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Onondaga County Probation Department 1992 Annual Report

8-3-93
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J. Pirro
Executive

E. Robert Czaplicki
Commissioner of Probation



141081

COUNTY OF ONONDAGA

PROBATION DEPARTMENT

NICHOLAS J. PIRRO
COUNTY EXECUTIVE

JOHN H. MULROY CIVIC CENTER
421 MONTGOMERY ST., 6TH FLOOR
SYRACUSE, NEW YORK 13202

E. ROBERT CZAPLICKI
COMMISSIONER OF PROBATION

January 28, 1993

Mr. Nicholas J. Pirro
Onondaga County Executive
John H. Mulroy Civic Center
421 Montgomery Street
Syracuse, NY 13202

Dear Mr. Pirro:

I respectfully submit the 1992 Annual Report of the Onondaga County Probation Department.

This is a difficult time for our department. Due to significant state aid reduction, our staff is decreasing while our workload is increasing. While the State of New York further burdens our department, I appreciate the local commitment to our agency. However, as we move into 1993, the Onondaga County Probation Department continues to work together to accomplish our mission.

I am extremely proud of the commitment, perseverance and hard work of my staff.

I would to express our gratitude to you and the Onondaga County Legislature for your ongoing support.

Very truly yours,

A handwritten signature in cursive script that reads "E. Robert Czapliski".

E. ROBERT CZAPLICKI
Commissioner of Probation

ERC/gt

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NOTES
FEB 25 1993
AGENCY

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MISSION STATEMENT

The Onondaga County Probation Department will:

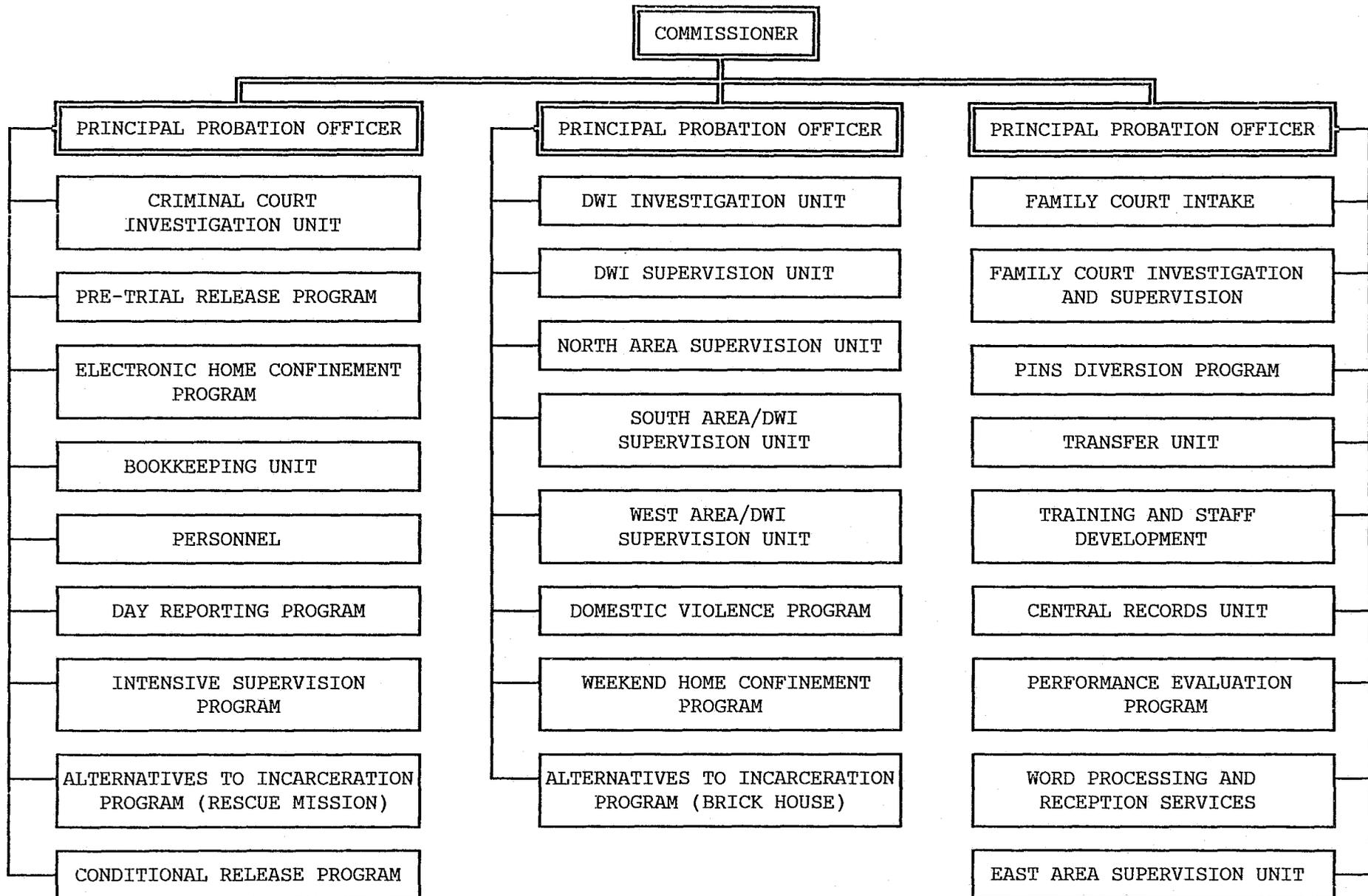
- Provide presentence and predispositional investigations and reports to the various courts to aid in sentencing.

- Supervise persons sentenced to or placed on probation while attempting to protect the public and rehabilitate the offender.

- Provide Intake services for Family Court.

- Provide Pre-Trial Release services and other Alternatives to Incarceration Programs.

- Accomplish the above in an efficient and cost-effective manner within all legal and constitutional requirements and consistent with the Rules and Regulations of the New York State Division of Probation and Correctional Alternatives.



ONONDAGA COUNTY PROBATION DEPARTMENT ORGANIZATIONAL CHART - 1992

REVENUE ENHANCEMENT

Onondaga County Local Law 3, 1991, empowered the Onondaga County Probation Department to collect fees for social reports prepared for Family Court on adoptions, custody and visitation matters; and for adults sentenced to probation supervision with a condition to be tested for alcohol and drug use.

In April, 1992, the New York State Legislature passed legislation allowing counties to assess and collect administrative (supervision) fees from individuals sentenced to probation for Driving While Intoxicated. The local legislature acted on this legislation in June of 1992 and approved Local Law 10, 1992 empowering the Onondaga County Probation Department to collect a supervision fee from individuals convicted of and subsequently sentenced to probation for Driving While Intoxicated.

Policies and procedures as well as the actual mechanics of collecting the fees were developed and implemented to secure these new revenue enhancement resources. Actual collection of fees for drug testing and Family Court social reports began in May of 1991. The collection of the DWI administrative fee commenced in July of 1992. During the calendar year of 1992, the Onondaga County Probation Department collected \$115,511.00 in fees.

It is interesting to note, that this department was the first Probation Department in New York State to successfully embark upon the collection of revenue as a result of providing probation services. We have been and continue to be contacted by other Probation and Department of Social Services agencies throughout the state for information on our program and have become a model for other municipalities.

During this period of fiscal crisis, revenue enhancements such as those outlined above will assist Onondaga County in continuing to provide quality services to our citizens.

SOURCES OF REVENUE

	<u>1991</u>	<u>1992</u>
Social Reports for Family Court	<u>\$19,625*(1)</u>	<u>\$ 26,305</u>
Alcohol/Drug Testing	<u>\$20,841*(1)</u>	<u>\$ 30,941</u>
DWI Supervision Fee	<u>N/A</u>	<u>\$ 58,265*(2)</u>
TOTAL	<u>\$40,466</u>	<u>\$115,511</u>

*(1) Reflects collection efforts from 5/91 - 12/91

*(2) Reflects collection efforts since 7/92

BOOKKEEPING UNIT

The Bookkeeping Unit is involved in many various tasks; however, of primary importance is the receipt and disbursement of restitution and fees as well as coordination of the entire budget process.

The 1992 Probation Department budget surpassed \$6.3 million. Of this amount, \$3,333,730 was local tax dollars.

Plans for 1993 include the completion of the process necessary to computerize the receipt and disbursement of monies.

<u>RESTITUTION INFORMATION</u>	
New accounts opened during year	346
Satisfied accounts	260
Current open cases (approximate)	600
Surcharge collected during 1992:	\$ 17,518.51
Restitution returned to victims of crimes during 1992:	<u>\$308,275.55</u>

In May of 1991, we started collecting fees for alcohol/drug testing and custody/visitation investigations. Total amount collected for these fees in 1991 was \$40,466, in 1992 \$57,246. In July 1992, the Onondaga County Legislature passed Local Law #10 requiring certain probationers to pay an administrative fee. "Any probationer that was currently serving or who shall be sentenced to a period of probation upon conviction of any crime under Article 31 of the Vehicle and traffic Law and is being supervised by the Onondaga County Probation Department shall pay a \$30 per month supervision fee." In budgeting, we had anticipated collecting \$23,200 for 1992, but surpassed this amount by collecting a total of \$58,265.

INTAKE UNIT

Probation Intake is defined as a case review by probation staff to determine eligibility and suitability for adjustment services, diversion programming (including referral to community agencies), or petition to Family Court. The objective of the Intake Unit is to provide a formal program of community based services to assist individuals and/or families in resolving their problems in lieu of court intervention. Adjustment services include: contact with police agencies, schools, victims, community treatment and counseling programs and casework with individuals and their families. Intake is a voluntary service and may not prevent any individual access to the court, except for Persons In Need of Supervision where it is required that probation conduct a review for eligibility and suitability prior to initiating a petition. The bulk of Intake's workload has consisted of cases involving juvenile delinquency, PINS, family offenses, spousal support and modifications of support orders.

Probation officers are mandated to service PINS and juvenile delinquency cases, and family offense matters.

In an effort to positively address the problems of juvenile crime as well as lighten Intake's workload, we have been involved in an ongoing effort with several local police agencies as well as other government representatives to develop and implement a Youth Court. This should divert a number of cases from entering the system. It is anticipated to be up and running in February 1993.

While the total number of delinquency referrals was down slightly from last year, percentages in case termination remained steady. We also saw a decrease in the total number of new family offense cases, while there was a significant increase in support cases.

COMPLAINTS RECEIVED

	JD's	Support	Family Offense
Carried from 1991	229	0	2
Opened for service	1461	1351	1134
<hr/>			
TOTAL	1690	1351	1136

TERMINATION OF INTAKE CASES

	JD's	Support	Family Offense
Adjusted	530	0	12
Terminated, Matter Not Pursued & Not Referred for Petition	-	0	31
Referred for Petition Immediately	738	1351	1085
Terminated Without Adjustment & Referred for Petition	220	0	4
<hr/>			
Remaining	202	0	4

PINS ADJUSTMENT SERVICES

Persons In Need of Supervision (PINS) are individuals under the age of 16 who are exhibiting ungovernable and/or truant behavior. One part of PINS Adjustment Services consists of probation officers screening cases, completing baseline assessments, and providing ongoing case management. The second part of the program includes in-depth assessments completed in problem areas identified by the probation officer. We continue to have a caseworker from the Department of Social Services, a substance abuse counselor from Crouse Irving Memorial Hospital, and mental health workers from Onondaga Pastoral Counseling Center. The auxiliary staff work as a team with the probation officer to develop and implement a case plan to resolve the identified problems of the youth.

PERSONS IN NEED OF SUPERVISION COMPLAINTS - 1992

PINS cases carried from 1991:	96
PINS cases received during 1992:	734
PINS Total:	830

TERMINATION STATUS OF TOTAL PINS CASES CLOSED IN 1992

Adjusted:	172
Terminated, not adjusted, matter not pursued or complaint withdrawn:	110
Referred to petition immediately:	310
Terminated without adjustment and referred for petition:	161

Total PINS cases closed in 1992:	753
PINS cases remaining as of 12/31/92:	77

FAMILY UNIT

In February of 1991, the Onondaga County Probation Department formed the Family Unit to meet the demands of families in crisis and juveniles under supervision. One of the primary goals of the organization of this unit was to house, under one team, all post-petition Family Court services. Prior to February, 1991, service to Family Court was provided throughout the Probation Department. At present, this unit is responsible for completing all Family Court investigations as well as providing supervision services to those juveniles placed under supervision by the court.

Presently, the unit is made up of seven probation officers and a supervisor. Five of the probation officers assigned to the unit complete Family Court investigations at the rate of approximately 20 reports per month. These reports are used by the Family Court to assist in disposing of cases. The reports, prepared at the directive of the court, pertain to juvenile delinquency, PINS (ungovernable and truant), visitation, custody, neglect, abuse and adoption. As a result of Local Law 3, 1991, the Probation Department charges and collects a fee on certain income eligible parties who are in need of a report as a result of custody, visitation or adoption matters.

The other two probation officers are assigned to supervision and each probation officer has approximately 75 supervision cases. In our continuing effort to provide quality and fiscally responsible services to this community, we have taken time to re-focus and re-think both our philosophy and delivery of supervision services. This has resulted in the efficient and resourceful use of personnel. We have to a greater degree, for example, utilized differential supervision to allow us to focus our energy on those cases that are most needy or at risk to re-offend. Also, we have involved and depended upon families, especially parents, to assume a more active role in meeting their child's needs.

In these times of dwindling resources, both fiscally and in terms of personnel, the Family Unit will continue to strive to provide maximum and quality services to this community in an effort to reduce placement, court and taxpayer costs.

FAMILY COURT INVESTIGATION SUMMARY - 1992

	<u>Support</u>	<u>Adoption</u>	<u>Custody</u>	<u>Juv. Del.</u>	<u>Des. Fel.</u>	<u>PINS</u>	<u>Visit.</u>	<u>Abuse Neglect</u>	<u>Other</u>	<u>Total</u>
Pending Completion as of 1/1/92	7	10	40	19	-	35	13	11	5	140
Ordered during 1992	52	96	236	195	-	236	104	114	25	1058
Total	59	106	276	214	-	271	117	125	30	1198

Withdrawn by Court	-	-	19	1	-	6	6	3	-	35
Completed during year	52	92	225	205	-	247	105	110	25	1061

Remaining at end of year	7	14	32	8	-	18	6	12	5	102

FAMILY COURT SUMMARY OF CASE MOVEMENT - 1992
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	<u>JD</u>	<u>PINS</u>	<u>OTHER*</u>	<u>TOTAL</u>
On Probation As of 1/1/92	85	66	131	282
Received From This Jurisdiction	70	97	63	230
Transferred From Another Jurisdiction	6	4	-	10
Total Received During 1992	<u>76</u>	<u>101</u>	<u>63</u>	<u>240</u>
 TOTAL CARRIED AND RECEIVED	 161	 167	 194	 522

<u>Passed From Probation:</u>				
Completed - Maximum Expiration	35	19	86	140
- Discharged Improved	9	17	25	51
- Discharged Unimproved	4	11	3	18
- Revoked	29	18	8	55
Transferred to Another Jurisdiction	13	5	1	19
Closed Due to Death/Other	<u>1</u>	<u>4</u>	<u>-</u>	<u>5</u>
 TOTAL PASSED FROM PROBATION	 91	 74	 123	 288
 TOTAL ON PROBATION AS OF 12/31/92	 70	 93	 71	 234

(*Includes Support, Visitation and other ADULT Family Court matters)

ADJUDICATION AND CHARGES OF PERSONS PLACED ON PROBATION BY FAMILY COURT IN 1992
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Person In Need of Supervision (Ungovernable)	49
Person In Need of Supervision (Truancy)	52
Violation of Custody Order	2
Violation of Support Order	55
Violation of Order of Protection	4
Family Offense	2
Violation of Visitation Order	0
Juvenile Delinquency*	76

*If the juvenile had been over age sixteen, the charge would have been:

Petit Larceny	20
Criminal Trespass	1
Sex Offenses	3
Endangering the Welfare of a Child	5
Unauthorized Use of a Motor Vehicle	7
Criminal Mischief	9
Assault	12
Burglary	3
Menacing/Reckless Endangerment	1
Criminal Possession of a Weapon	4
Criminal Possession Stolen Property	2
Grand Larceny	1
Resisting Arrest	1
Arson	1
Robbery	1
Possession of a Controlled Substance	5

GRAND TOTAL	240
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VIOLATIONS OF ORDER OF DISPOSITION (PROBATION) IN 1992

	<u>JD</u>	<u>PINS</u>	<u>OTHER</u>	<u>TOTAL</u>
Carried from 1991	20	28	32	80
Filed During Year	54	57	61	172
TOTAL: CARRIED & FILED 1992	74	85	93	252
	<u>JD</u>	<u>PINS</u>	<u>OTHER</u>	<u>TOTAL</u>
Disposed of During 1992:				
Withdrawn/Dismissed	13	6	25	44
Probation Continued	25	6	17	48
Revoked: Placed with DSS	26	18	-	44
Other Revocations	1	2	10	13
Discharged from Probation by Court	1	2	2	5
TOTAL DISPOSED OF	66	34	54	154
VIOLATIONS REMAINING AS OF 12/31/92	28	51	39	98

PRE-TRIAL RELEASE UNIT

1992 marks the 29th year that Pre-Trial Release has been in operation in Onondaga County. This program insures that no individual arrested for a crime remains in jail solely because of inability to post bail.

The task of the Pre-Trial Release Unit is to screen all defendants who have been arrested and detained in the Public Safety Building. Each morning, Sunday through Saturday, a probation assistant screens those defendants who have been arrested in the past 24 hours. Following an interview and review of past criminal records, a risk assessment tool is used to make release recommendations to the court. Areas considered include prior record, length of time in the community, family and community ties, and employment. Referrals to community agencies are often a condition of release. Alcohol and drug abuse are a frequent problem of defendants being considered for Pre-Trial Release. If it is determined that there is an appropriate community treatment program where the defendant will not present a threat to the community and will likely reappear in court, the defendant is recommended for Pre-Trial Release.

In order to encourage a defendant's reappearance in court and law abiding behavior, individual conditions of release are established for each person. These may include weekly contact with a probation assistant in person or by phone, referrals to community agencies and continuance of school or employment. The program seeks to alleviate problem areas which contributed to the defendant's involvement in the criminal justice system. Rearrest, failure to follow conditions of release, or failure to appear in court may trigger a judicial notification and often a revocation of the defendant's release.

In 1992, Pre-Trial Release staff made a total of 49,359 contacts including jail interviews and supervision of releasees.

1,241 detainees were released to Pre-Trial Release in 1992.

In an effort to help alleviate overcrowding in the Public Safety Building Jail, the Pre-Trial Release Unit has made a commitment to extend services beyond the traditional workdays. In 1988, we began to provide our services on Saturdays, thus ensuring that appropriate individuals are not detained until the following Monday. In May of 1989, services were expanded to include all ten legal holidays. In May of 1992, we extended our services to include Sundays. This expansion of service has been provided despite severe fiscal constraints. In early 1988, the Pre-Trial Unit was staffed by seven probation assistants working five days per week. In 1992, five assistants worked seven days per week.

Probation assistants in the Pre-Trial Release Unit also provide liaison function between the Probation Department and Family, City, County and Supreme Court. Staff appear at City Court calendar call to make Pre-Trial Release recommendations, dispense information on individuals placed on probation, and gather requests for presentence investigations.

The success of the Pre-Trial Release Unit is due to the trust and confidence placed in the program by the judiciary, the district attorney's office, defense attorneys and community agencies. The benefits of the Pre-Trial Release program are two-fold:

1. Those released under the program return to work or school, support their families and receive treatment for any condition which may have contributed to their criminal behavior.
2. The program reduces over-crowding in the Public Safety Building Jail and the cost of incarceration to the taxpayers.

PRE-TRIAL RELEASE STATISTICS - 1992

Defendants screened for Pre-Trial Release	9052
Defendants interviewed after screening	5138
Defendants recommended for release	1068
Defendants actually released to Pre-Trial	1241

Release revoked	276
Reasons:	
Failures to appear in court	66
New arrests	91
Failure to follow conditions of release	119
Total number of screening contacts	9947
Total number of supervision contacts	39,412
Total contacts made by Pre-Trial Release staff	49,359

CRIMINAL COURT INVESTIGATIONS

The primary function of the investigating probation officer is to conduct presentence investigations which are ordered by the various courts in our county subsequent to a plea or finding of guilt to a particular crime and prior to a defendant being sentenced. Investigators conducting presentence investigations compile information on the defendant in an objective, impartial, factual, relevant and concise fashion which will assist the sentencing judge in arriving at a fair disposition. The investigation provides an overview of the defendant's past history and present status as well as an analysis of his/her prior criminal history and a discussion of the present offense. The investigation concludes with an analysis of the entire situation and a recommendation as to an appropriate sentencing option. In addition to presentence reports, the Probation Department provides pre-plea reports for the criminal courts as well as Certificate of Relief From Disability reports.

The options available to the court at the time of sentencing have become very innovative. No longer do we merely recommend only conditional discharge, probation or incarceration. We have at our disposal a wide array of sentencing options, including community service, fines, Electronic Home Confinement, Weekend Home Confinement, ATIP (Alternatives to Incarceration Program), ISP (Intensive Supervision Program), and Day Reporting Program, which reflect this department's continued effort to assist in the problem of prison overcrowding and further the concept of alternatives to incarceration.

The year 1992 saw another increase in the total number of investigations completed by this department for criminal courts. A total of 2,841 criminal court investigations were completed during 1992. We realize that it is important to provide the courts with all necessary, pertinent, and timely information in order for the courts to have an appropriate basis for their decisions. Investigators are also sensitive to the needs and concerns of victims of crimes. Victims are contacted on presentence reports for their statement about the crime, restitution, and sentencing recommendations.

We continue to provide a probation officer who is proficient in the Spanish language to complete investigations on Spanish-speaking defendants. We think this is a significant contribution to the community and feel privileged that we are able to offer this additional service.

In 1989, the investigation teams implemented a new program designed to assist the county with the problem of over-crowding at the Public Safety Building. One probation officer was designated to complete the majority of the investigations on defendants being detained. We committed ourselves to the projected goal of completing all of these cases within a two week period of time subsequent to a plea. We have continued this program through 1990, 1991 and 1992 and estimate that this program saves the county at least two weeks of jail time per defendant.

CRIMINAL COURT INVESTIGATION SUMMARY - 1992

<u>FELONIES:</u>	<u>PrePlea</u>	<u>PSI</u>	<u>JO</u>	<u>Total</u>
Carried from previous year	1	99	-	100
Ordered during year	13	1166	4	1183
TOTAL FELONIES	14	1265	4	1283
Withdrawn by court	-	3	-	3
Completed during year	12	1134	4	1151
Remaining at end of year	2	128	-	130

<u>MISDEMEANORS:</u>				
Carried from previous year	2	199	-	201
Ordered during year	12	1689	-	1701
TOTAL MISDEMEANORS	14	1888	-	1902
Withdrawn by court	1	8	-	9
Completed during year	12	1649	-	1662
Remaining at end of year	1	231	-	232

<u>OTHERS:</u>				
Carried from previous year	-	1	-	1
Ordered during year	2	33	-	35
TOTAL OTHER	2	34	-	36
Withdrawn during year	-	1	-	1
Completed during year	2	28	-	30
Remaining at end of year	-	5	-	5

GRAND TOTAL				
Carried from previous year	3	299	-	302
Ordered during year	27	2888	4	2919
TOTAL	30	3187	4	3221
Withdrawn during year	1	12	-	13
Completed during year	26	2811	4	2841
Remaining at end of year	3	364	-	367

1992 DISPOSITIONS OF CRIMINAL COURT INVESTIGATIONS
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	<u>Fel.</u>	<u>Misd.</u>	<u>Total</u>
Probation	448	934	1382
"Shock" Probation (Initial jail time at OCCF and Probation)	52	49	101
Intermittent Shock Probation (Weekends incarceration and Probation)	1	9	10
Electronic Home Confinement/ Probation	32	17	49

Total of Probation Sentences	533	1009	1542
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State Prison	401	-	401
DFY	7	-	7
Onondaga County Correctional Facility (Straight Time)	129	231	360
Intermittent Time at OCCF (Weekends)	1	5	6
Conditional Discharge	37	198	235
All Others (Withdrawn after report, fine, time served, no disposition reported, failure to appear for sentencing, etc.)	33	121	154

SENTENCES TO PROBATION VS. INCARCERATION
1980-1992

YEAR	ON PROBATION (as of the last day of each year)	SENTENCED TO ONONDAGA COUNTY CORRECTIONAL FACILITY*	SENTENCED TO STATE PRISON
1980	1688	219	194
1981	1845	230	225
1982	1991	117	197
1983	2115	87	227
1984	2355	127	259
1985	2547	140	260
1986	2846	248	269
1987	2937	281	289
1988	3197	259	263
1989	3314	373	284
1990	3407	389	306
1991	3341	359	309
1992	3254	360	401

*(Excludes sentences of incarceration in conjunction with probation & sentences to OCCF of less than 90 days)

ADDITIONAL INVESTIGATIVE SERVICES FOR CRIMINAL COURTS

Certificates of Relief From Disabilities Investigations

Another type of investigation conducted by this department is the Certificate of Relief From Disabilities. After an individual has been convicted of a crime, an application may be made for a certificate to restore some of the rights and privileges lost by the conviction. Once the application is made, a legal and social investigation is conducted to assist the courts in deciding whether to grant or deny the CRD.

During 1992, 74 Certificates of Relief From Disabilities were investigated.

Pre-Plea Investigations

This is an investigation prior to an admission or finding of guilt detailing the defendant's social history and criminal record in order to assist the judge in determining an appropriate plea and sentence.

Various courts ordered 27 pre-plea investigations in 1992: 14 for misdemeanor arrests and 13 for felony arrests.

Contact With Victims of a Crime

The Probation Department is sensitive to the needs and concerns of victims of crimes. Victims are contacted on presentence reports for their statement about the crime, restitution and sentencing recommendations. Contacts are made by letter, phone and personal home visits. In 1992, 2,206 victim impact letters were sent on criminal court cases. We received 1,091 written responses back from victims which were attached to presentence reports and forwarded to the court. Additional victim data is included in the "Criminal Court Investigation" narrative.

CRIMINAL COURT SUPERVISION - 1992

Probation supervision is one of the several sentencing alternatives available to the courts subsequent to the conviction of an offender. The supervision division, composed of eight supervisors and 47 probation officers, was responsible for the supervision of 4817 cases during 1992. That number includes individuals sentenced from Supreme, County, City, Town and Village Courts in Onondaga County as well as criminal court probationers transferred to Onondaga County from other states and other New York State Counties.

The supervision division is structured into four geographic units, two Driving While Intoxicated units, two Alternative to Incarceration Programs (Brick House and Rescue Mission), Intensive Supervision Program/Electronic Home Confinement (EHC), Day Reporting Program, and Domestic Violence Unit. The specialized units are described in detail elsewhere in this report.

Probation officers have varied functions including monitoring of probationers' compliance with the Order and Conditions of Probation and making appropriate referrals to community agencies for specialized treatment services. Probation conditions are designed to reflect the special needs of the individual and to encourage the offender in making a positive adjustment within the community. The courts are notified as to serious non-compliance with the Conditions of Probation (see "Violation of Probation" section).

Among the primary challenges for Probation in 1992 was the continued high incidence of alcohol and drug abuse among the probation population. Widespread use of cocaine continues to lead to increased crime and violence in this population. The number of high risk, multi-problem individuals being sentenced to probation continued to increase, primarily due to overcrowding of the jail/prison populations on all levels. Greater emphasis has been placed on probation as an alternative to jail/prison due in part to the reduced financial cost to the community of probation versus incarceration.

The Onondaga County Probation Department draws upon existing community resources to address the unmet needs of the probation population. Onondaga County is fortunate to have a varied network of agencies in the community who regularly work with clients referred by the Probation Department. Timely substance abuse evaluations and intake appointments for outpatient treatment with agencies continue to pose problems, with waiting periods of months not uncommon. Payment for these services continues to be a problem and at times acts as a barrier to commencing treatment.

Probation officers in the supervision units work a minimum of 14 hours per month during evenings and weekends in the field monitoring the probationers' compliance with conditions of probation. Also Sensors and urine tests are used to provide probation officers with the leverage needed to convince substance abusers of their need for treatment. We continue to emphasize the safety of the community in our supervision efforts.

CRIMINAL COURT

SUMMARY OF CASE MOVEMENT - 1992

OPERATIONS INVOLVED IN CASE MOVEMENT - 1992

	<u>FEL</u>	<u>MISD</u>	<u>OTHER</u>	<u>TOTAL</u>
On Probation - January 1, 1992	1351	1697	5	3053
Received From This Jurisdiction	533	1004	5	1542*
Received From Other Jurisdictions	104	116	2	222
Total Received This Year	<u>637</u>	<u>1120</u>	<u>7</u>	<u>1764</u>
TOTAL CARRIED AND RECEIVED	1988	2817	12	4817

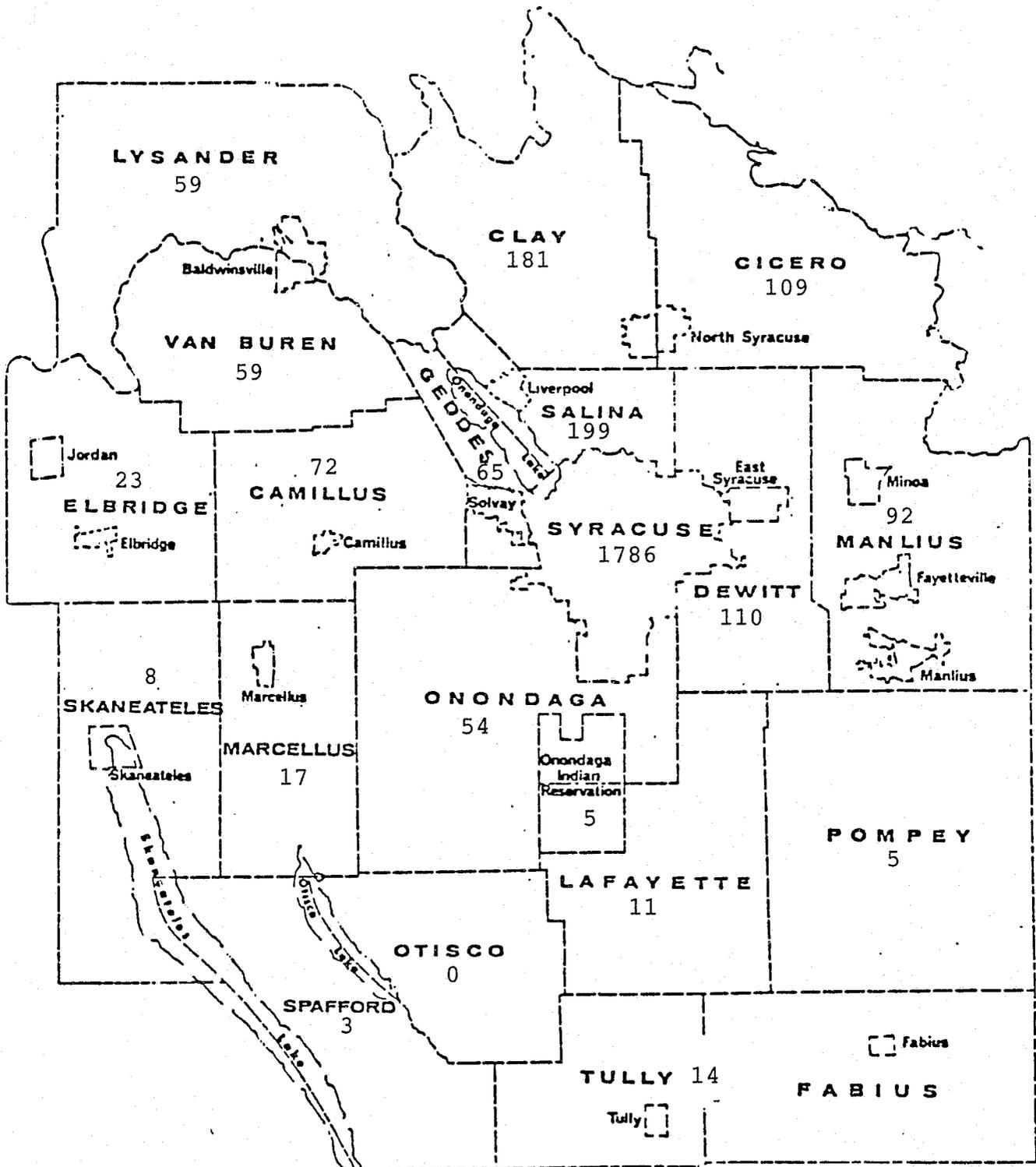
Completed - Maximum Expiration	48	215	2	265
- Discharged Improved	273	360	2	635
- Discharged Unimproved	27	34	1	62
- Revoked	188	383	2	573
Transferred to Another Jurisdiction	104	136	-	240
Closed Due to Death/Other	<u>13</u>	<u>9</u>	<u>-</u>	<u>22</u>
TOTAL PASSED	653	1137	7	1797
On Probation - December 31, 1992	1335	1680	5	3020

*Figure includes cases which were conditionally released from the Onondaga County Correctional Facility. (For further information about these cases, see "Conditional Release" section.)

<p>CRIMINAL COURT CRIMES OF CONVICTION OF CASES SENTENCED TO PROBATION OR TRANSFERRED IN - 1992</p>

<u>Conviction</u>	<u>Fel.</u>	<u>Misd.</u>	<u>Total</u>
Driving While Intoxicated/DWAI	147	332	479
Burglary	98	-	98
Petit Larceny	-	185	185
Assault	41	102	143
Grand Larceny	50	-	50
Forgery-related	21	26	47
Possession of Stolen Property	20	38	58
All Sexual Offenses/Lewdness	72	11	83
Criminal Mischief	3	52	55
Possession of Controlled Substance	75	71	146
Sale of Controlled Substance	25	-	25
Criminal Trespass	-	47	47
Robbery	40	-	40
Sale/Possession of Marijuana	7	14	21
Possession of a Weapon	16	20	36
Reckless Endangerment/Menacing	3	10	13
Endangering the Welfare of a Child/Incest	-	25	25
Prostitution/Promoting Prostitution	-	16	16
Criminal Contempt	-	12	12
Resisting Arrest	-	13	13
Unauthorized Use of a Motor Vehicle	-	36	36
Bad Checks	-	7	7
Criminal Negligent Homicide/Manslaughter	5	-	5
Arson	2	4	6
All Others	<u>14</u>	<u>104</u>	<u>118</u>
TOTAL	639	1125	1764

GEOGRAPHIC LOCATION OF ALL PERSONS ON PROBATION
FROM ALL COURTS ON DECEMBER 31, 1992



Total Supervision Cases		<u>3254</u>
(Family Court)	234	
(Criminal Court)	<u>3020</u>	

Total Persons on Probation		<u>3048</u>
Residence in City	1786	
Residence in County	<u>1086</u>	
Residence in NYS (Outside Onondaga County)	<u>106</u>	
Residence in Another State	<u>70</u>	

*206 Dual Supervision Cases

VIOLATIONS OF PROBATION - 1992
(CRIMINAL COURT)

Violations of probation represent one of the primary tasks of probation officers in the supervision of probationers. Consistent with New York State Division of Probation and Correctional Alternatives Rules and Regulations the Onondaga County Probation Department has a comprehensive arrest/misconduct procedure. Any arrest or serious violation of the Conditions of Probation is discussed between the probation officer and supervisor and a written report known as "Uniform Court Report" is sent to the court. Possible courses of action are reviewed and a specific plan of treatment is formulated. Computerization of records affords more efficient identification of probation violators by providing immediate notification regarding probationer rearrests.

When a decision is made to file a Violation of Probation, a Declaration of Delinquency is prepared and presented to the court, along with the "Uniform Court Report." This results in the probationer returning to court to answer to the allegations. Many options are available to both the court and the Probation Department once a violation is filed. Six specialized Probation programs are available to provide alternatives to incarceration. These programs are designed to provide motivated clients with treatment and more intensive supervision. These programs are discussed in detail in the "special programs" section of this report.

The therapeutic benefit of the violation of probation process should not be underestimated. Approximately 42% of the violations disposed of by the courts in Onondaga County in 1992 were either restored to probation, withdrawn or discharged. Most of the withdrawn/discharged cases occurred after specific conditions were fulfilled including full payment of restitution balances. A vast majority of probationers who are restored to probation supervision following a violation process go on to successfully complete their probation sentences. The remaining 58% of the violations resulted in revocations of probation and sentences of incarceration.

The number of violations of probation increased by 4.5% in 1992; approximately 23% of the probationers supervised are violated annually. Factors accounting for these high numbers include continued use of illegal drugs and alcohol. Also contributing to the volume of violations filed are the high-risk, multi-problem individuals being sentenced to probation in lieu of incarceration due to jail over-crowding. In an attempt to offset the ever increasing cost of incarceration, New York State has increased funding of programs designed to supervise jail-bound individuals in the community.

VIOLATIONS OF PROBATION - 1992 (CRIMINAL COURT)
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Carried from 1991	567
Filed during year	1130
Disposed of during year	1087
Pending or no disposition reported by court	610

DISPOSITIONS

PROBATION REVOKED: 622

State Prison	42
OCCF - Straight Time	491
OCCF - Intermittent Time	14
Time Served/Other Revocations	75

CONTINUED ON PROBATION: 401

Violation Sustained - Reinstated	300
Violation Sustained - Shock Probation	11
Violation Withdrawn or Dismissed	70
Electronic Home Confinement	20

DISCHARGED BY COURT: 64

ABSCONDERS:

Absconders From Probation - 1992	65
Total of All Absconders	289

ENHANCED SUPERVISION

Due to the fact that more and more people are being convicted of higher level crimes and these individuals are being sentenced to probation in record numbers, the Onondaga County Probation Department decided that we needed to be as diligent as possible in supervising those placed on probation. We think that probation is a 24-hour-a-day business and the best monitoring of the probationers' behavior and enforcement of their probation conditions can best be done outside of the office setting.

In order to fulfill our mission and to protect the community at large, a policy of "enhanced supervision" was initiated in April of 1987 to affirm the need for evening, early morning and weekend field visits. Therefore, supervising probation officers work 14 hours per month outside of regular working hours. This includes four hours to be worked on the weekend from 6:00 p.m. on Friday until midnight on Sunday. Holidays are treated as weekends. By utilizing "flexible scheduling," probation officers can then see the probationer both in the office and in the community.

The Onondaga County Probation Department is the only probation department in the state requiring work outside the traditional hours.

Positive home visits for the years 1987 through 1992 totalled 140,160. Hundreds of violations of probation were detected as a result of field work by our staff. Many of these have resulted in arrests or additional charges lodged against the probationers or violations of probation filed.

POSITIVE HOME VISITS

<u>Year</u>	<u>Number</u>
1987	14,127
1988	19,116
1989	25,202
1990	25,543
1991	27,823
1992	28,349
<hr/>	
TOTAL POSITIVE HOME VISITS	140,160

CONDITIONAL RELEASE PROGRAM

The Probation Department has been administering the local Conditional Release Program since 1989, when Chapter 79 of the Laws of 1989 was signed and put into effect. This law shifted the program from the state to the county's responsibility. The department has since administered this program and conducts interviews, investigations, releases and supervision of inmates designated appropriate for release to community supervision. Inmates are eligible for release only if sentenced to a definite sentence of incarceration and only after serving a minimum of 60 days in jail.

If released to the Conditional Release Program, all persons are intensively supervised by probation. Specific conditions of release are tailored to meet the needs of each individual as well as to provide protection to the community. Office contacts, collateral contacts and home visits are also increased.

The Conditional Release Commission consists of seven commissioners appointed by County Executive Nicholas Pirro. The commission has the responsibility for making release determinations based on the investigations supplied to them by the Probation Department. The program mandates that three commissioners read each investigation and two out of the three commissioners must agree to release the inmate to the program. These commissioners are all volunteers and receive no compensation for their efforts. The commissioners are as follows:

Reverend Alexander Carmichael
Edmund J. Gendzielewski
Jerome P. Gilbert
Edward J. Hanley
John C. Harmon
Ross Meyers
Mary C. Winter

DOMESTIC VIOLENCE UNIT

1992 represented the second full year of operation for the Domestic Violence Unit. Domestic violence for the purposes of this unit has been defined as being any case in which the probationer has a conviction and problems related to the sexual, physical, psychological or emotional abuse of a victim who is related by blood or marriage or has had a close relationship with the victim as friend, companion or paramour.

During 1992, the Probation Department maintained the same level of commitment to the specialized Domestic Violence Unit that it did in 1991. This was despite a loss of probation staff to attrition and layoffs due to county budget cuts and reduced reimbursement from the New York State Division of Probation and Correctional Alternatives. The Domestic Violence Unit consists of a supervisor and five probation officers who during 1992 were responsible for supervising 558 cases of which 335 were designated domestic violence cases broken down into four general categories as follows:

<u>DOMESTIC VIOLENCE CASES IN UNIT</u>	
Child Sex Abuse	145
Child Physical Abuse	33
Adult Sexual Abuse	20
Adult Physical Abuse	<u>137</u>
TOTAL	335

The average domestic violence caseload increased slightly by an average of seven cases in 1992. However, the proportion of designated domestic violence cases increased much more sharply by 22 cases from an average of 30 cases in 1991 to an average of 52 cases in 1992. An average caseload now consists of 52 designated domestic violence cases plus 22 general supervision cases for a total of 74 cases per probation officer. Significantly, the sharper increase in designated domestic violence cases signals an even higher workload increase. This is because designated domestic violence cases all involve crimes of violence, are generally more volatile than general supervision cases and require closer monitoring and more intensive intervention. The specialized unit offers greater efficiency and enhances delivery of services by permitting more intense concentration with proportionately fewer numbers of social agencies and criminal justice personnel involved in the case.

All domestic violence probationers are mandated to attend and successfully complete treatment for their identified problems. The preferred treatment modality for child sex abusers is sexual perpetrators group therapy which is long term and offered by several different local agencies on a continuous basis throughout the year. Despite this fact, existing openings again did not meet demand in 1992 as waiting lists lengthened and waits of up to six months occurred.

Spousal abusers are mandated to attend and successfully complete a 26 week group treatment program called Alternatives: Building Non-Violent Relationships through Vera House, Inc. The current waiting list for this program is one month or less and has remained generally constant throughout 1992.

During their sentences to probation, most designated domestic violence probationers also attend additional individual counseling related to their respective problems while many also undergo treatment for substance abuse.

Failure by domestic violence probationers to successfully address their problems through treatment for whatever reason ultimately results in a return of the probationer to court on a violation of probation where they are held legally accountable.

DRIVING WHILE INTOXICATED UNITS

Probationers supervised for a conviction of Driving While Intoxicated or Aggravated Unlicensed Operation constitute approximately 30% of the total probation population. During 1992, the majority of DWI cases were supervised by the two DWI Units. In addition to the supervision of probationers, these two units were also responsible for conducting the majority of presentence reports for individuals convicted of Driving While Intoxicated or other drinking and driving related offenses. For most of 1992, the two DWI Units were comprised of two supervisors and 14 probation officers.

The Probation Department continues to be an integral part of the County initiative for STOP DWI. The primary goal of supervision for this population is to promote community safety through monitoring and appropriate community referrals. All probationers are required to attend alcohol/substance abuse education. Probationers must participate in appropriate treatment which usually also includes regular attendance at Alcoholics Anonymous/Narcotics Anonymous or other 12 step programs. Significant efforts are made to monitor compliance with conditions, specifically as they relate to alcohol and drug use and operating motor vehicles.

Probation officers assigned to DWI cases often work beyond the number of required enhanced hours. Emphasis is placed on positive home visits to monitor compliance with conditions of probation particularly in regard to drinking and driving. Probationers are routinely tested for alcohol use by an Alco Sensor device which analyzes a sample of deep lung air for the presence of alcohol. These are most often done during unannounced home visits on a varied time schedule. Surveillance is also done to detect any illegal driving. Urine screens are done on probationers to detect illegal drug use.

Probation officers keep regular and close contact with treatment agencies to which probationers are referred. Appropriate treatment for probationers sentenced to probation for DWI is an essential as well as a mandatory component of probation supervision. Even for probationers who are violated, consideration is given to alternative programs that provide increased ability to supervise and hold probationers accountable but additionally permit them to pursue further treatment as well as maintain their employment.

During 1992 legislation was passed which allows for the collection of fees for probationers supervised for a DWI conviction. In July, 1992 the Onondaga County Probation Department started collecting fees from DWI probationers.

As we enter 1993, it is the commitment of the Onondaga County Probation Department to continue to provide diligent community supervision for DWI probationers. We will continue to coordinate our activities with other law enforcement agencies as well as community treatment resources.

INTENSIVE SUPERVISION PROGRAM

The Intensive Supervision Program was initiated in 1978 as a 100% state funded program to deal with a changing probation population. The concept was to provide identified high risk probationers with a level of supervision more intense and more demanding than available to the regular probation population.

In 1987, the program emphasis was shifted to insure all cases would be true alternatives to incarceration. The objective was to provide an enhanced supervision service to the court and defendant in lieu of the high cost of incarceration. Defendants are allowed to remain in the community, but with a level of supervision double that of a standard probation case. The purpose is to effect community safety as well as to provide service to the probationer.

In 1990, the Intensive Supervision program was again modified to include only felonies. This has reduced the costs of incarceration in the state and local prison system.

The program has three target populations. The first is a person convicted of felonies for whom a sentence of incarceration is a high probability. The second is a person in a general supervision caseload, convicted of a felony, but having been charged with Violation of Probation. The third category is a felon, in local custody, who has been given the opportunity of local Conditional Release.

Probation Department involvement begins early, often shortly after the time of arrest for a felony grade offense. The case is monitored by Probation staff throughout the criminal justice system to determine if the defendant has a high probability of incarceration, but may be appropriate for community based supervision.

The court can then order an enhanced investigation prior to sentencing (or plea). This report will cover all areas of a standard presentence investigation but with added emphasis on victim circumstances, restitution, defendant need and available resources. Also of prime concern is the defendant's amenability toward community supervision.

Once designated and then sentenced to the Intensive Supervision Program, the defendant is closely watched for compliance. The heart of this program is contacts, a minimum (frequently exceeded) of at least double that of a regular supervision case. In addition, the defendants are expected to be in programs of treatment and/or employment. If not, they can be placed on a daily report until they are stable in their behavior and enrolled in one of the above programs.

This task is accomplished by a staff of five probation officers, a unit supervisor and an Investigation Review Officer. These are all veteran staff who were chosen for their exceptional ability to operate in this milieu. Any misconduct by probationers is quickly reported to the court and can often result in a violation of the sentence of probation.

Program plans are individualized and closely monitored for compliance. Frequently cases can be transferred to general supervision with little difficulty after having this intense supervision.

Onondaga County has long been innovative not only in the implementation of specialized programs, but also within the spirit they are enacted. These programs continue to enjoy a positive track record and are considered among the best in New York. Both the community and the probationers benefit from this level of service.

ELECTRONIC HOME CONFINEMENT PROGRAM

The Onondaga County Electronic Home Confinement Program has been operational since November of 1987. During these past five years, our expertise in the field of electronic monitoring has continued to increase. This year new, lighter and more sensitive transmitters were acquired at no additional cost to the department.

The electronic portion of this program is controlled by a system which monitors individuals by way of radio frequency and voice verification. When placed on this program by a sentencing judge, a radio frequency transmitter is strapped to the ankle of an individual and a receiving unit or mini-computer is placed in the individual's home. In order to maintain this signal, the individual must remain within the physical confines of his home. Upon leaving the home, the radio signal is broken and a violation or notification is automatically sent to the central computer stationed at the Probation Department. As a backup, a signal breakage also elicits a voice test from the receiving unit at the home. Each test is compared to a prior voice print mapped digitally at the time the individual is placed on the EHC program. Thus, a dual system of verification ensures that each violation is verified. Further, updates in the EHC equipment this past year have added the ability to detect a "band tamper" if a probationer attempts to remove, even briefly, the band securing the transmitter to his ankle.

Although all electronic equipment currently utilized is the most up-to-date available, also critical to the success of the program is a strong supervision component. This one-to-one contact between probationer and probation officer ensures that individuals sentenced to the EHC program do not continue their criminal activity or destructive behavior in the confines of their own homes. This program could never be considered a success if offenders continued to consume alcoholic beverages, ingest or sell drugs from their own homes.

All participants are intensely supervised by a probation officer during the entire period of their home confinement. Probationers are visited in their homes at least four (and as many as seven) times per week by a probation officer. These visits are always unannounced and randomly timed, with probation officers working varying shifts with an emphasis on nights and weekends. Officers visit probationers as early as 6:00 a.m. and as late as 12:00 midnight, thus covering the greater part of a 24 hour period. As is true with all probation supervision, greater attention is focused toward those areas which have created difficulties in the probationer's life in the past. All participants in the EHC program are required to hold full-time employment or perform 40 hours of community service each week.

Additionally, individuals are almost always involved in some type of formal rehabilitation program. This often consists of one to one or group counseling, AA or NA or drug and alcohol aftercare. All participants must be involved in some type of activity. No one is allowed to remain idle.

Participants in the EHC program are selected during the presentence investigation phase of the court process or following a violation of probation, having been previously sentenced to supervision. Requirements are that they be: jail-bound, non-violent offenders and residents of Onondaga County with a stable residence. All participants must be willing to participate in the program. Any jail-bound probation eligible defendant, who meets these criteria, may be eligible for the program. This includes those who are plea bargained for shock probation as well. If otherwise eligible, but unable to afford a phone due to financial difficulties, a phone line may be provided by the Probation Department.

The first five years that the EHC program has been in existence have been extremely successful for the Onondaga County Probation Department. Over 72% of the individuals sentenced to Electronic Home Confinement have successfully completed the program. Individuals have been supervised who would have originally been sentenced to the correctional facility in Jamesville. Instead, these individuals have supported their families, paid taxes, and bought goods and services from area providers. Additionally, they have participated in treatment programs with the goal of addressing the problems which initially brought them into the criminal justice system.

ELECTRONIC HOME CONFINEMENT STATISTICS 1992
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Cases carried from 1991:	36
New cases received:	77
Participated in the program in 1992:	113
Cases closed:	75
Successful:	64
Unsuccessful:	11
Caseload as of 12/31/92:	38

WEEKEND HOME CONFINEMENT PROGRAM

In May, 1987, the Onondaga County Probation Department in conjunction with the Volunteer Center, Inc. and the STOP DWI program of the District Attorney's Office began the Weekend Home Confinement Program. This program is designed as an alternative to incarceration program which in lieu of incarceration allows probationers to remain in their own homes, continue employment as well as community agency participation while ensuring increased supervision. The majority of candidates for the program are probationers who while under supervision have been arrested for Aggravated Unlicensed Operation of a Motor Vehicle or who have otherwise been in violation of their sentence of probation. Due to the case circumstances or legal history of other defendants, some are sentenced to this program as an initial condition of probation.

Individuals sentenced to this program participate in an alcohol/drug education program on Friday evenings from 5:30 to 7:30 p.m. On Saturdays and Sundays probationers participate in community service. The community service is arranged for and monitored by the Volunteer Center. Sunday mornings probationers are required to attend either an AA meeting or church service of their choice.

When not engaged in the program, probationers are to remain confined to their homes. Compliance with this is monitored by the probation staff who routinely make regular, unannounced home visits and Volunteer Center staff who make regular telephone contact with the probationer. Abstinence from alcohol is monitored by testing. The average number of sentenced weekends is 16, however, the number of weekends is ordered by the court at the time of sentencing.

The fee continues to be \$35 per weekend. Each participant in the program is required to pay this fee. Because of the fee and the STOP DWI funding, the program is self-supporting at no cost to county taxpayers.

STATISTICAL REPORT FOR THE WEEKEND HOME CONFINEMENT PROGRAM - 1992

RECOMMENDED FOR WHC DURING 1992:	34
Sentenced to program	19
Carried from previous year	8
Participated in program during 1992	27

DISCHARGES:

Absconded:	1
Removed from program due to negative action	0
Completed:	21

<u>TOTAL COMPLETIONS:</u>	22
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REMAINING AS OF 12/31/92:	5
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During the year of 1992, participants in the Weekend Home Confinement Program performed a total of 3376.5 hours of community service at 13 various placement sites in Onondaga County.

ALTERNATIVES TO INCARCERATION (ATI) BRICK HOUSE

In February of 1990, the Onondaga County Probation Department in conjunction with the Syracuse Brick House, Inc. established an alternatives to incarceration program to be used in lieu of a formal prison sentence. To be eligible, an individual must have been initially charged with a felony, although the final conviction may have been reduced to a misdemeanor. Included in the target population are pre-trial release applicants held for two weeks or more and in need of a residential treatment placement, defendants having a presentence, pre-plea or enhanced investigation ordered, probation violators and conditional release applicants with at least 90 days of their sentence to serve. Referrals are made to this program when incarceration is being considered as a sentence and the offender has a documented history of alcohol abuse or addiction.

The program is mutually funded through the Division of Alcoholism and Alcohol Abuse and the Division of Probation and Correctional Alternatives. Clients are also expected to pay according to their ability, up to \$13 per day for room and board, while they reside at the half-way house.

The program consists of two phases, a minimum six month residential phase at the Brick House Half-Way House, followed by a period of post-residential community supervision where the client receives close monitoring by the probation officer, who acts as program manager. The probation officer works closely with Brick House Half-Way House staff to continually assess the multi-faceted needs of clients who are expected to address all identified areas of need. Throughout the program, all probationers are tested frequently for abstinence from drugs and alcohol.

This program has proven to be a viable alternative to incarceration and offers some degree of relief to the already overburdened, overcrowded correctional facilities while offering jail-bound or incarcerated offenders a structured residential treatment program and community supervision.

ATI/BRICK HOUSE STATISTICAL SUMMARY - 1992
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Individuals referred to program in 1992	- 49
Individuals pending admission in 1991 that were admitted in 1992	- 2
Number found not acceptable for program by program manager	- 18
Number meeting program requirements	- 31
Number of referrals refusing services	- 1
Number of referrals accepted by program but refused by court	- 0
Individuals entering program from January 1992 to December 1992	- 26
Individuals pending admission as of 12/31/92	- 6

Individuals in residence as of 12/31/92	- 9
Successful completions of residential phase	- 16
Unsuccessful completions	- 11
Individuals transferred to another alternative program	- 0

PROBATION DAY REPORTING PROGRAM

The Probation Day Reporting Program is an alternative to incarceration for chemically dependent felony offenders. Partial funding is provided through the New York State Division of Probation and Correctional Alternatives.

Entrance to the program may be from all stages of the criminal justice system, including Pre-Trial Release, individuals placed on probation, probation violators, and conditional releasees.

Day Reporting allows the offender the opportunity to address his or her chemical dependency while remaining in the community under close supervision. Although all chemically dependent individuals who meet the program criteria are eligible, cocaine dependent offenders and chemically dependent pregnant women are specifically targeted.

Unique to this program is the inclusion of two community agencies, the Brick House and the Rescue Mission who work with Probation in a cooperative effort to provide an array of services to this population. Sixteen beds and twenty-four hour supervision is provided at the Rescue Mission for individuals who are in need of a structured living environment. Four of these beds are specifically for women offenders. The Brick House provides treatment assessment and intensive outpatient counseling.

Individual treatment plans are developed to address the specific needs of each offender. Program requirements and services include but may not be limited to:

- *Inpatient treatment for alcohol/substance abuse
- *Half-way house
- *Ongoing outpatient treatment and after-care
- *12-step programs such as AA, NA and CA
- *Vocational/educational/job readiness
- *Educational programs for substance abuse, health, nutrition and aggression reduction
- *Housing issues
- *Pre-natal/child care
- *Substance abuse testing by urinalysis and Alco Sensor
- *Curfew

For most offenders, the first step of the program is participation in an inpatient treatment program for substance abuse. Following inpatient treatment, approximately three-fourths of offenders will enter a supportive residence, while the rest will return to their own homes. All program participants attend intensive outpatient counseling, self-help groups (AA/NA/CA) and drug/alcohol education programs. After completion of intensive outpatient treatment,

there is a step down to weekly outpatient counseling in conjunction with full-time employment and/or educational/vocational programming. Throughout this entire time period, clients are closely monitored and tested frequently for drug and alcohol use via Alco Sensors and urinalysis. Most individuals remain in the program for one year and upon successful completion are transferred to general probation supervision.

In its second year of operation, the Day Reporting Program remains successful, with over 50% of its participants successfully completing the program and remaining drug free.

DAY REPORTING PROGRAM STATISTICAL SUMMARY - 1992
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Number of individuals carried from 1991:	52
Number of individuals entering the program during 1992:	121
Number of individuals completing entire program:	
- successful	34
- unsuccessful	27
- pending court action	1
Number of individuals currently in residence:	21
Number of individuals in program as of 12/31/92:	60

ALTERNATIVES TO INCARCERATION PROGRAM (ATI/RESCUE MISSION)

The Alternatives to Incarceration Program is funded by the New York State Division of Probation and Correctional Alternatives. It is designed to provide a cost effective alternative to incarceration for males who have violated the terms and conditions of their probation. All adult males who have a pending Violation of Probation and a primary diagnosis of alcohol abuse can be considered for admission. Clients may be deemed inappropriate if they have a history of severe violence or arson.

If an individual is accepted into the program, he will be expected to spend from four to six months in residence at the Syracuse Rescue Mission. During this phase, he will receive individual and group counseling and education for alcoholism. He will also receive intensive supervision from the ATIP probation officer.

The ATIP probation officer and the ATIP program manager at the Rescue Mission maintain a very positive working relationship to identify client needs and provide thorough case management services. They meet weekly to review all cases and discuss individual clients on a daily basis.

ATIP requirements and services include, but are not limited to:

- Supervised living at the Rescue Mission
- Inpatient and/or outpatient treatment for alcohol and substance abuse
- Daily attendance at AA, NA or CA meeting
- Twice daily breathalyzer testing
- Frequent substance abuse testing by urinalysis at both the Probation Department and the Rescue Mission
- Work therapy at the Rescue Mission
- Vocational/education/job readiness
- Treatment for sex offense and domestic violence issues

Once a probationer successfully completes the residential phase of the program and returns to a safe home environment, he is expected to attend eight after-care sessions on a weekly basis at the Rescue Mission as well as attending AA/NA/CA meetings and any other necessary counseling. The ATIP probation officer continues to provide intense community supervision for an additional six to twelve months.

Now in its eighth year of operation, this Alternative to Incarceration Program continues to successfully graduate over half of all program participants. The cost effectiveness of the program combined with its rehabilitative nature provides a viable alternative to incarceration.

In addition to direct client supervision responsibilities, the ATIP probation officer continues to oversee and update the alcohol and cocaine educational component of the program which is open to all probationers.

The following is a statistical summary of the program for 1992:

ATI/RESCUE MISSION STATISTICAL SUMMARY - 1992

Number of individuals carried from 1990	1
Number of individuals carried from 1991	6
Number of individuals entering program during 1992	31
Number of individuals completing entire program - 1992	12
Number of individuals currently in residence	10
Number of individuals currently in Aftercare Phase	1
Number of absconders	2
Number of individuals returned to court and resentenced to incarceration	9
Number returned to court and awaiting sentence	1

RECORDS RETENTION AND DISPOSITION

On 7/6/87, the Onondaga County Legislature had the foresight to pass a Resolution adopting Records Retention and Disposition Schedule CO-1 compiled by the State Education Department, State Archives.

Schedule CO-1 recommended 1) periodic review and disposition of records, 2) the appointment of a Records Management Officer and 3) the reporting of disposition in the Annual Report to the County Executive.

Our department eagerly awaited guidelines such as Schedule CO-1 as our storage space is very limited. By utilizing CO-1, extraneous material was destroyed. Remaining material was boxed, bagged in plastic and tagged. Each tag contained the contents of the box and the date it can be destroyed. (Probation case records must be retained for ten years after the case is closed.)

Items of "historical significance" relative to our department were placed in a special "archive" box.

Schedule CO-1 did allow us to dispose of obsolete records, free up storage space, and eliminated the time and effort required to sort through superfluous records to find needed information.

Unfortunately, no cases have been destroyed for the past three years, due to the discovery of asbestos in our file storage vault located in the basement of the County Office Building. Trips to the vault were suspended by the Commissioner due to this and other problems. Therefore, we cannot access our closed files for the years 1981 through 1984. Attempts to gain additional file cabinets and locate additional sites for our current files continue to be unsuccessful. This is primarily due to budget constraints and lack of available storage areas in our department and in the Civic Center/County Office Building complex.

DRUG TESTING

Testing of urine specimens for illegal drugs is a critical component of probation supervision. All individuals with drug testing conditions are routinely directed to provide urine specimens under direct observation, with no advance notice. Since the use of illegal drugs is contrary to the Order and Conditions of Probation, probation officers have a legal and ethical responsibility to determine whether probationers are complying with the law and the probation conditions.

At the end of 1992, there were 3,003 adults on probation with approximately 72% having documented substance abuse problems which have negatively affected their functioning and have frequently led to irresponsible and illegal behavior.

In many cases, confrontation with evidence of a positive urine test is the only way to detect substance abuse, break down denial and motivate an individual to participate in a treatment program. Official action is taken on all positive results for illegal drugs. Although this might result in a violation of probation, the ultimate goal of drug testing is to identify the drug abuser, facilitate entry into treatment and monitor ongoing progress in treatment.

Specimens are tested by the Onondaga County Health Department, under the auspices of the county toxicologist. Utilizing the Health Department rather than a private laboratory has proven to be particularly helpful in several ways. Results are transmitted quickly and the county toxicologist is available for consultation, court testimony and staff training. Finally, the county toxicologist is aware of illegal drug trends throughout the county and region. He is able to apprise us of changes in drug abuse patterns and, when warranted, provide special spot tests for unusual illegal drugs.

PLANS AND PROGRAMS FOR 1993

- Evaluate services in light of fiscal cutbacks, specifically the reduction in State Aid.

- Review utilization and prioritization of ATI Programs.

- Maximize the collection of DWI fees.

- Maximize the collection of alcohol/drug testing fees.

- Computerize restitution/fee collection.

- Review utilization and referral process for ISP cases.

- Modify investigation format.

- Maximize the amount collected for fees on Adoptions, Custody/Visitation Investigations.

1992 ANNUAL REPORT SUMMARY INFORMATION

- During 1992, the Onondaga County Probation Department collected \$115,511 in fees.
- Probation officers made approximately 28,349 positive home visits throughout 1992.
- In 1992, 2206 victim impact letters were sent on Criminal and Family Court matters.
- The total budget of the Probation Department in 1992 was over \$6.3 million.
- Restitution collected and returned to victims of crimes totalled \$308,275.55.
- The Pre-Trial Release Program released 1241 individuals.
- Investigations ordered by Criminal (2919) and Family Court (1058) totalled 3977.
- When substance abusers are violated, the Probation Department recommends "treatment or jail." Cocaine abusers, if given a choice, frequently choose jail, especially if the sentence is to be at the Onondaga County Correctional facility.
- The largest category of new probationers received continued to be those sentenced to probation for Driving While Intoxicated (540 cases received during 1992).
- The number of Criminal Court (4817) and Family Court (522) supervision cases carried from 1991 and received during 1992 totalled 5339.
- The number of Criminal Court (1797) and Family Court (288) supervision cases passed from probation either favorably or unfavorably totalled 2085.
- Professional staff completed over 2878 hours of job-related training in 1992, an average of 31 hours per person.
- The Intake Unit opened a total of 3946 cases during 1992.
- The PINS Adjustment Program received a total of 734 cases during 1992.
- The Weekend Home Confinement Program participants performed 3377 hours of community service in placement sites in Onondaga County (Van Duyn, Public Safety Building, churches, parks, Oak Orchard treatment plants, etc.).
- The typical DWI probationer is likely to be a white male between the age of 21 and 30. Approximately 86% of these probationers have had prior drinking and driving convictions. Over half have had prior criminal convictions (other than for DWI).