



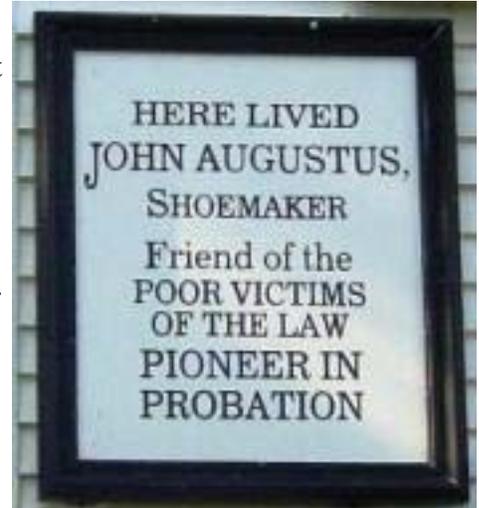
Tompkins County Department of Probation and Community Justice

2006 Annual Report

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This Annual Report has been dedicated to John Augustus, a Boston boot maker, who is considered to be the *Father of Probation*. In the mid-1800's, John Augustus noticed that a number of people were being incarcerated for being indigent. Their crimes were usually what we would term *petit larceny*. They were small-time thieves, often poor and trying to feed themselves. Augustus realized that much of the problem could be resolved by giving these offenders a job and supervising their compliance with the laws. He convinced the Courts to allow him to take some of these offenders under his wing, and so Probation was born.



What made Probation successful then is what makes Probation successful now: involving the community in providing the oversight and the support network required to facilitate the individual's rehabilitation

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.



**TOMPKINS COUNTY DEPARTMENT
of PROBATION and COMMUNITY JUSTICE**
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Probation Director

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June 2007

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

Dear Messrs. Joseph and Whicher:

As I reflect on the past year, I am continually amazed by the strength of this department and its members, by the willingness staff members show to think “outside the box”, and by our numerous clients who take the opportunity (often forced on them) to turn their lives around. I am thankful for staff, clients, and community agencies that collaborate to make Probation services the success that they are. As such, I am pleased to submit the 2006 Annual Report on the accomplishments of the Tompkins County Department of Probation and Community Justice and to share with you the challenges that we face in the near and distant futures, at least insofar as I am able to see them.

We have met, or are in process of meeting many of the goals that we set for ourselves at the beginning of the year. It is clear that no goal is accomplished in isolation, but in collaboration with other departments. It is also true that no goal is ever truly “completed” as each goal is fluid and “in process”, ever evolving to become something better and to exceed expectations. In that light, I want to commend DSS Commissioner Patricia Carey, Sheriff Peter Meskill, and Deputy Probation Director Dave Wolf for their collaboration in developing a Re-Entry Program for defendants being released from the Jail. In addition, first, Nancy Rosen, Acting Director, and then Debbie Dietrich, Current Director of OAR aided the planning and will continue to assist in realizing the goal.

Our primary efforts continue to be directed toward trying to effect the rehabilitation of the offender and balancing that work against the needs of the victim and the safety of the community at-large. While politicians tend to offer simplistic solutions to the crimes that threaten our citizens, often in the form of new legislation, it is the work of folks from these agencies who must grapple with those laws, applying them in ways that make sense and that frequently conflict with other legislation and the wishes of the majority. In a society given to discarding that which is obsolete, our business is devoted to fighting the desire to discard individuals who have offended the community and the public, working instead to help them find recovery as full, law-abiding citizens. To be successful in these efforts, we need the help of all people even those previously harmed by these very offenders.

This Annual Report has been dedicated to John Augustus, a Boston boot maker, who is considered to be the *Father of Probation*. In the mid-1800's, John Augustus noticed that a number of people were being incarcerated for being indigent. Their crimes were usually what we would term *petit larceny*. They were small-time thieves, often poor and trying to feed themselves. Augustus realized that much of the problem could be resolved by giving these offenders a job and supervising their compliance with the laws. He convinced the Courts to allow him to take some of these offenders under his wing, and so Probation was born.

What made Probation successful then is what makes Probation successful now: involving the community in providing the oversight and the support network required to facilitate the individual's rehabilitation.

Finally, a word about "alternatives to incarceration (ATI)", a term that generates heat for reasons related to a myriad issues and perceptions. Probation is the original ATI program, but as crimes have become more complex, as people have become more troubled, as wider gaps have formed between the "haves" and the "have-nots" and families and societal institutions become more dysfunctional, rehabilitation has become more complex. There are no simple answers, any more than the causes of crime are simple. As such, it is critical that we develop the wherewithal to address complex issues with creativity. The "one size fits all" approach is expensive, ineffective, and a guaranteed means of ensuring recidivism. Jails are expensive. Incarceration, while definitely necessary for some individuals, is not a solution. It fails to aid the recovery of individuals; it fails to make victims whole; it fails to remove the threat to individuals and secure the safety of the community. It fails because it is finite, because individuals who have been discarded into a system and forgotten, re-emerge. For that reason, if for no other, ATI initiatives have worth. Programs like Re-entry, Drug Court, Community Service, Day Reporting and tools such as Electronic Monitoring, Ignition Interlock, and soon Internet Monitoring (first of sex offenders, then of any Internet connected crimes: gambling, stalking, bullying, identity theft, etc.) have a place in holding individuals accountable for their actions while addressing their treatment, educational, and or social needs.

I thank you for your continued support of this department. Here, then, is a report of our activity for 2006.

Very truly yours,

A handwritten signature in cursive script that reads "Kathryn L. Leinthall". The signature is written in black ink and is positioned above the typed name and title.

Kathryn L. Leinthall, MSW, CSW

Probation Director

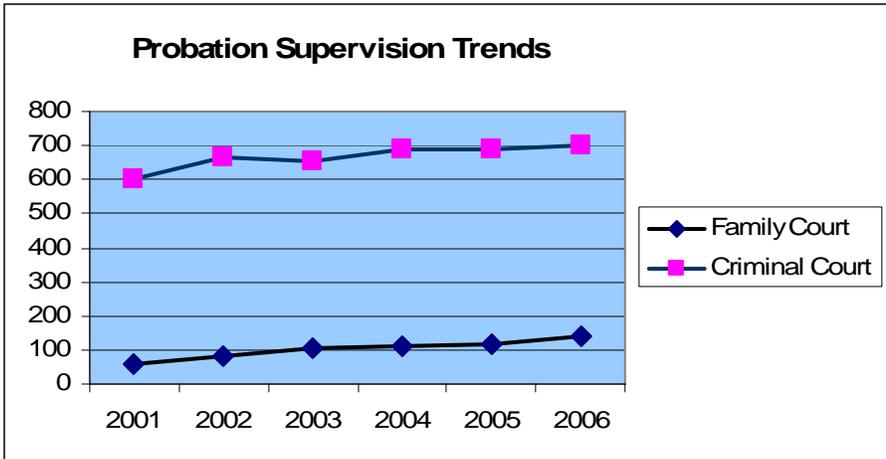
Major Accomplishments 2006

- Plans were formulated in collaboration with the Sheriff’s Department, the Department of Social Services, Offender Aid and Restoration, and this department for the development of a **Re-entry Program** for individuals released from the local jail. The program has been launched and will be assessed for its effectiveness next year.
- Progress has been made toward the launching of our **Internet monitoring** of sex offenders. Although slow in its development, the department is very excited about this program and its future application to other individuals, including but not limited to: youth, offenders who attempt to steal identities, individuals engaged in on-line scams, etc.
- The **Community Service Programs** all continued to show great success in working within the community, assisting government and not-for-profit organizations, and to play pivotal roles in the Cornell “Dump and Run” program and the annual Cops, Kids and Toys initiative. The check at right represents the community service hours expended in preparing for the Cornell “Dump and Run” program and is used to buy toys for needy families at Christmas.
- The Department continued to show a **lower rate of recidivism** among clients who have completed their terms of probation **than any other county in the State**. It is our belief that this level of success is due to the following factors:
 - * a variety of alternative to incarceration initiatives that work together in a synergistic way to provide the maximum “bang for a buck”;
 - * the creativity shown by staff of this and other agencies and departments to think and work “outside the box”;
 - * the support of the County Legislature in providing funding to this, and other agencies;
 - * the commitment by the Sheriff, the District Attorney, the Commissioner of the Department of Social Services (to mention a few) to join forces in such manner as to deliver effective services while safeguarding the public’s safety and trust.



WORKLOAD SUMMARY AND SUPERVISION TRENDS

Tompkins County Probation Department provided supervision services for **845** persons in 2006: 703 adult criminal cases and 142 Family Court cases. We completed **994** investigations: 916 for criminal court (352 felonies and 564 misdemeanors) and 78 for Family Court. The Community Service programs supervised by this department which include both the adult and juvenile population and the Work Experience Program (WEP), performed **6007** hours of community service.



2006 -2007 Staff Listing

Director:	Kathryn L. Leinthall
Deputy-Director:	David Wolf
Probation Administrator:	Faith Newkirk-Harris
Administrative Assistant:	Laurel Rockhill
Micro-Computer Specialist:	Susan Moore
Administrative Coordinator:	Ujjal Mukherjee
Probation Supervisors:	Margaret Arcangeli *** Patricia Buechel Robin Chernow Jan Gorovitz Eileen Sommers
Senior Probation Officers:	William Bell Stacie Burgos Diane Burke Daniel J. Cornell Robert Devens Harold Gregoire Linda Heberle Judith Johnson **** Susan Jones* Jarrod Newcomb

Probation Officers:

Jennifer Brill Atkinson
Abigail D. Bixby
Karla Brackett
Karen Burns
Carmen Collazo
Karen Raplee Curione
Patricia Galbraith
Harold Gregoire
Harold Herman
Michael Herrling
Kate Horey
Christine Ion
Paul Neugebauer
Eleanor Spink**

Probation Assistants:

Bernadette Stranger

Senior Account Clerk Typist:

Kelly Blake

Account Clerk Typist:

Connie George

Keyboard Specialist:

Erma Peterson

Work Project Supervisors:

William Apgar
James Bond

Security Officers:

Richard Brewer
William Cornell

Transition Workforce Employment Specialist:

Kathy Lind

Project Assistant (Agency Liaison):

Cindy Cerquone

* Retired August 30, 2006

** Retired October 27, 2006

*** Retired December 1, 2006

****Retired December 31, 2006

2006 Probation Department Milestones

Years of Service to the Probation Department



10+ Years

William Apgar
William Bell
Kelly Blake
Carmen Collazo
Daniel Cornell
Jared Newcomb
Laurel Rockhill

15+ Years

Margaret Arcangeli
Patricia Buechel
Stacie Burgos
Diane Burke
Patricia Galbriath
Linda Heberle
Harold Herman
Susan Jones
Erma Peterson
Eileen Sommers
David Wolf

20+Years

Janice Gorovitz
Faith Newkirk-Harris
Harold Gregoire

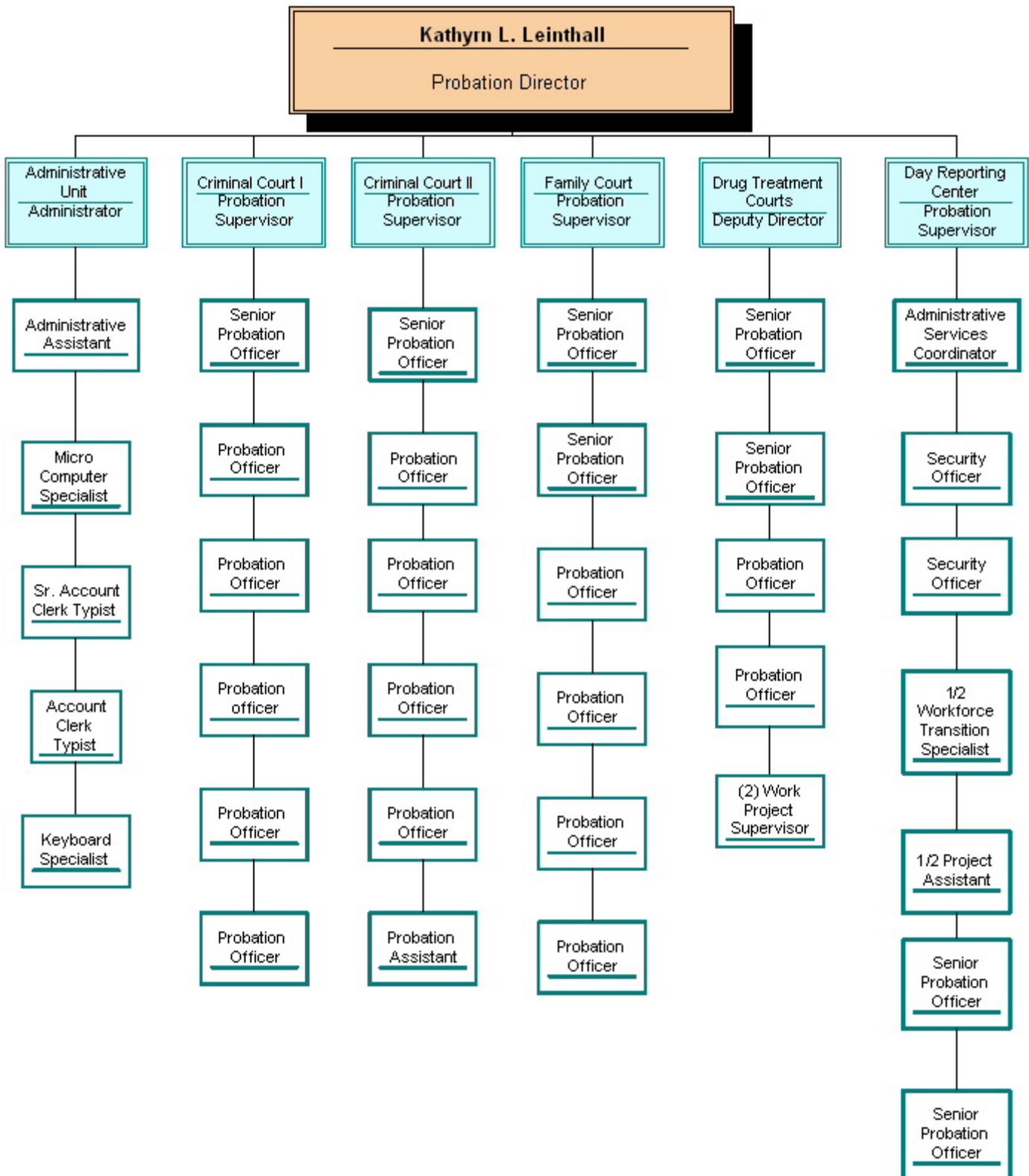
25+ Years

Robin Chernow

35+ Years

Kathyrn Leinthall

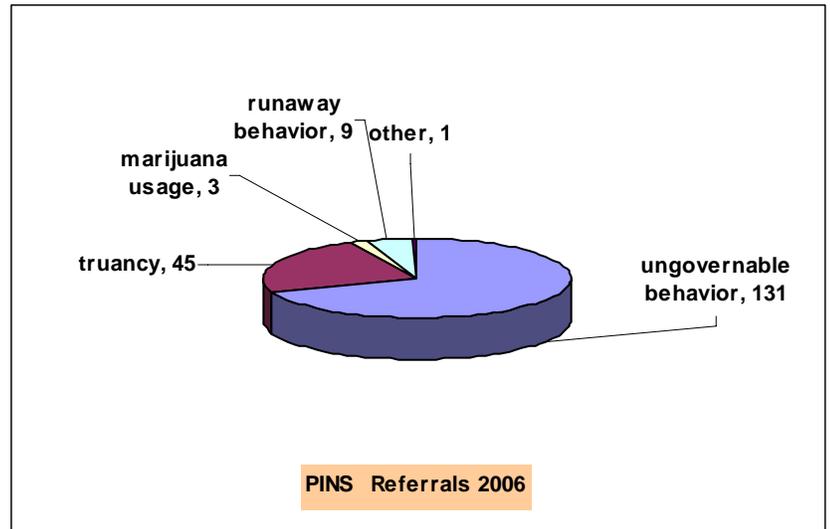
Departmental Configuration - 2006



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. 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 Advocacy Center and the Integrated Domestic Violence Court, where appropriate, or to a regular term of Family Court. The purpose of Family Court Intake is to divert cases from going to court and 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.



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 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 2006, 153 of the cases received in 2005 and 2006 came to a resolution. 36% of the cases were closed as successfully adjusted, 27% were referred on for court intervention, and 37% were subsequently withdrawn.

In 2006, the Tompkins County Probation Department received 189 PINS referrals. 86 complaints were initiated by parents, 101 by school administrators, and 1 by police and 1 by Social Services.

The age breakdowns were:

- 6 of these referrals were for youth ten and under,
- 27 for youth between the ages of eleven and twelve,
- 112 for youth between thirteen and fifteen, and
- 44 for youth sixteen and seventeen.

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

As an alternative to PINS Diversion Services and in an attempt to identify youth that exhibit PINS-like behaviors before those behaviors become ingrained and fixed, the department developed 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 a 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 2006, 45 youth were referred to the Pre-PINS program. Of these referrals, 37 were received from schools and 8 from parents/guardians. There were 17 complaints for truancy, 27 for ungovernable behavior and 1 for substance abuse.

The Tompkins County Probation Department also offers diversion services to youths 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 2006, this department received 98 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 98 Juvenile Appearance Tickets received in 2006, 47 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.

Of the 51 cases that went through the Juvenile Delinquency Diversion Program, 41 were adjusted, 4 were forwarded to the County Attorney's Office for further review and prosecution when Intake attempts failed, 1 case was withdrawn by the police, and 5 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 2006, the Family Court Unit received 209 "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 2006, a total of 344 interviews were completed by this department.

Restitution Collection

Submitted by Laurel Rockhill, Administrative Assistant

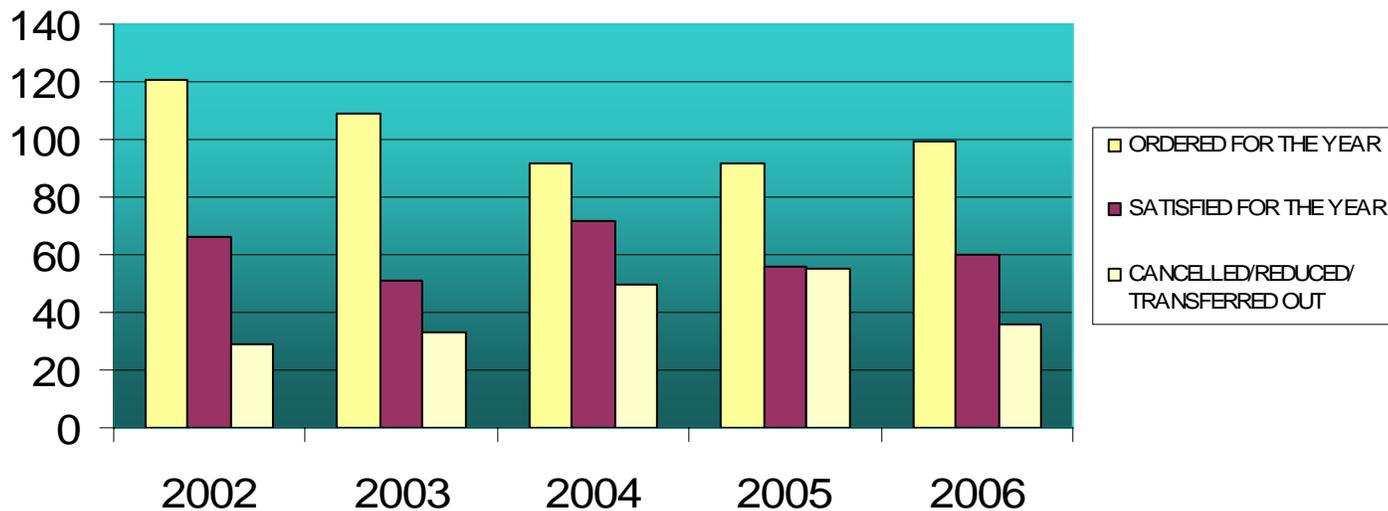
Charges are sometimes levied by the local courts against defendants in the form of fines, surcharges and/or restitution to crime victims. The Probation Department is frequently ordered by the Courts to collect such levies, monitor payments, disburse monies to the victims, and report on the status of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

2006 FINANCIAL REPORT - COLLECTION PROGRAM

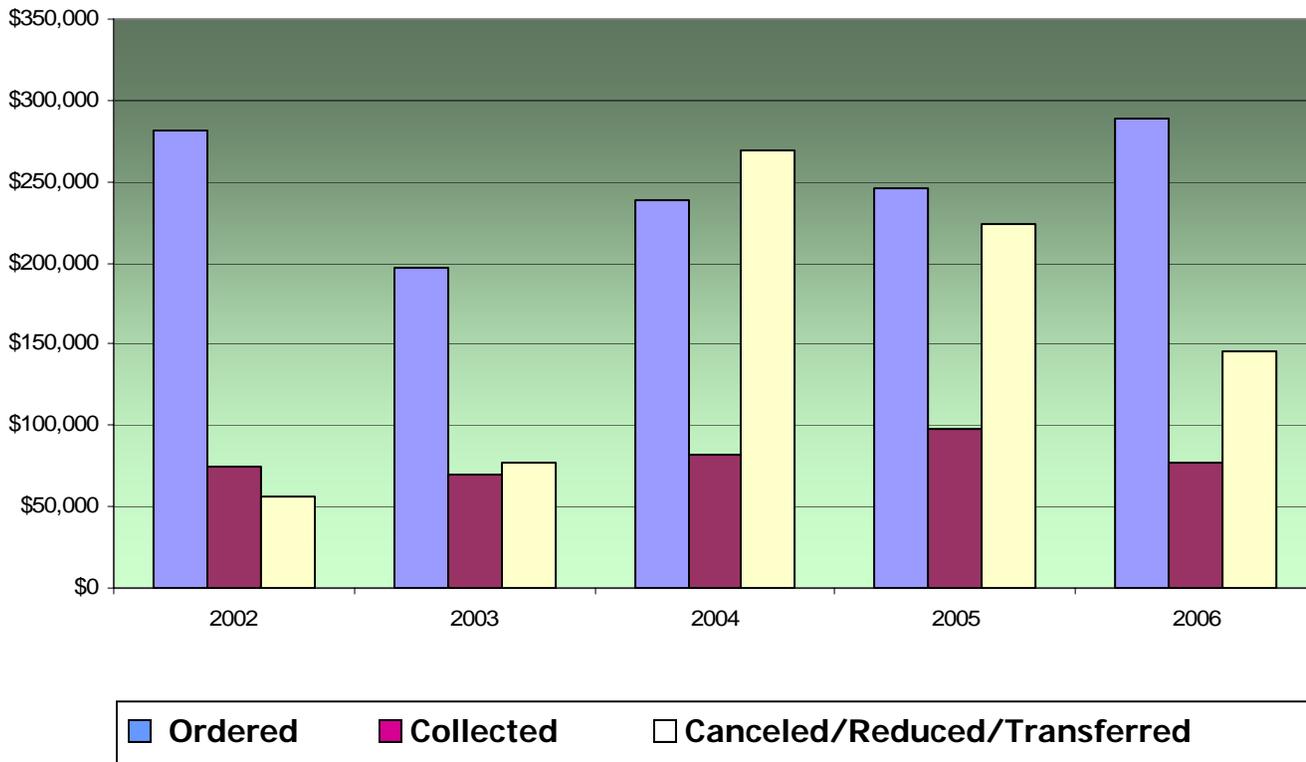
	Criminal Court Restitution	Designated Surcharge	Family Court Restitution	Fines & Mandatory Surcharges	Interest & Other	Totals
Beginning balance carried from 12/31/05	\$33,142	\$1,524	\$245	\$285	\$156	\$35,352
Money Received 01/06 - 12/06	\$76,958	\$3,955	\$1,828	\$1,800	\$307	\$84,848
Money Disbursed 01/06 - 12/06	\$93,449	\$4,941	\$1,575	\$1,265	\$413	\$101,643
End Balance 12/31/06	\$16,650	\$538	\$498	\$820	\$50	\$18,556

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 # of Collection Cases



Court Ordered \$\$ Received



Probation Investigations

Submitted by Patricia Buechel, & 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.

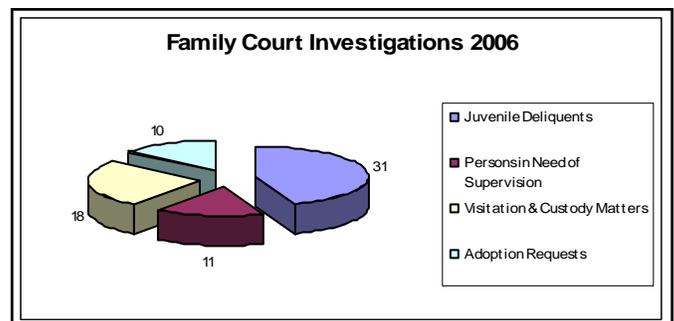
The Criminal Procedure Law requires a presentence report prior to sentencing for all felony offenders and persons who may be eligible for youthful offender status (defined as a person who commits a crime [misdemeanor or felony] prior to his/her 19th birthday). A presentence investigation is also required when recommendation or plea bargain agreement is made for a sentence of probation or for a sentence of imprisonment for a term in excess of 90 days. 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 589 new investigations in 2006. Of the total investigations ordered, 198 represented felony charges and 391 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 Jan Gorovitz, Probation Supervisor

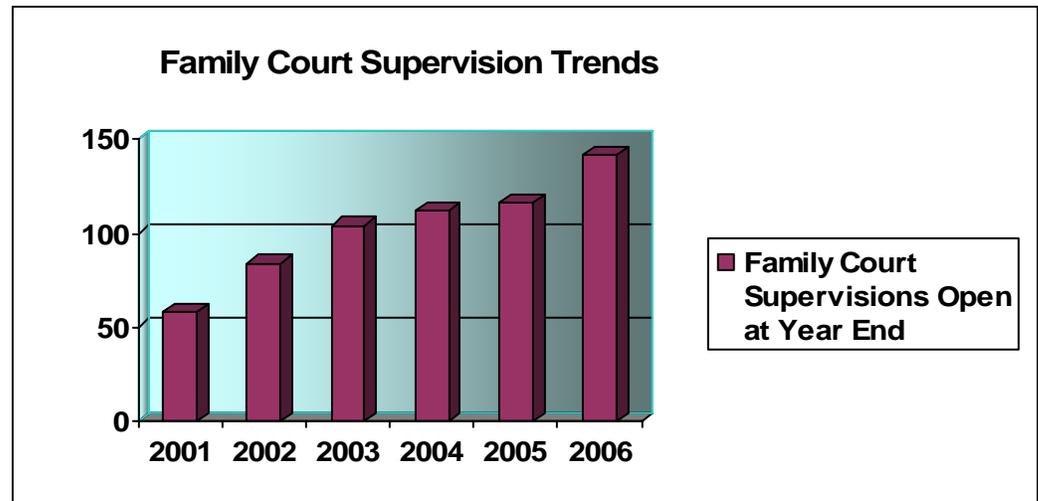
FAMILY COURT SUPERVISION

The Tompkins County Probation Department provides supervision as a result of Family Court action for both adults and juveniles. In 2006, 48 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 with his or her probation conditions could result in 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 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 his or her 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 him or herself, family, and the community.



Probation Facts: In 2006 this department supervised on a monthly basis an average of **693** individuals on probation via the criminal courts and an average of **133** juveniles via the Family Court.

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, which encourages 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.

"I want to thank everyone for all that you do. Without you who knows where I would be and what type of Mom I would be to my son. He really is a happy, bright, confident child, I don't think he would be like that if I were still drinking. Or maybe so, but I wouldn't have him in my life like I do now!"

-2006 Family Treatment Court Graduate

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 30 graduates. In 2006, there were a total of 24 new referrals to the program. Out of these 24 referrals, 15 were admitted to the program, 5 refused, 2 were out of county residents and 2 could not be contacted. As of December 2006 there are 17 families participating in the program.

Criminal Court Supervision

Submitted by Patricia Buechel, Probation Supervisor

SUPERVISION OF PROBATIONERS

One of the main functions of the Probation Department is the supervision of Youthful Offenders and adults sentenced to 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 resentence the individual.

For the year 2006, this department supervised on a monthly basis an average of 693 individuals on probation via the criminal courts. Core Probation Officers carry an average of 48 probationers at any one time. This number does fluctuate depending on a variety of factors including the number of new probation sentences coming in from the courts, and probationers leaving via early discharges, violations of probation and sentences expiring due to reaching maximum expiration dates. The specialized caseloads carry reduced numbers of probationers to ensure that a higher level of supervision and scrutiny is occurring.

INTENSIVE SUPERVISION PROBATION

Intensive Supervision Probation (ISP) is one of our oldest Alternative to Incarceration (ATI) 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. In 1987, the focus of the program changed to that of providing an alternative sentencing option to the courts.

Currently the department has two Senior Probation Officers assigned to the ISP caseload, who each carry a maximum of 25 probationers. Because the ISP caseload is smaller than the core supervision cases, the officer is able to spend more time with the probationer and provide a higher level of scrutiny and supervision. The state Division of Probation requires that individuals supervised under the Intensive Supervision Program have two fact to face contacts per week and two home visits per month with their Probation Officer. In addition the Probation Officer is required to maintain regular contact with the probationer's significant other, employer, and treatment providers. The advantage of the ISP caseload 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 problems arise. As missed appointments with service providers require a face to face contact within 24 hours, issues are addressed immediately.

ISP caseloads are mostly comprised of the following types of high risk offenses/convictions:

- Sexual offending behavior
- DWI
- Burglary and Robbery
- Assault
- Grand Larceny and Forgery

In addition, the caseload deals with individuals who are diagnosed as mentally ill and chemically addicted as well as youth between the ages of 17-21 who have accumulated a significant criminal history in a short period of time. In general, ISP probationers are court ordered to participate in the program as an Alternative to Incarceration. There are some exceptions wherein the department may administratively assign an individual to the program because their past participation in core supervision has been poor and ISP may assist the probationer in being successful, thereby preventing a violation of their probation sentence.

Probation Facts: *The goals of probation supervision are twofold, the first being the protection of the community and the second being the rehabilitation of the offender.*

SPECIALIZED DWI SUPERVISION

Submitted by Probation Officer Karla Brackett

This department has had a specialized DWI Probation Officer, at times two officers, for over twenty years. The reasons for such a caseload are threefold. First, there are more Driving While Intoxicated arrests/convictions than any other offense. Second, there is a high recidivism rate with respect to drinking and driving, with approximately one third of arrests being repeat offenders. Third, this type of offender typically enters the system in a state of denial. They do not see their alcohol use as a problem and feel that their actions are not necessarily criminal. The role of the specialized DWI officer is to ensure that the offender is obtaining the necessary treatment to address their substance use while monitoring their behavior in the community for the purpose of public safety.

The DWI Probation Officer's responsibilities include both completing pre-sentence investigations and subsequent supervision of persons convicted of Driving While Intoxicated and other alcohol related driving offenses. This caseload, which averages approximately 35 probationers, requires intensive supervision. Probationers are required to report weekly until they are well underway in substance abuse treatment. As they progress in treatment and begin to demonstrate internal changes with respect to their attitudes about drinking and driving, reporting requirements are

reduced to once every two weeks, with eventual transfer to core supervision. Unscheduled home visits are conducted a minimum of one time per month with many visits occurring on weekends. Random bar checks are also conducted. Probationer's must blow into an Alcosensor as directed by the Probationer Office for the purpose of detecting alcohol use.

The Order and Conditions of Probation concerning DWI offenders are specifically tailored to this particular crime. The conditions center around the offender maintaining complete abstinence while on probation. They further address the fact that the offender cannot apply for his/her driver's license without the court's and probation's permission. Once approval is given, the probationer must install an Ignition Interlock device in their vehicle. This device measures the probationer's blood alcohol level every time an attempt is made to start the vehicle, thereby providing another measure of protection to the community that they will not be drinking and driving. In some cases where the individual has two or more convictions in a five year period, this device must be installed immediately upon conviction in all vehicles owned by the offender.

The DWI Probation Officer has recently assumed the responsibility of coordinating the Victim Impact Panel as well. The panel is made up of speakers who have lost a loved one to a drunk driver. The courts sentence a DWI offender to attend the

panel as either a condition of their probation sentence or as a condition of a Conditional Discharge. The purpose of the panel is to get the DWI offender to think beyond themselves and to look at how their drinking and driving behavior can have disastrous and tragic consequences on innocent people who share the roadways. The panel is held three times per year and on average 90 individuals per panel are ordered to attend. Coordinating this panel involves keeping track of referrals, registering individuals on the night of the panel, and notifying either the sentencing court or supervising Probation Officer when an individual fails to attend. Furthermore, the DWI Probation Officer helps panelists in preparing for the emotional outcome of giving such a presentation.



Ignition Interlock System

The role of the specialized DWI officer is to ensure that the offender is obtaining the necessary treatment to address their substance use while monitoring their behavior in the community for the purpose of public safety.

Probation Facts: *In 2006 the savings in jail time by using Electronic Monitoring is approximated at 755 days (or \$ 75,500 when measured by the daily cost of incarceration).*

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 was the second year since 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 2006, 18 individuals participated in the Electronic Monitoring Program. Their length of participation ranged from 5 days to 95 days. The savings in jail time is approximated at 755 days (or \$75,500 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.



***Electronic
Monitoring Device***

Treatment Court Programs

Submitted by Dave Wolf, Deputy Director

ITHACA COMMUNITY TREATMENT & TOMPKINS COUNTY FELONY DRUG COURT

The goal of the Ithaca Community Treatment Court (Misdemeanor) and Tompkins County Felony Drug Treatment Court 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. Team members include the judge and court staff, assistant district attorney, defense attorneys, program coordinator, substance abuse counselors, forensic counselor, education/employment counselors and other community members. 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.

“In Treatment Court I was offered the opportunity for treatment of my addiction rather than a sentence to prison. Through the support and guidance of the treatment team, a valuable rehab experience, and participation in AA, I was able to begin and sustain my recovery process. I now have the capacity and tools to live a full and joyful life.”

- DM

The Felony Drug Treatment Court had 23 new admissions to the program in 2006. In addition, 13 participants graduated from the program in 2006. At the end of 2006, there were 31 current participants in this program. Since the Tompkins County Felony Drug-Treatment Court began in April of 2000, the program has had 71 participants graduate from the program.

The Ithaca Community Treatment Court had 31 new admissions to the program in 2006. Additionally, 11 participants graduated from the program in 2006. At the end of 2006, there were 26 current participants in this program. Since the Ithaca Community Treatment Court began in January of 1998, the program has had 129 participants graduate from the program.

“I’m happy. I’m drug free one day at a time. My children are happy, my relationship with my partner is much better. My family is proud of me. I’m accomplishing some goals I set. I’m healthy and I’m now looking for work.”

-2006 Graduate

Community Service Programs

Submitted by Dave Wolf, Deputy Director

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 or conditional discharge, 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 and teach good work ethics and job skills. Most participants come to enjoy their community service and seem to take pride in doing positive work in the community. For the 2006 program year, 44 individuals successfully completed the program by performing a total of 4,952 hours of community service. SWAP is also utilized by the drug court programs as a sanction for noncompliance 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

For the juvenile population adjudicated in the family court system as either a Person In Need of Supervision or Juvenile Delinquent, this department operates the Juvenile Accountability Community Service (JACS) program. Participants are court ordered to complete community service as a condition of their juvenile probation sentence and hours generally range from 12 to 100 hours. This program is intended to provide the youth with a way of repaying the community for their behavior and hopefully has them internalize the value of such service. For the 2006 program year, JACS participants performed a total of 1,055 hours of community service.

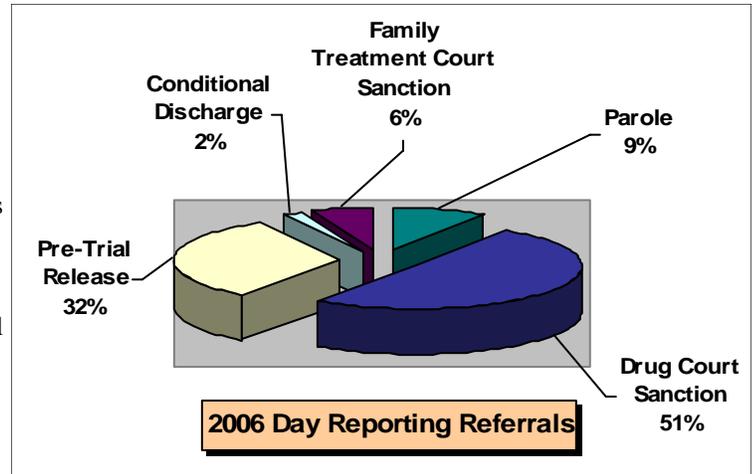
The Work Experience Program (WEP) is a program run in conjunction with the Tompkins County Department of Social Services. Individuals who receive public assistance and are considered work eligible are referred to the Probation Department to perform community service, with the number of monthly hours 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. The Work Project Supervisors help participants develop work skills and can assist participants in finding gainful employment.

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 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 Eileen Sommers, Probation Supervisor

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 generally mandated by the criminal and family courts as a condition of Pre-Trial Release/Release Under Supervision, as a condition of Probation or Conditional Discharge, as a drug court sanction, as a sanction for Violation of Probation, or as a Condition of Parole (the condition is set by the New York State Division of Parole, rather than by the local courts). However, the Day Reporting Center also receives clients who are referred for individualized services such as employment, GED preparation or assistance in applying for needed services. These referrals can come from a particular Probation Officer, a concerned Judge, through various connections at the jail and within the community.

During 2006, a total of 246 new referrals were made to Day Reporting. Of these, 135 successfully completed. All tolled, Day Reporting provided services to 447 clients. Unsuccessful completions were related to non-attendance, new charges and other rule violations. Total program days completed in 2006 were 3,132.

The program has experienced steady numbers throughout the year and this trend is expected to remain constant. Additionally, there is a local movement to address issues regarding formalizing a jail and prison re-entry program. The Day Reporting Center has offered to assist with this venture by providing staff and space. Housed in the basement of the Old Library sharing space with the Felony Drug Treatment Court, the Ithaca Community Treatment Court and the Family Treatment Court, quarters are sometimes tight and less than adequate. Nonetheless, the staff at Day Reporting continues to be committed to offering services to all clients.

Day Reporting Program Accomplishments during 2006

- Installation of a more secure front door system.
- Probation Department purchase of five new computers for the participant computer lab.
- Implementation of new participant database.
- Addition of Mental Health and Healthy Families classes.
- New stove for cooking and nutrition class.
- Thursday Food Pantry donations.
- Improved garbage and recycling management.

In 2006, over 80 individuals who were referred for employment services obtained employment!!

Our 2007 Goals

1. To continue working with the Department of Social Services in the development of a seamless delivery of Intake/Preventive services.
2. To bring to fruition the program of Internet monitoring of sex offenders; to develop inter-agency agreements with DSS, the Sheriff's Department, and the Office of the District Attorney to ensure that the monitoring ensures the containment and treatment of appropriate offenders, while identifying those offenders who should be violated and incarcerated due to the risk they pose to the community.
3. To cooperate with the Sheriff's Department, OAR, and DSS in the delivery of services to those defendants who elect to embark on the Re-entry program; to provide direct services where possible through the Day Reporting program.
4. To develop a plan of succession within the Department for key individuals who face retirement within the next 1-5 years.

