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Special points of interest:

- > Peer Support & Officer Wellness
- > Training Unit Updates
- > Probation Practice Tips
- > New Legislation

OPCA Hosts Executive Leadership Training in Albany

On Nov. 9-10, the Office of Probation and Correctional Alternatives (OPCA) held the Annual Probation Executive Leadership Training. This training is offered to new probation directors, deputy directors, principal probation officers, and other individuals who perform administrative functions. Twenty-six probation professionals from 20 counties across New York State attended.

The Executive Leadership Training focused on leading and advancing professional practice in New York State. Subjects included: adult and juvenile operations, interstate issues, training, alternatives to incarceration, fiscal management, vocational and educational topics, employment, and reentry. Additionally, the probation directors' panel included discussions on leading change in the community, leading and managing staff, human resource issues, and fiscal/budgeting concerns.



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Probation Ce Programs Implementation

Dec. 1, OPCA, in collaboration with AutoMon, Inc., implemented Ce Programs for all probation departments in New York State. Ce Programs integrates with Caseload Explorer to advise probation officers of program enrollments and completions, while alerting them of individuals' status. Customizable dashboards are also available. Departments can access Ce Programs to streamline service engagement and ongoing participation. Probation departments may include a provision in future contracts with Division of Criminal Justice Services-funded Raise the Age service providers to enter client progress through the intervention through the Provider functionality of Ce Programs. Probation Departments should refer to State Director's Memorandum #2022-9 for more information on the requirements of Departments.

Probation Ce Programs Implementation

Ce Programs also enables probation departments to utilize an analysis feature to produce reports with parameters identified by the user. This ability to tailor reports can inform departments about service referral, program utilization and outcomes, while assisting probation directors with managing portfolios of juvenile justice programs and making budget and community-based presentations. Four, two-hour training sessions were offered to probation officers in November. Below are the links to the recorded training sessions. Each session is a complete training. There is no need to view all four sessions.

- <https://transcripts.gotomeeting.com/#/s/31dae3268994f300f83fc408c4bee9227a63f500fad45a4d97bd16540bc0fb48> (expires 11/16/23)
- <https://transcripts.gotomeeting.com/#/s/ef01d3be756f328e889dfee72f9bd5cdd0b5321867c93de555b7eae6fc8d3cb2> (expires 11/17/23)
- <https://transcripts.gotomeeting.com/#/s/c2861071b2ebdea991734168fe1cef2f64886f78e8d5ce5492565e65f3cffc49> (expires 11/21/23)
- <https://transcripts.gotomeeting.com/#/s/1a8dece8439ce5c7b8c6828036d6b149db19217eb873812f606738f97746bca6> (expires 11/29/23)

For questions related to Ce Programs, please contact Jennifer.Cox@dcjs.ny.gov.

Criminal History Record Information (CHRI) to Caseload Explorer Integration

Probation officers in New York State prepare approximately 40,000 pre-plea/sentence investigations for the courts each year and spend thousands of hours manually entering New York State Criminal History Record Information (CHRI) into the legal history grid of the presentence investigation. The CHRI-CE integration enables criminal histories of individuals to autoloading into a uniform presentence investigation template, saving probation departments significant time and improving the accuracy of investigation reports presented to courts. In order to benefit from the CHRI-CE integration, probation departments must utilize the statewide PSI template in Ce. Counties utilizing the PSI template worked with AutoMon, Inc. to update their servers from November through mid- December.

New York State Probation Commission Welcomes Two New Members

The New York State Probation Commission convened virtually on Nov. 17 for its semi-annual meeting. Commission members, presidents of the New York State Council of Probation Administrators and the New York State Probation Officers Association discussed probation practice technology updates, proposed DCJS regulations, changes in peace officer training requirements, and \$20 million in newly released funding for pre-trial services. The Commission welcomed two new members: New York City Department of Probation Commissioner Ana Bermudez and Chief Administrative Law Judge Tamiko Amaker. Commissioner Bermudez and Chief Administrative Law Judge Amaker join Deputy Commissioner and Office of Probation and Correctional Alternatives Director Robert M. Maccarone, Westchester County Department of Probation Commissioner Rocco Pozzi, John Jay School of Criminal Justice, CUNY Professor Jeffrey Butts, Ph.D., Dutchess County Probation Director MaryEllen Still, and Jefferson County Probation Supervisor Joseph Wargo as members of the New York State Probation Commission, which is scheduled to meet May 23, 2023.

Please join us in congratulating Matthew Charton and Gary Govel on their appointments to assistant director. Matthew Charton will oversee the Interstate, Alternatives to Incarceration, and Vocation/Education/Employment/Re-Entry units. Gary Govel will oversee the Juvenile and Adult Probation Operations and Training units. The appointment of two assistant directors will enhance OPCA internal operations and expand OPCA's capacity to lead professional probation, ATI, and re-entry practice in the field.

Congratulations to Matt and Gary on their well-deserved appointments!

Youth Assessment and Screening Instrument (YASI) Collaborative Case Work Training Series 2022-23

More than 100 New York State probation leaders have participated in ***Collaborative Case Work Training for Probation Management Staff*** conducted by Orbis Partners, LLC. Participants learned the fundamentals of YASI assessment and case planning and received an orientation in strategies to support supervisors to ensure evidence-based probation practice through the use of assessment and targeted case plans. Participants learned more about Collaborative Case Work coaching protocols and efforts being implemented by Collaborative Case Work coaches in New York State. The *Assessment and Case Planning Specialized Training Course* (refresher training) is available to probation professionals responsible for completing YASI assessments and case plans. The Collaborative Case Work model is used as the framework to reinforce concepts required to conduct valid assessments and build case plans collaboratively with youth.

Seats in early 2023 sessions remain available. Please register [here](#).

A **Collaborative Case Work (CCW) Coach Training Course**, specially designed for the probation professional who completes YASI assessments and case plans and seeks to develop that additional skill as a coach, will be available in the Spring. Coach candidates should have an interest in supporting peer probation staff in interviewing, assessment and developing targeted case plans to focus supervision efforts. Coach candidates must have previously attended the Assessment and Case Planning Specialized Training Course between December 2022 and March 2023. OPCA expects each probation department that utilizes the YASI/Collaborative Case Work to develop at least one Collaborative Case Work coach by summer 2023.

Regulations Update – 9 NYCRR Part 357 and Part 349

Regulation 9 New York Codes Rules and Regulations (NYCRR) §357—Intake for Article 7—Persons in Need of Supervision (PINS).

Recent changes in New York State Law have necessitated the review and amendment of DCJS Regulation 9 NYCRR §357—Intake for Article 7—Persons in Need of Supervision (PINS). The proposed amendments to Part 357 are very straightforward and are intended to address the following:

- Amendments to the definition of PINS under Family Court Act §712(a) by removing the violation of Penal Law §221.05 (unlawful possession of marijuana in the second degree) as a qualifying offense for PINS.
- Amendments due to the repeal of Penal Law §240.37 (loitering for the purpose of engaging in a prostitution offense).

The amended Regulation will soon be published in the State Register.

Regulation 9 NYCRR §349 Interstate and Intrastate Transfer of Probation Supervision for Adults and Juveniles

In 2019, OPCA established a statewide probation workgroup to review Regulation 9 NYCRR §349 Interstate and Intrastate Transfer of Probation Supervision for Adults and Juveniles. The statewide workgroup consisted of

Regulations Update – 9 NYCRR Part 357 and Part 349

Regulation 9 NYCRR §349 Interstate and Intrastate Transfer of Probation Supervision for Adults and Juveniles—Continued

representatives from eight probation departments, as well the DCJS Offices of Probation and Legal Services. The need to review Part 349 was undertaken to address areas of practice that have been highlighted in various critical incident reviews; disputes that have arisen between probation departments where OPCA has been alerted; the opportunity to take advantage of advancements in automation; and the request by probation directors to ensure consistency in intra/interstate investigations. The workgroup made some key suggestions and completed a draft for review and comment. The amended Regulation was published for public comment State Register on Nov. 23.

The Medication for Addiction Treatment Program (MAT) and the Opioid Epidemic Webinar

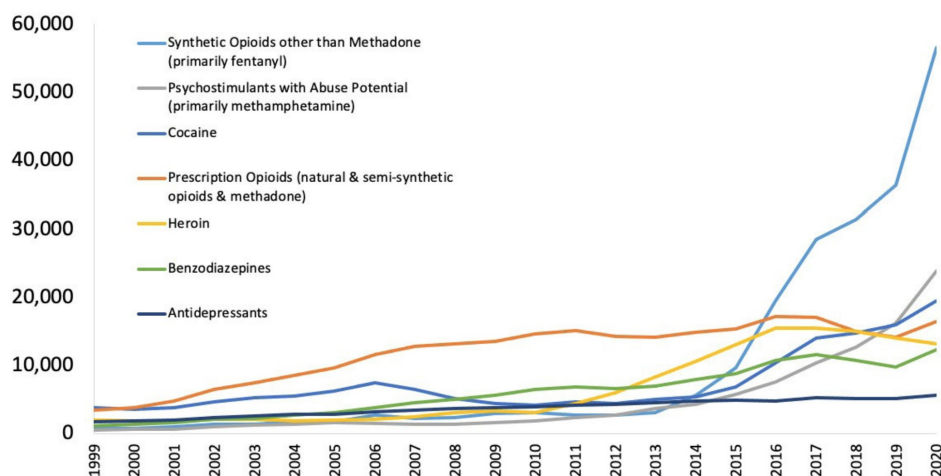
On Nov. 30, over 200 probation officers and other community correction professionals participated in a webinar titled “The Medication for Addiction Treatment Program (MAT) and the Opioid Epidemic,” presented by the New York State Office of Addiction Services and Supports Associate Commissioner Steve Hanson.

New York supports the use of MAT in addressing the needs of substance dependent individuals, and Associate Commissioner Hanson provided an overview of New York’s MAT Program. He provided information on the safe and effective medications approved by the U.S. Food and Drug Administration for treating substance use disorders, with a focus on opioid use disorder and effective solutions to help manage the struggles of addiction. National and state overdose rates were identified, along with the most common drugs involved in overdose fatalities. Associate Commissioner Hanson also addressed the importance of available treatment options, as well as the resources available to assist New Yorkers struggling with substance abuse and dependence.

OPCA extends its appreciation to Associate Commissioner Hanson, upon his retirement, for his many years of expert guidance to the probation and community corrections community. A recording of the presentation can be found on the IJ Portal.

For questions about the webinar, please contact Michele.Melendez@dcjs.ny.gov or Leonard.Price@dcjs.ny.gov.

**Figure 2. National Drug-Involved Overdose Deaths*,
Number Among All Ages, 1999-2020**



DCJS has awarded funding to 47 programs providing alternatives to incarceration, employment focused services and jail based cognitive behavioral intervention. The programs deliver targeted, effective interventions aimed at reducing recidivism, victimization and unnecessary reliance on costly incarceration. The awarded applicants represent a geographic balance of funding and services across New York State, and the contracts begin Jan. 1, 2023, with four one-year optional renewals.

- Two pretrial release programs (\$728,299)
- Four treatment accountability for safer communities programs (\$3,296,969)
- Six defender-based advocacy programs (\$2,050,960)
- Seven specialized/underserved population programs (\$1,949,573)
- Fourteen Jail Based Cognitive Behavioral Intervention Programs (\$2,446,308)
- Fourteen employment focused services programs (\$6,680,802)

State Director's Memoranda

The following State Director's Memorandum is available through the IJP: Resources > Reference Library > Probation > Director's Memoranda

- **State Director's Memorandum #2022-7: Probation Ce Assessments**
- **State Director's Memorandum #2022-8: Gender Expression Non-Discrimination Act (GENDA), Gender X Markers, and Probation Practice**
- **State Director's Memorandum #2022-9: Probation Ce Programs Implementation**

Probation Professional Practice Tips

Ensuring Accurate Case Notes

Probation case notes are an important part of client engagement and must be entered into Client Events in Case-load Explorer promptly to ensure accurate reflection of the case plan. The case notes relate directly to the progress the client is making in achieving the objectives outlined in the Case Plan. The case notes must reflect the status of goal attainment, address new or existing barriers, identify criminogenic needs, and outline the role of stakeholders in the client's life who can support behavioral change. The notes must capture precise information that may be used in future court settings and demonstrates responses to noncompliance and related behaviors, including the use of graduated responses, uniform reports to the court, and/or violation of probation filings. The supervision officer must assess progress and identify next steps.

For additional guidance regarding case notes and client engagement, please refer to the following webinar on the IJ Portal: Resources > Reference Library > Probation > Presentations > Case Note Entries: Recorded: August 11, 2020. To view the webinar, please open with Chrome as it does not always play using Internet Explorer.

Probation Practice Tips

Department of Motor Vehicle (DMV) Registration and Title Checks for Ignition Interlock Devices

Conducting New York State DMV Registration and Title Checks

1. To verify non-ownership, a DMV receipt showing surrender of license plates or a DMV registration report showing an expired registration, is *not* sufficient. Ownership of a vehicle is documented by registration and/or title. Although the vehicle does not have license plates, it could still be owned by the individual. Therefore, it is recommended that the department perform a title check to confirm the change in ownership. If transfer of ownership cannot be verified, an ignition interlock device must be installed within the required time period, or a notification must be made to the court and district attorney.

2. In situations where the operator claims to no longer own a motor vehicle appearing on his/her DMV records and represents that the vehicle was “junked” and this was not previously known and/or addressed by the court at sentencing, and absent any further allegations of misconduct, it is recommended that the probation department/monitor request that the court issue a notice to appear rather than filing a violation of probation/violation of conditional discharge and requesting a warrant. At the court appearance, the court may wish to review any of the operator’s documentation which supports this claim, prior to making a finding of good cause for non-installation of the ignition interlock device pursuant to Vehicle and Traffic Law §1198 4(a). It should be noted that junkyards are required to provide a receipt to the individual who junks a motor vehicle and enter vehicle information into the National Motor Vehicle Title Information System to ensure that the title of the vehicle will no longer be associated with the owner.

Judicial Response to Violations of Probation

As a means of encouraging positive behavioral change, holding individuals accountable, and promoting public safety, violations of probation are necessary. Departments are encouraged to utilize the use of graduated responses, consistent with Part 352 and Uniform Court Reports prior to filing a violation. Prompt judicial response to violations is essential to the aforementioned goals of behavioral change, accountability and public safety. Criminal Procedure Law (CPL) §410.30 requires that, “When the court receives a request for a declaration of delinquency by a probation officer, it shall make a decision on such request within seventy-two hours of its receipt of the request.” To promote prompt judicial response to violations, probation departments are encouraged to incorporate this statutory language into cover memoranda or other documentation when submitting requests for declarations of delinquency, notices to appear, and probation warrants to the courts. When prompt response is not provided, probation departments that have requested a declaration of delinquency, notice to appear, or warrant, are urged to follow up with the court prior to the conclusion of this 72-hour period, as necessary.

For additional information, please refer to Fundamentals of Probation Practice Module 22, Evidence-Based Supervision. In addition, there is a report available in Caseload Explorer to help probation departments track judicial response to violations. Please see the Court Response to DOD/VOP section of the Caseload Explorer System: IID Reports and Enhancements webinar, which was offered on Nov. 30, 2020. The recorded webinar can be found [here](#).

Previously shared practice tips can be found on the [DCJS website](#).

Professional Wellness and Peer Support Program Updates

Peer Support Training Opportunities

- International Critical Incident Stress Foundation - Assisting Individuals in Crisis: February 13-14, 2023 – Oneida County (Oriskany)
- International Critical Incident Stress Foundation - Group Crisis Intervention: February 15-16, 2023 – Oneida County (Oriskany)

If your department is interested in implementing a peer support team or looking to expand an existing team, these FREE trainings are the first two recommended courses for probation officers interested in becoming trained peer support team specialists. Course content and a registration link can be found [here](#). For questions, please contact Danielle.Brendese@dcjs.ny.gov.

Officer Wellness

In an effort to support officer wellness, the Cattaraugus County Peer Support Team held a Charcuterie Day for all probation staff!



The holiday season is a wonderful time of year. However, for some the season can bring forth feelings of stress, sadness, anxiety and loneliness. Click [here](#) to view an article titled “7 Tips to Manage Holiday Stress This Year.”

If you or someone you know is struggling, the New York State – Office of Mental Health has numerous crisis prevention resources available. Click [here](#) to access these resources.



Cattaraugus County Charcuterie Day

Coordinated by the Cattaraugus County Peer Support Team

Training Updates

The new Basic Course for Peace Officers (BCPO) curriculum will be implemented on Jan. 1, 2023, and all newly hired probation staff will need to complete the 162-hour/six-week Basic Course for Peace Officers, as well as the Fundamentals of Probation Practice. The New York Probation Academy Directors (NYPAD) had its first forum in Oriskany, in August. The goal of NYPAD was to develop uniform training aids to ensure that the BCPO curriculum meets the needs of probation professionals. Edits to the Fundamentals of Probation Practice curriculum will be made to remove the peace officer components and other duplicative subject matter.

Erie County Graduates 18 Probation Officer Trainees

The Erie County Probation Department hosted its largest Peace Officer/Fundamentals of Probation Practice in October of this year. The class was comprised of 18 probation officer trainees from 11 different counties. Although there were a lot of different regions represented in the room, the entire class worked well together, sharing policies and best practices from their home departments. Graduation on Nov. 2, and directors and administrators from ten counties attended.



From left to right: Christine Baczkowski (Erie County); Mariah Powers (Wayne County); Joseph Lanzillotto (Tioga County); Jennifer Hinkel (Ontario County); Danielle Newton (Niagara County); Brianne Paganello (Genesee County); Liz Galimi (Wayne County); John Rutledge (Wyoming County); Elizabeth DuBois (Cayuga County); Jacob Kowaleski (Wayne County); Tiffany Maiorana (Erie County); Corey Comer (Wayne County); Arlene Rivera Mercado (Erie County); Brenda Byrd (Erie County); Jennifer Pfouts (Allegany County); Garrett Jackson (Chautauqua County); Tyler Simmons (Seneca County); Danielle Miller (Erie County)

The National Criminal Justice Association Podcast: New York's Project RISE with Joseph Popcun (Episode 19)

The latest episode of the National Criminal Justice Association Podcast features DCJS Executive Deputy Commissioner Joseph Popcun, who discusses New York State's new violence reduction initiative, Project RISE - Respond, Invest, Sustain and Empower.

Project RISE is a \$28 million statewide community violence prevention and community empowerment program to reach the people and places most impacted by the increase in pandemic-era violence. A unique program and funding model, Project RISE brings together community stakeholders to respond to gun violence, invest in solutions, sustain positive programming, and empower communities. Project RISE is meant to be a grassroots, or bottom-up, strategy to listen, learn from, and lift up communities by directing resources where they are most needed. Click [here](#) to listen.

Legislation

On Dec. 12, Governor Kathy Hochul signed legislation ([S.7658-B/A.8869-B](#)) that protects victims of hate crimes from being mistreated by insurance companies. The new law prohibits insurers from canceling insurance, raising premiums, refusing to issue a policy or refusing to renew a policy solely on the basis that one or more claims have been made for a loss that is a result of a hate crime. This new law will apply to individuals, religious organizations, or nonprofits organized and operated for religious, charitable or educational purposes.

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eFocus is published by the DCJS Office of Probation and Correctional Alternatives (OPCA) to further the goal of promoting public safety through probation services and other community corrections programs.
www.criminaljustice.ny.gov/opca

If you are unable to view any of the links within this issue, please contact Taylor.Alfred@dcjs.ny.gov.

Welcome new OPCA Staff!

Over the past few months, OCPA has welcomed several new staff to DCJS.

- Darcy Katz Marra (Alternatives to Incarceration Unit)
- Kelly Miazgas (Juvenile Operations)
- Mollie Braughler (Executive)
- Antoinette Dukes (Juvenile Operations)
- Tracy Fraser (Interstate)