



Criminal Justice Statistical Report

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October 2022

New York State Executive Law
Article 13-A Classification / Alternatives to Incarceration Program
Annual Report for Contract Period
July 2021 – June 2022

Introduction

Pursuant to New York State Executive Law Article 13-A, the Division of Criminal Justice Services (DCJS) provides funding to counties and New York City to examine their criminal justice and jail populations and to conduct planning for effective Alternatives to Incarceration (ATI) programs that reduce unnecessary reliance on incarceration. Counties are requested to consider the justice-involved population to determine common trends that appear to impact the community. This information can be used to inform the types and nature of programming to be included in the 13-A application for funding. Upon approval of an application for funding, the state provides funding for ATI programs and grants approval to continue to use reduced classification at the jails.

ATI programs funded under Executive Law Article 13-A provide a wide range of services to Criminal and Supreme Court defendants, including pretrial services, community service programming, defendant interviews, referrals and monitoring, program screening and assessment, case planning and monitoring, cognitive-based interventions, gender-specific services, substance use disorder and mental health treatment, family-focused programming, vocational training, employment-readiness training and job placement, educational programming and interventions, and access to medical and housing services. Programs may deliver these services directly or through referral to an established network of community-based providers.

DCJS is statutorily required to provide information on funded program models, participants served by ATI programs, program outcomes, and jail population trends in New York State.

Approval of Article 13-A / Alternatives to Incarceration

Applications for Funding

A total of \$5,204,700 was continued for ATI programs through renewal contracts effective July 1, 2021, through June 30, 2022. All ATI contracts are performance-based contracts. Annual submission of a 13-A application for ATI funding requires DCJS review of contractual milestone targets and program performance.

Program Models and Utilization

ATI programs funded under Executive Law Article 13-A provide a variety of services to individuals with cases in criminal and supreme courts. Funded program models include:

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

Details about each program model and data detailing the number of individuals served by each as funded by DCJS from July 1, 2021, through June 30, 2022, follow. The data in Tables 1 through 5 represent services funded by the state pursuant to performance-based contracts and may not represent the total number of participants served by these programs and funded primarily by localities.

Pretrial Services Programs

Pretrial Services, when authorized or requested by the court, will interview individuals for conditions of release; review criminal history warrants, domestic violence history, and weapons restrictions; and advise the court. Additionally, pretrial services agencies will, when authorized or requested by the court, monitor or supervise individuals and refer clients to court ordered services. When requested by the Office of Court Administration, pretrial services agencies will also notify defendants to return for all court appearances.

The 43 pretrial services programs outside of New York City that receive state funding reported 23,171 individuals monitored or supervised who began pretrial services during this contract year. There were 2,224 failures to appear (FTA).

Table 1: Pretrial Services Program Utilization

	Number Screened	Number Interviewed	Total Number Monitored/ Supervised	Administrative Discharges	Persons FTA
Total	34,089	21,230	23,171	599	2,224

Defender-Based Advocacy Programs

Defender-Based Advocacy (DBA) services screen and identify individuals appropriate for community-based alternatives to incarceration programs. Programs are required to prepare written, client-specific case plans for individuals before the court and to identify appropriate community-based services that will reduce, or in some cases eliminate, sentences to incarceration and reduce re-offending. DBA service programs refer clients to evidence-based services in the community and may provide monitoring and/or case-management services.

Five defender-based advocacy programs prepared 1,278 individualized, client-specific plans. Courts or other releasing authorities accepted 1,293 individualized client-specific plans. Plans accepted during a contract year may have been prepared in the prior contract year.

Table 2: Defender-Based Advocacy Program Utilization

	Number Prepared	Number Accepted
Total	1,278	1,293

Community Service Programs

Community service programs provide courts with community-based alternative sentencing. These programs screen and identify individuals appropriate for community service with community-based organizations or directly oversee clients performing community service. Programs work to ensure that individuals ordered by the court to complete the prescribed hours of community service do so and may be required to report the completion of community service to the court.

A total of 30 community service programs reported 1,461 satisfactory completions of community service.

Table 3: Community Service Program Utilization

	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
Total	1,748	1,461	305	169

Specialized and Drug / Alcohol Service Programs

A total of 16 specialized and drug and/or alcohol service programs (three in New York City, 13 in counties outside of the five boroughs) reported that 939 individuals completed their programs.

Table 4: Specialized and Drug / Alcohol Service Program Utilization

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
NYC	1,452	1,181	458	358	21
Non-NYC	1,470	719	481	163	45
Total	2,922	1,900	939	521	66

Treatment Alternatives for Safer Communities (TASC) Model Programs

Treatment Alternatives for Safer Communities (TASC) programs screen, assess, and refer individuals with substance use disorder and/or mental illness for further evaluation and treatment. TASC model programs monitor the progress of individuals in treatment and report back to the court. TASC model programs may also provide cognitive-behavioral interventions and/or employment readiness training and job placement services.

Four TASC model programs reported that 950 individuals completed programs.

Table 5: Treatment Alternatives for Safer Communities Program Utilization

	Number Assessed	Number Placed	Satisfactory Completions	Unsatisfactory Terminations	Administrative Discharges
Total	1,578	1,504	950	205	19

Review of Jail Population

DCJS publishes two reports summarizing census data for local jails. Counties are encouraged to use the reports to examine their local jail populations and to plan for effective ATI programs that reduce unnecessary reliance on incarceration. The [Annual Jail Population Report](#) summarizes census data for local jails for the last 10 years. The report includes the average daily population for each local jail and the number of individuals being detained pretrial. The [DCJS Monthly Jail Population Report](#) summarizes census data for local jails for the last 12 months.

The jail population in New York State declined annually from 2016 through 2020, then increased in 2021. Statewide, the average jail population declined 39 percent, from 25,059 in 2016 to 15,254 in 2021.

- In New York City, the average jail population declined 43 percent, from 9,614 in 2016 to 5,468 in 2021.
- In counties outside New York City, the average jail population declined 37 percent, from 15,446 in 2016 to 9,787 in 2021.

Alcohol, Drugs and Crime

The state Department of Corrections and Community Supervision (DOCCS) publishes two reports – [Statistical Overview of Court Commitments](#) and [Community Supervision Legislative Report](#) – that summarize the characteristics of new individuals committed to DOCCS custody and individuals under parole supervision in the community.

These reports present five-year trends in new commitments to DOCCS facilities and 10-year trends in releases to community supervision by crime type, including drug and property offenses.