York State. Please note that the numbers in this report reflect significant justice system disruptions during the 2020-2021 contract year resulting from the COVID-19 pandemic.

Approval of Article 13-A / Alternatives to Incarceration Applications for Funding

A total of \$5,217,000 in funding for ATI programs was continued through renewal contracts effective July 1, 2020. All ATI contracts are performance-based contracts. Annual submission of a 13-A application for ATI funding requires DCJS review of contractual milestone targets and program performance.

Program Models and Utilization

ATI programs funded under Executive Law Article 13-A provide a wide range of services to Criminal and Supreme Court defendants. Funded program models include:

- Pretrial Services,
- Defender-Based Advocacy Services,
- Community Service,
- Specialized and Drug / Alcohol Services, and / or
- Treatment Alternatives for Safer Communities (TASC).

More details about each program model appear below, along with data detailing the number of individuals served by the ATI program models, funded by DCJS from July 1, 2020 through June 30, 2021. The counts in Tables 1-5 below represent services paid for by the state pursuant to performance-based contracts and may not represent the total number of participants served by such programs and funded primarily by localities. Please note that the numbers of participants served by ATI programs in the 2020-2021 contract year may be lower than in prior years due to justice system disruptions resulting from the COVID-19 pandemic.

Pretrial Services Programs

Pretrial Services, when authorized or requested by the court, will interview individuals for conditions of release; review criminal history warrants, domestic violence history, and weapons restrictions; and advise the court. Additionally, pretrial services agencies will, when authorized or requested by the court, monitor or supervise individuals and refer clients to court ordered services. When requested by the Office of Court Administration, pretrial services agencies will also notify defendants to return for all court appearances.

A total of 43 pretrial services programs reported 21,451 individuals monitored / supervised, which reflects the total number of individuals beginning pretrial services during this contract year, and 963 individuals failed to appear (FTA).

Table 1: Pretrial Services Program Utilization

	Number Screened	Number Interviewed	Total Number Monitored / Supervised	Administrative Discharges	Persons FTA
Total	29,167	19,416	21,451	467	963

Defender-Based Advocacy Programs

Defender-Based Advocacy (DBA) services screen and identify individuals appropriate for community-based alternatives to incarceration programs. Programs are required to prepare written Client-Specific Case Plans for individuals before the court and to identify appropriate community-based services that will reduce (or in some cases eliminate) sentences to incarceration and reduce re-offending. DBA service programs refer clients to evidence-based services in the community and may provide monitoring / case-management services.

Seven defender-based advocacy programs prepared 1,300 individualized client-specific plans. Courts or other releasing authorities accepted 1,302 individualized client-specific plans.

Table 2: Defender-Based Advocacy Program Utilization

	Number Prepared	Number Accepted ¹
Total	1,300	1,302

¹Plans accepted during a contract year may have been prepared in the prior contract year.

Community Service Programs

Community service programs provide courts with community-based alternative sentencing. These programs screen and identify individuals appropriate for community service. Community service programs may refer clients to community-based service organizations or directly oversee clients performing community service. Programs work to ensure that individuals ordered by the court to complete the prescribed hours of community service do so and may be required to report the completion of community service to the court.

A total of 33 community service programs reported 1,255 satisfactory completions of community service.

Table 3: Community Service Program Utilization

	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
Total	1,470	1,255	185	186

Specialized and Drug / Alcohol Service Programs

A total of 15 specialized and drug / alcohol service programs (three in New York City, 12 in Rest of State) reported 541 individuals completing their programs.

Table 4: Specialized and Drug / Alcohol Service Program Utilization

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
NYC	641	511	130	65	10
Rest of State	1,284	573	411	166	42
Total	1,925	1,084	541	231	52

Treatment Alternatives for Safer Communities (TASC) Model Programs

Treatment Alternatives for Safer Communities (TASC) programs screen, assess, and refer individuals with substance use disorder and/or mental illness for further evaluation and treatment. TASC model programs monitor the progress of individuals in treatment and report back to the court. TASC model programs may also provide cognitive-behavioral interventions and / or employment-readiness training and job placement services.

Five TASC model programs reported 1,076 individuals completing programs.

Table 5: Treatment Alternatives for Safer Communities Program Utilization

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
Total	1,452	1,381	1,076	350	35

Review of Jail Population

DCJS publishes reports summarizing census data for local jails. Counties are encouraged to use the reports to examine their local jail populations and to plan for effective ATI programs that reduce unnecessary reliance on incarceration. The [Annual Jail Population Report](#) summarizes census data for local jails for the last 10 years. The report includes the average daily population for each local jail, as well as the number of individuals that are detained in pretrial status. Similarly, the [DCJS Monthly Jail Population Report](#) summarizes census data for local jails for the last 12 months.

The jail population in New York State declined steadily from 2016 through 2020. The largest reduction in the jail population has been in New York City.

- Statewide, the average jail population declined from 25,059 in 2016 to 12,691 in 2020, a decrease of 49 percent.
- In New York City, the average jail population declined from 9,614 in 2016 to 4,471 in 2020, a decrease of 53 percent.
- In counties outside New York City, the average jail population declined from 15,446 in 2016 to 8,219 in 2020, a decrease of 47 percent.

Alcohol, Drugs and Crime

Each year, the New York State Department of Corrections and Community Supervision (DOCCS) publishes a [Statistical Overview of Court Commitments](#) and a [Community Supervision Legislative Report](#). Together, these reports summarize the characteristics of new court commitments to DOCCS facilities and individuals under parole supervision in the community. The reports present five-year trends in new commitments to DOCCS facilities and 10-year trends in releases to community supervision by crime type, including drug and property offenses.