



Tompkins County Department of Probation and Community Justice

2005 Annual Report

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Dedication

We dedicate this Annual Report to the memory of Les Goehner, who was employed with the department as a Work Project Supervisor for our Community Service Programs from 1993 until his retirement on January 31st, 2006. Les died just one month after retiring having suffered the unexpected but complete and very painful ravages of spinal and related cancers.

Les can best be remembered for his style of gruff nurturing, honed during his many years in service to our country. Many clients had reason to thank him for the guidance and assistance he offered while they worked to complete their community service hours, and many of them wrote letters to him or stopped in to thank him after completing those hours. Les approached each task with a “can do” attitude. He was usually cheerful and very supportive to folks undergoing a challenging time or painful experience.

Les can also be remembered for his fantastic grill, his specialty dishes cooked thereon during staff retreats, his love of animals, and his willingness to challenge a point of view or policy with which he took exception, and to accept a decision with which he did not always agree.

To Barbara Goehner, to his parents, Elmer and Cecil Stevens Goehner, and to Les’s children: Robert Goehner, Gene (Martha) Goehner, Amy (David) Morris, Gregory (Lenora) Goehner, and Rebecca Goehner, we express our deepest sympathies and we thank you for sharing your Les with us over these last twelve years.



Les Goehner, 1944—2006

Our Mission

It is the mission of this Probation Department to provide the community with mandated and voluntary criminal and family court services which reduce reliance on incarceration and the courts by attempting to assess factors, monitor behaviors, and facilitate the rehabilitation of individuals, in a manner which promotes personal responsibility, improved family functioning, and public safety.



**Kathryn L. Leinthal, MSW, CSW
Probation Director**

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Probation Director**

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March 2006

Tompkins County Legislature
Stephen Whicher, County Administrator
320 North Tioga Street
Ithaca, New York 14850

Dear Messrs. Joseph and Whicher:

It is my pleasure to submit for your review the 2005 Annual Report for the Department of Probation and Community Justice. This is the first such report to be submitted by our department in several years. During the interim, we have undergone major changes, inclusive of expansion of staff and responsibility for numerous additional interventions within both the family/juvenile justice and criminal justice systems, a successful move into the technological age, and a name change. Several listings, charts and graphs are included to show these changes because it really is true that "a picture is worth a thousand words." This has been a challenging decade with the promise of increased demands in the future.

Special thanks for this report go to all members of the Senior Staff for their submissions, to Kelly Blake for her assistance in putting together special statistics and charts, to our contributing photographers, and to Susan Moore, Microcomputer Specialist, for her assistance in putting the final touches on this document.

2006 marks my twentieth year as department head...a fete more remarkable than I could have imagined when I walked into the department on March 3rd, 1986. In the intervening years a number of faces have passed through our doors, both as staff and as clients. I firmly believe that the current staff is one of the best assembled within County government, and it is to them that credit should go for all the accomplishments we have achieved. Any lapses or shortcomings are mine to claim. Hopefully, they are few.

You have a department that has functioned quietly and gained recognition across the state for its achievement in establishing an excellent Ignition Interlock System, without State assistance or taxpayer dollars. This was the result of efforts by former and current employees, too numerous to mention.

The department became a leader in the installation, application, and refinement of the Probation Automation System known as Prober. We did this without having the designation as "lead county" through the phenomenal efforts of Faith Newkirk-Harris, Probation Administrator. Faith continues to advocate for a technology that serves its users, communicates effectively with other systems, eases the burden of our case-bearing staff and supervisors, and allows administration to better monitor the overall work of the department.

Our outreach to and presence in the schools of Tompkins County has made a tremendous difference in our ability to serve our young clients, while assisting schools to find alternative ways to address the truancy and behavioral problems of an increasingly complex student population. As the "wearing of colors" becomes a more apparent problem signaling an increase in gang-related affiliations, the need to thwart the formation of negative patterns becomes an increased priority for all of us who care about our young citizens and our future community. A commitment by the Department of Social Services to assist with on-site services, coupled with the DSS Contractual provision of services by both Multi-Systemic Therapy and Functional Family Therapy, has been a welcome addition. Negotiations continue to add Mental Health Services to the on-site team as a fully functional unit.

The establishment of Drug Treatment Courts drew many headlines over the past few years, and this department's participation in those courts was noted. Many folks seem to think that the treatment courts represent a dressed up version of regular old probation supervision and criticize what they see as duplication. That is not the case, though some refuse to see a distinction. The best analogy I can draw is to say that staying in the cardiac intensive care unit of a hospital is not the same as a regular hospitalization.

Any individual who has experienced this difference (as patient or family visitor) knows exactly what I mean. So it is with the treatment courts as opposed to regular probation supervision.

Another program that drew a great deal of attention was the Day Reporting Program. It is unfortunate that resources were assigned to this program before the clientele was identified and the goals fully established. Nonetheless, the Probation Department inherited the program, streamlined it, reallocated resources, and then worked to build a program of substance and merit. With that effort completed came the department's name change and a commitment to serving a wider range of clients than ever served.

Something that is not a program of the department, but a tradition of which I am proud, is the annual Adopt-A-Family that the staff has chosen to undertake in conjunction with the Salvation Army each holiday season. The generosity of this department never ceases to amaze me, and I thank them for that.

Our Community Service programs of SWAP (Service Work Alternative Program), RICS (Reduced Incarceration Community Service) and JACS (Juvenile Accountability Community Service) have accomplished amazing fetes over the years. The Work Project Supervisors (Bill Apgar, Jim Bond, and the late Les Goehner) accomplished more with some clients than all the services of this community combined. My hat is off to them for a job well done, with gratitude.

Challenges for the future are clear. There is ever-increasing demand on the department to partner with the New York State Division of Parole and the Tompkins County Sheriff's Department - Corrections Unit to assist with offering a re-entry program for individuals who have been incarcerated. The success of the Day Reporting Program proves that we can make a meaningful contribution to this effort, hopefully reducing recidivism by offering individuals a path to full rehabilitation and livelihood.

The development of specialized courts will present a continued challenge to departments like ours, Assigned Counsel, the District Attorney, the Departments of Social Services and Mental Health. The new Integrated Domestic Violence Court and the Drug Treatment Courts have offered laboratories within which to assess both the effectiveness and the difficulties of such specialization. Where efforts can be consolidated so that resources are not exhausted, those efforts should be championed. Duplication should be avoided at all costs, and all departments should work closely together to reduce barriers to service while assisting in the burden assumed by all. Collaboration has never been more important, nor has the need to offer a seamless delivery of services across all systems.

Staffing will present different challenges. Within the next few years there will be a sizable turnover of staff as retirements occur and new folks are hired. It is highly likely that this writer will be one of those who retire. Having dedicated thirty-five years to a career complete with challenges, frustrations and successes within three different counties, it is time for new energy and a new voice to lead. Having acknowledged that, it remains critical that the "can do" philosophy of the department continues in order that inter-departmental remedies can be offered to the multiple challenges that face us. The need to expand technology to enable a more effective level of client supervision is paramount, just as client crime has ventured into the computer age with a sophistication surprising to many and expected by some. The addition to staff of a Microcomputer Specialist has already assisted us to think in new ways about defendants and the crimes they commit within the jurisdiction known as the Internet. A site like <www.myspace.com> has become the new Mall, the hangout site for our youth. And, just as Probation Officers were expected to make home and field visits to check on clients, they are now required to surf the Internet to gather information and to verify client conduct. Hiring staff trained to use this technology is essential, just as hiring folks who understand the human condition and pledge to hold individuals accountable for their actions while enhancing public protection. The image of a Probation Officer carrying a case file and pen while moving from place to place in an automobile has been replaced by the individual who carries a laptop, a cell phone, and surfs the net. Given the cost of fuel, perhaps this is a good thing. Still, face-to-face contact remains the priority, and visiting a client in his or her home is critical to knowing the individual.

Senior Staff who have been especially helpful to me are the following:

David Wolf, Deputy Director, has provided a meaningful sounding board offering reasoned responses to me when I have needed to vent. He acts as the primary liaison with courts and police agencies. He has integrity of the highest order and a wonderful sense of humor that enables him to endure as the token male member of senior staff. Perhaps his best asset is his clear understanding of the department's priorities, the staff's abilities, and the stresses that are necessary to foster creativity versus those that will serve only to break the moral fiber of a department.

Faith Newkirk-Harris, Probation Administrator, has kept us fiscally sound, technologically advanced, systemically compliant, and operationally safe. She has never been afraid to tell me something I have not wanted to hear, or has been willing to tell me despite her fear. The value to any department head of having on staff a person with such courage cannot be stated.

Margaret (Peggy) Arcangeli, Probation Supervisor, offers compassion to clients that we all do well to emulate. I appreciate Peggy's heart.

Patricia Buechel, Probation Supervisor, has the drive and enthusiasm to try new ideas and her logical mind coupled with her quest for understanding have enabled her to set the foundation for many of our new programs. I appreciate Pat's courage and tenacity.

Jan Gorovitz, Probation Supervisor, has forged a sound working relationship with her colleagues at DSS to begin developing a seamless intake process for youth and families. I appreciate Jan's willingness to live with ambiguity during times of great change.

Susan Jones, Senior Probation Officer, took on the challenges of Day Reporting when requested to do so, despite thinking she would not like this assignment. She has found it to her liking to shift her focus from working directly with clients to coordinating the work of other service providers with the needs of Probation at the Community Justice Center. I appreciate Sue's willingness to take on a challenge, when she could have opted to coast into retirement on autopilot.

It goes without saying that the most amazing part of my job has been working with this Senior Staff who share the attributes noted above and who endure my frequent story-telling. They share my passion for this profession and work tirelessly to make me look better than I am while inspiring their officers and employees to be better than they have been. As a result, our clients and this community receive services that are better than many jurisdictions can claim.

This, then, is my report to you. I thank you for your support, and I encourage you to continue to look to this department for creative resolutions to future challenges. I ask only that you remember to apply resources to those resolutions so that current best practices are not lost.

Very truly yours,

A handwritten signature in black ink that reads "Kathryn L. Leinthall". The signature is written in a cursive, flowing style.

Kathryn L. Leinthall, MSW, CSW

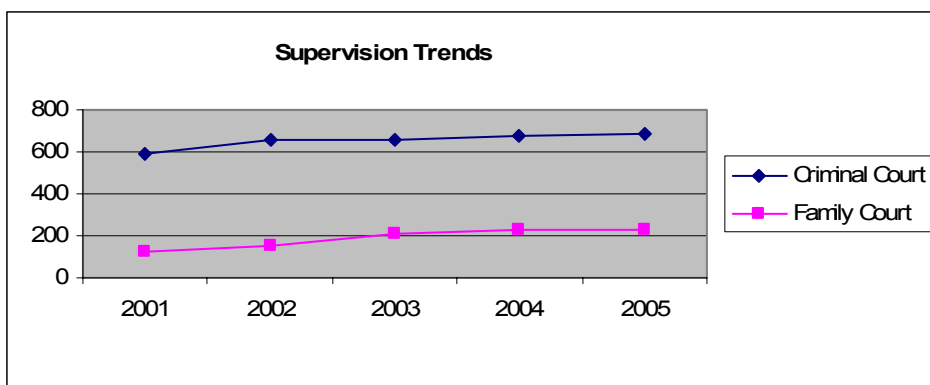
Major Accomplishments 2005

- The County agreed to institutionalize the Day Reporting Program, removing the need to fight for the program’s continued existence on a trial basis.
- The department worked out an agreement with the NYS Division of Parole to facilitate the successful reentry into the community of parolees by sharing the services offered through the Day Reporting Program to clients who might benefit.
- **The Cops, Kids and Toys Program** (for which this department is one sponsor) was named a permanent recipient of funds collected through Cornell’s annual Dump and Run Program. This program collects items of furniture, electronics and clothing left behind by students at the end of the school year, then sold to the public. The Service Work Alternative Program is a consistent major player with Cornell in organizing, collecting, and displaying items for the Dump and Run sale, and it is the work of the probation crews that has enabled the Cops, Kids and Toys program to benefit.



WORKLOAD SUMMARY AND SUPERVISION TRENDS

Tompkins County Probation Department provided supervision services for **936** persons in 2005: 689 adult criminal cases and 247 Family Court cases. We completed **1278** investigations: 709 for criminal court (204 felonies and 475 misdemeanors) and 94 for Family Court. Total Intake/Diversion cases in 2005 was 355.



2005 -2006 Staff Listing

Director:	Kathryn L. Leinthall
Deputy-Director:	David Wolf
Probation Administrator:	Faith Newkirk-Harris
Micro-Computer Specialist	Susan Moore
Administrative Coordinator:	Ujjal Mukherjee
Probation Supervisors:	Margaret Arcangeli Patricia Buechel Jan Gorovitz Tina Northrop *
Senior Probation Officers:	William Bell Robin Chernow Daniel J. Cornell Robert Devens Linda Heberle Judith Johnson Susan Jones Jarrod Newcomb Eileen Sommers
Probation Officers:	Jennifer Brill Atkinson Abigail D. Bixby Karla Brackett Stacie Burgos Diane Burke Karen Burns Carmen Collazo Karen Raplee Curione Patricia Galbraith Harold Gregoire Harold Herman Kate Horey Christine Ion Eleanor Spink

Probation Assistants:	Laurel Rockhill Bernadette Stranger
Senior Account Clerk Typist:	Kelly Blake
Account Clerk Typist:	Connie George
Keyboard Specialist:	Erma Peterson
Work Project Supervisors:	William Apgar James Bond Les Goehner **
Security Officers:	Richard Brewer William Cornell
Transition Workforce Employment Specialist:	Kathy Lind
Project Assistant (Agency Liaison):	Cindy Circone David Correa ***

* Resigned to relocate to Albany, NY and begin employment with the New York State Division of Parole

** Retired January 31, 2006; Deceased February 26, 2006

*** Resigned to become a Border Patrol Officer in Arizona

2005 Probation Department Milestones

Years of Service to the Probation Department



10+ Years

William Apgar
William Bell
Kelly Blake
Carmen Collazo
Daniel Cornell
Les Goehner
Erma Peterson
Laurel Rockhill

15+ Years

Margaret Arcangeli
Patricia Buechel
Stacie Burgos
Diane Burke
Patricia Galbriath
Linda Heberle
Harold Herman
Susan Jones
Tina Northrop
Eileen Sommers
Bernadette Stranger
David Wolf

20+Years

Janice Gorovitz
Faith Newkirk-Harris
Harold Gregoire

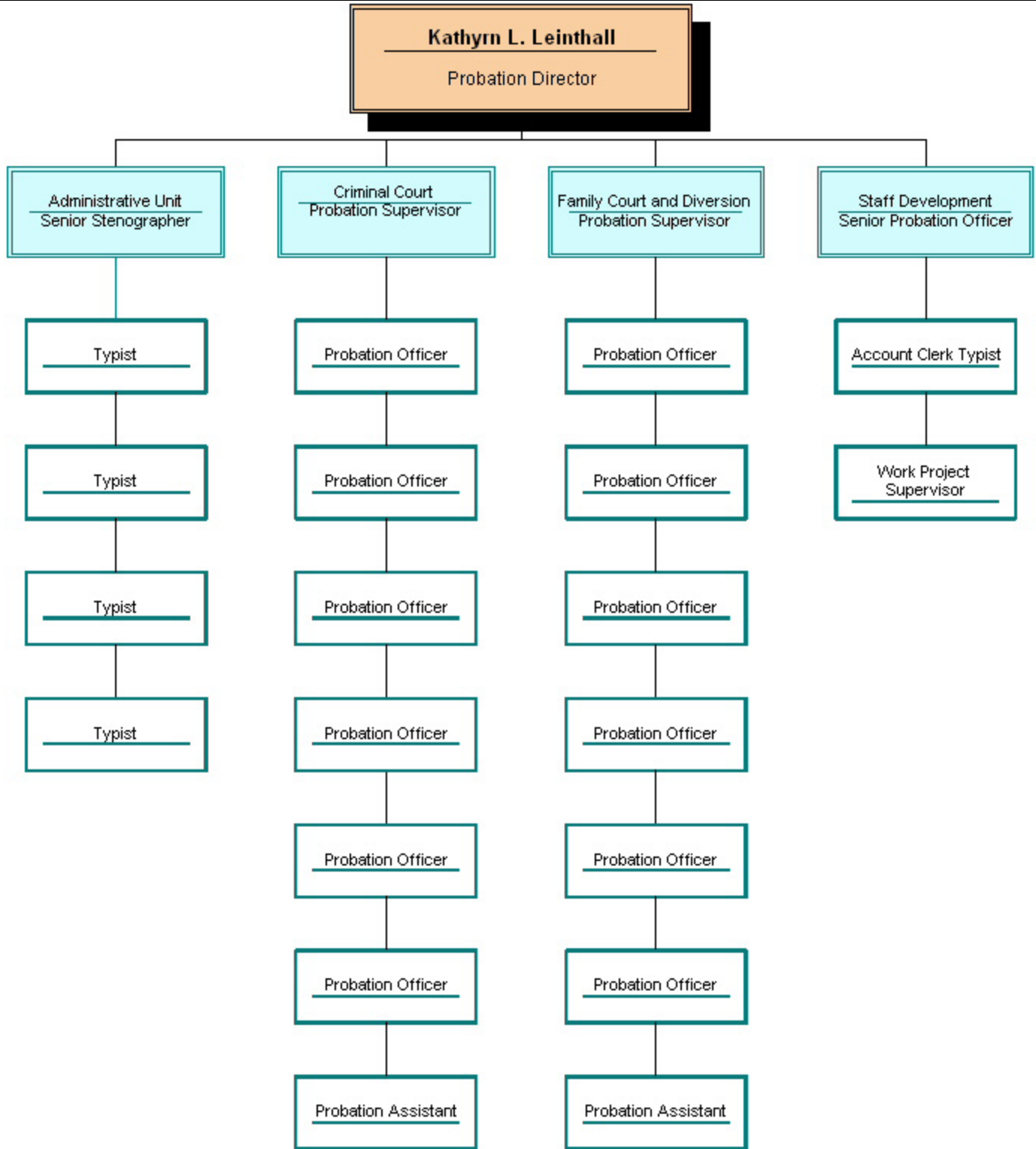
25+ Years

Robin Chernow

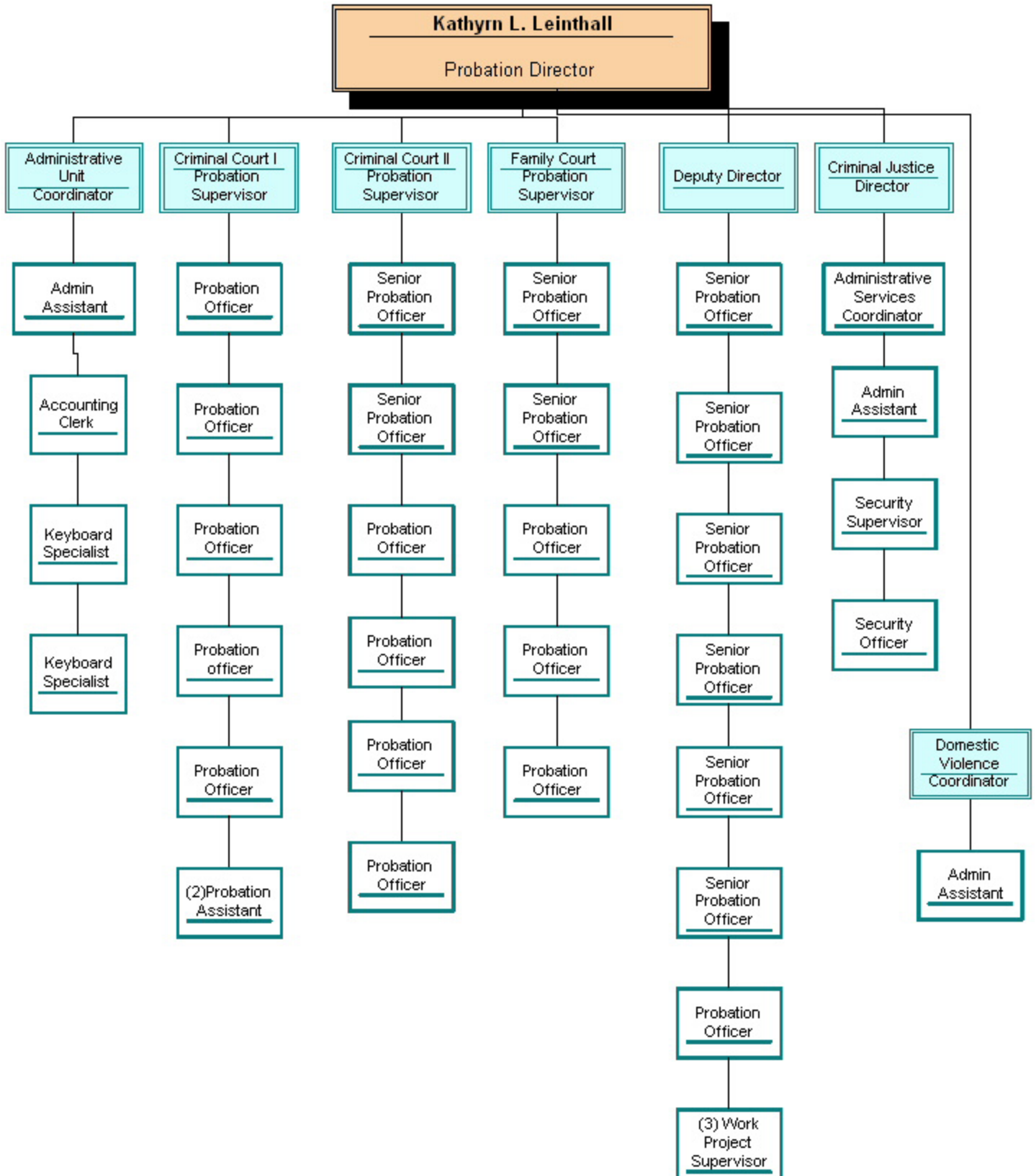
35+ Years

Kathyrn Leinthall

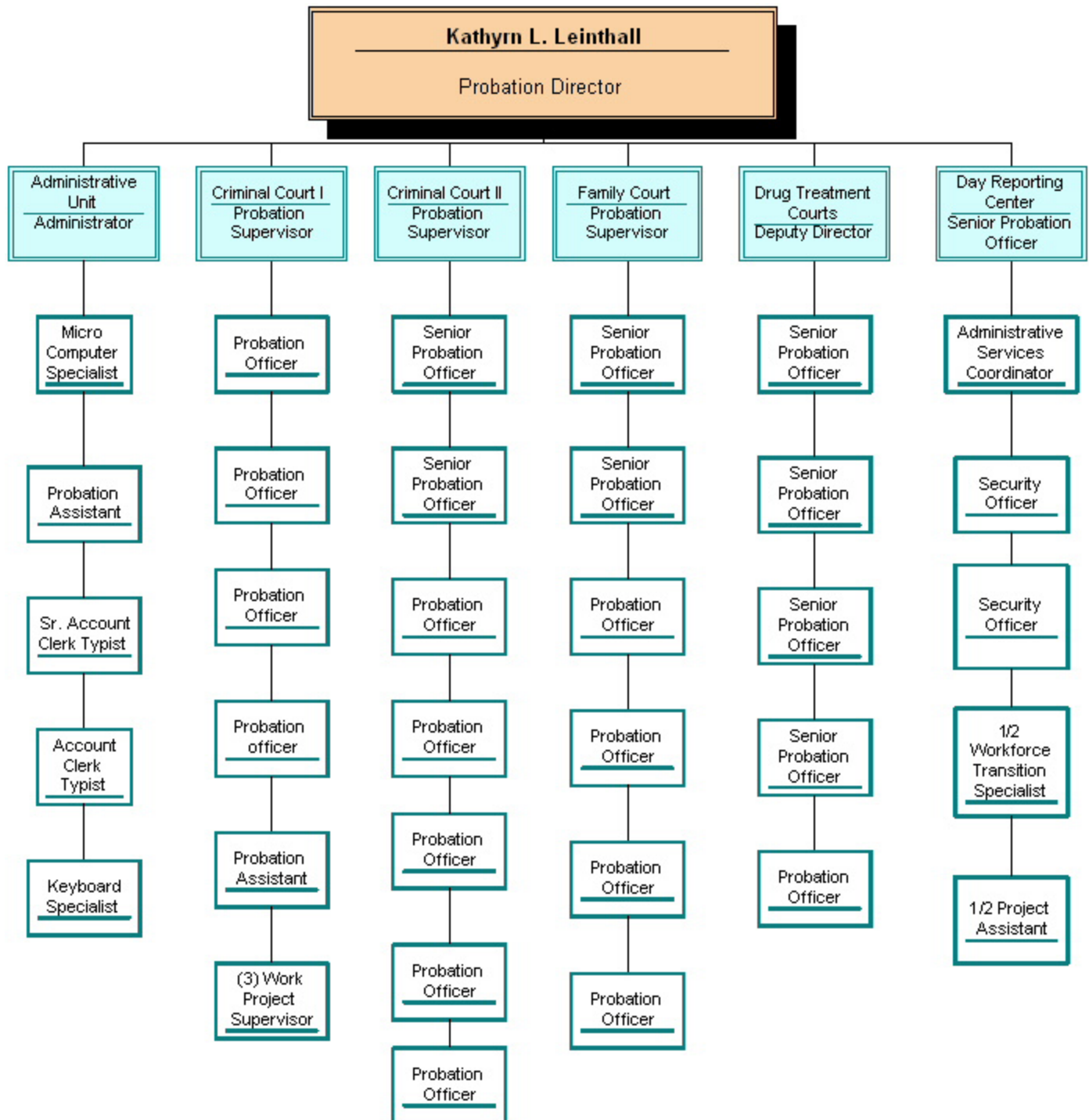
Departmental Configuration -1986



Departmental Configuration - 2001



Departmental Configuration - 2005



Family Court Intake

Submitted by Jan Gorovitz, Probation Supervisor

As an alternative to court involvement, the Family Court Act provides for local Probation Departments to offer diversion services to resolve a variety of family related problems that otherwise would be played out with attorneys in court, in what can only be described as a contentious and adversarial process. This service is called Probation Intake, a misnomer when one considers that the purpose is to divert the cases from the court and from the justice system. Intake is the **only voluntary service** offered by the Department of Probation and Community Justice- the only service able to be accessed on a walk-in basis and without a court order. Traditionally, participation in these services was time limited, forcing participants in the service to reach agreement or to resort to formal court action, in order to reach resolution.

By law, the department is able to resolve a number of complaints at the Intake level, including issues of: custody/visitation, support collection, family offense, conciliation, status offenses (minors running away from home, school truancy, minors showing habitual patterns of incorrigibility), and juvenile delinquency. In recent years, the department has moved toward concentrating its efforts on matters related to youth (status offenses and delinquency), while referring to the Community Dispute Resolution Center issues related to custody and visitation, support, etc. Conciliation (marriage counseling) has not existed for a number of years, though recently proposed changes offered by Judge Judith Kaye for the handling of matrimonial issues suggests that this issue may be coming full circle. Family Offense issues, due to the underlying issues of power, control and domestic violence, are now more appropriately referred to the Integrated Domestic Violence Court, where appropriate, or to a regular term of Family Court.

Currently, Intake addresses primarily those youth identified as Persons in Need of Supervision (PINS) or Juvenile Delinquent (JD). A Person in Need of Supervision is a youth under the age of eighteen who is showing a pattern of habitual disobedience, running away, curfew violations, substance abuse, violent behavior, or school truancy problems. These are known as status offenses. Most PINS referrals are made by parents or school districts. PINS Diversion Services attempt to resolve the conflicts that brought a youth to the attention of the Probation Department by offering supervision, guidance, and referrals to community resources. Referrals also may be made for individual and/or family counseling, mediation, youth advocacy programs, respite, or educational or employment assessments and opportunities. Probation Officers work closely with schools to address issues of truancy and/or behavior problems by meeting with teachers, advocating for testing or support services in the school, and by helping parents develop more communication with the school administration. In fact, since 1987, Probation Officers within the Family Court unit have had regular assignments of specific school districts and have made their presence known at those schools on a weekly basis.

In April 2005 there were some changes in the PINS Law. The intent of this law is an enhanced effort to divert youth from entering the court system and a push to exhaust community-based preventative alternatives before allowing access to the Family Court. There is no longer a specific time limit for PINS Diversion Services. A PINS referral case can remain open until there is "no substantial likelihood that the youth and his/her family will benefit from further diversion attempts." The new PINS law promotes more accountability from parents, school officials, and probation officers to show that all efforts were made to make the diversion process successful.

This change in the law should not be interpreted as a license by the department or by the clients to drag a case on *infinitum* or until the youth reaches his or her eighteenth birthday. If anything, the changes require that the clients and officer agree on common goals, work tirelessly to reach those goals, and then close the case.

In 2005, the Tompkins County Probation Department received 167 PINS referrals. 75 complaints were initiated by parents, 90 by school administrators, and 2 originated from this department.

The age breakdowns were:

- 9 of these referrals were for youth ten and under,
- 34 for youth between the ages of eleven and twelve,
- 102 for youth between thirteen and fifteen, and
- 22 for youth sixteen and seventeen.

The underlying reasons for the referrals were:

- 123 for ungovernable behavior,
- 34 for truancy,
- 6 for marijuana usage, and
- 4 for runaway behavior.

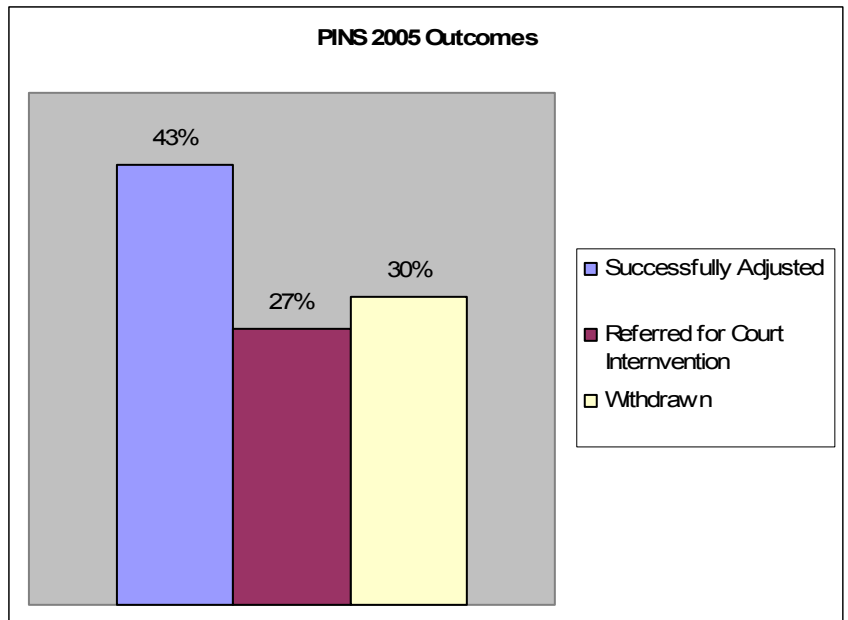
Probation Facts: *To Date, 80% of the youth that participated in the Juvenile Delinquency Diversion completed the program successfully!*

In 2005, 162 of the PINS cases received in 2004 and 2005 came to a resolution. 43% of the cases were closed as successfully adjusted, 27% were referred on for court intervention, and 30% were subsequently withdrawn.

In an attempt to identify youth that exhibit PINS-like behaviors before those behaviors become ingrained and fixed the department has begun a “Pre-PINS” program. This program allows schools and parents to make early identification of children who show a tendency for truancy, ungovernability, or run-away behavior. The probation officers connect with the youth as soon as the parent or school administrator identifies their concerns about the youth’s behavior and before a “pattern of behavior” is established. This program is short-term, usually three to six weeks, and is geared toward diverting youth from referral to the more formal PINS Diversion Program. In essence, the hope is to “nip in the bud” behaviors that will cause problems later, and to teach youth alternative, but appropriate ways to deal with problems that cause them to want to act inappropriately. In 2005, 47 youth were referred to the Pre-PINS program. The referring complaints were evenly split between signs of incorrigibility and truancy.

The Tompkins County Probation Department also offers diversion services to youth issued a Juvenile Appearance Ticket. A Juvenile Delinquent is defined as a person over seven and less than sixteen years of age, who commits an act, which -- if committed by an adult -- would constitute a crime. In 2005, this department received 120 Juvenile Appearance Tickets. The crimes committed included incidents such as Assault, Burglary, Criminal Mischief, Falsely Reporting an Incident, Menacing, and Petit Larceny.

The Juvenile Delinquency Diversion Program attempts to make youth accountable for their crimes without requiring court involvement. In order to be found eligible for JD Diversion Services, the victim, police, youth, parent, and probation officer must all approve a youth going through diversion as an alternative to court access. The youth is required to write a letter of apology to the victim(s), complete community service, pay restitution [if applicable], attend a screening for Victim-Offender Conferencing, and remain law-abiding. Attention is also paid to any unresolved issues the youth may have at home or in school. The Juvenile Diversion Program is a two-month program, with a permissible extension from the Family Court for an additional two months. If the program requirements are completed within this time frame, the case is closed as adjusted and sealed. If not, it is referred to the County Attorney’s Office for possible further prosecution within the Family Court.



Of the 120 Juvenile Appearance Tickets received in 2005, 70 were referred immediately to the County Attorney’s Office at the direction of the police, victim, respondent, respondent’s parent, or as determined necessary by the probation officer.

The Family Court returned 6 of these cases to Probation with the direction to attempt further Intake services. Of the 50 cases that went through the Juvenile Delinquency Diversion Program, 28 were adjusted, 7 were forwarded to the County Attorney’s Office for further review and prosecution, and 15 remain open. To date, 80% of the youth that participated in the Juvenile Delinquency Diversion program completed the program successfully.

Family Court Probation Officers also provide daily intake coverage Monday through Friday. This means that they are the designated contact for the Probation Department if and when people from the community come looking for information or guidance for any family related matter. This type of request is referred to as an “information only” request. Calls are often from parents looking for advice or help with their “out of control” child. The Probation response may encompass a review of departmental services or resources available in the community. In 2005, the Family Court Unit received 241 “Information Only” calls.

Pre-Trial Release Program

Submitted by Patricia Buechel, Probation Supervisor

This department continues to operate the Pre-Trial Release Program in an attempt to facilitate release for incarcerated individuals who meet appropriate criteria. All defendants in custody at the Tompkins County Public Safety Building who have bail set by a court are given the opportunity to be interviewed for this program. A Probation Assistant reports to the jail daily and conducts an initial screening and personal interview with the defendants. A cursory investigation is then conducted into the defendant's legal, social, and employment history with emphasis placed on past cooperation with court orders, prior warrants for failing to appear in court, and personal references to determine the defendant's potential for appearing for future court dates. An evaluation is then made as to the defendant's ties to the community and potential flight risk from their legal charges. A recommendation is forwarded to the court as to the best release option. Recommendations can include the following:

- **Release on Recognizance**
- **Release Under Supervision (to Probation)**
- **Release Under Supervision to Day Reporting**
- **Reduced Bail**
- **Continued Bail**

If RUS (Release under Supervision) is recommended, specific conditions of release are submitted to the court. The Probation Department will supervise the defendant's adherence to those conditions to help ensure the defendant's appearance to subsequent court proceedings. In 2005, a total of 368 interviews were completed by this department.

Restitutions Collections

Submitted by Laurel Rockhill, Probation Assistant

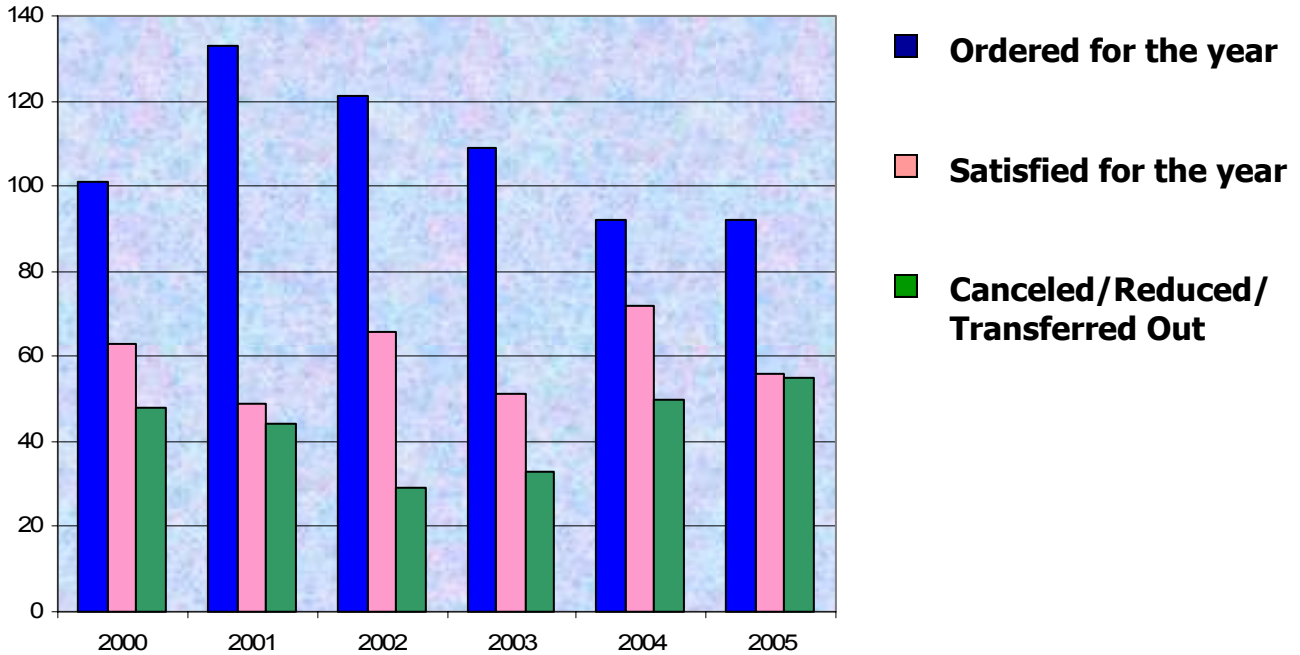
Charges are sometimes levied by the local courts against defendants in the form of fines, surcharges and/or restitution to crime victims. The Probation Department is frequently ordered by the Courts to collect such levies, monitor payments, disburse monies to the victims, and report on the status of each case to the appropriate Court.

2005 FINANCIAL REPORT - COLLECTION PROGRAM

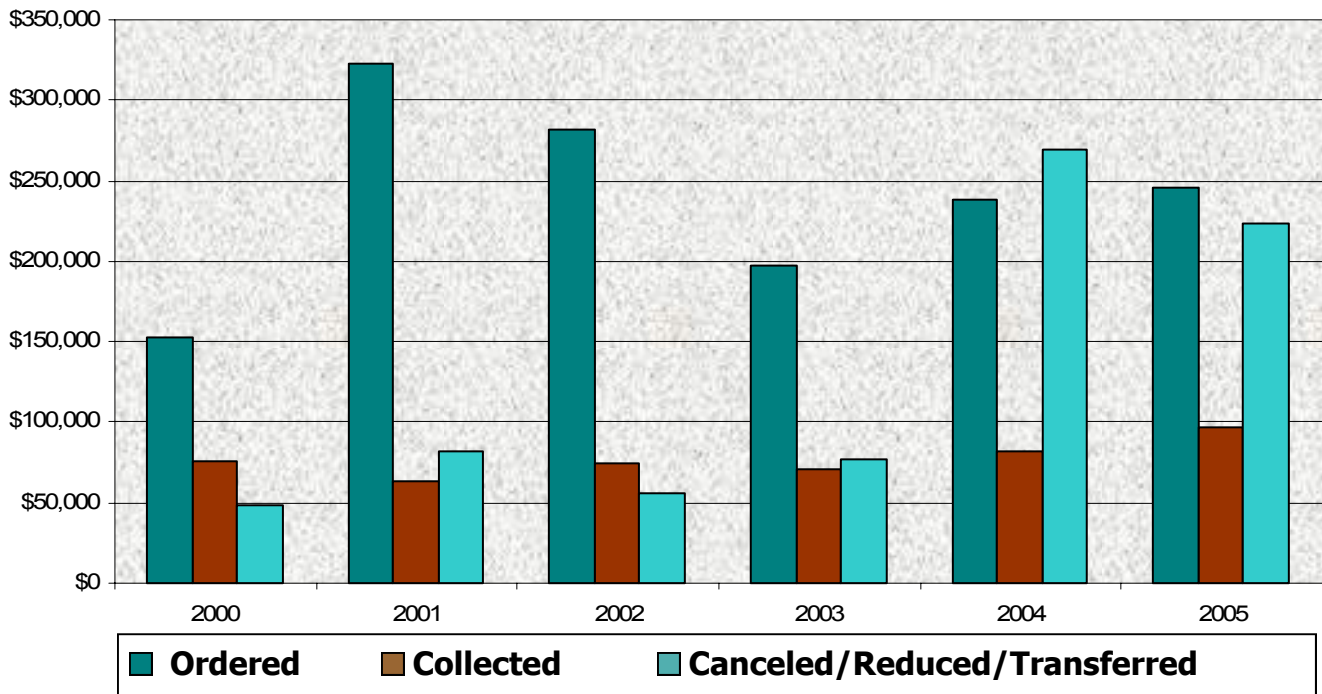
	Criminal Court Restitution	Designated Surcharge	Family Court Restitution	Fines & Mandatory Surcharges	Interest	Totals	DWI Fees	Drug Testing Escrow	Other (Bank Fees & Undisbursed Rest.)	Totals
Beginning balance carried from 12/31/04	\$6,376	\$127	\$110	\$5	\$131	\$6,749	\$1,509	\$1,402	\$612	\$10,272
Money Received 01/05 - 12/05	\$97,419	\$4,897	\$3,010	\$405	\$25	\$105,757	\$17,800	\$1,098	\$30	\$124,685
Money Disbursed 01/05 - 12/05	\$70,653	\$3,500	\$2,875	\$125	\$0	\$77,154	\$17,265	\$1,224	\$131	\$95,774
End Balance 12/31/05	\$33,142	\$1,524	\$245	\$285	\$156	\$35,352	\$2,044	\$1,276	\$511	\$39,183

Probation Facts: *“Restorative justice is a response to crime that focuses on restoring the losses suffered by victims, holding offenders accountable for the harm they have caused, and building peace within communities.”*

TOTAL NUMBER OF COLLECTION CASES



COURT ORDERED \$\$ RECEIVED



Probation Investigations

Submitted by Margaret Arcangeli, & Jan Gorovitz, Probation Supervisors

The Probation Department conducts investigations for both the Family and Criminal Courts of Tompkins County, and for the courts of other New York counties and states when the person involved in the court process is a resident of Tompkins County.

Criminal Court:

The purpose of the criminal court probation investigation is to provide the sentencing court with accurate, reliable information in a succinct and analytical format, so as to assist the court in making sentencing decisions. An investigation includes:

- legal and social background information about the person appearing before the court;
- the defendant's version of the present offense;
- information from the arresting officers and from the victim(s) of the crime;
- information about the defendant's ability to make restitution or pay fines;
- additional information that the court may wish to consider at the time of sentencing including:
 - ⇒ drug and alcohol involvement and treatment
 - ⇒ individualized treatment plans based on case needs and community protection, and
 - ⇒ alternative to incarceration options.

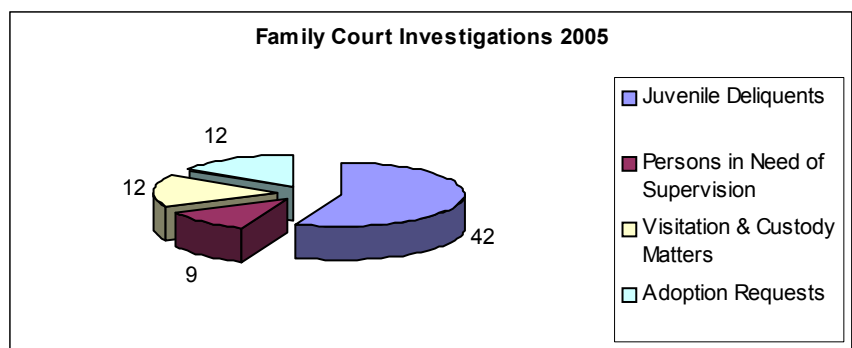
The Criminal Procedure Law requires a presentence report prior to sentencing for all felony offenders and persons who may be eligible for youthful offender status (defined as a person who commits a crime [misdemeanor or felony] prior to his/her 19th birthday). A presentence investigation is also required when recommendation or plea bargain agreement is made for a sentence of probation or for a sentence of imprisonment for a term of 90 days or more. With the above exceptions, investigations for a misdemeanor charge are optional and are ordered at the discretion of the court.

The criminal courts of Tompkins County ordered that the probation department conduct 624 new investigations in 2005. Of the total investigations ordered, 206 represented felony charges and 418 were for misdemeanor offenses.

Family Court:

The Family Court Act requires that a predispositional investigation be conducted for all Designated Felony cases (defined as an act which if done by an adult, would constitute a crime of murder, kidnapping, arson, various sexual offenses, etc cetera). For other Juvenile Delinquency and Person In Need of Supervision cases, a predispositional investigation is discretionary. In addition, the Family Court may order investigations involving custody and visitation matters and adoption requests. Like a criminal court investigation, these reports provide information regarding:

- a respondent's legal history,
- respondent's version of the petition before the court,
- respondent's ability to pay restitution,
- a snapshot of the family home, the family composition, and an assessment of the strengths and weaknesses of each party living in that home, and
- identification of any drug and alcohol issues or mental health needs that may impact the respondent's ability to act appropriately in the community or ability to parent their child.



Probation Facts:

These reports provide recommendations to the Court about a youth's ability to remain in the community with extra support and supervision or whether placement out of the home should be considered. In visitation, custody, and adoption investigations, a report provides recommendations to the court regarding the best interests of the child.

Family Court Supervisions

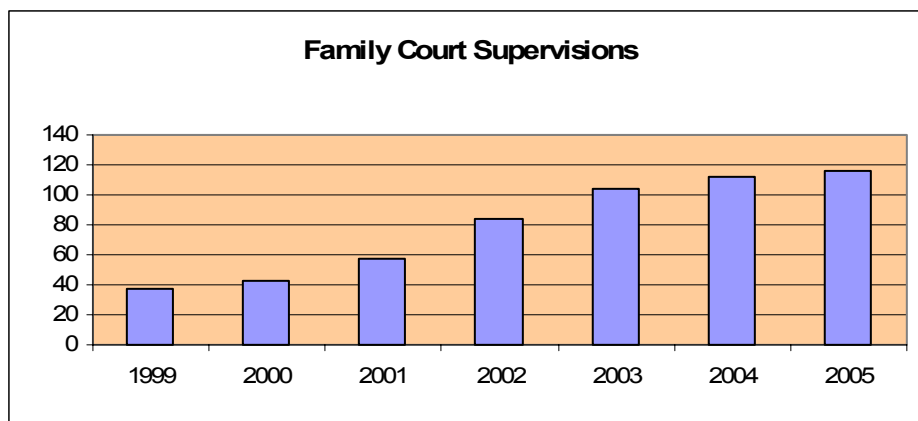
Submitted by Patricia Buechel, & Jan Gorovitz, Probation Supervisors

One of the main functions of the Probation Department is the supervision of both adults and juveniles sentenced to or placed on probation by the courts. The goals of probation supervision are twofold, the first being the protection of the community and the second being the rehabilitation of the offender. The court requires that each person fulfill certain conditions of their probation term. These conditions vary from case to case and are established according to the needs of the individual. Basic requirements set by the court include reporting to a probation officer, remaining in the jurisdiction of the court, maintaining employment or attending school and obeying all laws. Specific conditions tailored to the needs of the individual could include (but are not limited to) participation in substance abuse or mental health treatment, abstinence from alcohol and drugs, payment of restitution to the victim, drug testing and community service. It is the responsibility of the supervising probation officer to monitor compliance with mandated conditions and to notify the sentencing court if conditions are being violated. A sentence of probation is an alternative to incarceration. As such, when an individual violates the terms and conditions of their probation sentence, the sentence can be revoked and the court can re-sentence the individual.

FAMILY COURT SUPERVISION

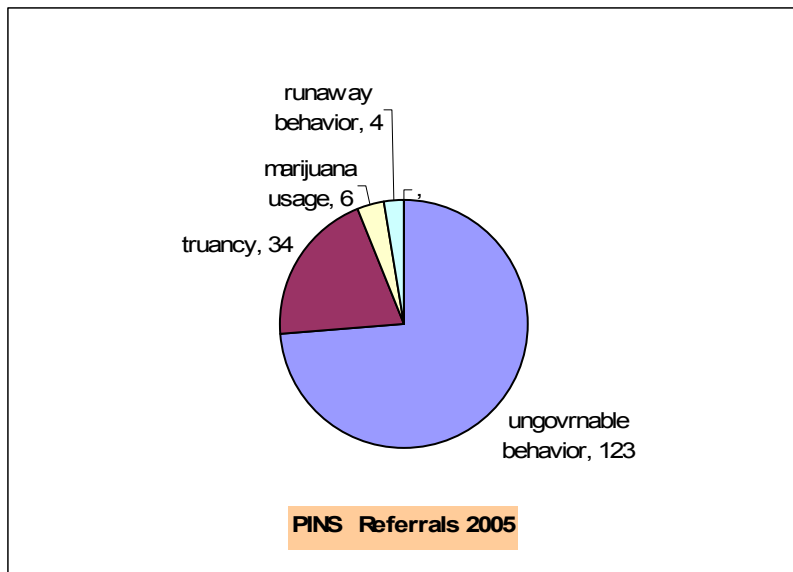
The Tompkins County Probation Department provides supervision as a result of Family Court action for both adults and juveniles. In 2005, 42 adults were placed on probation for failure to pay support and 14 adults were opened for participation in Family Treatment Court. 37 juveniles were placed on probation supervision the result of a Juvenile Delinquency adjudication and 34 adjudicated as a Person In Need of Supervision.

Probation supervision involves the adult or juvenile following a set of conditions that are tailored to meet their needs. Probation conditions may require that they seek mental health or substance abuse treatment. Conditions also specify sanctions such as community service, restitution, or a screening for Victim Offender Conferencing. In support cases, supervision is geared toward motivating individuals to find and maintain employment and pay back support. Probation supervision for many of these individuals is a last chance effort for them to meet their financial obligation before being in jeopardy of going to jail. As outlined in the Family Treatment Court section of this annual report, supervision of these adults focuses on helping them become abstinence free. The long-term goal is to assist them to maintain their abstinence, monitor their follow through with mental health or substance abuse treatment, and connect them to other community resources that can help them stabilize their lives and provide better parenting for their children. All probationers are expected to remain arrest free during their term of probation. Probation supervision allows for the Family Court to be regularly updated about an individual's follow through with their probation conditions. Failure to follow through could result in their incarceration or placement outside of the home. A return to Court in juvenile cases may also involve notification to the court that a youth's PINS or JD behavior may be the result of a lack of supervision at home and neglect.



Probation Facts: In 2005 this department supervised on a monthly basis an average of **684** individuals on probation via the criminal courts and an average of **137** juveniles via the Family Court.

Probation supervision of juveniles involves close communication with parents, school administrators, and service providers. Probation officers conduct regular home and school visits to monitor a youth's follow through with their probation conditions. During the probation term, emphasis is on a youth finding academic success, rebuilding damaged family relationships, and developing skills that will enable the youth to make better choices in the future. Probation supervision allows for an ongoing assessment of a child's risk to themselves, their family, and the community.



FAMILY TREATMENT COURT

The Family Treatment Court (FTC) is a multi-agency response to cases identified by the Department of Social Services as child neglect and/or abuse attributed in whole or in part by the significant substance abuse by parents resulting in diminishing their parenting skills and ability to care for and protect their child(ren). The program is designed to break the cycle of addiction and neglect through intensive supervision, judicial oversight, and quick access to community resources. FTC utilizes a strength-based approach to motivating parents, encouraging them to focus on improving their lives and the lives of their children. FTC works to give families the necessary tools to support their recovery and to strengthen their ability to provide a safe and healthy environment for their children. The program takes a minimum of one year to complete. Parents are required to spend at least four months in each of the three program phases. The average time for completion is eighteen months.

While the probation officer is just one member of a team, it is his/her responsibility to offer participants intensive supervision, on-site testing for alcohol and substance abuse, ongoing assessment and monitoring of treatment needs, and assistance with referrals to other community resources. While the probation officer focuses primarily on the parent(s), the Department of Social Services caseworker focuses on the child(ren) by providing an ongoing evaluation of the safety in the home and implementing visitation schedules and return home plans with the participant children. A therapist from Liberty Resources addresses participant's mental health needs and facilitates a weekly support group for parents. The team also consists of a counselor from each local substance abuse treatment agency, ADCTC (the Alcohol and Drug Council of Tompkins County) and CARS (the Cayuga Addiction Recovery Service), and legal counsel for each participant and their children.

FTC's goal is to assist participants to recognize the ways in which their behaviors harmed themselves and their children and to take advantage of the help that is available in the community. Services encouraged may include alcohol/drug treatment, mental health evaluation and counseling, advocacy, educational and employment support services, self-help groups, and/or domestic violence education and support. Referrals to community agencies are tailored to meet the participant's and family's needs.

From the program implementation in 2001, there have been 22 graduates. In 2005, there were a total of 15 new referrals to the program. Out of these 15 referrals, 8 were admitted to the program, 3 refused, 2 absconded, and 2 were ineligible. There are currently 25 participants in the program (19 families and 47 children).

Criminal Court Supervision

Submitted by Patricia Buechel, Probation Supervisor

SPECIALIZED DWI SUPERVISION

The DWI probation officer's responsibilities include two major areas -- completing presentence investigations for persons convicted of Driving While Intoxicated and other related drinking and driving offenses, and providing intensive supervision of persons sentenced to probation as a result of those convictions. This program accomplishes both functions and is aimed primarily at individuals who may benefit from specialized supervision but who do not require the intensity of the Drug Treatment Court Programs.

There has been some criticism that the Department should apply the resources of the Drug Treatment Courts to these offenders, rather than waiting until their drinking/driving records further deteriorate and they return to the system with additional offenses. There are two primary fallacies to this thinking:

- This presupposes that all offenders require the same level of intense intervention in order to modify their behavior.
- The research shows that placing individuals into treatment and correction programs more intense than is needed by virtue of their need and risk assessment results will increase their likelihood to recidivate (i.e., to reoffend).

INTENSIVE SUPERVISION PROBATION

Intensive Supervision Probation (ISP) is one of our oldest alternative to incarceration programs. Initiated by the state in 1979 to reduce reliance on state incarceration for felony level offenders, it was designed as an effort to improve probation outcomes by placing high-risk probationers in restricted caseloads where they could receive closer supervision and more extensive case management. The State Division of Probation requires that individuals supervised under the Intensive Supervision Program have two face-to-face contacts with the probationer, in addition to maintaining regular contact with the probationer's significant other, employer, treatment provider, et cetera. The contacts with persons close to the probationer who can verify the probationer's compliance with conditions are called "collateral contacts". In 1987 the focus of the program changed to that of providing an alternative sentencing option to the courts.

Currently in Tompkins County, there are two senior probation officers assigned to the ISP program. Their caseloads are comprised of high-risk offenders, defined as individuals who have previous convictions, for whom there is a plea agreement for incarceration, conviction after trial, or those who -- while serving a term of probation -- are convicted of another offense.

The current ISP caseload totals 48 offenders. Each of these offenders meets with the probation officer twice weekly and the assigned officer visits the probationer in his/her home every other week. Because the ISP caseloads are smaller than the core supervision cases, the officer is able to spend more time with the probationer and keep in closer contact with service providers and family members. The advantage of this is that the probation officer is better informed about what is happening in the probationer's life and can act more quickly if and when things start to deteriorate. Missed appointments with service providers require a face-to-face contact within 24 hours, allowing problems on the job or at home to be addressed immediately.

A snapshot of the ISP caseloads shows the inclusion of:

- several sex offenders
- individuals diagnosed as mentally ill/chemically addicted
- individuals convicted of drinking and driving who may not be appropriate for drug court participation, and
- a population of youths between the ages of 17-21 who have accumulated a significant criminal history in a short period of time.

Probation Facts: *In 2005 the savings in jail time by using Electronic Monitoring is approximated at 1,363 days (or \$109,040 when measured by the daily cost of incarceration).*

This last group of individuals is particularly significant because they have a strong potential to make changes in their own lives.

In general ISP probationers are court ordered to participate in this program. There are some exceptions wherein the department might administratively assign an individual to the program because past participation on core probation has been poor and more intense supervision may assist the probationer in being successful, thereby preventing any Violation of Probation.

As individuals adjust to probation supervision and begin to do well, they are transferred to the core caseload. Individuals on ISP remain on this program for up to 18 months.

ELECTRONIC MONITORING (EM)

The Electronic Monitoring Program provides 24-hour home monitoring of an offender through the combined technology of a telephone, a computer device, and an electronic "bracelet". This is a cost effective alternative to incarceration program for adults who pose a minimal risk to the community, and is used with juveniles as an alternative to detention. It allows individuals to maintain their employment or participation in school, avoid separation from family, and participate in community based treatment programs.

EM may be used on either a pretrial basis (where the offender is charged but not convicted) or after sentencing or disposition. Pretrial participants may be those that are found ineligible for Release on Recognizance or Release Under Supervision and are ineligible for Offender Aid and Restoration bail, provide minimal risk to the community and yet require close supervision. In these cases, Electronic Monitoring provides an alternative to bail. These individuals may be monitored until such time as they are either acquitted or convicted and sentenced. It may also be used as a sanction after sentencing or as a disposition on a Violation of Probation petition.

EM allows the probation department the ability to know when offenders leave and return to their residences. The offenders adhere to prearranged schedules of time in and time out. If the offenders do not adhere to the schedule (i.e., fail to return home when scheduled) the probation department is alerted.

This year we added Global Positioning Satellite (GPS) Electronic Monitoring to our program. GPS allows us to review the activities of a participant in any given day by showing exactly where the participant traveled (destination), the route taken, how long the travel took. Once the participant returns home, the tracking device downloads data allowing the probation officer to know exactly where the participant has been during any time away from home. The system also allows the officer to designate areas of the city or county that are not available to the participant and from which the participant is forbidden to visit, as well as designating areas of the city or county open to the participant.

In 2005, 19 individuals participated in the Electronic Monitoring Program. Their length of participation ranged from 7 days to 180 days. The savings in jail time is approximated at 1,363 days (or \$109,040 when measured by the daily cost of incarceration). Because many of the jail costs are fixed this savings is fully realized only during times that it is necessary for the Sheriff to board out a number of inmates.



Treatment Court Programs

Submitted by Dave Wolf, Deputy Director

ITHACA COMMUNITY AND TOMPKINS COUNTY TREATMENT COURTS

The goal of the Ithaca Community Treatment Court (Misdemeanor) and Tompkins County Treatment Court (Felony) is to assist the participants of those programs in breaking the cycle of addiction and criminal activity. The Treatment Court programs, provide the defendant with a highly structured environment that combines judicial oversight, probation supervision, substance abuse treatment, mandatory drug testing, graduated sanctions/responses and education/employment training in an effort to encourage positive behaviors and reduce recidivism.

Both Treatment Courts have two senior probation officers assigned to them. These officers play an important role in the supervision of the participants and providing program services. Other team members include the judge and court staff, assistant district attorney, defense attorney, program coordinator, substance abuse counselors, forensic counselor and education/employment counselors. These members work together to closely monitor the progress of each participant and provide services to assist the participants in changing problem behaviors. Other programs offered by the Probation Department play a supportive role to the Treatment Courts success, specifically the Service Work Alternative Program (our supervised community service program) and the Day Reporting Program located in the Community Justice Center.

The Tompkins County Treatment Court had 23 new admissions to the program in 2005. Out of that number, 20 are still active in the program. In addition, 10 participants graduated from the program in 2005. At the end of 2005, there were 33 current participants in this program. Since the Tompkins County Treatment Court began in April of 2000, the program has had 58 participants graduate from the program.

The Ithaca Community Treatment Court had 27 new admissions to the program in 2005. Additionally, 16 participants graduated from the program in 2005. At the end of 2005, there were 32 current participants in this program. Since the Ithaca Community Treatment Court began in January of 1998, the program has had 118 participants graduate from the program.

“I like this program. Without the program there wasn't as much hope and opportunity. It's the winning edge for people who just might need a little help, people who want to stop using, but need a little push or structure. The program has given me a chance to change my life and an opportunity to live.”

-AL

“ICTC gave me chance to become the person I am today. I am happy to become a productive citizen of Tompkins County rather than be put in jail, where I believe I would have gotten sicker, more angry and less likely to become clean and sober.

As of today I am in better health. My bills get paid. I can stand up for what I speak for without feeling guilty or lying. I volunteer at a school and in the community and feel good after doing it. I'm grateful for all the little things life has to offer. And best of all I'm grateful to be alive.” - TLB

Community Supervision Programs

Submitted by Pat Buechel, Probation Supervisor

COMMUNITY SERVICE PROGRAMS

The Department of Probation and Community Justice operates several supervised community service programs for various populations. The benefits of community service are numerous. The participant gains work skills and self-esteem, and when ordered as a condition of probation, the experience allows the participant to repay the community for criminal behavior. The community reaps the benefits of the work provided.

The Service Work Alternative Program (SWAP) is an Alternative to Incarceration program for adults who have been convicted of a nonviolent crime and have been ordered by the criminal courts to perform community service. The number of hours to be completed range from 50 to 300 hours depending on the level of the offense and is either a condition of their probation sentence or Conditional Discharge. The SWAP program has two full-time Work Project Supervisors who operate shifts daily. They transport court ordered participants to various not-for-profit work sites throughout the county where they perform a variety of tasks while teaching a good work ethic and mentoring the development of diverse job skills. Most participants come to enjoy their community service and seem to take pride in doing positive work in the community. For the 2005 program year, 49 individuals successfully completed the program by performing a total of 4,934 hours of community service. This equates to a savings of \$33,304.50 to local agencies and municipalities when calculated on the current, hourly minimum wage. SWAP is also utilized by the drug court programs as a sanction for non-compliance with program rules and is a requirement of participants in the Day Reporting Program.

“The SWAP program taught me to be a contributor to the community instead of a detractor. It was worthwhile completing this program because I truly felt that I had given back to the community that I had previously harmed. By cleaning and fixing up locations such as the Senior Citizen Center, I feel good about myself and the people that I helped.” - JS

The Reduced Incarceration Community Service Program (RICS) is another Alternative to Incarceration Program for adults involved in the criminal justice system. This program saves jail space in that the courts order a reduced sentence of jail time in combination with a community service requirement. One full time Work Project Supervisor is assigned to this program and takes court ordered participants from the jail on a daily basis and supervises them in an approved work site. At the end of the work shift, the inmate is returned to the jail. For the program year 2005, a total of 5 individuals completed this program. Due to the retirement of the supervisor assigned to this program effective January 31, 2006 and an under-utilization of the program by the courts, this department has decided to not fill the vacancy created by the retirement of Les Goehner, the Work Project Supervisor responsible for RICS, and to suspend the program for the remainder of 2006. Should a determination be made that there are the numbers to support RICS in the future, this department would then re-evaluate the merits of resuming the program.

For the juvenile population adjudicated in the family court system as either a Person In Need of Supervision or Juvenile Delinquent, the department operates the Juvenile Accountability Community Service (JACS) program. Participants are court ordered to complete community service as a condition of their juvenile probation disposition with hours generally ranging from 12 to 66. JACS is intended to provide the youth with a way of making reparation to the community while simultaneously assisting the youth to internalize a sense of pride in belonging, the value of community service, and increased self-esteem.

The Work Experience Program (WEP) is a program run in conjunction with the Tompkins County Department of Social Services. Individuals who receive public assistance and are considered work eligible are referred to the Probation Department to perform community service, with the number of monthly hours to be performed determined by their grant allowance. WEP participants are incorporated into the SWAP schedule and work along side those referred by the criminal courts. This has historically been a difficult population in that WEP participants in general display low motivation and have nominal work skills. However, the Work Project Supervisors have been successful in helping participants develop work skills and find gainful employment. For the 2005 program year, 21 individuals participated in the program and performed 1052 hours of community service for a total equivalent of \$7,101, as measured by minimum wage dollars.

In all, the community service programs operated by this department are well respected in the community, are a valuable tool for the court systems and are seen as an asset to all parties involved. For our participants, it gives true meaning to the concept of repaying the community. For some, the experience of being successful and being a part of something valuable is a turning point toward law-abiding behavior, development of self esteem and a desire to make something positive of their lives.

Day Reporting

Submitted by Sue Jones, Senior Probation Officer

The Tompkins County Day Reporting Program, located in the Community Justice Center (CJC), is one component of the Department's Alternatives to Incarceration (ATI). The program is a structured, secure learning environment intended to provide stability, education, and personal advancement for individuals who would otherwise be facing a period of incarceration, and for individuals who are attempting to reintegrate back into the community following a period of incarceration. As an innovative option for those involved in the courts, Day Reporting offers daily community based supervision, a wide array of class instruction, counseling, and links with other service providers while enhancing family functioning and reserving jail resources for those more appropriate for incarceration. Participants also perform several hours of community service each week with a portion of that work cleaning the very building in which the program is housed. Participants are encouraged to take personal responsibility for their actions, repair the harm caused to their victims and the community and to develop skills to enable them to become more productive members of society.

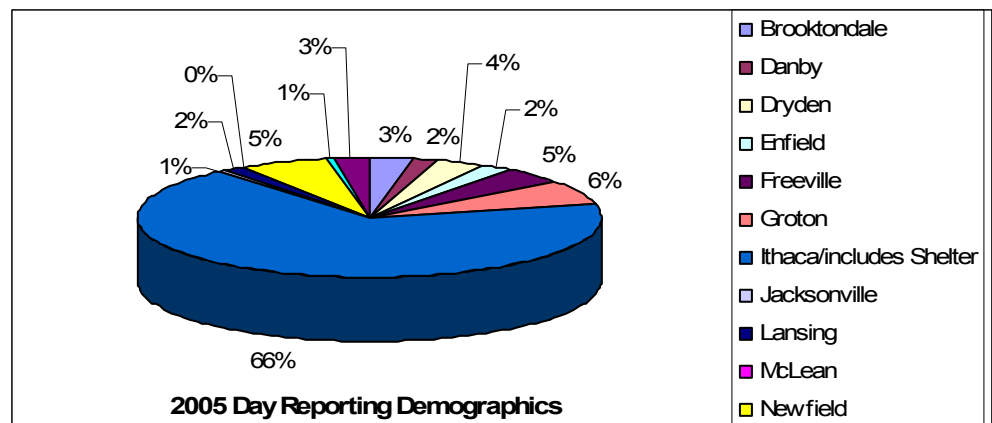
Participation in the program is mandated by the criminal courts and family courts as either a condition of Pre-Trial Release/Release Under Supervision for those who need daily supervision in order to keep scheduled court appointments, a condition of probation or conditional discharge, a drug court sanction, a sanction for violation of probation, and, most recently, as a condition of parole.

(If participants come to the program as parolees, the condition is set by the New York State Division of Parole, rather than by the local courts). Length of stay ordered by the courts varies widely from 2 days – 90 days, depending on one's legal situation.

While the majority of participants enter the program with the opinion that they do not need to be there, many discover that Day Reporting is beneficial in helping them obtain a GED, find housing, gain employment, improve relationships and gain insight and skills required to deal with challenges in their daily lives.

During 2005, a total of 208 referrals were made, of which 115 successfully completed. Unsuccessful completions were related to non-attendance, new charges, and other rule violations including behavioral problems and resulted in increased sanctions, usually including incarceration.

Total program days completed in 2005 were 2,671. Total days including weekends and holidays was 3,201. Total hours of community service performed by 121 participants at CJC were 1,332 (representing a savings of \$8,991 for work performed). In 2005, referrals were received from all but 3 jurisdictions.



Program Accomplishments 2005

- Implementation of standardized procedures for all participants and use of a handheld metal detector to ensure increased staff and participant security.
- Purchase and installation of a security alarm system for all CJC employees.
- Development of a re-entry focused class entitled "Leaving the Streets".
- Addition of a Project Assistant position to serve as a link to service providers to assist with housing, Medicaid, transportation, VESID, etc.
- Addition of computer instruction to the class curriculum.
- Institutionalization of the Day Reporting Program and inclusion of its budget as part of the target budget for the department

"Before drug court I didn't work much and just drank every day. I lived in a tent in the "Jungle. Now I maintain a full-time job. I'm able to make it to work and not be late. I feel good and I look better." - TL

EARLY DISCHARGE INCENTIVE PROGRAM

The Early Discharge Incentive Program (EDIP) was designed by this department for adult probationers who were on track for an early discharge and needed nominal supervision by the Probation Officer during their final six months of supervision. In order to be eligible for the program, a probationer must have been supervised for a minimal amount of months depending on the level of their conviction, have no pending criminal charges or outstanding violations of probation and be in compliance with their Orders and Conditions set by the court. In addition, the probationer must have completed, or be making good progress towards completing, any financial obligations, Alternative to Incarceration Programs and any mandated counseling programs. The probationer cannot have a history of violent behavior and cannot pose a significant risk to the community. In addition, certain categories of convictions make a probationer ineligible for the program. Once a probationer is deemed eligible for EDIP, the case is transferred to the probation officer responsible for this program. The probationer's obligation at this point is to provide a monthly mail-in questionnaire to the probation officer regarding ongoing compliance and status in the community. If the probationer can maintain compliance for a six-month duration and satisfy any outstanding issues, the probationer receives an early discharge from probation.

LOCAL CONDITIONAL RELEASE COMMISSION

Submitted by Faith Newkirk Harris, Probation Administrator

For a period of time, the State Legislature authorized the creation of the Local Conditional Release Commission at the county level to take over the task of evaluating for early release from the jail those inmates who were serving a definite sentence in excess of 90 days. Prior to this becoming a local function, this was a duty of the New York State Division of Parole. The law had a sunset clause and the duties reverted back to the Division of Parole in 2005. However, acknowledgment must be made that the County did oversee this function, and those persons released by the Commissioners were then supervised by the Probation Department under its Intensive Supervision Program.

Commissioners, all of whom served without financial compensation, were Marilyn Ray, Darlene Bentley, and Melody Johnson. In 2005 they reviewed 13 applications from 9 inmates. Of those, 11 applications were from persons convicted of misdemeanors and 2 from felony applicants.

Releases: Four releases were offered to applicants in 2005. One applicant refused the release. Four releases were carried over from 2004.

One case was transferred out to Cortland County, and three individuals were transferred to Parole supervision on September 1, 2005, the effective date of the legislative sunset. Three individuals were found in violation and returned to jail to complete the remainder of their respective sentences.

One of the cases turned over to Parole included a long term absconder for whom a warrant had been issued but not enforced by local police agencies. The absconder was soon picked up on the parole warrant and returned to jail to complete his sentence.

Our Goals

1. Continue work with the Department of Social Services toward the creation of a seamless intake/diversion service for youth and their families by first being trained in and utilizing a common strength-based assessment tool.
2. Continue efforts with the Department of Social Services to include the Mental Health Department in on-site delivery of services to youth and their families at local schools.
3. Work with the Sheriff and the NYS Division of Parole to provide necessary services to individuals released from incarceration.
4. Aid the re-entry of former inmates to the community and their successful integration into the workforce by opening the doors of the Day Reporting Program, making the services of this agency available to clientele in ways that will support the overall re-entry effort.
5. Work with the Courts, the Department of Social Services, Community Dispute Resolution, and others to develop a high functioning, strength-based “custody court” to more effectively deal with matrimonial issues of custody, visitation, child support, et cetera.

