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Wishing you a safe and happy holiday season!

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1. New York State Implements Warrant Notification System

The New York State Warrant Notification System – which allows Probation Departments and certain Department of Corrections and Community Supervision (DOCCS) staff – to receive Warrant Notification messages via their eJusticeNY Integrated Justice Portal inboxes. The notification process will occur whenever any local, state or federal agency enters a warrant with a NYSID into the IJPortal. To ensure this notification system works as intended, Probation Departments must maintain the accuracy of Integrated Probation Registrant System (IPRS). If IPRS is not accurate, departments will be notified of warrants

issued for individuals who have reached maximum expiration of their probation sentences. The system will send three types of notification:

- **A Warrant Entry Notification** will alert a probation department when a warrant has been entered in New York State and is matched to a NYSID of a person under active Probation supervision. This notification will provide departments with real time updates to applicable cases and will enhance interagency communication.
- **A Warrant Cancel Notification** will alert a probation department when a warrant has been executed or cancelled. There are several reasons for warrant cancellation and the system allows that information to be captured in the system. Upon receipt of a warrant cancellation notice, probation departments should immediately contact the agency that canceled the warrant for additional information.
- **A Warrant Purge Notification** will alert a probation department when a warrant has been purged from the wanted system because it has not been verified as periodically required. Please remember that the warrant may still be valid and follow-up communication with the agency that issued the warrant should occur immediately upon receipt of the notification.

For additional information about the New York State Warrant Notification System, please refer to **State Director's Memorandum #2017-11: NYS Warrant Notification System, Effective Nov. 14, 2017.**

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## 2. Juvenile Delinquent Automated Notice of Adjustment (ANA) Implemented in Probation Departments Using Caseload Explorer

The Juvenile Delinquent (JD) Automated Notice of Adjustment (ANA) is being implemented as part of the Caseload Explorer Version 6.1.1 upgrade. Probation departments must advise DCJS and the appropriate police agency whenever it adjusts a case, specifically when a youth's fingerprints were taken pursuant to Family Court Act Section 306.1 (Reference FCA 308.1, sub. 12). This new functionality means that Probation Departments using Caseload Explorer no longer need to manually generate the Notice of Adjustment and send it to DCJS; it will be done automatically. The Automated Notice of Adjustment system within Caseload Explorer includes the following functionality:

- An alert advising departments to enter a *Criminal Justice Tracking Number (CJTN)* and/or *New York State Identification Number (NYSID)* for youth who should be fingerprinted on a juvenile delinquency (JD) matter;
- An electronic notification to DCJS when a JD matter that includes a **CJTN (case attributed) and a NYSID (person attribute)** has been Adjusted;
- An electronic notification to DCJS when a previously adjusted juvenile delinquency intake (involving a fingerprinted youth) has been re-opened.
- A notification to the probation department in Caseload Explorer that the automated Notice of Adjustment has been received by DCJS.

This functionality eliminates the paper notification process, allowing probation officers additional time to work with youth and ensuring that adjusted cases are properly expunged from a youth's criminal history record.

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3. Automated Sex Offender Change of Address/Information Update Piloted in Probation Departments Using Caseload Explorer

DCJS, working in partnership with the state Office of Information Technology Services, AutoMon, Inc. and the Warren County Probation Department, has successfully conducted the first test of Phase II – New Automated Sex Offender Change of Address/Information Update and Data Upload functions – using Caseload Explorer (CE) and a TOPAZ signature pad. A test probationer was created in Warren County and a series of test scenarios were conducted last week, resulting in the first full automated, electronic transmission to DCJS of a digitally signed Sex Offender Change of Address form, which also included several related, updated data fields from within CE.

Earlier this week, DCJS began the next step in Phase II by activating this new functionality in eight probation departments that have upgraded to CE Version 6.1.1.4. This involves testing the electronic transmission of fully automated change of address forms and other information of *active* probationers required to register as sex offenders. Probation departments in the following counties will participate in this portion of Phase II: Albany, Erie, Monroe, Schenectady, Sullivan, Tioga, Ulster and Warren County. Once probation departments in Onondaga and Westchester counties upgrade to CE Version 6.1.1.4, they will join the other eight pilot sites.

Phase II testing is scheduled to continue through January 2018. with the goal of activating this functionality within all CE probation departments who have upgraded to 6.1.1.4 on Feb. 1, 2018.

DCJS has purchased TOPAZ Signature Pads for all probation departments using Caseload Explorer and will distribute them throughout the first quarter of 2018 so the departments will be ready to implement this functionality once the Phase II testing is complete.

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4. Suffolk County Probation Takes DNA Sample Linked to Decades-Old Homicides

DCJS Deputy Commissioner Robert Maccarone recently honored Suffolk County Senior Probation Officer Elena Mackie for work that helped bring a serial killer to justice. Through the process of collecting a DNA sample pursuant to the Subject Index, Officer Mackie made an invaluable contribution that led to the arrest and conviction of John Bittrolff on two counts of second-degree murder.

Timothy Bittrolff, the brother of John Bittrolff, was sentenced to probation in Suffolk County in April 2013, following his conviction to second-degree criminal contempt. As a result of that conviction, Officer Mackie, who was assigned to the case, collected Timothy Bittrolff’s DNA in accordance with state regulation and Suffolk County Probation Department policy. That DNA profile was entered into the state’s DNA Databank and a subsequent, routine search showed Timothy Bittrolff’s DNA was a close match to the DNA found on two murder victims from the early 1990s. The sample ultimately led authorities to his brother John Bittrolff, who was ultimately convicted in July 2017 of the two murders.

Officer Mackie began her career with the Suffolk County Probation Department in December 2000 and was promoted to her current role of Senior Probation Officer in April 2013. When she collected Timothy Bittrolff’s DNA in 2013, she did not know that this simple step would help to bring a dangerous offender to

justice. In the end, it was her adherence to department policy and procedure that ultimately helped bring closure to these cases.

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5. Part 358: “Handling of Ignition Interlock Cases Involving Certain Criminal Offenders”

As noted in **State Director’s Memorandum # 2017 – 12**, changes have been adopted to Title 9 NYCRR Part 358 and took effect on Nov. 15, 2017. These changes to the state’s Ignition Interlock Device (IID) Program were made in response to statutory changes and technological advancements that have occurred since the Ignition Interlock provision of Leandra’s Law took effect in 2010. The amendments were further informed by direct input from the field, including three periods of public comment. The revised regulation:

- Reflects the imposition and monitoring of IIDs installed concurrently with interim probation supervision and in cases prior to sentencing pursuant to a court order;
- Establishes that monitors select the class and features of IIDs available from an available manufacturer in the region where an operator resides for cases ordered in advance of sentencing;
- Authorizes the use of IIDs with settings that measure lower breath sample volumes to accommodate individuals with documented medical conditions;
- Eliminates the previous requirement for monitors to notify the court and district attorney’s office of any test with a BAC of .05 percent or greater, which recognizes and emphasizes the importance of reporting the confirmatory results of re-tests to New York’s program.

Staff from the Office of Probation and Correctional Alternatives last month facilitated a webinar detailing these changes. More than 150 participants, including Probation staff, IID Conditional Discharge Monitors, and Qualified Manufacturers of Ignition Interlock Devices, participated in the webinar. Probation Department staff can access the webinar through the IJ Portal. For all of the changes associated with this revision, please see the **State Director’s Memorandum #2017 – 12**.

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6. 2017 Domestic Violence Survey: Assessment and Monitoring Summary of Survey Results

This summer, the Office of Probation and Correctional Alternatives surveyed the state’s 58 probation departments to determine which departments were using domestic violence assessment tools and GPS monitoring as a way to better supervise these offenders. All departments participated in the survey. Key findings include:

- 5 percent (3 of 58) of departments are currently using a specialized Domestic Violence Assessment Tool.

- 87 percent (47 of 54) of departments reported strong interest in receiving training on the implementation of specialized domestic violence assessment tools if the state were to provide the training and access to the instrument.
- 28 percent (16 of 58) of departments reported using GPS devices to monitor DV probationers. A number of departments reported the use of GPS for other offenses, but not specifically DV offenders.

Complete survey results are posted to the IJ Portal: Resources > Reference Library > Probation > Reports

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7. 2017 Juvenile Delinquency Eligibility/Suitability Survey Results

The Office of Probation and Correctional Alternatives and the DCJS Office of Justice Research and Performance recently surveyed departments to identify barriers to the adjustment process in juvenile delinquent cases. This 31-item survey, which was sent to each of the state’s 58 probation departments, was completed 61 respondents from 47 counties. This summary of survey results details key findings that affect a probation department’s ability to adjust a case:

- Victim does not consent to adjustment: 81 percent
- Juvenile respondent refuses adjustment services: 74 percent
- Order of protection requested by victim: 70 percent
- Parent/guardian refuses adjustment services: 65 percent
- Juvenile and/or parent/guardian deny responsibility for the alleged offense: 44 percent
- Juvenile and/or parent/guardian refuse to pay restitution: 32 percent

Complete survey results are posted the IJ Portal: Resources > Reference Library > Probation > Reports).

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8. Ten Probation Departments Participate in E-Connect Project

The Center for the Promotion of Mental Health in Juvenile Justice at Columbia University recently received a grant from the National Institute of Mental Health (NIMH) to address suicide risk in juvenile probation populations. The project is titled “e-Connect: A Service System Intervention for Justice Youth at Risk for Suicide” and the Office of Probation and Correctional Alternatives and Office of Youth Justice at DCJS are partnering with the Center and 10 county probation departments in the state to pilot the program in their respective jurisdictions.

The first step to implement the project was a meeting last month of a Steering Committee, which brought together leadership from the 10 probation departments, a research team from Columbia and staff from the

Office of Probation and Correctional Alternatives and Office of Youth Justice at DCJS. The eConnect project will:

- Provide training to local probation departments on risk, responses and involving families in suicide risk reduction;
- Map and create county-specific referral pathways for mental health needs;
- Operationalize a cloud-based screening for risk for suicidal behavior accessible on smart devices and;
- Generate real-time reports and county-specific referral pathways for intervention.

The Office of Probation and Correctional Alternatives will serve as the liaison between Columbia University and the probation departments that are participating from the following 10 counties: Albany, Cayuga, Clinton, Livingston, Montgomery, Niagara, Oswego, Saratoga, St. Lawrence and Tioga.

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9. Juvenile Interstate Data System (JIDS)

Please note that in December, support for Juvenile Interstate Data System (JIDS) issues that are specific to Internet Explorer versions 9 and 10 will end: This means that any issues determined to be browser specific will not be remedied. To avoid this issue, probation departments must upgrade their browser to Internet Explorer Version 11 as soon as possible.

REMINDER: JIDS-supported browsers are Microsoft Internet Explorer 11 and Mozilla Firefox through version 51. Google Chrome is not a supported browser. Please contact Kelly Palmateer at kelly.palmateer@dcjs.ny.gov with any questions.

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10. OPCA Staff Visit Bronx NeON

OPCA staff members John Adams, Patty Clements and Dan Robertello recently toured the Bronx Neighborhood Opportunity Network (NeON), a program of the New York City Probation Department. The NeON program offers probationers the opportunity to meet with their officers and receive needed services in a community location. Among the diverse services offered by the NeON are employment preparation, academic support, mentoring, healthcare and after-school services. The Department shared its work with the implementation of evidence based practices, including the use of the Individual Action Plan (IAP), and tools such as the Brief Intervention Tools (BITS).

According to New York City Probation Commissioner Ana Bermudez, the success of the NeON is the result of strong collaboration with the immediate community and investment of all stakeholders. The NeON program team members have a variety of backgrounds, all with the goal of positively impacting outcomes for probationers, the department and the community as a whole.

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11. Governor Cuomo to Propose the Removal of Firearms from Domestic Abusers

Earlier this month, Governor Andrew M. Cuomo unveiled his first proposal of the 2018 State of the State: remove all firearms from those who commit domestic violence crimes. While New York law prohibits the possession of firearms for individuals convicted of felony or “serious” offenses, it excludes certain misdemeanor offenses. To ensure that all domestic violence offenders are held to the same standard, Governor Cuomo will advance legislation to include all domestic violence misdemeanors on the list of prohibited offenses.

Read the press release: <https://www.governor.ny.gov/news/governor-cuomo-unveils-first-proposal-2018-state-state-remove-firearms-domestic-abusers>

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## 12. Recent State Director’s Memoranda

The following State Director’s Memoranda are posted to the IJ Portal:

Resources > Reference > Library > Probation > Director’s Memoranda

- **State Director’s Memorandum #2017-11 dated Nov. 13, 2017:** New York State Warrant Notification System effective Nov. 14, 2017
- **State Director’s Memorandum #2017-12 dated Nov. 15, 2017:** Adopted Changes to Title 9 NYCRR Part 358 effective Nov. 15, 2017, “Handling of Ignition Interlock Cases Involving Certain Criminal Offenders”
- **State Director’s Memorandum #2017-13 dated Nov. 16, 2017:** Interstate Commission for Adult Offender Supervision (ICAOS) New Rule Changes effective March 1, 2018
- **State Director’s Memorandum #2017-14 dated Dec. 5, 2017:** New York State Automated Notice of Adjustment to DCJS for Juvenile Delinquency Intake Matters

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13. OPCA Training Schedule

The OPCA training unit sponsored several trainings during the final months of 2017, including a Motivational Interviewing training in Erie County in November, NYCOMPAS training in Albany County in December, and Thinking for a Change trainings in Erie and Albany Counties in December. Offender Workforce Development Specialist training also began on Nov. 13 and will through February 2018. OPCA thanks all participants for remaining committed to improving their practices and skills by attending ongoing training. The training unit has the following trainings scheduled through March 2018:

- **Women’s Risk Need Assessment (WRNA) Training for Trainers:** Scheduled for Feb. 12 through 16 in Albany.

- **Interactive Journaling for Facilitators:** Scheduled for Feb. 20 and 21 in Albany.
- **Interactive Journaling Training for Trainers:** Scheduled for March 27 through March 29 in Albany.

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#### 14. Awards, Additional Trainings and News from Probation Departments

- **American Probation and Parole Association Winter Training Institute:** Jan. 21 – Jan. 24 in Houston, Texas; <http://www.appa-net.org/institutes/2018-Houston/attend/>
- **Orientation of Probation and Parole Chief Executives:** March 20 – March 22: <https://nicic.gov/news-media/events/orientation-probation-and-parole-chief-executives-18c4001>
- **Enhancing Community Supervision Strategies for Hardcore Drunk Drivers:** Online training course through APPA; <http://appa.academy.reliaslearning.com/Enhancing-Community-Supervision-Strategies-for-Hardcore-Drunk-Drivers--EL-ACSSHDD-CORR-APPA.aspx>
- **Adolescent Brain Development – Research Implications for Community Corrections:** Online training course through APPA; <http://appa.academy.reliaslearning.com/Adolescent-Brain-Development-Research-Implications-for-Community-Corrections--CC-ABDRICC-CORR-APPA.aspx>

[http://justiceclearinghouse.com/calender-page/?inf\\_contact\\_key=b5590800966a11cd9def00ee46fe1a7265813b725836b7b302e110470b1bff58](http://justiceclearinghouse.com/calender-page/?inf_contact_key=b5590800966a11cd9def00ee46fe1a7265813b725836b7b302e110470b1bff58)

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15. Practice Tips

A joint research study completed by the American Probation and Parole Association and the National Center for State Courts found that incentives – when used in the ratio of 4:1 – can reinforce positive behavior among probationers. This research indicates that sanctions and incentives should be used in tandem and the responses should be part of a large, evidence-based approach that considers the risk, needs and responsivity profiles of the individuals under supervision.

Read the entire report: <http://www.appa-net.org/eWeb/docs/APPA/pubs/EROBLLPPS-Report.pdf>

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#### 16. Quick Fact

Research suggests that many first-time offenders – similar to repeat DWI offenders – meet the criteria for alcohol dependence. One study revealed that 82 percent of first-time offenders were assessed as being problem drinkers while only 18 percent were identified as social drinkers. Probation officers should consider this information as they make efforts to refer probationers on their caseload to the appropriate



types of service interventions. Probation Departments are reminded of the availability of the Impaired Driver System (IDS) to all Probation Officers. Please see State Director's Memorandum # 2017-7, dated June 20, 2017.

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