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1. Commissioner Ana Bermudez receives the Sara Tullar Fasoldt Leadership and Humanitarian Award

DCJS Deputy Commissioner and Probation Director Robert M. Maccarone presented New York City Probation Commissioner Ana Bermudez with the 2017 Sara Tullar Fasoldt Leadership and Humanitarian Award at the Probation Department’s annual assembly in July.

The award is presented annually to an individual who exemplifies the late Sara Tullar Fasoldt’s leadership, humanitarianism and dedication to strengthening the field of community corrections. Commissioner Bermudez has implemented systemic changes at the 900-person agency, resulting in the growth of evidence-based practices being used by the New York City probation professionals and improved outcomes for individuals under probation supervision, particularly youth and young adults ranging in age from 16 to 24.



Commissioner Bermudez has been nationally recognized for her work in the field of community corrections and we at NYSDCJS/OPCA are honored to have her working with us as a partner. [This video](#) showcases her agency's commitment to the best practices in community supervision and in leadership.

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**2. Raise the Age Roundtables Provide Information and Solicit Feedback from Community**

Executives from Governor Andrew M. Cuomo's office and state agencies responsible for overseeing the implementation of Raise the Age – DCJS, the Office of Children and Family Services, Department of Corrections and Community Supervision, and others – are hosting a series of presentations about the law with key elected officials, probation directors, social service officials and law enforcement professionals in counties across the state to provide information and solicit feedback for success implementation. In September, OPCA will convene a Probation Workgroup representing small, medium and large counties to begin the work of amending probation regulations related to intake and adjustment, investigation, supervision and other changes necessary because of the law. The law raising the age of criminal responsibility in New York State will take effect in phases: Oct. 1, 2018, for 16 year olds and Oct. 1, 2019 for 17 year olds.

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3. Probation Interstate Transfers: ICAOS and Notice of Departure/Arrival

Please remember that the *timely* submission of the Notice of Departure (NOD) and the Notice of Arrival (NOA) are important public safety features of the Interstate Compact Offender Tracking System (ICOTS) and essential to offender accountability and community safety. Timely submission of this documentation also is an important metric included in the annual audit conducted by the national ICAOS Office.

Beginning Sept. 1, the OPCA Interstate Compact Unit will implement a new policy to help local probation departments ensure the timely submission of the Notice of Arrivals for probationer interstate transfers:

Upon receiving the "ICOTS Global Notification," Interstate Compact Unit staff will notify the appropriate probation department's Interstate designee, advising that the offender has departed the sending state and is expected to report within five business days, and requesting prompt entry in ICOTS of the NOA or Failure to Arrive. The Interstate Unit will continue to track the offender in ICOTS and immediately contact the department designee and supervisor for follow-up. This new process will increase communication between the Interstate Compact Unit and local probation departments and strengthen collective efforts to improve public and victim safety.

For additional information about timely submission of these notifications, please review State Director's Memorandum #2012-11, dated July 3, 2012.

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**4. Albany County Project Growth assists young probationers**

The Albany County Probation Department recently concluded its Project Growth program, which is designed for probationers who are 16 to 24 years old and owe restitution for their crimes. Six individuals participated in the community service program, which teaches career and life skills and provides stipends to participants so they can in turn pay restitution to the victims of their crimes.

Participants in the four-week program completed the “Career University-Advancing to the Next Level” curriculum, which consists of 12 modules focusing on topics including employer expectations, barriers and resources, job retention and other career-related topics, including entrepreneurship and starting your own business.

The young adults also received hands-on instruction from building trade professionals, participated in service projects and took the state Department of Motor Vehicles’ Pre-Permit course, which was provided by the Albany County Probation Department. They also visited the District Local 9 Finishing Trades Union and McLane Food Distributors to explore employment opportunities and learn more about job preparation and job expectations. All of the youth met with human resource representatives from the employers and will be considered for an apprenticeship with the District Local 9 and employment with McLane Food Distributors.

For more information about the Career University-Advancing to the Next Level curriculum, please contact Frank Cangiano at [Frank.Cangiano@dcjs.ny.gov](mailto:Frank.Cangiano@dcjs.ny.gov) or (518) 485-5153.

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5. Probationer Felony Re-Arrest/Recidivism Report

Probationer felony re-arrests following sentencing have declined across New York State when comparing 2006 to 2015, according to a [new report](#) available on the DCJS website.

Probationers are examined as a group, based on year of sentence in a New York State court. Interim supervision cases are excluded. The same group of probationers is followed for one, two and three years. Statewide, re-arrests declined from 12.5 percent to 11.7 percent for 12 months; 19.9 percent to 18.2 percent for 24 months; and 25.1 percent to 23.5 percent for 36 months.

County-specific data also are included. While the report is bookmarked for your convenience, some Internet browsers may not display them. Saving the file to your PC will allow you to access the bookmarks. For more information about the report, please contact Colleen Thorn at colleen.thorn@dcjs.ny.gov or (518) 457-7410.

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**6. Sex Offender Management Practitioner Guidance Revisited**

Probation departments play a critical role in the effective management of sex offender cases. In addition to preparing pre-sentence investigations and supervising offenders, probation departments are involved with sex offender cases in both the family court and criminal court systems. Promptly identifying and

appropriately handling sex offender cases is critical to helping ensure victim safety and offender accountability.

The Probation Practitioner Guidance for Sex Offender Management is designed to effectuate a coordinated community response to these cases, consistent with the well-established practice of containment. The juvenile and adult offender model policies are described below and probation officers are encouraged to review this guidance, which is available through the eJusticeNY Integrated Justice Portal (IJ Portal):

- Resources > Reference Library > Probation > Specialized Supervision > Sex Offenders

**Juvenile Sex Offender Management Practitioner Guidance:** This document provides guidance for probation officers who investigate, supervise and manage juveniles who sexually offend, including those under the age of 16, with goal provide developmentally appropriate practices for working with these populations. Unless otherwise noted, the document makes best practice recommendations for working with juveniles under Family Court jurisdiction. The document also features a special section addressing young adults who are 16 through 19 and those who have been adjudicated as youthful offenders.

**Adult Sex Offender Management Practitioner Guidance:** The Adult Sex Offender Management Practice Guidance was developed using the latest research and experience and expertise of probation professionals. The guidance is consistent with the containment model, with the following goals: protecting communities, reducing offender recidivism and preventing victimization, especially among vulnerable populations.

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7. Governor Cuomo signs legislation authorizing surveillance warrants for animal fighting cases

In July, Governor Cuomo signed legislation to include animal fighting as a designated offense for an eavesdropping or video surveillance warrant. Animal fighting often requires multiple individuals acting in concert, using telephones and web-based communication, but existing state law did not allow law enforcement to seek warrants to conduct electronic surveillance in connection with these cases.

In signing the legislation, Governor Cuomo said, "This is a particularly cruel and heinous crime, and we must use every tool at our disposal to stamp out these despicable acts once and for all," Governor Cuomo said. "This legislation will give law enforcement new powers to crack down on these rings, protect animals from harm and bring these criminals to justice."

Visit www.governor.ny.gov for more information about this change or to read other press releases issued by the Governor's Press Office.

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## 8. Recent State Director's Memoranda

The following State Director's Memoranda are posted to the IJ Portal:

Resources > Reference > Library > Probation > Director's Memoranda

- **SDM #2017-6:** May 21, 2017 – IACOS New Rules for Violations and Retaking
- **SDM #2017-7:** June 20, 2017 – Probation Access to the Impaired Driver Systems (IDS)

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## 9. OPCA Training Schedule

Patricia M. Clements has been named the new director of training at OPCA and will lead training for probation departments and officers across the state. She can be reached at [patricia.clements@dcjs.ny.gov](mailto:patricia.clements@dcjs.ny.gov) or (518) 485-0905. The 2017-18 Training Plan includes the following offerings:

- **Eighth Annual Ignition Interlock Conference:** This conference is scheduled for 9:30 a.m. to 4:30 p.m. on Thursday, Aug. 24, at the Empire State Plaza, Meeting Room 5, in Albany. For more information, please contact Leonard Price at [leonard.price@dcjs.ny.gov](mailto:leonard.price@dcjs.ny.gov) or (518) 485-9941.
- **Offender Workforce Development Specialist (OWDS):** This three-week training is scheduled for Monday, Nov. 13 through Friday, Nov. 17; Monday, Jan. 8 through Friday, Jan. 12; and Monday, Feb. 26 through Friday, March 2, at the Alfred E. Smith State Office Building in Albany. Participants must attend all three weeks, for a total of 180 hours of training.

The training provides instruction in the National Institute of Corrections' (NIC) Offender Workforce Development Specialist curriculum and successful completion leads to certification as an Offender Workforce Development Specialist through NIC and the National Career Development Association (NCDA). This training also must be completed to facilitate the Ready, Set, Work! (RSW!) curriculum. For more information, please contact Frank Cangiano at [Frank.Cangiano@dcjs.ny.gov](mailto:Frank.Cangiano@dcjs.ny.gov) or (518) 485-5153.

- **Motivational Interviewing (MI1 and MI2):** Classes are scheduled for Tuesday, Sept. 19 and Wednesday, Sept. 20 in Ulster County and Wednesday, Nov. 8 and Thursday, Nov. 9 in Erie County. Advanced classes are scheduled for Tuesday, Jan. 9 and Wednesday, Jan. 10 in Oneida County and Tuesday, Jan. 23 and Wednesday, Jan. 24 in Monroe County. Additional classes will be scheduled in the future.
- **OSST/Peace Officer/Fundamentals of Probation Practice (FFP):** The Fall 2017 class is scheduled Monday, Oct. 2 through Friday, Oct. 6; Monday, Oct. 16 through Friday, Oct. 20, and Monday, Oct. 23 through Friday, Oct. 27.
- **NYCOMPAS:** A training is scheduled for December in Albany; an announcement with additional details will be distributed in October.

- **Women’s Risk and Need Assessment (WRNA):** Announcements for these trainings – scheduled for Albany in November and Rochester in March – will be distributed in the coming months.
- **Initial Firearms Training:** This course will be offered on the following dates on Monday, Nov. 13 through Friday, Nov. 17 and Nov. 20. Preference will be given to students who attended the Spring and Fall 2017 Fundamentals of Probation Practice (FPP) training. The training announcement will be distributed later this summer.
- **Thinking for a Change (T4C):** At least one class will be offered before the end of 2017.

## 10. Awards, Additional Trainings and News from County Probation Departments

### Webinar: Medication Assisted Treatment in New York State

A recording of “Medication Assisted Treatment (MAT) in New York State,” a webinar offered earlier this summer by DCJS, is available through the IJ Portal:

- Resources>Reference Library>Probation>Trainings

The webinar is designed to further familiarize probation professionals about the strategies available to combat substance abuse and to provide an overview of the treatment modalities available to address the opioid abuse epidemic in New York State. Presented by staff from the state Office of Alcoholism and Substance Abuse Services, the webinar features a detailed overview on the pharmacology of drug abuse, outlines the list of medications used in New York State to treat patients with a substance use disorder and identifies the various MAT programs offered throughout the state to aid in the recovery effort.

It also explores the benefits of treatment, in combination with counseling and behavioral therapies, and the myths, misinformation and concerns about MAT. More than 130 people participated in the webinar when it was presented in July.

For more information about the webinar, please contact Michele Melendez-McKearin at [michele.melendez-mckearin@dcjs.ny.gov](mailto:michele.melendez-mckearin@dcjs.ny.gov) or (518) 457-7277.

### Pretrial Services, Probation and Parole Supervision Week marked July 16 – 22

Pretrial, Probation, and Parole Supervision Week is marked annually and provides an opportunity to reflect on the hard work, dedication and commitment of pretrial, probation and parole professionals across New York State.

*The following is a message from APPA Executive Director Virginia Cunningham:*

The 2017 PPP Week theme, “Clients, Communities, Employees: Empowerment Through Partnerships,” puts a spotlight on the evolving responsibilities of those working in this field. Both officers and agencies are striving to link up with resources in the community to an extent that far outpaces outreach efforts of the past. In identifying the needs of clients, helping them to take advantage of community resources, and simultaneously getting community agencies--and the community at large--more involved in the lives of

clients, officers face new challenges but also new opportunities. As you face these challenges, remember that you are part of a team! While your work is demanding, it is also meaningful in so many ways. You truly make a difference. On behalf of the staff and the Board of Directors, I salute you and I am happy to do my part to honor you and trumpet your importance. While I cannot shake each officer's hand individually for all you have accomplished, please know that I acknowledge the strong commitment, compassion, and care you display as you practice your profession. Please also know that APPA will continue to do its part to promote and advocate for the rights, health, and safety of each officer.

### **Jefferson County Probation Department hosts Open House**

Earlier this summer, the Jefferson County Probation Department hosted an open house for current and former employees, Jefferson County officials and legislators and invited guests from the Lewis County Probation Department.

During the program, the department unveiled a current flow chart for the office, a photo of the present staff and a collective listing of all employees of the department since its creation in the early 1900s.



A ceremony dedicating a historical booklet in honor of former Probation Director Kenneth F. Baker also was part of the event. Senior Probation Officer Melissa Buckley and Typist Erin Thomas prepared the booklet.

### **Ulster County Probation Department's Sex Offender Unit receives honor**

The Ulster County Probation Sex Offender's Unit recently received the Marilyn Etcheverry Award of Excellence at the 2017 New York State ATSA/Alliance Annual Conference.

ATSA (Association for the Treatment of Sexual Abusers) is a national organization with a New York chapter.

Congratulations to all team members for their hard work and dedication.



### **New Re-Entry Publication from the American Civil Liberties Union**

The American Civil Liberties Union's Trone Center of Justice & Equality recently released a report that provides a wealth of knowledge on how companies can effectively adopt practices to increase hiring opportunities for formerly incarcerated individuals.

[“Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company”](#) also outlines the benefits of employing qualified, hard-working individuals from this population and features a case study on M.A.D.E. Transitional Services of Rockland County titled “Making Reentry Work for Your Company.”

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11. Practice Tips

Social learning theory asserts that people learn and adopt new behaviors through observation, skill practice, positive and negative reinforcement and punishment. Reinforcement should be applied more frequently than punishment when trying to change behavior. More specifically, research suggests that reinforcement should be used *at least four times as often* as expressions of punishment in order to enhance individual motivation and encourage the continuation of pro-social behavior.

Probation departments – in both sending and receiving counties – completing the Sex Offender Quarterly Address Confirmation Report for intrastate transfers should check with each other to confirm that a positive home contact was made during that quarter. If so, this will constitute address verification. The sending county’s probation officer must document in their case notes the name(s) of the probation personnel in the receiving county with whom they confirmed the positive home contact and the date of the positive home contact.

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## 12. Quick Fact

Nearly 25 percent of adult probationers in New York State are under community supervision for DWI convictions. The Impaired Driver System (IDS) can be of great assistance to probation practitioners. For more details about this system, review State Director’s Memorandum # 2017-7.

As a reminder, all State Director memoranda are available through the IJ Portal.

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