



**Division of Criminal  
Justice Services**

# **Criminal Justice Statistical Report**

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**Legislative Report Series**

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## **Executive Law Article 13-A Classification/ Alternatives to Incarceration Program 2016 Annual Report**

New York Executive Law Article 13-A requires that counties submit an Alternative to Incarceration (ATI) Service Plan for Classification Funding to New York State. The Plan is designed to identify the need for and plan for ATI programming as determined by either an advisory board established pursuant to this article, or by an existing criminal justice coordinating council.

The annual ATI Service Plan provides counties the opportunity to examine their criminal justice and jail populations and to conduct planning for effective ATI programs that reduce unnecessary reliance on incarceration. Upon approval of the Plan, the state provides counties funding (shall not exceed 50 percent of total program costs) for those programs, as well as the authority for the continued use of reduced classification at the jails they operate.

Pursuant to Section 267, the New York State Division of Criminal Justice Services (DCJS) shall submit its evaluation and assessment of ATI planning and programming efforts by the counties. This report complies with the reporting requirement by including the status of the development, approval, and implementation of such plans.

### **Development of ATI Service Plans**

The DCJS Office of Probation and Correctional Alternatives (OPCA) received a total of 57 ATI Service Plan Applications from New York City and all other counties in the state, except Hamilton, for State Fiscal Year 2016-17. Counties were asked to analyze their jail populations as well as the relationship between substance use and abuse and incarceration practices. Their analysis is used to inform the types and nature of programming to be included in the plan when supporting the funds for one or more of the following program model options:

- Pretrial Services
- Defender-Based Advocacy Services
- Community Service
- Specialized and Drug/Alcohol Services
- Treatment Alternatives for Safer Communities (TASC)

Counties responded as follows to questions about the development of their ATI Service Plans and Advisory Board activities (see Table 1 below):

- 88 percent (50 out of 57 counties) reported that they had analyzed the county’s jail population to determine incarceration practices and trends.
- 86 percent (49 out of 57 counties) reported that they had analyzed the relationship between alcohol, drugs, and crime and the effects of alcohol and substance abuse on the local criminal justice system and jail, probation, and alternatives to incarceration populations.
- 74 percent (42 out of 57 counties) reported that they had met to review the Annual Service Plans before they were approved and submitted to the state.
- 58 percent (33 out of 57 counties) reported that they had met to review the ATI programs’ Quarterly Reports and Tracking Logs prior to their submission to the state.

**Table 1**  
**Advisory Board Activities**

	Counties Reporting	Does your Advisory Board analyze or review the following?			
		Incarceration Practices and Trends	Relationship between Substance Abuse and Crime	Annual Service Plans before Submission	Quarterly Reports and Logs before Submission
Total Reporting	57	50 – Yes	49 – Yes	42 – Yes	33 – Yes
Percent of Total		88%	86%	74%	58%

**Approval and Implementation of ATI Service Plans**

A total of \$5,330,303 in funding for ATI programs was continued through renewal contracts effective July 1, 2016. All ATI contracts are performance-based contracts. Annual submission of the ATI Service Plan requires a review by DCJS of contractual milestone targets and program performance.

## Program Utilization

Tables 2 through 6 provide information about the numbers of persons served by the various ATI program models funded by DCJS from January 1, 2016 through December 31, 2016. These numbers represent the services paid for by the State pursuant to performance-based contracts and may not represent the total number of participants served by such programs and funded primarily by localities.

### Pretrial Services Programs

A total of 44 pretrial services programs report 29,861 releases and 937 failures to appear.

**Table 2**

**Pretrial Services Program Utilization 2016**

	Number Screened	Number Interviewed	Total Number Released	Percent Released	Administrative Discharges	Total Number Under Pretrial Release <sup>1</sup>	Persons FTA
Total	74,514	46,304	29,861	64.5%	373	47,193	937

<sup>1</sup>This number includes those under supervision from previous year.

### Defender-Based Advocacy Programs

A total of 8 defender-based advocacy programs prepared 2,453 individualized client-specific plans and 2,138 were accepted by courts or other releasing authorities.

**Table 3**

**Defender-Based Advocacy Program Utilization 2016**

	Number Prepared	Number Accepted	Percent Accepted
Total	2,453	2,138	87%

Community Service Programs

A total of 35 community service programs report 3,178 individuals completing community service sentences.

**Table 4**

**Community Service Program Utilization 2016**

	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
Total	3,941	3,178	514	224

Specialized and Drug/Alcohol Service Programs

A total of 28 specialized and drug/alcohol service programs report 9,908 individuals completing their programs.

**Table 5**

**Specialized and Drug/Alcohol Service Program Utilization 2016**

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
NYC	11,357	11,163	9,178	N/A	N/A
Rest of State	2,714	1,159	730	239	42
Total	14,071	12,322	9,908	N/A	N/A

Note: NYC programs did not report unsatisfactory terminations and administrative discharges in 2016.

Treatment Alternatives for Safer Communities (TASC) Model Programs

A total of 5 TASC Model Programs report 1,672 individuals completing programs.

**Table 6**

**Treatment Alternatives for Safer Communities Program Utilization 2016**

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
Total	3,278	3,122	1,672	416	53

## Review of Jail Population

Each year, DCJS publishes the '[Jail Population Outside of New York City \(Annual\)](#),' a report that summarizes census data for local jails outside of New York City for the last 10 years. The report includes the average daily population for each local jail, as well as the number of inmates that are detained in pretrial status. These numbers are provided to each county in a summary table and are used by the counties to develop their ATI Service Plans.

## Alcohol, Drugs and Crime

Each year, DCJS provides counties with a table summarizing the prison under custody population, by county of commitment. The summary includes the percentage of inmates from the county who are under custody for drug or property offenses. As with the jail populations, counties compare their individual under-custody populations to the regional and statewide totals and report the use of this information in preparing and submitting their ATI Service Plan.

Tables 5 and 6 above present the number of individuals assessed for and admitted to drug and alcohol service programs and TASC model programs. Overall, 11,580 individuals completed their programs. (See Table 7 below).

**Table 7**

### Alcohol and Substance Abuse Programs

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
NYC Specialized and Drug/Alcohol Service Programs	11,357	11,163	9,178	N/A	N/A
Rest of State Specialized and Drug/Alcohol Service Programs	2,714	1,159	730	239	42
TASC Model Programs	3,278	3,122	1,672	416	53
Total	17,349	15,444	11,580	N/A	N/A