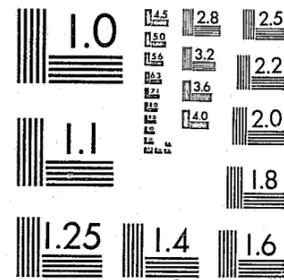


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8/3/83

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PROBATION

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ANNUAL REPORT

87996



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COUNTY OF ONONDAGA
PROBATION DEPARTMENT

JOHN H. MULROY
COUNTY EXECUTIVE

ONONDAGA COUNTY CIVIC CENTER
421 MONTGOMERY ST., 6TH FLOOR
SYRACUSE, NEW YORK 13202

EDMUND J. GENDZIELEWSKI
COMMISSIONER OF PROBATION

CAROL F. SMITH
DEPUTY COMMISSIONER

Honorable John H. Mulroy
County Executive
Onondaga County
421 Montgomery Street
Syracuse, New York 13202

Dear Mr. Mulroy:

The 1982 report for Onondaga County Probation Department is respectfully submitted to you.

This report, as in the past years, is replete with data dealing with the department's mandated and non-mandated activity. Reducing that data to information is an on-going process but several facts stand out immediately. Among them is that the department workload has increased by 10% in all areas. The staffing pattern has been at the 1980 level. In spite of this, substantial improvement in productivity has been achieved.

The economic problems being experienced nationwide has adversely affected all human services. Probation is no exception. The fiscal constraints are placing real limits on our department's ability to deliver the type of services that we potentially can and should. The inability of the department to maintain staffing pace with the increase in work activity, ultimately will lead to diminishing results. With crime remaining a deep concern of the citizens, probation services provide one of the potential cost-effective methods in dealing with the offender. As Commissioner of Probation, I am fully aware of the support our department has received from the Executive and Legislative Branch of County government. The fiscal support from the State of New York for local probation services during the past year, was uninspired and lacking.

In the past year, we have made substantial internal changes which effectively allowed us to deal with the increased workload and more responsibly than in past years. We have moved into a Management Information System with the help of Data Processing which will give us a greater capacity in the forthcoming year to recognize and monitor and control that activity. In spite of the increased workload, it is imperative to bring to your attention that we feel we have been providing a more responsible service in terms of supervision and investigation to this community. Larger numbers of individuals are being

Mr. Mulroy

placed by the court on probation. The national malaise has effected the probationers. At present, approximately 40% of individuals under probation supervision are unemployed or unemployable. This places an additional burden on the supervising probation officers to be responsible to those individuals and to the community. In spite of this, we have had a substantial increase in restitution collection, as the data shows.

I am not unaware of the commitment that the staff has made to provide responsible probation services to this community and take this opportunity to thank them for that commitment.

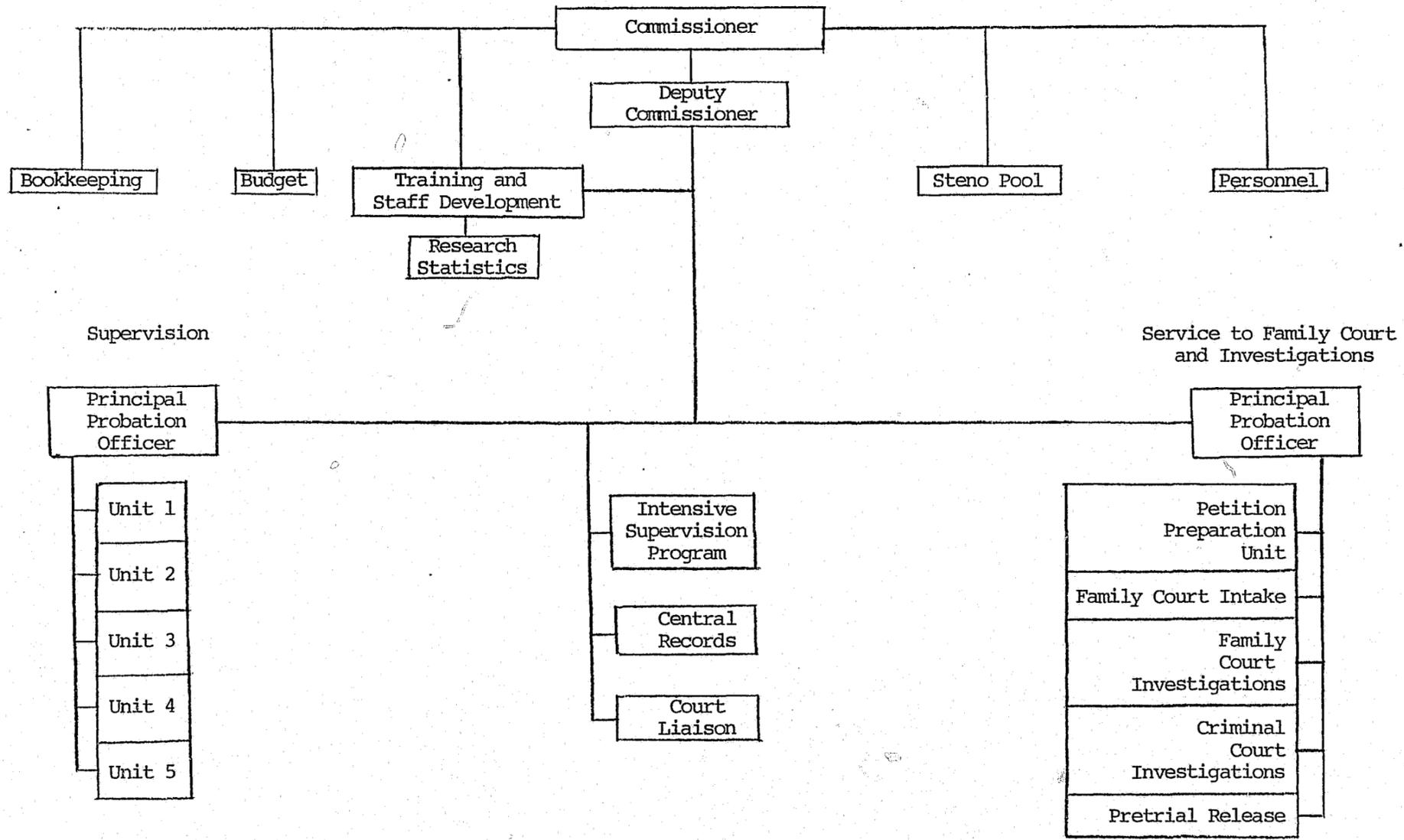
As in the past, I will be sharing plans, accomplishments and problems of our department with you and your staff and the County Legislators in the forthcoming year. Your continued support is greatly appreciated.

Sincerely,

EDMUND J. GENDZIELEWSKI
Commissioner of Probation

ORGANIZATION CHART - ONONDAGA COUNTY PROBATION DEPARTMENT

3



1982 PROBATION DEPARTMENT PERSONNEL

COMMISSIONER

EDMUND J. GENDZIELEWSKI

DEPUTY
COMMISSIONER

CAROL F. SMITH

PRINCIPAL PROBATION OFFICERS

E. ROBERT CZAPLICKI

MYLA E. GREENE

PROBATION SUPERVISORS

EDWARD F. COYLE*
TODD DUNCAN
BRYAN J. ENNIS
ALPHONSE GIACCHI
JOHN F. GRIFFIN*
T. RICHARD KANE
ROBERT C. KOSTY

KATHRYN LEINTHALL
MARY McGRAW
EDWARD MONTAGUE
JAMES STEELE
MARY WINTER
JOHN YOUNG

SENIOR PROBATION OFFICER

MEREDITH MILLER

PROBATION OFFICERS

BARBARA AHERN
DONALD ANGUISH
PATRICIA ASHMORE
DAVID ATLAS
FRED D. BAUR
CLAIRE BOBRYCKI
LINDA BOLOWSKY
JOHN BROWN
ROBERT BUCK
MARCIA CARLTON
JOAN CARTER
ANTHONY COMPANION
GAYLE CONNOR
JAMES CRAVER
MARILYN DALEY
ROBERT DOUGHERTY
RONALD EZICK
WINIFRED FERRIS
GEORGE GIVEN
NEIL GOODMAN
MARYLOU GOUDY
SAM GRILLO
GEORGINA HEGNEY
PAUL A. HENRY
WOLFGANG HOENE
RICHARD C. JOHN
OLIVIA JONES
PAULETTE JONES
FRANK J. KROLL
DAWN KRUPIARZ

JAMES LARMONDRA
RICHARD MACCHIONE
SANDRA MANCA
BERNARD MAROSEK
VICTORIA MATISZ
JANE McARTHUR
JAMES McLAUGHLIN
PAUL MELLO
HARLEY MOEN, JR.
MARY NORDONE**
ROBERT OBRIST
RICHARD OLANOFF
MARYJO PARISI
SUSAN PAUL
MARK PFEFFER
EILEEN PHILLIPS
CLARENCE S. POTVIN
JAMES PRICE
DAVID PUGLIA
PATRICIA REID
CHRISTINE SALVAGNO
KATHRINE SCHOLL
JEAN STANLEY
RUTH STORRINGS
JAMES VANNELLI
WILLIAM WAIT
CHRISTINE WENGER
RAYMOND WIRTH
JANET WRIGHT

PROBATION OFFICER TRAINEES

RICHARD BROOKS

TERRY NEAL

PROBATION ASSISTANTS

ALLISON EYRE
PATRICIA GAFFNEY
SHEREE JACKSON**

ROBERT McDANIEL
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RESEARCH TECHNICIAN:

MARY ANN HONCHARUK

PERSONNEL AIDE:

DOROTHY CHUNKO*

SUPERVISING ACCOUNT CLERK III:

ROSE ANN LaVALLE

ACCOUNT CLERK II:

RITA KLASEN

ACCOUNT CLERK I:

MARION BARRETT
CONCETTA CLARK
BARBARA HUMEZ
ALICE SOULE**

SUPERVISING STENOGRAPHER III:

RUTH M. DRUMM

STENOGRAPHER II:

SHELLY CASLER
SHIRLEY LITZ
JEAN STRACK

PETITION CLERKS:

VIRGINIA DeLAPP
EVELYN GALSTER

STENOGRAPHER I, WORD PROCESSING MACHINE OPERATOR, TYPIST I, CLERK:

SHIRLEY BARNELL
SHIRLEY BLAIS
MADDALENA CALTABIANO
FLORENCE CARLONE
CONSTANCE CUTLER
CLAUDIA DeSHANE
OLIVE FALKNER
PATRICIA FILLINGHAM
GEORGANN GONZALEZ
CYNTHIA HECK
HESTER HOBBLE

MARION HOWARD
LINDA HYLAN
SUSAN IASNICKI
B. JEAN LINCOLN
MARY ANN MACKEY
BARBARA MATTIACCIO
JUDITH MUSCHEL
JEANETTE PARODY
SHARON SELLERS
GERTRUDE SINGER

* Retired

** On Maternity Leave

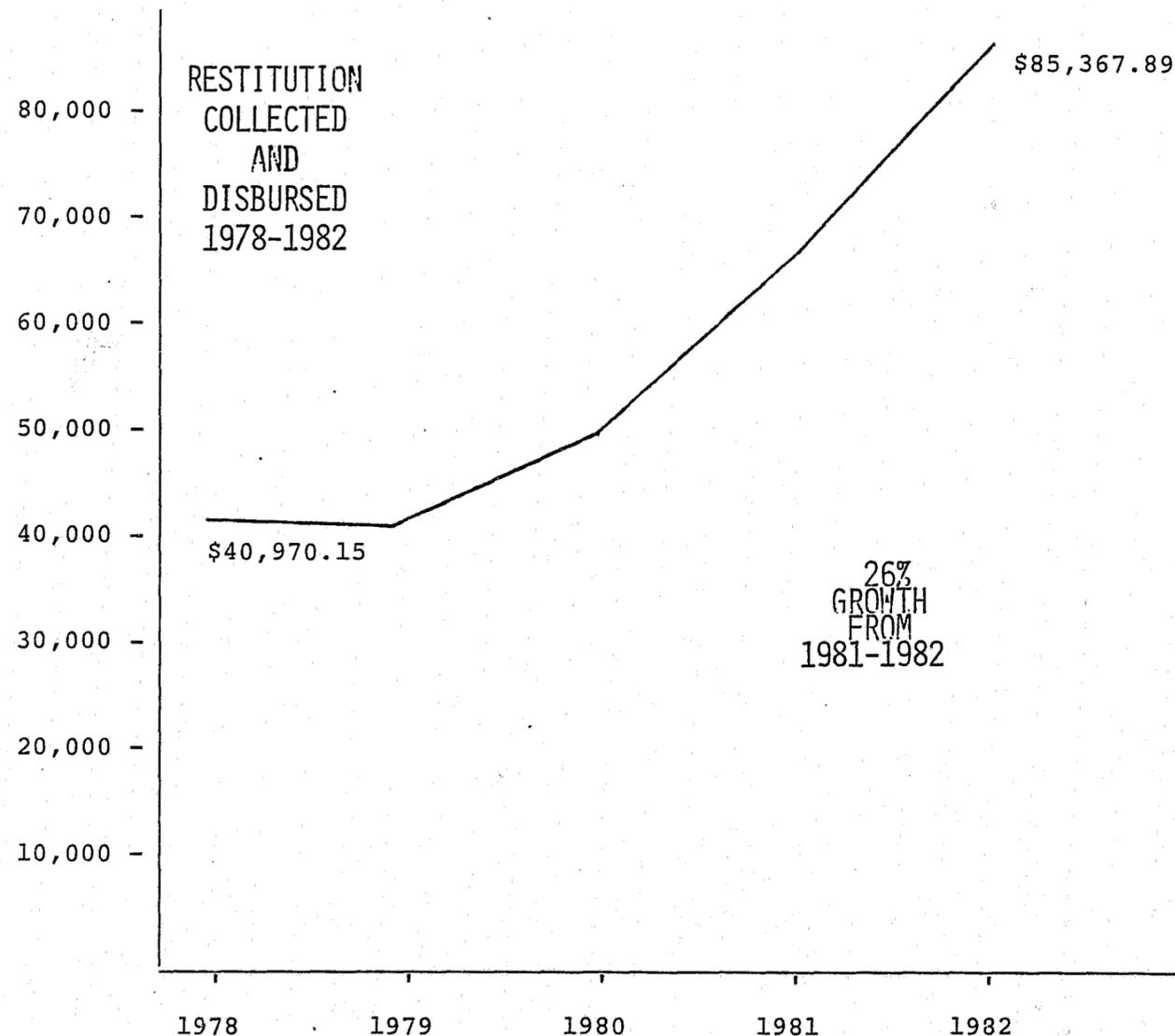
RESTITUTION

Restitution is defined as a requirement by the court as a condition of a revocable sentence that the offender replaces the financial loss to the victim of a crime.

The staff of the Probation Department is required by law to make every attempt to contact victims during the Presentence Investigation process. The victim's version of the offense and the extent of their injuries and/or financial loss must be included in the Presentence Investigation Report. The court reviews the information and is empowered to order restitution as a condition of probation.

The Probation Officer supervising someone sentenced to or placed on probation includes restitution as a part of the program plan for the probationer. Failure to reasonably make payments leads to submission of a Violation of Probation report to the court.

Despite unemployment and related economic problems, restitution collection has continued to grow. The graph below demonstrates the twenty-six (26)% growth from last year and the five-year increase of 108%.



SERVICES TO CRIMINAL COURTS

The Probation Department provides three main services to all of the criminal courts of Onondaga County: (1) pretrial release; (2) presentence investigations; and (3) supervision of offenders sentenced to probation.

Pretrial Release

Pretrial Release staff screen arrestees to determine their eligibility and suitability to be released in the custody of the program in lieu of posting bail or remaining in custody. This provides for defendants who are considered safe risks to return to the community, thus reducing the jail population and allowing the defendant to resume his/her normal activities while awaiting disposition of the pending charges.

In 1982, 659 defendants were supervised by the program.

Presentence Investigations

The department is mandated by law to provide to the court presentence investigations of offenders who are convicted of a crime for which they could be incarcerated for a period in excess of ninety days or receive a sentence of probation. The presentence investigation is vital to good judicial decision making.

There were a total of 2257 investigation reports ordered in 1982.

Probation Supervision

The department then supervises those offenders who are sentenced to probation. Supervision involves monitoring the probationer's compliance with the court-imposed conditions of probation and providing counseling, referral and other services to promote lawful behavior.

There were 1829 criminal court probationers under supervision as of December 31, 1982, an increase of 8% over the comparable figure for last year. Of all the functions of the Probation Department, the area of Criminal Court supervision has had the largest and most consistent growth rate of approximately 10% per year for the past ten years.

In 1982, 1212 new probationers were sentenced to probation. Of these, 108 were sentenced to "Shock Probation." That is, they spent a period of time in the Onondaga County Correctional Facility as a part of their sentence to probation. The incarceration could be straight time or intermittent (on weekends) for up to four months for felons (55 cases) and up to two months for misdemeanants (53 cases).

PRETRIAL RELEASE UNIT

Since 1965, the Onondaga County Probation Department has provided a pretrial release service to all local courts. Defendants held in custody at the Public Safety Building for the various courts are initially screened by one of the four probation assistants working for the program. This screening consists of a review of the charges they are being held on, as well as their "rap" sheets (previous criminal record). If they are deemed possible candidates for the program, they are then interviewed. This is followed by verification of data received in the interview. When a determination is made that an individual is eligible for the program, a recommendation is made to the presiding judge that we will accept supervision of the individual in the community without the necessity of meeting bail.

The degree of contacts with the department by the defendant from the date of release to our supervision to the date of disposition of the pending charge(s) depends on the needs assessment made during the original investigation. Some defendants need only to advise the Release Program of their whereabouts and court action on their cases, while others who have identifiable need areas which were a factor in their criminal involvement or in some other way affecting their lives (such as substance abuse, unemployment, marital problems,) are referred to appropriate community resources.

Although our primary job is to ensure that the defendant returns for all court appearances, other services are provided. This has resulted in many people who would not otherwise be able to make bail being released back into the community to return to their homes and employment. The program is not, however, restricted to those who are unable to make bail, and many offenders who might otherwise have eventually been bailed, have received significant assistance from the supervisory aspects of the program. We place a heavy emphasis in our program on the supervision of the defendants. Through counseling within the unit, referrals to other community services, and the establishment of conditions for release, we hope to make some impact on the individual's life as a deterrent to future criminal behavior. The program not only directly benefits the defendants involved, but also the county as a whole, by the financial savings which might otherwise have been spent on continued pre-disposition incarceration.

The Pretrial Release Unit is also responsible for the City Court liaison function for the Probation Department. An Assistant is in attendance at criminal court for calendar call each week-day morning to provide information on probationers or pretrial releasees to the court, make recommendations for pretrial release, and to gather requests for presentence investigations. We also assist the supervisor in charge of Superior Court liaison in providing services to those courts.

The Unit served as an educational placement for two under-graduate students (one from Syracuse University and one from the State University of New York at Cortland) during the year.

As a result of lengthy research conducted by the Center for Governmental Research, Inc., new state legislation, rules and regulations, etc. governing pretrial release services in New York State are anticipated in 1983. These changes, plus internal restructuring to refine our program, should provide an exciting challenge for the unit in 1983.

As of 1/1/82, the Pretrial Release Program had a caseload of 112. As of 12/31/82, our caseload was 198. During the course of 1982, we supervised a total of 659 people. Approximately 60% more cases were recommended for release during the year than in 1981. Potential jail days saved this year increased by 11,229 to 46,229. The Pretrial Release Program is not only a cost-effective program, but a cost-saving program as well.

1982 ACTIVITY

Defendants Screened for Pretrial Release	3,392
Defendants Interviewed After Screening	2,318
Defendants Recommended for Release	716
Defendants Actually Released	547
Releasees Revoked	39
Reasons:	
Failure to Appear	2
New Arrest	19
Failure to Follow Conditions of Release	18
Total Number of Screening Contacts	2,587
Total Number of Supervision Contacts	9,236
Total Contacts Made by Pretrial Release Staff	11,823
Potential Jail Days Saved During 1982	46,229

INVESTIGATIVE SERVICES FOR CRIMINAL COURTS

Defendants are referred by all criminal courts in the county for preplea and presentence investigations. The Probation Department also prepares reports for courts outside Onondaga County when the offender resides in our county. This is a reciprocal function with all other counties and all other states.

When a probation officer is assigned to perform the investigation, he or she schedules interviews and gathers relevant information. The probation officer studies court and police reports, statements of the victim, and the offender's legal and social history. After a thorough assessment, the probation officer provides the court with an evaluative analysis and a sentencing recommendation.

Presentence investigations are vital to aid the courts in rendering an intelligent disposition. Whether the person is sentenced to probation or incarceration, the presentence investigation is used as a foundation for appropriate follow-up services.

The following data documents the number and kind of investigations that are performed and how courts dispose of criminal cases based on Probation Department recommendations.

INVESTIGATIONS STATISTICS

Total Adult and Youthful Offender Investigations Ordered by Court:

	<u>#</u>	<u>Total</u>	<u>%</u>
Supreme Court	243		11%
County Court	697		31%
City Court	472		21%
Justice Courts	746		33%
Other Jurisdictions	99		4%
Total	2257		100%

Investigations by Residence:

City	1236
County	820
Other Jurisdictions	201
Total	2257

DISPOSITIONS ON INVESTIGATIONS ORDERED IN 1982

	<u>Fel.</u>	<u>Misd.</u>	<u>#</u>	<u>Total</u>	<u>%</u>
Probation	409	533	942		54%
State Correctional Facility	197		197		11%
Onondaga County Correctional Facility	117	133	250		14%
Conditional Discharge	41	200	241		14%
All Other	20	43	63		4%
Other Jurisdictions	21	28	49		3%
Total	805	937	1742		100%

(There were 515 investigations for which dispositions were not available, either because the court did not notify this department of dispositions, or the investigation has not been disposed of at the time of this report.)

SENTENCES VS. RECOMMENDATIONS

In nearly all cases where a presentence investigation is requested by the court, the report includes a recommendation for sentence. Below are shown the percentages of deviation from recommendation in actual sentences given by various Onondaga County Courts. Sentences were graded in severity from less to more severe: Unconditional Discharge, Conditional Discharge, Fine, Probation, Incarceration.

82% of the time, Judges follow the recommendation of the Probation Department. We feel that this is a tribute to the thorough investigations and reports and logical recommendations.

<u>Court</u>	<u>% Same as Recommendation</u>	<u>% Less Severe</u>	<u>% More Severe</u>	<u># Cases Disposition Not Received</u>
Supreme Court (221 cases)	82%	14%	4%	22
County Court (596 cases)	82%	12%	6%	101
City Court (350 cases)	75%	19%	6%	122
Justice Court (519 cases)	86%	7%	7%	227
Other Jurisdictions (56 cases)	89%	2%	9%	43
TOTAL (1742 cases)	82%	12%	6%	515

YOUTHFUL OFFENDER ADJUDICATIONS

Although by State Law, an individual is considered subject to adult courts at the age of 16, those who are between the ages of 16 and 19 at the time the crime was committed, may be investigated to determine their eligibility for Youthful Offender status. If the defendant has not previously been convicted of a felony, he/she is "eligible" for Y.O. status. However, certain crimes preclude an individual from Y.O. adjudication. Additionally, in some cases, an individual is "required" to be treated as a Y.O. When the courts handle a person as a Y.O., the criminal conviction is vacated, and the Youthful Offender adjudication is substituted. In such cases, the proceedings and records may be kept private. The most important aspect of the Youthful Offender adjudication is that it removes the stigma of a criminal conviction.

In 1982, there were 330 adjudications as Youthful Offender as a result of our investigations, and 226 of these were placed under probation supervision. These figures have remained relatively stable over the past years.

CERTIFICATES OF RELIEF FROM DISABILITIES

Another area of investigations conducted by the Probation Department is the investigation for a Certificate of Relief From Disabilities. After an individual has been convicted of a crime by plea or trial, he/she may apply for this certificate which restores certain of the rights and privileges lost by the conviction. Once the application has been made, a legal and social investigation is conducted to assist the courts in deciding to grant or deny the Certificate of Relief From Disabilities. During 1982, seventeen (17) Certificates of Relief From Disabilities were investigated by the Probation Department. This figure has remained relatively stable over the past years.

PREPLEA INVESTIGATIONS

A Probation Department investigation ordered by the Court prior to a defendant's admission of guilt or the Court's finding 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 thirty-one (31) preplea investigations in 1982, nine (9) on misdemeanor charges, and twenty-three (23) on felony charges. These thirty-one (31) cases are included in the 2257 figure of total number of investigations ordered. This figure is a considerable decrease from last year's total of sixty-nine (69).

CRIMINAL COURT SUPERVISION

At the heart of Probation is the supervision of the offenders sentenced by the court. A probation officer establishes and maintains a workable relationship with the probationer, monitoring compliance to the Conditions of Probation and providing appropriate counseling and referrals for services to community agencies.

Listed below are data about probationers, why they are on probation, and their success and failure.

SUMMARY OF CASE MOVEMENT - 1982

On Probation - January 1, 1982	1692
On Probation - December 31, 1982	1829
Increase	137
% of Increase	8

OPERATIONS INVOLVED IN CASE MOVEMENT - 1982

On Probation - January 1, 1982	1692
New Sentences of Probation	1063 *
Supervision Transfers Received	149
Subtotal	2904
Supervisions Completed	951
Inter/Intrastate Transfers (out)	124
Subtotal	1075
Total on Probation - December 31, 1982	1829

SEX AND AGE OF PROBATIONERS RECEIVED DURING 1982

	<u>PER CENT</u>
Males (16-18)	20
Females (16-18)	3
Males (19-21)	17
Females (19-21)	2
Males (22-24)	14
Females (22-24)	2
Males (25 and over)	37
Females (25 and over)	5
Total	100

* This figure includes investigations ordered in 1981 with the disposition not reported until 1982

CRIMES OF CONVICTION OF PERSONS SENTENCED TO PROBATION IN 1982

<u>Conviction</u>	<u>Total</u>	<u>Fel.</u>	<u>Misd.</u>
Driving While Intoxicated	261	82	179
Burglary and Attempted	166	166	
Petit Larceny	118		118
Assault and Attempted	96	34	62
Criminal Mischief and Attempted	69	21	48
Criminal Possession of Stolen Property	68	29	39
Grand Larceny and Attempted	56	56	
Criminal Sale of a Controlled Substance and Attempted	38	34	4
Sexual Abuse and Attempted	33	17	16
Robbery and Attempted	30	30	
Criminal Possession of a Controlled Substance	29	19	10
Forgery and Attempted	27	16	11
Unauthorized Use of a Motor Vehicle and Attempted	27		27
Criminal Sale of Marijuana and Attempted	20	20	
Criminal Trespass and Attempted	19		19
Possession of a Forged Instrument and Attempted	16	5	11
Criminal Sale of a Weapon	14	5	9
Endangering the Welfare of a Child	12		12
Arson and Attempted	10	10	
Criminal Possession of Marijuana	10	7	3
Issuing a Bad Check	9		9
Reckless Endangerment and Attempted	9	2	7
Sodomy/Consensual Sodomy	7	6	1
Prostitution	6		6
Resisting Arrest	6		6
Aggravated Harassment	5		5
Falsely Reporting a Fire	4		4

CRIMES OF CONVICTION (CONT)

<u>Conviction</u>	<u>Total</u>	<u>Fel.</u>	<u>Misd.</u>
Menacing	4		4
Rape	4		4
Conspiracy	3		3
Criminal Facilitation	3		3
Criminal Possession of Burglars Tools	3		3
Sexual Misconduct	3	1	2
Abandonment of a Child	2		2
Offer to File a False Instrument	2		2
Falsifying Business Records	2		2
Operating a Vehicle with License Suspended/Revoked	2		2
Criminal Possession of a Hypodermic Instrument	2		2
Reckless Driving	2		2
Unlawful Imprisonment	2	1	1
Criminal Impersonation	1		1
Criminally Negligent Homicide	1	1	
Criminal Solicitation	1	1	
Criminal Use of Drug Paraphernalia	1		1
Escape	1		1
Falsely Reporting an Incident	1		1
Obstructing Governmental Administration	1		1
Operating an Aircraft Without a License	1		1
Perjury	1	1	
Promoting Prison Contraband	1		1
Promoting Prostitution	1		1
Public Lewdness	1		1
Unlawful Dealing With a Child	1		1
TOTALS	1212	564	648

CRIME CATEGORY AND COURT OF JURISDICTION OF PROBATIONERS
RECEIVED FROM LOCAL JURISDICTIONS DURING 1982

	<u>FEL.</u>	<u>MISD.</u>	<u>TOTAL</u>	<u>%</u>
Supreme Court	139	5	144	12
County Court	354	7	361	30
City Court		205	205	17
Justice Court		353	353	29
Other Jurisdictions	<u>71</u>	<u>78</u>	<u>149</u>	<u>12</u>
TOTAL	564	648	1212	100

LENGTH OF PROBATION SUPERVISION CLOSING - 1982

	<u>NUMBER</u>	<u>PER CENT</u>
Less Than One Year	219	23.1
1 - 2 Years	387	40.9
2 - 3 Years	288	30.4
3 Years and Over	<u>53</u>	<u>5.6</u>
TOTAL	947	100

VIOLATIONS OF CRIMINAL COURT PROBATIONERS FILED IN 1982

A probationer may be returned to the court that sentenced him/her if the probation officer alleges that one or more conditions of probation have been violated. Any such allegations must be tied to specific conditions of probation - e.g., failure to make restitution, failure to obtain suitable employment, etc. The following table reflects statistics relating to allegations of violation of probation.

424 Filed
 210 Disposed of
 214 Pending or No Disposition Reported by the Court

Dispositions:

99 or 47% Probation Revoked and Incarcerated
 4 or 2% State Prison
 93 or 44% Onondaga County Correctional Facility
 2 or 1% Time Served

79 or 38% Continued on Probation
 62 or 30% Violation Sustained
 17 or 8% Violation Withdrawn or Dismissed

12 or 6% Discharged by the Court as Unimproved

20 or 9% Absconder

INTENSIVE SUPERVISION PROGRAM - 1982

The Intensive Supervision Program operated for a fourth year in 1982. This program is intended to demonstrate the effectiveness of probation supervision for those offenders least likely to successfully complete probation. Probationers are chosen for this program by means of a standardized risk assessment instrument which selects those individuals who are most likely to fail on probation.

Intensive supervision caseloads are limited to twenty-five and frequent personal contacts and home visits are required. A structured needs assessment instrument is utilized which actively involves the probationer in identifying factors which have contributed to their current situation. A program plan utilizing appropriate community services is mutually developed in order to address these needs. Regularly scheduled evaluations provide for the transfer to regular supervision units of those individuals who are successfully adjusting to probation. The program allows probation officers to closely monitor the probationer's behavior and notifications to court are required for those individuals who are not successfully adjusting to supervision through rearrest or technical violation.

As of 12/31/82, 633 cases have entered the Intensive Supervision Unit. The majority of these cases are multi-problem people, involving psychiatric disorders, learning disabilities, and severe alcohol and drug addiction. Due to the limited number of cases in each caseload, probation officers are able to spend more time with probationers and are thus able to provide the probationer with a greater chance of successfully completing probation, as well as greater protection for the community.

In November, 1982, a new aspect of the Intensive Supervision Program began - a focus on accepting "alternatively sentenced persons" into the unit. These are individuals who, if not sentenced to probation, would be at risk of receiving a period of incarceration at a state prison facility. By giving these individuals an opportunity to serve their sentences in the community under supervision, we will be saving state funds as well as prison space for those individuals who are truly a risk to the welfare of the community. Therefore, ISP will be targeting our efforts on felony cases in 1983.

The results of the Intensive Supervision Program have been very positive. The procedures, techniques, forms, etc. experimented with during the course of the program proved to be so effective that the new New York State Division of Probation rule for supervising probationers, effective January 1, 1983, utilizes the Intensive Supervision Program as its model.

Considering the overcrowded conditions in both state and local correctional facilities, community-based sentencing alternatives are needed now more than ever before. The Intensive Supervision Program offers a viable program for both the offender and the community to accomplish this goal.

STATISTICAL INFORMATION FOR INTENSIVE SUPERVISION PROGRAM - 1982

Caseload as of January 1, 1982	140
Cases Added During 1982	129
Total Cases During Year	269
Cases Closed During 1982	130
Caseload Effective December 31, 1982	139

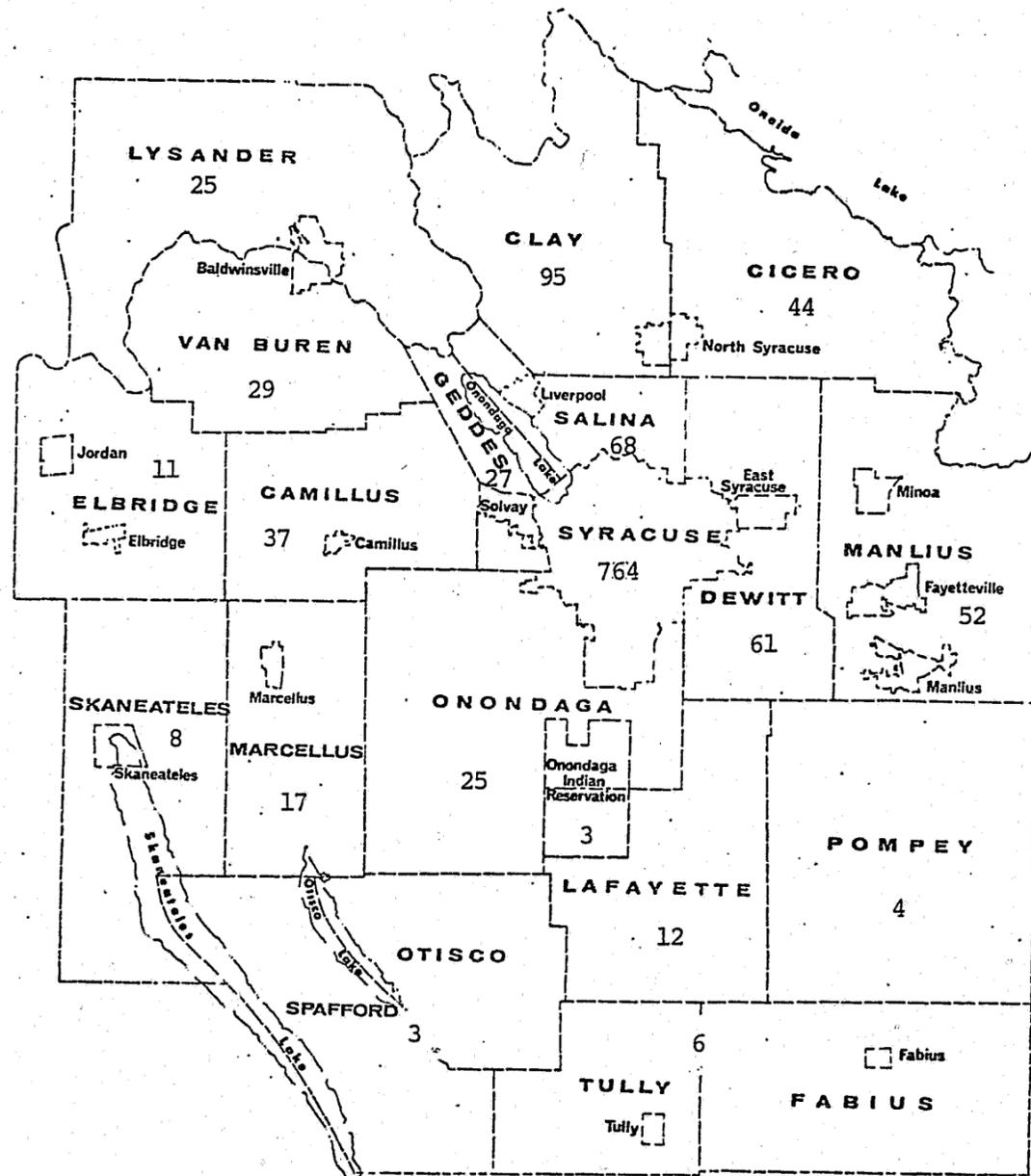
During 1982, 1184 risk assessment instruments were prepared.

As stated above, 130 cases were closed during 1982. The following indicates the method of termination for these cases:

Transferred to Regular Supervision Teams	68
Revoked	24
Dishonorable Discharge	13
Honorable Discharge	9
Absconders	7
Transferred to Other Jurisdiction	5
Maximum Expiration	2
Death	2

There were 61 new arrests for people under our supervision during the year. Forty-two violations of probation were filed during the year (26 based on new arrests and 16 based on technical violations of the conditions of probation).

GEOGRAPHICAL LOCATION OF ALL PERSONS SENTENCED TO OR PLACED ON PROBATION IN 1982 FROM ALL COURTS



Total Supervision Cases	1368
Family Court Supervision Cases	156
Criminal Court Supervision Cases	1212
Residence in City	764
Residence in County	527
Residence in N.Y. Outside Onondaga County	63
Residence Outside New York State	14

SERVICES TO FAMILY COURT

The Probation Department is mandated to provide three separate functions to Family Court: Intake, Investigation, and Supervision. Monitored Release and Court Liaison are valuable services that are also provided.

Intake: Case review by Probation staff to determine eligibility and suitability for immediate adjustment, diversion programming, or petition to Family Court.

As you will note in the statistics, Intake processed an all-time record of 6,492 referrals. The number of juvenile cases decreased but the increase in adult cases more than made up for it.

Investigation: The department is mandated by law to provide Family Court predispositional investigations of respondents who had admitted to a petition in court. The probation officer assigned the case spends an extensive amount of time interviewing appropriate parties and studying various legal and social data. A report is submitted to the court with the data summarized, an evaluative analysis and specific recommendation of disposition. Statistics show that most categories of cases are the same as last year except for the decrease in Juvenile Delinquency investigations.

Supervision: The department supervises those persons adjudicated and placed on probation. Supervision involves monitoring compliance with the court-ordered Conditions of Probation and providing counseling and referrals to community agencies for services. The statistics show the specific breakdown of types of cases. There is a slight growth rate from 1981 due to Violation of Support cases.

Monitored Release: This service gives the court an alternative to detention by having a Probation staff member monitor a child's behavior while he/she stays at home and attends a local school.

Family Court Liaison: This function is intended to communicate information from the Probation Department to Family Court and back again. This is vital since all persons need up-to-date information to make decisions. Since this task is too extensive for the one staff person involved, several trained volunteers are utilized.

REPORT OF THE INTAKE UNIT

Intake is defined as a case review by Probation staff to determine eligibility and suitability for adjustment, diversion programming, community agency referral 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. Intake is a voluntary service and may not prevent any individual access to the court.

In 1982, the Intake Unit consisted of one probation supervisor, one senior probation officer (assigned partially to Intake duties), and seven probation officers engaged in Intake casework. The Intake Unit handles a variety of family problems, including cases in the area of support, custody, family offense, juvenile delinquency and Persons in Need of Supervision.

In 1982, Intake processed an all time record of 6,492 referrals. There was an increase of 324 cases in the adult area when compared to 1981 (4,391 in 1982; 4,067 in 1981). However, in the juvenile area, referrals actually decreased by 294 cases when compared to last year (2,101 in 1982; 2,395 in 1981). Of the 6,492 referrals in 1982, Intake was able to successfully divert 2,106 cases from Family Court.

As of June 1, 1982, Intake began closing case records in a slightly different manner, due to changes in the New York State Division of Probation rules for Intake. The former category "referred to community agency" is now incorporated into the "adjusted" category. A new category "referred to criminal court" was developed for use in family offense cases. The old category "terminated without adjustment" has been renamed, "terminated, matter not pursued and not referred for petition." The major change has been with cases previously closed as "referred to petition." This category has been broken down into two other categories so that our statistics reflect a difference in those cases excluded from the adjustment process as determined by the use of State Division of Probation criteria, and those cases where Intake attempted adjustment, but could not reach a resolution of the problem. These two new categories are called "referred for petition immediately" and "terminated without adjustment and referred for petition."

The new categories regarding referrals for petition enable us to take a closer look at the success rate of Intake for the period of June through December, 1982. Of the 1,465 cases actually opened for Intake services (737 juvenile, 728 adult), only 386 cases (206 juvenile, 180 adult) were eventually referred for petition to Family Court. This, therefore, indicates a success rate of 74% with those cases where Intake was able to attempt adjustment (72% juvenile, 75% adult).

LEGAL CATEGORY OF COMPLAINTS REGARDING JUVENILES

PERSONS IN NEED OF SUPERVISION

Truancy	370	
Ungovernable	<u>532</u>	
	TOTAL	902

DELINQUENCY

Petit Larceny	263	
Burglary	245	
Criminal Mischief	129	
Assault	80	
Criminal Possession of Stolen Property	72	
Unauthorized Use of a Vehicle	52	
Criminal Trespass	37	
Robbery	37	
Grand Larceny	36	
Reckless Endangerment	23	
Sexual Abuse	21	
Arson	20	
Menacing	19	
Criminal Possession of a Weapon	10	
Aggravated Harassment	9	
Resisting Arrest	9	
Sodomy	9	
Theft of Services	8	
Obstruction of Governmental Administration	6	
Unlawful Possession of Weapon by Person Under 16	6	
Criminal Sale of Controlled Substance	6	
Criminal Possession of Controlled Substance	5	
Criminal Possession of Forged Instrument	5	
Criminal Possession of Marijuana	5	
Falsely Reporting an Incident	5	
Rape	5	
Escape	4	
Harassment	4	
Criminal Impersonation	3	
Criminal Sale of Marijuana	3	
Prostitution	3	
Sexual Misconduct	3	
Criminal Possession of Burglar Tools	2	
Forgery	2	
Incest	2	
Public Lewdness	2	
Coercion	1	
Unlawfully Possessing Noxious Material	1	
Unlawfully Dealing with Fireworks	1	
Unlawful Possession of an Imitation Cont. Substance	<u>1</u>	
	TOTAL	1154

OTHER

Restoration of ACD's	24	
Information Only Cases	5	
Violations of Orders of Disposition	6	
Marriage Application	4	
Application for Detention	3	
Termination of Placement	<u>3</u>	
	TOTAL	<u>45</u>

TOTAL COMPLAINTS REGARDING JUVENILES 2101

LEGAL CATEGORY OF COMPLAINTS FOR ADULTS - 1982

		<u>Number</u>
<u>Article of Family Court Act</u>		
Article 4 - Support (Including Modifications)		1750
Article 5 - Paternity		19
Article 6 - Custody (Including Modifications)	926	
Visitation (Including Modifications)	506	
Total:		1432
Article 8 - Family Offense (Including Violations)		1162
Article 9 - Conciliation		3
Other (Information Only)		<u>25</u>
TOTAL		4391

TERMINATION OF INTAKE CASES
JANUARY - MAY, 1982

	<u>JUVENILES</u>	<u>ADULT</u>	<u>TOTAL</u>
Referred for Petition	495	1330	1825
Adjusted by Probation	320	89	409
Referred to Community Agency	23	108	131
Terminated Without Adjustment	<u>73</u>	<u>111</u>	<u>184</u>
TOTALS	911	1638	2549

TERMINATION OF INTAKE CASES
JUNE - DECEMBER, 1982

	<u>JUVENILES</u>	<u>ADULT</u>	<u>TOTAL</u>
Referred to Petition Immediately	383	1792	2175
Terminated, Matter Not Pursued and Not Referred for Petition	69	238	307
Adjusted	459	267	726
Terminated Without Adjustment and Referred for Petition	206	180	386
Referred to Criminal	-	<u>46</u>	<u>46</u>
TOTALS	1117	2523	3640

PETITION PREPARATION UNIT

The Petition Preparation Unit prepares all petitions for Family Court referred by the Intake Unit. Also prepared are agreements in the areas of support, family offense and modifications of divorce decrees. The unit is also responsible for the processing of all interstate and intrastate transfers of probation supervision.

The Petition Preparation Unit consists of a senior probation officer, two petition clerks, a probation officer assigned as Family Court liaison and a probation assistant responsible for the Monitored Release Program. See below for descriptions of these functions. Potentially, each nonclerical member of the unit functionally backs up the other members.

In 1982, the Petition Preparation Unit prepared a record number of 4281 petitions and agreements, 311 more than in 1981. The number of juvenile petitions prepared in 1982 as compared to 1981 decreased by 108. While there was a significant decrease of 188 juvenile delinquency petitions, PINS (Truancy) petitions increased by 80. The other areas of juvenile petitions remained relatively stable. In the adult area, the number of total petitions increased in 1982 by 422, with the greatest increases in the areas of custody and modifications of court orders. The other areas remained relatively constant as compared to last year.

PETITIONS AND AGREEMENTS PREPARED BY PETITION PREPARATION UNIT
FOR FAMILY COURT - 1982

Juvenile Petitions

Juvenile Delinquency	573
PINS (Ungovernable)	263
PINS (Truancy)	172
Consent to Marry	3
Notice of Motion	5
Application for Detention	9
Violation of Order of Disposition	73
Restoration	30
Total Juvenile Petitions	<u>1128</u>

Adult Petitions & Agreements

Support	195
Support Agreements	16
Family Offense	589
Family Offense Agreements	34
Modification of Family Court Order	1118
Violation of Family Court Order	139
Enforcement of Another Court Order	51
Modification of Another Court Order	401
Modification of Another Court Order Agreements	7
Visitation	94
Custody	507
Custody Agreements (Informal)	1
Restorations	1
Total Adult Petitions & Agreements	<u>3153</u>

MONITORED RELEASE PROGRAM

The Probation Department provides a Monitored Release Program for children between the ages of 7 and 16 who are alleged to be Persons in Need of Supervision (ungovernable or truant) or Juvenile Delinquents. This program services any such child residing in our county who is referred to the unit by a Family Court Judge after an initial court appearance. This program gives the court an alternative to detaining or releasing the child between court appearances. When the court places a child under the supervision of the program, specific conditions are ordered to be monitored. Monitored Release may be involved until a finding is made or the child is returned to court for a violation of the conditions of the release. Monitored Release is limited to a 45 day period.

When the request from Family Court is received, the family is contacted within 72 hours. The conditions of release are monitored on a regular basis (schools daily, families weekly) and written reports are forwarded to the court just prior to the next court appearance. In the event of a violation of the conditions of the release, the court is notified in written form. It is at the discretion of the court whether or not a case is scheduled for an earlier appearance. The Monitored Release assistant also monitored the attendance of 78 juveniles referred by Intake probation officers as part of a diversionary program.

MONITORED RELEASE STATISTICS - 1982

Cases Referred to Program by Court

	<u>PINS</u>	<u>JD</u>	<u>TOTAL</u>
Males	34	21	55
Females	28	5	33
Total	62	26	88

Violations of Monitored Release Filed

	<u>PINS</u>	<u>JD</u>	<u>TOTAL</u>
Males	8	1	9
Females	7	1	8
Total	15	2	17

Telephone Contacts:	With Home	187
	With Schools	396
	With Law Guardians, Police, DSS, etc.	65
Letters		10
Court contacts		5
Total		663

FAMILY COURT INVESTIGATIONS - 1982

The department performs investigations and provides predispositional reports for juveniles as well as adults.

When a probation officer is assigned to perform an investigation, he or she schedules interviews and gathers relevant information. The probation officer studies court, police, and diagnostic reports, statements of all parties, as well as appropriate social and school history. After a thorough assessment, the probation officer provides the court with an evaluative analysis and a dispositional recommendation.

Predispositional reports are vital to the court to aid in rendering an intelligent disposition. Whether the person is placed on probation or in residential services, the investigation is used as a foundation for appropriate follow-up services.

The categories listed below that have shown dramatic growth over the past few years are Custody and Visitation. On the other hand, the category Investigation of Juvenile Delinquency has been steadily declining.

Custody	147
PINS (Ungovernable)	128
Juvenile Delinquency	99
Visitation	74
PINS (Truancy)	58
Neglect	40
Home Study	6
Child Abuse	4
Consent to Marry	3
Family Offense	2
Violation of Order of Disposition	1
TOTAL	562

FAMILY COURT SUPERVISION

At the heart of probation is the supervision of those persons placed on probation. Using the investigation report as a foundation, the supervising Probation Officer provides three basic services. After establishing a working relationship, he or she monitors compliance to the Conditions of Probation, provides appropriate counseling, and makes referrals to community agencies for program needs.

Family Court (PINS & JD) is the only Probation Department activity that has experienced a decreased workload. Over the years, the filtering network of police, schools, and agencies have decreased the number of juvenile intake, investigation, as well as supervision services. The result is that the youngsters that are actually placed on probation are the ones with the greatest unmet needs. The Probation Officer has to be much more effective and efficient in delivery of services. Since these needs often continue to be unmet, violations of the Order of Disposition must be filed and placement sought. This explains the 22 Placed/Revoked on 1982 Violations and 9 Placed/Revoked on carry-over 1981 Violations to reach a total of 31.

FAMILY COURT SUPERVISION CASELOAD - POST-ADJUDICATORY

On Probation at Beginning of Year	153
Probationers Received During Year	<u>156</u>
Total	309
Passed From Probation:	
A. Probation Completed	113
B. Transferred Out	3
C. Probation Revoked	31
Total Passed From Probation	<u>147</u>
TOTAL ON PROBATION AT END OF YEAR	162

ADJUDICATIONS AND CHARGES OF PERSONS PLACED ON PROBATION
BY FAMILY COURT IN 1982

Persons in Need of Supervision (Ungovernable)	56
Persons in Need of Supervision (Truancy)	28
Violation of Order of Support	16
Violation of Order of Protection	2
Juvenile Delinquency	54
J.D. Charges:	
Petit Larceny	13
Burglary	9
Criminal Trespass	9
Criminal Possession of Stolen Property	6
Assault	3
Resisting Arrest	3
Unauthorized Use of a Motor Vehicle	3
Criminal Mischief	2
Sexual Abuse	2
Consensual Sodomy	1
Criminal Possession of a Weapon	1
Grand Larceny	1
Sexual Misconduct	1
TOTAL	156

VIOLATIONS OF ORDER OF DISPOSITION (PROBATION) FILED IN 1982

Filed:	70
Disposed of:	44
Pending or No Disposition Reported	26
<u>Dispositions:</u>	
6 Placed with DFY or	14%
16 Placed with DSS or	36%
22 Total Placed or	50%
12 Violations Sustained, Probation Continued or	27%
3 Violations Withdrawn, Probation Continued or	7%
15 Total Probation Continued or	34%
7 Released From Probation by the Court or	16%

STAFF DEVELOPMENT AND TRAINING

During 1982, ninety staff members received 2,852 hours of training. Programs ranged from methods of dealing with client problems for line workers, to managerial styles for middle managers, to technical problem solving for administrators. The agencies that provided the training at no charge to our department were:

New York State Division of Probation	1598 hours
Institute for Local Government	270 hours
In House Training	216 hours
New York State Division of Alcohol Abuse	168 hours
National Institute of Corrections	111 hours
Other State and Local Agencies	489 hours

The New York State Division of Probation Rules and Regulations mandate 105 hours of training for newly-hired probation officers, and 21 hours for all other professional staff per year. We have a 100% compliance rate for newly-hired probation officers since the State offers the necessary training. Our compliance rate for other staff is 66%. Even though this is a significant improvement over 1981, we expect to continue to emphasize training in 1983 and improve our compliance. This will require an energetic seeking out of programs that are of no cost to the county.

High-quality, job-related training is vital for good morale and productivity, and will continue to be given high priority.

STUDENT INTERNS

As we have done for many years, our department has welcomed students from various colleges and universities to work with probation officers learning some of the day-to-day practical elements of Probation. In 1982, seven staff members supervised seven students, who worked 1,550 hours with the department. The sponsoring educational institutions were:

- SUNY at Cortland
- SUNY at Oswego
- Syracuse University College of Human Development
- Syracuse University School of Social Work

1. Collection of restitution for victims of crimes continues to increase dramatically: 26% from 1981 to an all-time high figure of \$85,367.89.
2. The Pretrial Release Program participants numbered 112 at the start of 1982 and 198 at the end of 1982 for an increase of 77%. Despite this increased productivity, revocations or failures decreased from 41 to 39.
3. Presentence investigations completed for Criminal Courts increased by 6% from 1981 for a total of 2257.
4. Convicted felons sentenced to State Prison decreased from 225 in 1981 to 197 in 1982. The number of defendants who had a presentence investigation report and were sentenced to the Onondaga County Correctional Facility increased from 230 in 1981 to 250 in 1982.
5. Probation as a disposition after a presentence investigation report has been submitted increased from 48% in 1981 to 54% in 1982.
6. Courts follow the recommendation of the Probation Department approximately 82% of the time. Local courts sentence more defendants to less severe dispositions 12% of the time and more severe 6%.
7. Criminal Court probationers increased 8% from 1981 to 1829 cases.
8. The two most frequent categories of new probationers were DWI with 261 and Burglary with 166.
9. Violation of Probation dispositions resulted in 99 persons being resentenced to incarceration. This number reflects 47% of reported dispositions.
10. Geographical distribution of new probationers indicates that 56% live in Syracuse, 39% live in the county outside the city, and 5% live outside the county.
11. Adult males ages 16-24 make up approximately 50% of the supervision workload.
12. Females of all ages make up approximately 12% of the supervision workload.
13. Family Court Intake processed an all-time record of 6,492 referrals. The number of juvenile cases decreased but the increase in adult cases more than made up for it.
14. Family Court Investigations as well as Monitored Release are somewhat decreased from last year mostly due to the decrease of Juvenile Delinquency cases.
15. Despite a decrease in Juvenile Delinquency petitions and investigations, the number of JD supervision cases is steady. This means that the youngsters that are on probation have more problems and unmet needs.

PLANS, PROGRAMS AND PRIORITIES FOR 1983

Areas that need special emphasis in 1983 include redefining our service delivery system to reflect program needs, maintaining the accountability of the service and developing methods to maintain the fiscal integrity of the department.

1. Program Needs - The number of persons sentenced to or placed on probation continues to grow with those convicted of Driving While Intoxicated making up the largest category. In order for the department to respond to the needs of these probationers, we must reorganize our service delivery system. We plan to create a DWI Unit so that Driving While Intoxicated probationers will get the attention they need. Even though this new unit will be able to supervise only half of the DWI probationers, it will provide the knowledge base and leadership for the other units. In addition to using current staff, the unit will be enhanced by three probation officers financed by the STOP DWI Program.

2. Accountability - The department has been developing two methods to increase accountability of staff and the work they do. The first method will be the continued implementation of the Staff Performance Evaluation Program. This program includes an extensive evaluation of all staff members in areas such as quality and quantity of work produced, knowledge of the job and dependability. With the ongoing consultation of the Personnel Department, this first structured and valid documentation of staff performance will benefit both line staff and administration.

The second method to increase accountability is the development of a Computerized Management Information System. In conjunction with the Data Processing Department, a system will be up and running by mid-1983. It will include tracking of all investigation and supervision cases with courts, judges, crime information and related data available in various reports. Our current manual data collection system is very time consuming and limited in supplying comprehensive, timely reports.

3. Fiscal Integrity - Realization of our ambitious plans for 1983 will not take place without the fiscal integrity of the Probation Department. We are concerned that state funding for the Intensive Supervision Program will be eliminated due to state budget problems. The state reimbursement rate for all county probation services is also at risk. In fact, there is serious discussion in Albany to develop a variable funding formula which may decrease state dollars reimbursed to our county. There is also much to indicate that substantial changes in the Criminal Justice System in New York State may take place. Our department administrators will keep the County Executive and County Legislature apprised of these developments and through our mutual efforts, fiscal integrity can be maintained.

END