



CATTARAUGUS COUNTY PROBATION DEPARTMENT

ANNUAL REPORT

2014

Contents	3
Mission Statement	4
Director's Message	5
Supervision Rule	8
Focal Issues	9
Programs	12
Organization Chart	14
Collections	15
Special Recognition	17

Mission Statement

The mission of the Cattaraugus County Probation Department is the creation and maintenance of safe and peaceful communities through the enforcement of criminal and juvenile justice sanctions, through the rehabilitation of offenders, through services to victims of crime, and through the provision of assistance to the courts.

Director's Message

This report summarizes the activities of the Cattaraugus County Probation Department through the calendar year 2014. Included in this report will be a summary of the caseload statistics, collections and programmatic initiatives of the department.

Caseload Statistics – Adult Probation

Investigation:

During calendar year 2014, the Cattaraugus County Probation Department received orders/requests to complete 609 presentence and pre-plea investigations on adult offenders. This included 279 Felony level investigations and 330 Misdemeanor level investigations.

These investigations are completed by a team composed of 2 Probation Officers and 1 Probation Assistant who is also responsible for victim outreach.

Supervision:

At the end of calendar year 2014, the Cattaraugus County Probation Department was supervising a total of 709 adult probationers. Of these adult probationers, 3% classified as Greatest Risk, 8% classified as High Risk, 42% classified as Medium Risk and 42% classified as Low Risk. The remaining 2% of adult probationers were pending classification and are supervised as greatest risk until classification is complete.

In addition to reviewing probationers risk classification, the department also looks at other factors when planning for programs in the department. Of the 709 adult probationers 66% of those probationers who are

employable are employed. Employable refers to 'adult probationers' having the ability to work. It does not include the following: inmates, disabled, retired, full-time students, full-time homemakers, undocumented workers, absconders, and any others who are not in the workforce for legitimate and verifiable reasons (substance abuse/mental health treatment/conditions) that currently prevent employment.

34% of adult probationers had an Axis I Mental Health diagnosis.

30.7% of adult probationers are on probation for a drinking driving conviction.

53% have obtained their High School diploma or their High School Equivalency.

12% are Native American. (As compared to 3% of the County population being Native American)

4% are on probation for a Domestic Violence conviction.

These adult offenders are supervised by a team consisting of 2 Probation Supervisors, 1 Senior Probation Officer, 6 Probation Officers, and 2 Probation Assistants.

Violations of Probation:

Violations of Probation are filed whenever a probationer experiences a new arrest, or if they technically violate the Condition of Probation in such an egregious manner that they require additional court intervention. Less serious technical matters are handled in-house through graduated sanctions.

During calendar year 2014, the department filed a total of 209 Violations of Probation with the Courts. Of these, 79 were Felony level violations (46 - new arrest, 33- technical) and 130 were Misdemeanor level violations (72 – new arrest, 58 – technical)

Caseload Statistics – School Based/Family Court Unit

Intake:

During calendar year 2014, the department opened 387 Intake cases. These broke down into 130 Juvenile Delinquency Intakes, 129 PINS (Person in Need of Supervision) Intakes, and 128 Family Offense Intakes.

Investigation:

During 2014, the probation department was ordered to complete 22 juvenile investigations.

Formal Supervision:

At the end of calendar year 2014, the probation department was providing formal supervision services to 37 juveniles, either through a probation adjudication, or through predispositional supervision.

The School Based/Family Court unit is composed of 5 Probation Officers and 1 Probation Supervisor.

NYS Probation Supervision Rule

On June 1, 2013, the Probation Supervision Rule (9 NYCRR Part 351) took effect. This newly promulgated supervision rule is the result of three years of collaborative work involving probation practitioners, OPCA staff and national experts. The statewide work group reviewed national research on the latest evidence-based practices, explored various state and local probation practices, and met regularly to develop 18 drafts before finalizing the final rule (e-Focus, Issue Number 116, June 21, 2013).

The effects of the new Supervision Rule have been multi-faceted. One of the first effects was the introduction of a new classification system which replaced 3 supervision ‘levels’, with 4 risk classification levels and two categories - active and administrative. The probation reporting requirements for each of these levels and categories has also changed, with a greater number of contacts and ‘positive home contacts’ required for the higher risk levels. The new supervision rule also provides incentives to probationers for merit credit activities. Examples of merit activities are educational achievement, employment retention, program completion, and victim restoration activities. Implementation of the new requirements of the supervision rule has been made easier due to the department’s long-standing commitment to evidence based practices, although reporting requirements have placed a greater burden upon the supervising probation officers.

Additionally, contacts through technological means are now acceptable under the new rule. A new software program, CE check-in, will allow the department to have lower risk offenders reporting through technology, rather than relying entirely upon face-to-face meetings.

In all, the new supervision rule has provided new challenges to the Probation Department, and has strained our resources. Due to the new

reporting requirements the department made a decision to begin pursuing the option of arming officers in order to enhance their safety in the field.

Focal Issues

Effective December 31, 2014, the Probation Department was supervising a total of 709 adult probationers.

Further analysis of caseload data locally indicates other areas where attention will need to be placed in the coming years as follows:

Employment:

Of 709 probationers, 70% (496) are considered to be employable. Of those probationers who are employable 66% (328) were employed on 12/31/2013. Additional resources and strategies to move more probationers into employment will need to be found in the coming years.

Mental Health:

Of 709 probationers, 34% (246) are found to have an Axis I diagnosis. While suffering from mental illness is not a crime, the scarcity of mental health resources in the area does impact on how those who are mentally ill are treated in our communities. Communities which lack adequate mental health resources may respond to those issues by turning to the criminal justice system. The Probation Department will need to continue to work with our community partners in coming years to ensure that the needs of those suffering from mental illness do not find their only source of treatment resources within the criminal justice system.

Driving While Intoxicated:

The Probation Department identifies 31% (218) of the adult supervision caseload as drinking/driving offenders. These offences represent the greatest number of offenders under probation supervision in Cattaraugus County. During 2014, the department began the use of the DRI-II assessment tool, a tool designed specifically for use with drinking/driving offenders. This tool has allowed the department to better gauge which offenders pose the greatest threat to our communities and allows the department to direct resources toward those individuals. Future plans include additional group interventions targeting the drinking/driving offender as well as seeking increased activity from the Stop-DWI program in Cattaraugus County.

Native American Representation:

On 12/31/2014, the Native American representation in the adult probation supervision system stood at 12% (87). This is a number that the probation department has been tracking for several years, and it is noted that this percentage remains in the 12-15% range. This number is significant as only 3% of the county population, according to the most recent census, is Native American. The causes for this disproportionate representation in the probation system are unknown at this time. It is believed that a similar disproportionality also exists within other portions of the criminal justice system without an adequate explanation. This represents an area that requires further examination to determine the root causes and also to determine if different interventions throughout the criminal justice system are called for.

During 2014, the department has engaged in outreach with the Seneca Nation of Indians in an effort to determine ways that the department and the Nation can better meet the needs of these offenders.

Age of Criminal Responsibility

NYS continues to look at raising the age of criminal responsibility. The changes proposed would affect those offenders who are under the age of 19. These offenders, who are currently handled in either our Justice Courts, or the County Court systems, could be handled by either Family Court, or a new hybrid court, yet to be determined. Under any system being discussed, the role of probation with these offenders would be expanded, and many offenders who are never seen in the probation system at this time would become the responsibility of the probation system.

PROGRAMS

School-Based Probation

The school-based probation unit has the primary responsibility to handle Person in Need of Supervision (PINS) and Juvenile Delinquency (JD) cases from the level of Intake through investigation and supervision. Each of the school-based probation officers is placed in a particular school district and is responsible for providing probation services to children and families in that district and surrounding districts.

Along with assisting youth and their families in solving problems that have led to their involvement in the juvenile justice system, the school-based probation unit is also tasked with providing for community safety and assisting in controlling the costs for detention and out-of home placements.

Adult Probation Supervision

The adult probation unit is responsible for conducting criminal court investigations, and for the supervision of adult offenders who are placed under probation supervision by the courts. As reported earlier, at the end of December 2014, the probation department was actively supervising 709 adult probationers.

Supervision efforts by probation officers include group work through our evidence based programs, as well as supervision and monitoring within the community. Probation officers not only meet with probationers, but also maintain contact with police, employers, treatment providers, family members and others in the community to ensure that all possible efforts are utilized to keep the community safe, and to rehabilitate the probationer.

Probationers are assessed for risk levels using assessment tools that have been made available through the NYS Division of Criminal Justice Services as well as with specialized tools that have been purchased by the department, and supervision contacts are determined through the use of these assessments. Programming and referrals to other agencies are also governed by the needs identified in the assessment process. Reassessments are regularly scheduled to ensure that the probation program changes to meet the current needs of each individual probationer.

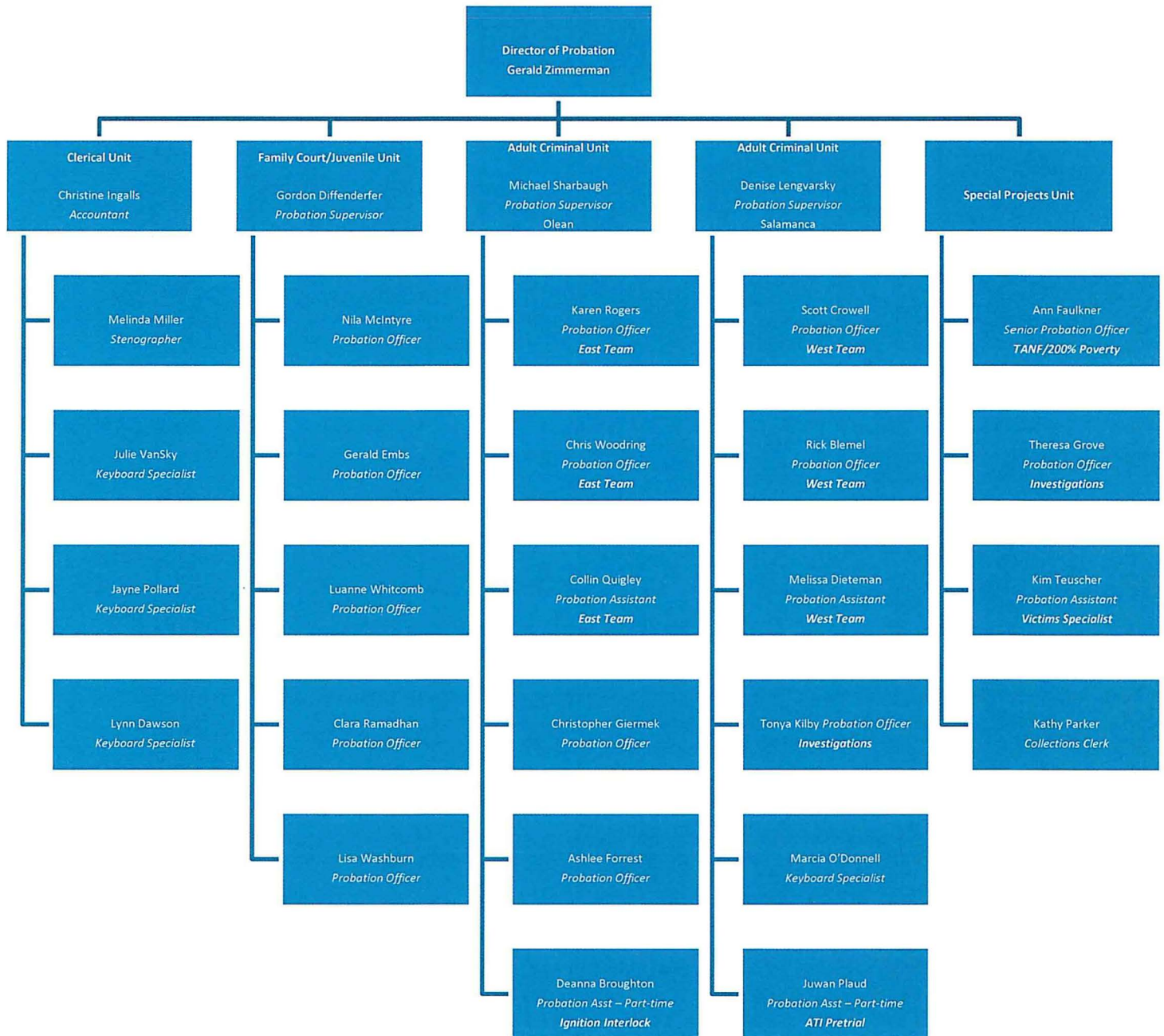
Pretrial Release

The Pretrial Release Program is designed to allow the courts to make informed decisions regarding the need to detain offenders prior to their trial and sentencing. Using specific assessment tools, a Correctional Alternative Specialist determines if a particular offender presents a flight risk if released as well as if the particular offender presents a risk to the community. The Pretrial Release Program additionally examines if there are current Orders of Protection, if there are firearms in the home, and reports this information to the courts, along with a recommendation regarding whether or not the offender should be released under recognizance (ROR), released under supervision (RUS), or if a reduction in bail is appropriate.

The Correctional Alternative Specialist reviews, on a daily basis, every new admission to the jail to determine if they are eligible for Pretrial Services. The primary purpose of Pretrial Services is to avoid the detention of offenders who do not present a flight risk, as well as assisting the jail in reducing the number of individuals detained.

Pretrial services are a required part of the jail classification system, and the failure to provide these services would put great strain upon the jail to provide adequate resources for the county's needs.

Probation Department Organization Chart



COLLECTIONS

The Cattaraugus County Probation Department is responsible for the collection of monies from probationers for various reasons. In 1984, the County Legislature designated the probation department to be the designated restitution/reparation collection agency in Cattaraugus County, pursuant to Criminal Procedure Law Section 420.10(7). The probation department also collects fines for the courts it serves, fees for drug testing, and supervision and administrative fees. A breakdown of the total collection effort for 2014 follows:

Fines	\$72,529.25
Restitution	\$109,572.96
Restitution surcharge	\$8,123.00
Drug Testing	\$4,667.12
DWI Supervision fees	\$58,811.25
Administrative fees	\$63,972.50
Total collections	\$317,676.08

Out of these total collections, \$109,572.96 has been returned to victims of crime in Cattaraugus County allowing for some restoration of crime victims. This restitution collection is just one of the many ways that offenders are being held accountable for their actions.

The Cattaraugus County Probation Department has strict policy and procedures in place to ensure that any monies collected are handled appropriately and credited to the proper victims and accounts.

The collection efforts of the probation officers are aided by a Collections Clerk located within the office. The probation staff works cooperatively with the NYS Department of Community Corrections (inmates in prison/parolees in the community), the County Attorney's Office, the County Sheriff's Office and other agencies to pursue collections.

Special Recognition



On August 7, 2014, two Cattaraugus County Probation Officers, Scott Crowell and Christopher Woodring, were presented the New York State Probation Officers Association **Presidential Distinguished Service Award (B)** (photo).

The **Presidential Distinguished Service Award (B)** honors individuals for dedicated service to the profession. These officers received this award in recognition of their service in intervening with an individual who was at high risk of harming herself. This award is a reflection upon these officers extraordinary character and dedication, as well as a positive reflection upon the Cattaraugus County Probation Department. Officers Crowell and Woodring continue the tradition of excellence established by this Department, garnering the Department's seventh state or national award since 1998.

