



Tompkins County Department of Probation and Community Justice

2007 Annual Report

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The Department is proud to dedicate this Annual Report to the late Christine Springer, Judge of the Ulysses Town Court, a position to which she was elected in November 1993.

As noted in the obituary that appeared in the *Ithaca Journal*, "Chris approached this work with deep seriousness and dedication. It was more avocation than vocation - it allowed her to extend her kindness, compassion, and wisdom to the people who appeared in her court. Her home phone rang steadily with calls to complete arraignments, with calls from people who were hurt and confused, and with calls from people who kept in touch with her, sometimes for years, after appearing in her court. She would interrupt whatever she was doing to take those calls, and with each one she was fully there for the caller. She would get up in the middle of the night, sometimes more than once a night, to go to the police station and begin the justice process.



"Her goal, always, was to create just solutions in which people's mistakes and missteps could be the source of lessons that would help them move on to good lives. She wanted to bring real justice to everyone involved in very painful situations. She often said that her first meeting was with people, victims as well as defendants, who were appearing before her at their lowest moments, and she wanted to help them climb back up. She believed in second chances and the power of redemption."

She personified her beliefs so deeply that all who encountered her became the beneficiaries. Staff fully appreciated the fact that she made herself available, went above and beyond the minimum required, clearly cared about her community and those who appeared before her while still being willing to hold all of us accountable. She embodied the meaning of justice.

The finest attribute we can give is to replicate the care and attention that Chris Springer gave so freely. For this and for all your contributions, we thank you, Your Honor.

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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March 2008

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

Dear Messrs. Koplinka-Loehr and Whicher:

In some respects, I think 2007 was the year of change, in form if not in substance and in anticipation if not in reality. As we look ahead, there are changes in all three of our positions with a new Chair of the Legislature and new appointments yet to be made for the next County Administrator and Director of Probation and Community Justice. The result is bound to be changes in vision, direction, and in delivery of service. Hopefully, the commitment to community, to clients, and to staff will remain consistent or become even better.

With this as my swan song, I want to thank my incredible staff for their numerous contributions to this community. These employees are hard working, deeply caring individuals who recognize, on the whole, that little separates us from "the other side of the desk". I challenge them to continue their commitment to the profession with an appreciation of the difficulties that confront our society, an awareness of the obstacles that discourage our clients, and amazement that the spirit can and will soar in the most adverse of circumstances. It is imperative that they recognize the only thing within their control is what life throws at them...a lesson best shared with our clients. Understanding one's limitations is a freeing experience that allows us to enjoy the balance of life's experience.

I want to thank Tim Joseph, former Chair of the Legislature, for his continued support of this department and of our efforts to offer meaningful alternatives to incarceration. With his help and vision, we in Tompkins County have brought a meaningful balance to the criminal justice system so that jail has now become the alternative to community supervision and restoration. In my humble opinion, this is how it should be, as jails serve only to contain and punish. Clearly, jails are needed in a world where some individuals refuse to take responsibility for themselves, choosing instead to continue to victimize those around them. This is a system that works best when both components work together, effectively helping those who wish to help themselves and containing those who wish only to hurt others. So, Tim, thank you on behalf of all of us: staff, clients and community. You have championed the cause in the face of opposition. Your support has meant much.

I thank all of you and my fellow department heads for helping me do my job over the past 22 years. The Cabinets (Health and Humans Services and Criminal Justice) have proved to be a source of great inspiration and support by virtue of the department heads that have participated within them. I speak specifically of Mary Pat Dolan (DSS), Irene Stein (COFA), Bart DeLuca (Mental Health) – all retired—and the current cadre of department heads who continue to serve, most specifically: Alice Cole (Health), Patricia Carey (DSS), Lisa Holmes (COFA), Nancy Zahler (Youth Services), Gwen Wilkinson (DA), Bob DeLuca (Mental Health) and Peter Meskill (Sheriff).

Finally, I bow to Anita Fitzpatrick, Commissioner of Personnel, who has proven to be an unending source of support, information, vision and humor. One cannot survive as a department head without the assistance of this wonderful woman. To have done so for all these years speaks as much to her assistance as to any individual resilience on my part.

The years ahead promise challenges of ever greater dimension. As we see the impact of gang-like activity making its way into our bucolic community, the strains of differences (ethnic, economic, racial, religious) fraying the fabric of our world, it is imperative that we continue to challenge settled notions and not look to simplicity for all answers. As political solutions to problems hold sway with sound bites, the need to support one another becomes ever more apparent. We still must find ways to embrace those who commit crimes, to help them to learn from their mistakes, teach them to be accountable for themselves and to their victims, and then assist in their full restoration and re-entry into the community. I challenge all of you to think about the solutions you propose and pass and to ask if what you choose is simply the imposition of punishment and shame or if your actions represent effective avenues toward change and reintegration.

Very truly yours,

A handwritten signature in cursive script that reads "Kathryn L. Leinthall". The signature is written in black ink on a white background.

Kathryn L. Leinthall, MSW, CSW

Probation Director

Our 2007 Goals—How We Did

- 1. To continue working with the Department of Social Services in the development of a seamless delivery of Intake/ Preventive services.**

The Family Court Unit of the department continued to work closely with the Children’s Services units of the Department of Social Services. Clearly, the development of a seamless delivery of services is a multi-year goal constrained by the abilities of our departments to cross-train employees, to understand and embrace our varied mandates, and to work within statutory differences and program objectives. Still, we move ahead, ever so slowly, but ever so consistently.

- 2. To bring to fruition the program of Internet monitoring of offenders who use the Internet to perpetuate their criminal behavior; 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.**

This has been a slow process in part due to the challenge of finding appropriate cases to assign to the level of monitoring. We have developed policy and procedures for this program leaving some areas undefined until we are able to work them through with actual clients to determine the best procedures to follow. As with any new program, flexibility is key to finding the most efficient and successful application. Still, we have moved ahead and are now monitoring our first clients. As with the first goal, this, too, is ongoing.

- 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 Reentry program; to provide direct services where possible through the Day Reporting Program.**

Probation plays a supporting role in this goal, working with clients who are referred to the Day Reporting Program to assist with re-entry issues. Again, this is a new program that has been hampered by changes within the system, funding issues, and administrative concerns. 2008 should see a growth in this program.

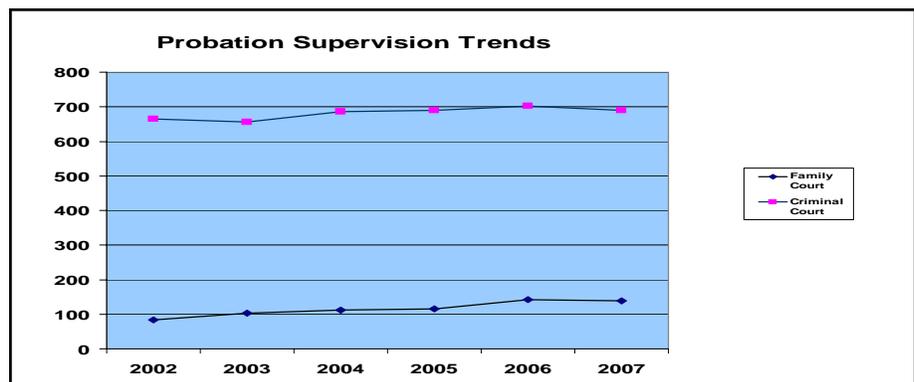
- 4. To develop a plan of succession within the Department for key individuals who face retirement within the next 1-5 years.**

With the Director’s upcoming retirement in June, succession is key. Internal candidates have applied for promotional opportunities, but all movement will be determined by the appointment of the next Director. Should the appointment come from outside the department then internal promotions will be moot.

There are key positions within the department and training has been taking place to prepare others for advancement. This process will continue.

WORKLOAD SUMMARY AND SUPERVISION TRENDS

Tompkins County Probation Department provided supervision services for **841** persons in 2007: 698 adult criminal cases and 143 Family Court cases. We completed **709** investigations: 611 for criminal court (212 felonies and 399 misdemeanors) and 98 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 **6467** hours of community service.



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 Services Coordinator:	Ujjal Mukherjee
Probation Supervisors:	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 Jarrod Newcomb

Probation Officers:

Margaret Arcangeli (Resigned 12/15/07)
Jennifer Atkinson
Abigail Bixby
Karla Brackett
Karen Burns
Carmen Collazo
Karen Raplee Curione
Patricia Galbraith
Denise Hayden
Michael Herrling
Kate Horey
Christine Ion
Judith Johnson
Paul Neugebauer
Eleanor Spink (Resigned 12/14/07)

Probation Assistants:

Bernadette Stranger

Senior Account Clerk Typist:

Kelly Blake

Account Clerk Typist:

Connie George (Resigned 10/31/07)

Keyboard Specialist:

Erma Peterson

Work Project Supervisors:

William Apgar
James Bond

Security Officers:

Richard Brewer
James Perkins

Transition Workforce Employment Specialist:

Kathy Lind

Registered Nurse:

Cindy Cerquone

2007 Probation Department Milestones

Years of Service to the Probation Department



10+ Years

William Apgar
William Bell
Kelly Blake
Carmen Collazo
Daniel Cornell
Jarrod Newcomb
Laurel Rockhill
Judith Johnson
Rob Devens

15+ Years

Margaret Arcangeli
Patricia Buechel
Stacie Burgos
Linda Heberle
Harold Herman
Susan Jones
Erma Peterson

20+Years

Janice Gorovitz
Faith Newkirk-Harris
Harold Gregoire
Bernadette Stranger
David Wolf
Diane Burke
Patricia Galbraith
Eileen Sommers

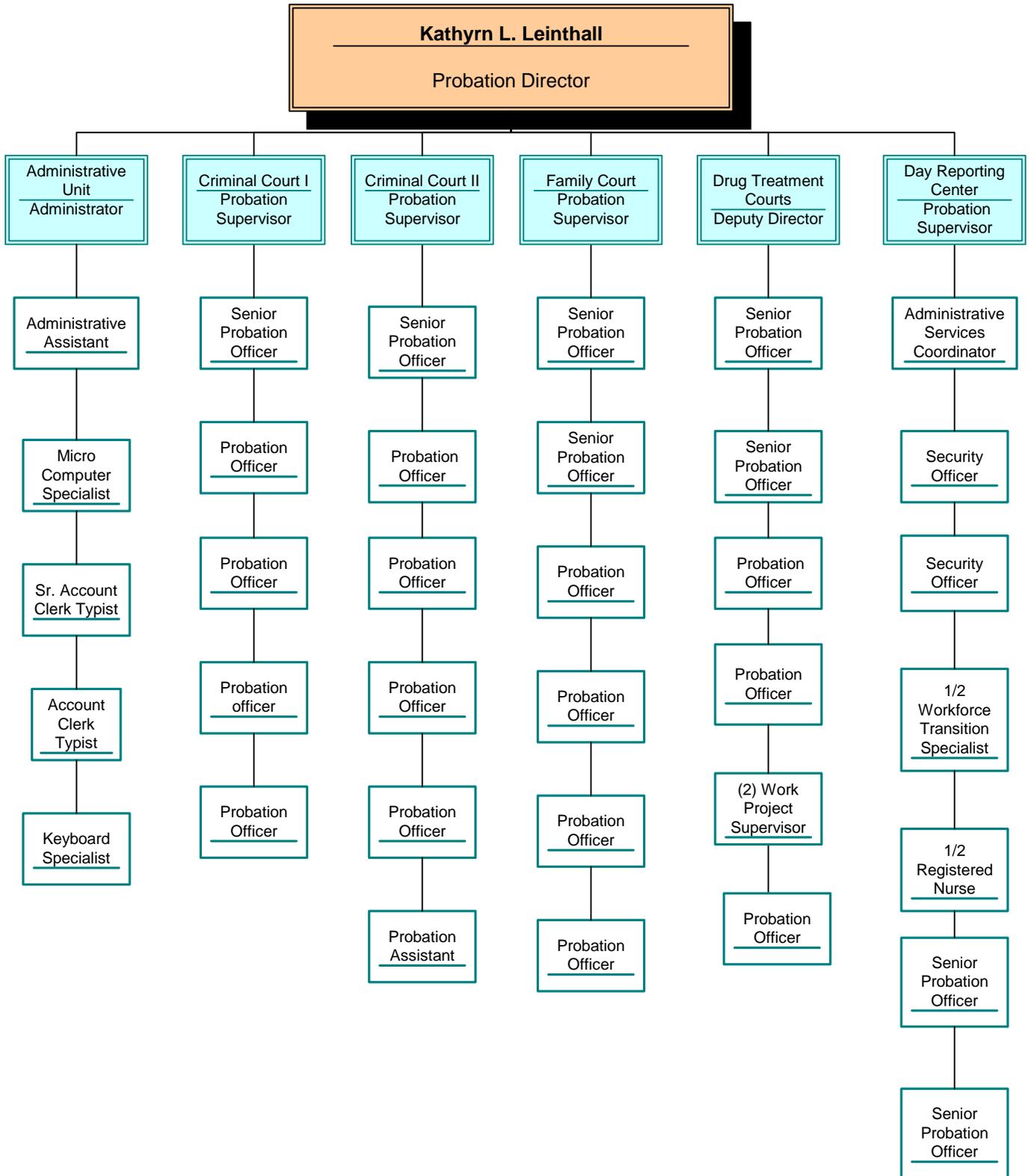
25+ Years

Robin Chernow

35+ Years

Kathyrn Leinthall

Departmental Configuration - 2007



Family Court Intake

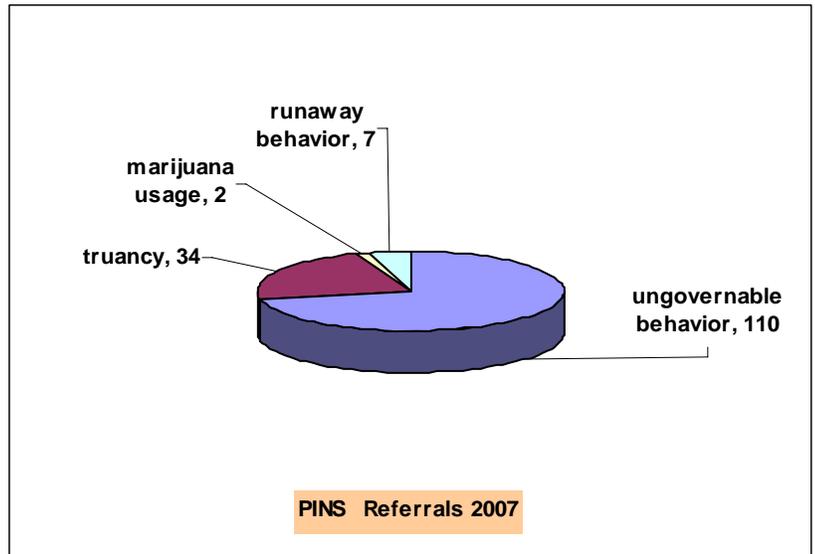
Submitted by Jan Gorovitz, Probation Supervisor

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 2007, 186 of the cases received in 2006 and 2007 came to a resolution. 42% of the cases were closed as successfully adjusted, 27% were referred on for court intervention, and 31% were subsequently withdrawn.



In 2007, the Tompkins County Probation Department received 153 PINS referrals. 67 complaints were initiated by parents, 80 by school administrators, and 6 by police.

The age breakdowns were:

- 9 of these referrals were for youth ten and under,
- 19 for youth between the ages of eleven and twelve,
- 92 for youth between thirteen and fifteen, and
- 33 for youth sixteen and seventeen.

Probation Facts: *To Date, **100%** of the youth that participated in the Juvenile Delinquency Diversion completed the program successfully!!*

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 2007, 29 youth were referred to the Pre-PINS program. Of these referrals, 27 were received from schools and 2 from parents/guardians. There were 4 complaints for truancy, and 24 for ungovernable behavior.

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 2007, this department received 126 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 126 Juvenile Appearance Tickets received in 2007, 90 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 and 2 cases were withdrawn.

Of the 45 cases that went through the Juvenile Delinquency Diversion Program, 35 were adjusted and 10 remain open. To date, **100%** 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 2007, the Family Court Unit received 185 “Information Only” calls.



***Early Intervention
Can Keep
Families Together***

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 2007, a total of 270 interviews were completed by this department. An average of 16 individuals were supervised by this department on a monthly basis under the pre-trial release program.

Restitution Collection

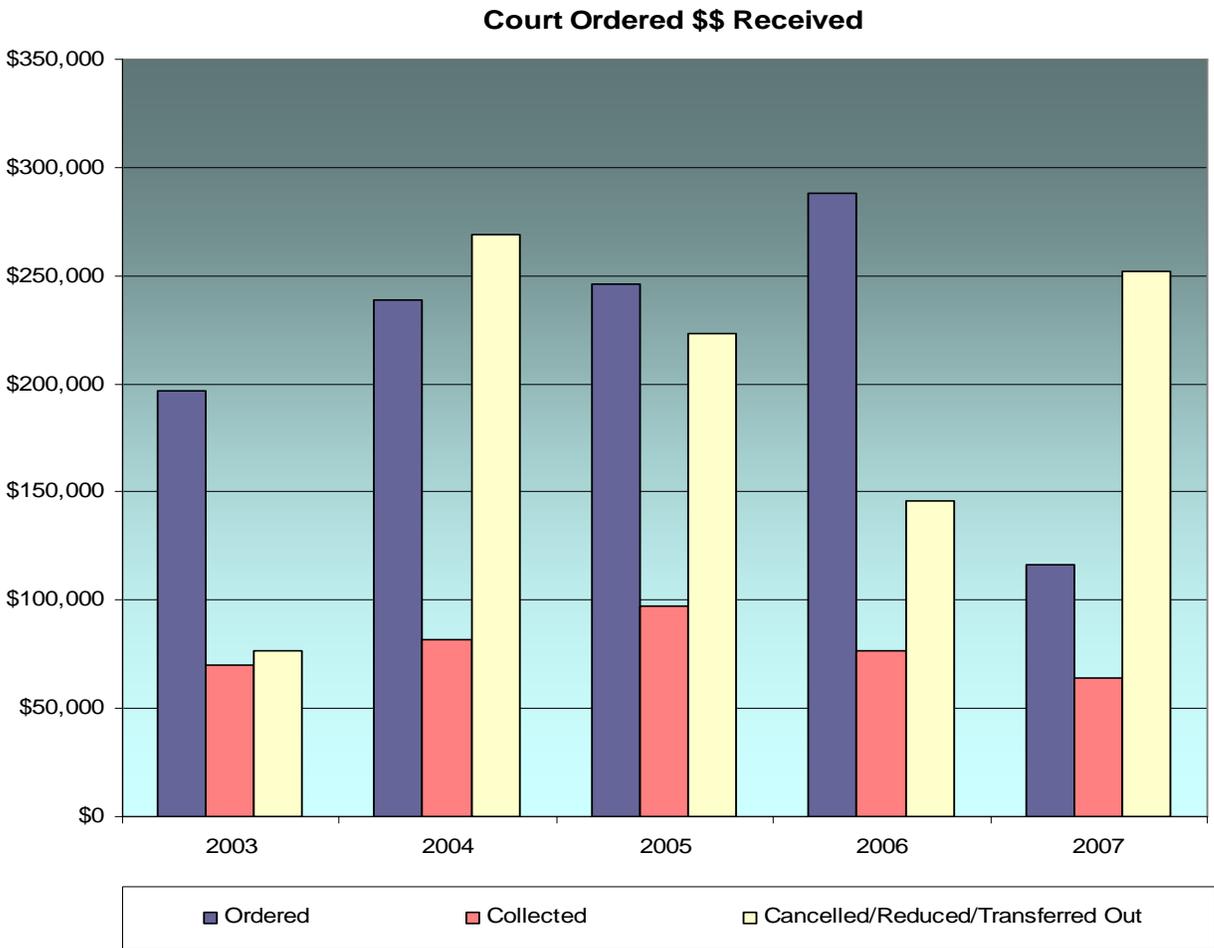
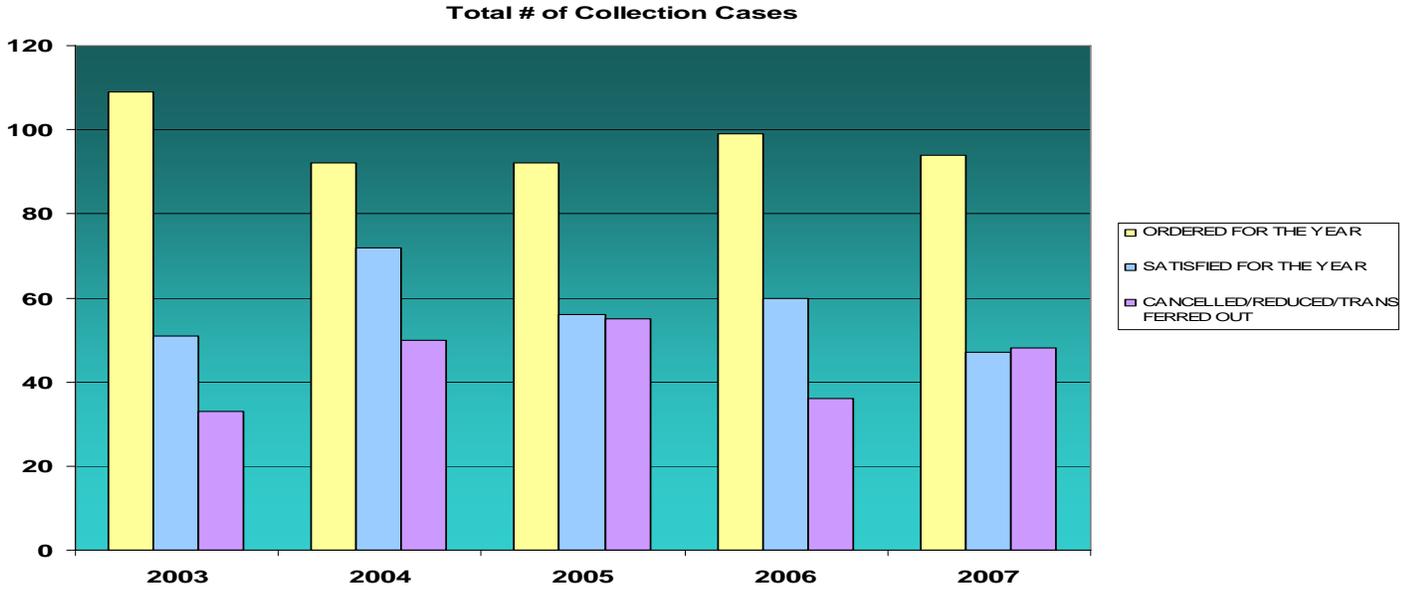
Submitted by Laurel Rockhill, Administrative Assistant

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.

2007 FINANCIAL REPORT - COLLECTION PROGRAM

	Criminal Court Restitution	Designated Surcharge	Family Court Restitution	Fines & Mandatory Surcharges	Interest & Other	Totals
Beginning balance carried from 12/31/06	\$16,650	\$538	\$498	\$820	\$50	\$18,556
Money Received 01/07 - 12/07	\$64,045	\$3,335	\$3,971	\$417	\$99	\$71,867
Money Disbursed 01/07 - 12/07	\$64,970	\$3,731	\$4,021	\$1,112	-\$31	\$73,803
End Balance 12/31/07	\$15,725	\$142	\$448	\$125	\$180	\$16,620

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.”*



Probation Investigations

Submitted by Paticia 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.

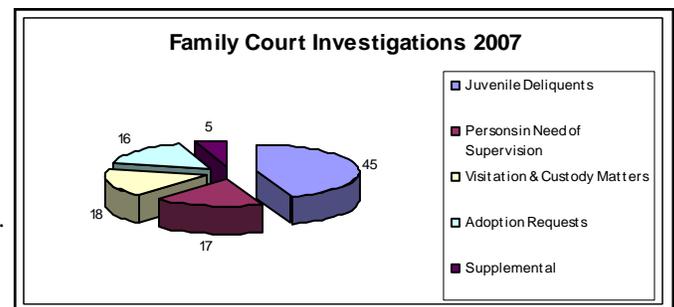
The Criminal Procedure Law requires a presentence report prior to sentencing for all felony offenders and persons who may be eligible for youthful offender status (defined as a person who commits a crime [misdemeanor or felony] prior to his/her 19th birthday). A presentence investigation is also required 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 611 new investigations in 2007. Of the total investigations ordered, 212 represented felony charges and 399 were for misdemeanor offenses.

FAMILY COURT:

The Family Court Act requires that a predisposition 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.). For other Juvenile Delinquency and Person In Need of Supervision cases, a predisposition 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

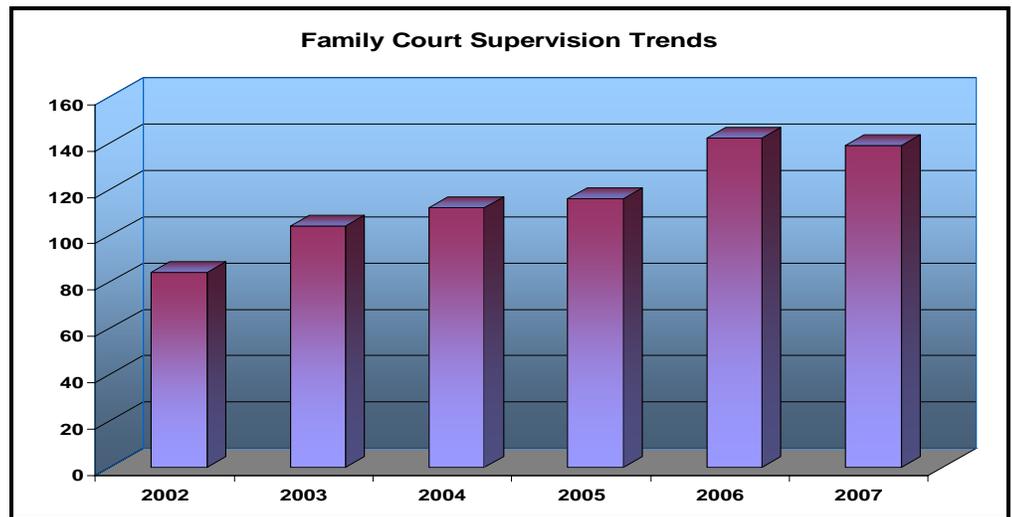
The Tompkins County Probation Department provides supervision as a result of Family Court action for both adults and juveniles. In 2007, 39 adults were placed on probation for failure to pay support and 10 adults were opened for participation in Family Treatment Court. 35 juveniles were placed on probation supervision the result of a Juvenile Delinquency adjudication and 39 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 abstinent.

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 2007 this department supervised on a monthly basis an average of **698** individuals on probation via the criminal courts and an average of **143** 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.

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.

FTC started the year with 24 parents. There were 15 referrals made to the program in 2007 and of these 15, 10 parents have entered the program. (24 active participants + 10 new admissions = 34 active participants.) Out of these 34 parents - 5 were discharged due to loss of contact, surrender of parental rights or termination of parental rights. 2 parents were completed having reached maximum benefit but not eligible for graduation.

Also out of the 34 active participants, there was a total of 11 graduates in 2007. These graduates make up a total of 7 families consisting of a total of 18 children. All of these 18 children had spent some time in foster care or relative placement during the families participation in FTC and all were returned home to their parents.

When I was using, this was my only focus. During the 14 years of sobriety, prior to this relapse, we had enjoyed a great family life. After returning to drug use for just 6 months, it is hard to believe what it did to all of us. We were facing foreclosure on our family home, felony drug charges, and I had to be hospitalized due to feelings of suicide. My children were hurt the most during this time as they watched our family life become completely dysfunctional. Their school and grades suffered and worst of all, their hearts were broken. After a solid year of sobriety and with the help of this team, we have our children back, we are both working so we were able to keep our family home, and we have all realized how important we are to each other. This program and Narcotics Anonymous (NA) had a huge influence on all of us and most definitely, saved my life.—LN

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 2007, this department supervised on a monthly basis an average of 698 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.

"I recently received a phone call from a past drug court client. As a former probationer, she had made some very bad choices in relationships and other aspects of her life. There were times that I was not sure she would make it through the program but she surprised everyone and did graduate.

Now, seven years later, she called to let me know she was doing ok. While she admitted that she had relapsed with drugs, she was now doing much better and she felt it was important to let me know.

From my viewpoint, the fact that she reached out after all this time underscores the importance and power of the probation officer/probationer relationship. Sometimes we feel as probation officers that we are just spinning our wheels and that our clients do not change. But I have learned that the advice and guidance we give does matter. It may not seem so at the time but our probationers do carry our words with them only to surface again in their lives in the future." - P. Buechel

INTENSIVE SUPERVISION

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 face 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: *The use of Electronic Monitoring for juveniles allows a probation officer to limit a youth's free time out of the home, and closely monitor and verify their daily activities in the community.*

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.

The use of EM for juveniles serves two major purposes. First EM offers Family Court judges an alternative to detention when a youth is before the Court for a Juvenile Delinquency or Person in Need of Supervision proceeding. Electronic Monitoring allows the Court to release a youth early from detention, or to avoid detention entirely, and return home under close supervision. Often a youth will begin EM on "lock down", only being able to leave the home for school or treatment appointments. Secondly, EM is largely used as a condition of probation supervision. These youth placed on Electronic Monitoring may otherwise be looking at a disposition of placement out of the home. Electronic Monitoring allows a probation officer to limit a youth's free time out of the home, closely monitor and verify their daily activities in the community, and work with the parent or guardian on developing closer monitoring strategies at home long after the Electronic Monitoring equipment is turned off.

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.



***Electronic
Monitoring Device***

Treatment Court Programs

Submitted by Eileen Sommers, Supervisor and 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. Other 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.

The Felony Drug Treatment Court had 30 new admissions to the program in 2007. In addition, 12 participants graduated from the program in 2007. At the end of 2007, there were 36 current participants in this program. Since the Tompkins County Felony Drug Treatment Court began in April of 2000, the program has had 83 participants graduate from the program.

The Ithaca Community Treatment Court had 24 new admissions to the program in 2007. Additionally, 18 participants graduated from the program in 2007. At the end of 2007, there were 28 current participants in this program. Since the Ithaca Community Treatment Court began in January of 1998, the program has had 147 participants graduate from the program.

“When I was drinking, I was so depressed, alone, making bad choices. I had no goals in life and no motivation to improve my financially desperate situation. This program gave me so much support and encouragement in every part of my life! What teamwork! I graduated from drug court with a job I love, the support of fellow AA members, better relationships with my children and grandchildren, and a newfound sobriety that I will do whatever it takes to keep.” – DM

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 2007 program year, 38 individuals successfully completed the program by performing a total of 4,362 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.

“I want to thank the SWAP crew that worked so hard on the reconfiguration in Medicaid. The result is even nicer than we thought it would be. Everyone is happy with the quality of work and how fast it was done.

Please pass on our appreciation to the various people who set this up and did the physical work. We are so lucky to have this service to call on when we have these types of requests.”

- Jean Brockway ,Division Coordinator in Medicaid

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 2007 program year, JACS participants performed a total of 894 hours of community service and 20 participants successfully completed the program.

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.

Probation Facts:

The Community benefits from Community Services by saving taxpayers jail costs and returning thousands of hours of valuable work performed by volunteers. In 2007, our participants performed 6,467 hours of work in the local area!!

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 education and employment skills which would assist them in becoming more productive members of the community.

In 2007, there were 119 job placements through the Employment Specialist who works with the jail population, Day Reporting and Probation and Parole clients.

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. 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 2007, a total of 206 new referrals were made to Day Reporting. Of these, 142 successfully completed. All tolled, Day Reporting provided services to 375 clients. Total program days completed in 2007 were 2,151.

During 2007, monthly numbers were lower than the previous year but the number of referrals each month remained steady. Smaller class sizes have allowed for more intensive work with people. It is an exciting program that offers participants a place to work on personal, educational and employment goals while also encouraging interpersonal collaboration and positive role modeling. On site staff and visiting instructors are committed to their work with clients and are skilled and knowledgeable role models.

Day Reporting Program Accomplishments during 2007

- **Creation of a position to address health issues and education.**
- **Retainment and enhancement of Employment Development position.**
- **Continued participation with the Jail Re-entry Program.**
- **As of 2007, all of the Justice Courts are now making referrals to Day Reporting.**

Our 2008 Goals

- 1. To successfully transition the directorship of the Department from Kathryn L. Leinthall to her successor by June 1, 2008.**
- 2. To assist a new County Administrator in becoming familiar with the Department, its staff, programs, goals and accomplishments within three months of that appointment.**
- 3. To assist legislators newly assigned to the Public Safety Committee in becoming familiar with the workings of the department.**
- 4. To continue the high level of program delivery in service to clients and community during multiple transitions.**

