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December 29, 2021

Sixteen Professionals Certified as Workforce Development Specialists

Sixteen probation officers, community corrections practitioners and re-entry managers graduated from OPCA's most recent Workforce Development Specialist (WDS) class and received their certification in the 180-hour challenging training program. This skill-based training constitutes OPCA's 17th WDS training; graduates will join more than 400 certified specialists who are authorized to lead individuals in groups through the 20-hour Ready, Set, Work! Program. Specialists are certified to utilize specific competencies and related skills to assist individuals with criminal histories make informed decisions about jobs and career paths based on knowledge of their interests, skills/abilities, and values; educational and occupational opportunities; and the realities of the work world. Depending on work location, specialists may be employed as teachers, case managers, re-entry specialists, employment specialists, probation officers, parole officers, transition specialists or job counselors. The graduates were employed in a broad spectrum of criminal justice agencies including Albany County Probation, Nassau County Probation and several County Re-entry Task Forces (Broome, Orange, Mon-

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roe, Schenectady, and Niagara), the PathStone Corporation, Project MORE, EAC/Nassau County Drug Court, Erie Shore Judicial Services, Osborne Association, Center for Community Alternatives NYC, and Allegany County Employment and Training Center. Leighanna Gross from the Broome County Re-entry Task Force was the Valedictorian and Molly Cieslica from PathStone Corporation was the Salutatorian. Congratulations to all the graduates! A big thank you to Frank Cangiano, Community Corrections Representative 2 and WDS Program Manager of the OPCA Vocation, Education, Employment and Re-Entry Unit for his continued and inspiring leadership!

## Identifying and Addressing the Needs of Human Trafficking Victims

On Dec. 9, Governor Kathy Hochul signed legislation that requires law enforcement and district attorney's offices to advise human trafficking victims of the availability of social and legal services. This legislation will ensure survivors are receiving the support they need. In addition, New York State passed a new law, effective January 1, 2020, that probation departments would screen individuals charged with status offenses (PINS--Persons in Need of Supervision) and eligible for adjustment services to determine if they are victims of human trafficking and in need of Safe Harbour Services. This included the requirement for the PINS Diversion "lead agency" designated in each county to conduct an assessment to determine if the youth may be a victim of sexual exploitation. Please see **State Director's Memorandum # 2019-8**, dated December 24, 2019, for further details.

In recent months, a number of Probation Departments have extended screening of youth charged with Juvenile Delinquency offenses and eligible for adjustment services. To ensure prompt identification and appropriate services to a wider range of probation involved youth, OPCA issued State **Director's Memorandum #2021-10**, requiring probation departments, effective January 1, 2022, to extend sexual exploitation screening of Juvenile Delinquency cases opened for adjustment. This expanded screening will ensure vulnerable youth in the probation system are identified and promptly referred to appropriate services and interventions that are uniquely qualified to serve sexually exploited youths.

On Dec. 13, the NYS Office of Children and Family Services (OCFS) joined OPCA to provide probation departments with guidance in conducting sexual exploitation screening in Juvenile Delinquent (JD) Adjustment services. This important webinar discusses the Safe Harbour Act, its relationship to juvenile legal matters, as well as the referral of identified youth to local services. OPCA would like to extend our thanks to the Chemung, Erie, and Niagara County probation departments for sharing their sexual exploitation screening and collaborative practices as probation models.

The webinar titled, Probation Officers' Role in Screening JD Youth for Sexual Exploitation in JD Adjustment Services (53 minutes), and handouts can be found on the IJ Portal: Resources > Reference Library > Probation > Specialized Supervision > Raise the Age. Additionally, some probation professionals have indicated an interest in reviewing the OCFS Comprehensive Screening. It can be found [here](#), as form [OCFS 3920](#). If a result is indicated, departments are encouraged to have developed a system of referral that leverages existing child welfare mandates within a partner agency (i.e. LDSS or the local Safe Harbor program) for more comprehensive screening as well as appropriate service programming.

On Oct. 13, William Naylor and Sarah Driscoll, auditors with the New York State Office of the Comptroller presented a webinar, titled “Internal Controls for Cash Receipts” to over 120 probation professionals. A recording of the OSC presentation can be found [here](#) and on the IJ Portal: Resources > Reference Library > Probation > Financial Obligations. OPCA is working with the NYS Council of Probation Administrators (COPA) and is forming a new Probation Financial Obligations Workgroup to identify and address issues related to restitution collection and disbursement and financial obligations. The committee will be co-chaired by Madison County Probation Director Joanne Miller and Orange County Probation Director Tim Davidian and includes a number of local probation Directors as well. The first order of business will be to update the guidance control document, in addition to exploring interagency communications with DOCCS, OCA, and other agencies that impact restitution collection and disbursement. The first workgroup meeting has been scheduled for February 2, 2022 and will be facilitated by both OPCA and COPA representatives.

## Albany County Probation Department Establishes High School Equivalency Program

On Dec. 13, Albany County Executive Daniel P. McCoy, announced a new program that will allow individuals currently under probation supervision the opportunity to earn their High School Equivalency (HSE) diploma onsite at probation in a new state of the art computer lab. This first of its kind initiative is a partnership between the County Executive’s Office, the County Probation Department, Capital Region BOCES, the Capital District Educational Opportunity Center and the State University of New York. Fifteen workstations equipped with computers provided by the county will be available in the classroom, with one being designated for use by an on-site teacher. The County Probation Department will provide the classroom space, computers, and internet service for students to access educational resources. “I want to thank County Executive Dan McCoy for his vision to embrace new ideas in community corrections, along with my Probation staff and our partners at BOCES and the EOC who helped bring this new policy to fruition. Many probationers find their court mandated employment unsatisfying, so we wanted to create a system that provides greater opportunities for stable and reliable employment, which can often come from education. This can deter individuals from negative choices and reduce their chances of recidivism,” said Albany County Probation Department Director Bill Connors.

The full press release can be found [here](#).



## Ulster County Probation Holds Anti-Bias Training

On Sept. 17, the Ulster County Probation Department held an anti-bias training at a local park working collaboratively with Ulster County Chief Diversity Officer Dr. Wazir Jefferson. At the conclusion of this session, 94% of the entire staff had attended a Diversity, Equity and Inclusion (DEI) training in 2021. Ulster County has made a commitment within the department to provide ongoing training on these important topics. The department has a DEI committee with several



subcommittees for recruitment/outreach, training, policy, and review. The committee has been meeting regularly since June 2020 to improve services and increase staff knowledge in these areas. OPCA applauds Ulster County's initiative in this important area.

## Tompkins County Delivers Toys and Supplies to Tornado Victims in Kentucky

Tompkins County Probation has worked closely with a local not-for-profit organization "Cops, Kids and Toys". A group of volunteers consisting of two retired Sheriff's Deputies, a firefighter and his wife, Probation Supervisor Gladys Larson, Probation Officer Shannon Dankert and Service Work Alternative Supervisor Tyler Mix from the probation department traveled to Kentucky during December to deliver toys and supplies to families devastated by the recent tornadoes. "Cops, Kids and Toys" funded the trip and provided the supplies. The organization is known for giving back to the local community and families in need.



## New York State Probation Commission Welcomes Jeffrey Butts, Ph.D.

The New York State Probation Commission convened virtually on Nov. 16 for its semi-annual meeting. Commission members along with representatives from the New York State Council of Probation Administrators, the New York State Probation Officers Association, probation departments and OPCA discussed the impact of COVID-19 on probation supervision, updated DCJS regulations, changes in peace officer training requirements, newly approved federal rules of the Interstate Commission for Adult Offender Supervision (ICAOS) as well as other adult and juvenile probation topics. In addition, the Commission welcomed its newest member, Jeffrey A. Butts, Ph.D. Dr. Butts is currently the Director of the Research and Evaluation Center at John Jay College of Criminal Justice. The Research and Evaluation Center focuses on research that impacts and improves programs and policies related to the justice system. Most recently, in December, The Center published a short analysis on the shooting trends in New York City. The research can be found [here](#). The next Probation Commission meeting is scheduled for May 26, 2022.

## New Fundamentals of Community Corrections Curriculum Unveiled

OPCA introduced the newly updated Fundamentals of Community Corrections (FCC) Curriculum for community corrections professionals in New York State. The virtual training was held Nov. 30 – Dec. 2, the first class in more than a decade. OPCA staff worked to develop the updated version to reflect system and practice changes that have occurred in recent years. The FCC is an evidence-based curriculum designed especially for community correction professionals. Specifically, those beginning their careers, but suitable for all. The curriculum provides students with the skills required to help engage program participants and target the criminogenic needs required for behavior change. Effective client engagement, race & equity, case planning, Sexual Orientation, Gender Identity, and Expression (SOGIE); professional wellness; data reporting; privacy; and participant rights have all been included in the 2021 curriculum.

The first class of the new FCC included 17 participants, from 16 agencies across New York State, reflecting a diverse range of professional experience. On the final day of the training, New York State Division of Criminal Justice Services Office of Program Development Funding, Director Yvonne Turner, who authored the first FCC, was asked to be the keynote speaker and provided a perspective on the importance of this training.

OPCA would like to thank the participants, their agencies and stakeholders from across the state for contributing to the success of this program.

On Nov. 23, in collaboration with its partners throughout the state, OPCA hosted a Defender Based Advocacy Program Forum. The virtual forum allowed providers of Defender Based Advocacy services to discuss current programming with a focus on strengthening relationships with referral sources and adapting to pandemic-related challenges and evolvments in the field of criminal justice. Providers offered strategies they have used to cope with these challenges, including how programs can distinguish themselves in resource-rich areas and improve recruitment and retention among staff, while outlining recommendations to expand eligibility to a larger group of criminal justice involved individuals. As the field continues to evolve, the providers voiced the need for ongoing and increased funding, as well as an expansion of billable services available to assist their clients.

A special thanks to Erika Morales-Rivera, Robbie Smith, Tamara Andrews and Norman Effman for participating as panelists and sharing their knowledge and experience. Much appreciated! A copy of the recording is available [here](#).

### State Director's Memoranda

The following State Director's Memoranda are available on the IJP: Resources > Reference Library > Probation > Director's Memoranda

- State Director's Memorandum #2021-10: Sexual exploitation screening of youth cases opened for juvenile delinquency adjustment services Effective Jan. 1, 2022
- State Director's Memorandum #2021-11: Interstate Commission for Adult Offender Supervision (ICAOS) New Rule Changes – Effective April 1, 2022

### Probation Officer Wellness and Peer Support Program Updates

Congratulations to the 27 probation professionals, representing 13 counties, who completed the second recommended peer support team training course—Group Crisis Intervention, hosted by OPCA in November. For departments interested in implementing a peer team or expanding an existing team, OPCA will be offering the first recommended peer support team training course — a 13-hour Assisting Individuals in Crisis, in early 2022. This will be an in-person training opportunity. Please contact Danielle Brendese at [Danielle.Brendese@dcjs.ny.gov](mailto:Danielle.Brendese@dcjs.ny.gov) or at 518-457-1671 if interested in attending this training. For many people, along with happiness, the holiday season may bring additional stressors. An article on how to manage holiday stress can be found [here](#).

Many thanks to all the peer team specialists for their continued commitment in providing peer support services!

In February 2021, DCJS and Office of Temporary and Disability Assistance announced its new electronic human trafficking victim referral procedure. This secure web-based reporting system allows law enforcement to electronically submit human trafficking referrals to the state. Previously, the only method to submit a referral was by fax. This streamlined process more quickly and efficiently permits New York State victims of human trafficking to access much needed support and services. In response to the overwhelming positive feedback on the new procedure, the fax line will be permanently eliminated as of Dec. 31. For more information on the referral process and the electronic submission form, click [here](#).

**The Legal Corner – Family Court Act Amended—Magistrate Determination Required**

On Oct. 8, Gov. Kathy Hochul signed legislation (S.7172) amending Family Court Act § 312.2 to require that juvenile delinquents who are returned on a warrant when family court is not in session be brought before "the most accessible magistrate, if any, designated by the appellate division." The magistrates would determine whether the juveniles would be released or detained and would then set a date for the juvenile to appear in family court, i.e., no later than the next day the family court is in session, if the juvenile is detained, and within 10 court days, if the juvenile has been released. In determining whether the juvenile should be released -- with or without conditions -- or detained, the magistrate shall apply the criteria outlined in section 320.5 of the Family Court Act and issue the findings required in same section of the Family Court Act. To ensure that family court would be alerted to expect the case, the order of the magistrate must be immediately transmitted to it. Significantly, this measure provides an avenue for a prompt determination of release or detention, analogous to that already provided in Raise the Age statute for juvenile and adolescent offenders whose felony cases are prosecuted in youth parts of superior courts. See CPL § 120.90(5-a). This law took effect on Dec. 7, 2021. On the same date, the Gov. Kathy Hochul also signed legislation (S.6498) which adds a new section 162-a to the Family Court Act prohibiting the use of handcuffs, chains, shackles, irons, straightjackets and other restraints on children under the age of 21 appearing before family court. The bill provides that restraints are prohibited and thus must presumptively be removed upon entry of a juvenile into the courtroom unless family court determines and explains on the record why restraints are "necessary to prevent: (1) physical injury by the child to himself or herself or another person; (2) physically disruptive courtroom behavior, as evidenced by a recent history of behavior that presented a substantial risk of physical harm to the child or another person, where the behavior indicates a substantial likelihood of current physically disruptive courtroom behavior by the child; or (3) the child's flight from the courtroom, as evidenced by a recent history of absconding from the court." Restraints, when permitted, must be the "least restrictive alternative" and, to ensure due process, the child must be given an opportunity to be heard regarding a request to impose restraints. The measure further provides that, in cases where the exception is invoked, only handcuffs or footcuffs may be used, and handcuffs may not be joined to footcuffs. That law took effect immediately upon signing. Please consult with your county attorney/legal counsel on any procedural and/or policy changes this may prompt.

*2022 American Parole and Probation Association Winter Training Institute*

The Winter Training Institute will be held in Atlanta, Georgia from Jan. 30 through Feb. 2, with both an in-person and hybrid experience for members, students, professionals and non-members. Registration is open and more information can be found [here](#).

*2022 New York State Probation Officers Association Conference*

The New York State Probation Officers Association conference for 2022 will be held in Syracuse, from July 27 through 29.

**Training Updates**

Below is a list of upcoming virtual trainings that OPCA's Training Unit has scheduled. In addition to these trainings below, OPCA's Training Unit is also planning to deliver virtual trainings for Interactive Journaling, DVSI-R End-User, and Decision Points, in the first half of 2022. OPCA is pleased to announce the availability of Virtual Static 99-R, Stable 2007 and Acute 2007 Sex Offender Assessment Trainings. These training dates listed below, and each class can accommodate up to 50 officers. There are no pre-requisites required to attend. The instructor is the noted Robin J. Wilson, Ph.D., ABPP, a researcher, educator and board-certified clinical psychologist who has worked with sexual and other offenders in hospitals, correctional settings and private practice for more than 35 years. Individuals interested in attending these trainings must submit an application to OPCA no later than the application deadlines listed below. Applications can be completed by clicking [here](#). If you have any questions, reach out to OPCA's Training Unit at [opcatraining@dcjs.ny.gov](mailto:opcatraining@dcjs.ny.gov).

<i>Training Type</i>	<i>Dates</i>	<i>Application Deadline</i>
<b>Basic Motivational Interviewing</b>	<b>January 4 &amp; 6, 2022</b>	Full
<b>Basic Motivational Interviewing</b>	<b>January 11 &amp; 13, 2022</b>	Full
<b>Advanced Motivational Interviewing</b>	<b>January 25-26, 2022</b>	Full
<b>Static-99R</b>	<b>January 6, 2022</b>	<b>December 16, 2021</b>
<b>Static-99R</b>	<b>February 10, 2022</b>	<b>January 20, 2022</b>
<b>Static-99R</b>	<b>March 9, 2022</b>	<b>February 16, 2022</b>
<b>Stable 2007</b>	<b>January 14, 2022</b>	<b>December 23, 2021</b>
<b>Stable 2007</b>	<b>February 17, 2022</b>	<b>January 27, 2021</b>
<b>Stable 2007</b>	<b>March 16, 2022</b>	<b>February 23, 2022</b>
<b>Acute 2007</b>	<b>January 21, 2022</b>	<b>December 31, 2021</b>
<b>Acute 2007</b>	<b>February 23, 2022</b>	<b>February 2, 2022</b>
<b>Acute 2007</b>	<b>March 23, 2022</b>	<b>March 2, 2022</b>



From Sept. 22 to Oct. 26, the Governor's Traffic Safety Committee (GTSC), hosted a Virtual 2021 NY Highway Safety Symposium with a series of free webinars addressing top safety issues. On Sept. 22, a session moderated by Statewide DRE Coordinator - GTSC Renee Borden was titled "The 4-2-0 on the Marijuana Regulation and Taxation Act (MRTA)." The session covered a brief overview of the MRTA and its effects on law enforcement. To help determine the March 31, 2021 cannabis legislation's eventual effect on traffic safety, the Institute for Traffic Safety Management & Research (ITSMR) conducted a study that examined the pre-law data with regard to drivers found to be driving with cannabis in their systems. The research on cannabis and driving in New York State can be found [here](#), and research analyzing adjudications of impaired driving cases and conviction rates can be found [here](#). A recording of the webinar can be found [here](#).

### Research in Brief



Click [here](#), for more information on the National Institute of Justice Crime Solutions research database.

The practice of talk-based therapies aimed at reducing violent, aggressive or anti-social behavior has been rated promising by the National Institute of Justice Crime Solutions – for reducing trait anger and impulsivity and for improving general social skills, as well as problem solving. These therapies include cognitive behavioral therapy, anger management programs and violence reduction programs. Read more [here](#).

The National Institute of Justice cautions criminal justice professionals on utilizing probationer thoughts as predictors of desistance from crime. The research concluded that desistance thoughts or cognitions change over time and more research would be necessary before developing any concrete community corrections policy. Read more [here](#).

### Recently Enacted Legislation

On Nov. 3 Gov. Kathy Hochul [signed legislation \(S.4086/A.6553\)](#) establishing the Substance Use Disorder Education and Recovery Fund and authorizing gifts, on personal income tax returns, for substance use disorder education and recovery. Legislation S.4086/A.6553 creates a personal income tax check-off, which will be known as the Substance Use Disorder Education and Recovery Fund. Money in this fund is to be used for providing grants to organizations dedicated to providing education, prevention, treatment, or recovery to those suffering from substance use disorders.

On Nov. 2, Gov. Kathy Hochul [signed legislation \(S.282/A.6769\)](#) that allows individuals who were under the age of 19 when they were convicted of a crime, and therefore eligible for youthful offender status but denied the designation to reapply for youthful offender status retroactively. For those convicted of a crime when they are under the age of 19, New York's Youthful Offender Law provides the opportunity for a conviction to be replaced by a confidential, non-criminal adjudication and reduced prison sentence. Many of those under the age of 19 when convicted, and eligible for youthful offender status, are still not granted it. This legislation allows those who were not granted that designation, and who have not been convicted of another crime in at least five years since their original sentence, to apply for retroactive designation of youthful offender status.

On Oct. 28, Gov. Kathy Hochul [signed new legislation \(S.13A/A.2666A\)](#) to combat the gun violence epidemic and to address the scourge of ghost guns in New York communities. The law prohibits the possession of unfinished frames or receivers by anyone other than a licensed gunsmith or dealer in firearms. S.14A/A.613A prohibits the sale of ghost guns and requires gunsmiths and dealers in firearms to register firearms in their possession. It also adds firearms designed to resemble toys to the definition of a 'disguised gun.'

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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.*  
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## Engaging Local Governments Award

OPCA recognizes the achievements of Senior Probation Officer Gladys Larson (Tompkins County), who has been selected as an Engaging Local Government Leader (ELGL) —Top 100 Influencers in Local Government for 2021.

Officer Larson has been a probation officer in New York State for more than 15 years – 13 of those years with the Tompkins County Probation Department. Additionally, she has been an active member of the Executive Committee for the New York State Probation Officers Association, and currently serves as president. While Officer Larson’s list of achievements is extensive, we would like to recognize this most recent honor and congratulate her as a top influencer in local government. Congratulations Gladys!