



Welcome to eFocus, an electronic newsletter produced by the New York State Division of Criminal Justice Services--Office of Probation and Correctional Alternatives (OPCA). OPCA publishes this newsletter to further its goal of promoting public safety through probation services and other community corrections programs. We welcome your suggestions.

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New York State Division of Criminal Justice Services (DCJS)

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Office of Probation and Correctional Alternatives

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1. **Leandra's Law Amendments and Ignition Interlock Manufacturer Contracts**

On Nov. 1, 2013, a number of amendments to Leandra's Law will take effect. Please see State Director's Memorandum #2013-15 dated Oct. 25, 2013. These include increasing the minimum required installation period to one year, affirming the application of the law to youthful offenders, authorizing courts to order the installation of the ignition interlock device (IID) prior to sentencing and requiring operators who claim to no longer own or operate a motor vehicle to testify to such under oath and on the record in court. DCJS has entered into new three year contracts, effective Aug.15, 2013, with the following four IID manufacturers: 1A LifeSafer, 1A Smart Start, Consumer Safety Technology/Intoxalock, and Draeger Safety Diagnostics. Effective Nov.1, 2013, a new cost schedule and classification of IIDs (i.e., camera requirement) will be in place with IID manufacturers qualified to conduct business in New York State. Also, the Governor's Traffic Safety Committee has renewed both the Leandra's Law implementation assistance grant and the probation DWI Impaired and High-Risk Drivers grant for the coming year at their current funding levels. Dr. Robert Voas, of the Pacific Institute for Research and Evaluation, and others published a paper titled, "Five Levels of Interlock Program Monitoring." This is an interesting review of interlock programs in the U.S.: <http://arsrpe.acrs.org.au/pdf/Paper%20167%20-%20Voas%20monitoring%20-%20Alcohol%20Ignition%20Interlocks.pdf>

2. **DWI Probation Regional Focus Groups Inform Practice**

On Sept. 30, a Live Meeting was held to wrap up the five regional focus groups held on DWI probationer management in New York State. The meeting covered updated DWI and IID statistics, as well as many best practice tips utilized by departments across the state. More than 60 probation professionals participated in the meeting, and a recording can be found on the eJusticeNY Integrated Justice Portal (IJ Portal) by clicking on the Resources tab, select Reference Library and then click on the Probation link. The information gathered through the focus groups and the Live Meeting is being used to develop new trainings as well as

practitioner guidance. Questions about this training may be directed to Maureen McKeown at [Maureen.McKeown@dcjs.ny.gov](mailto:Maureen.McKeown@dcjs.ny.gov) or at 518-485-9941.

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**3. OPCA's Field Visits to Cayuga, Oneida and Monroe Counties**

On Oct. 8, 2013, Deputy Commissioner and Director Robert Maccarone and Executive Deputy Director John Adams visited the Cayuga County Probation Department and met with county leaders and Acting Probation Director Kelly Murphy. Later that day, a meeting was held in Oneida County with Probation Director David Tomidy and county probation officers. Both Cayuga and Oneida counties are considering implementation of the Probation Automated Case Management System-Caseload Explorer. The State Director talked with both probation departments about automation and the new probation supervision rule, including the concepts of merit credit and juvenile contact substitution, as well as real-time video reporting. OPCA is working with a number of counties in piloting real-time video reporting in early 2014. Later that week, the State Director addressed the annual Monroe County Probation Officers Association Annual Training Conference and presented Chief Probation Officer Robert Burns with the Sarah Tullar-Fasoldt Award for Leadership and Humanitarianism. The award is named for the former State Director, who worked in the Monroe County Probation Department and also served as Clinton County Probation Director.

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**4. The Probation Commission Convenes on Oct. 17 in New York City**

The Probation Commission was convened in New York City and reviewed an extensive agenda that included a discussion of the OPCA Report on probationer gun violence; social services funding of juvenile probation services; regulations including the new probation supervision rule; the pending probation case record management rule; newly amended provisions of Leandra's Law; probation collection of court-ordered fees, fines, penalties and mandatory surcharges and the federally funded justice-mental health collaboration program. New York State's Deputy Secretary for Public Safety Thomas Abt addressed the Probation Commission on the swift and certain imposition of penalties associated with probationer non-compliance and the Hawaii HOPE Program. Executive Deputy Commissioner Michael C. Green also attended.

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**5. Gov. Andrew Cuomo signs bill to shield children from sexual offenders and protect victims of domestic violence**

Gov. Andrew M. Cuomo signed two bills that will further shield children from sexual offenders and protect victims of domestic violence. The first bill restricts parental rights of convicted sexual offenders when a child is born as a result of sexual assault. The second bill gives certain employees of local and state correctional facilities access to the State Order of Protection Registry so that they can better protect victims of crime and limit the access of inmates to these individuals. Access to the registry will allow officials to better protect the victims involved in domestic violence cases, and the community at large, when considering programming and release plans of inmates. Governor's press release: <http://www.governor.ny.gov/press/09302013-legislation-protecting-victims-of-abuse>

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**6. OPCA Trainings**

The New York State Police and DCJS/OPCA collaborated in providing cyber crime training to the probation field. Training in 2010 was well received and 53 probation officers were trained. This year, two, three-day training sessions were provided in Clinton and Steuben counties, and included 20 participants from St. Lawrence, Clinton, Franklin, Schenectady, Essex, Broome, Herkimer, Livingston, Madison, Ontario, Oswego, Otsego, Schuyler, Tioga, Tompkins, and Wyoming counties. The training focused on Internet legal processes; collection and preservation of evidence; online sources, social media; metadata/deleted files; cell phone forensics and the software tool provided to the all participants, OsTriage. OPCA expresses its appreciation to the New York State Police and Technical Lt. Mark A. Brown for their assistance with this training.

OPCA is providing the National Institute of Corrections (NIC) Offender Employment Specialist (OES) Training, a three-day, evidence-based program, to NYS Department of Labor Career Center staff. The three pilot trainings in New York City, Erie County and the Capitol District are provided as part of the Governor's Work for Success Initiative and the Community Capacity Building Strategy. Please contact Cynthia Blair at 518-485-5145 or at [Cynthia.Blair@dcjs.ny.gov](mailto:Cynthia.Blair@dcjs.ny.gov) if you have additional questions or suggestions.

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**7. Recent 2013 State Director's Memoranda**

State Director's Memorandum # 2013-15 Leandra's Law –Status Report and Recent Amendments to the Law

*All State Director's Memoranda are posted to the eJusticeNY Integrated Justice Portal (IJ Portal). To access them, log on to the IJ Portal, click on Resources, Reference Library, Probation and finally, Director's Memoranda.*

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**8. Awards, Events, Additional Trainings and News**

State Director Robert Maccarone presented Chief Probation Officer Robert Burns with the Sara Fasoldt Tuller Leadership and Humanitarian Award at the 2013 Monroe County Probation Officer's Association Annual Training Conference held on Oct. 10. We extend our congratulations to Chief Probation Officer Burns for this commendation.



**Leadership Summit on School-Justice Partnerships: Keeping Kids In School and Out of Court**

DCJS has provided \$142,000 through the federal Juvenile Accountability Block Grants (JABG) program to support a statewide forum, Keeping New York Kids in School and Out of Court, held this past April at Hofstra University and a series of six forums will be held across New York State on the topic. The summit was designed to promote collaboration at the state level among leaders from the court system, school administration, law enforcement, state government and legislature and the community to keep kids in school and out of the justice system. The regional summits provide the venue for local participation of cross-systems stakeholders to promote promising and emerging practices and policies that can help children succeed in school and reduce their involvement in the juvenile justice system. The forum and regional meetings also are sponsored by the Permanent Judicial Commission on Justice for Children. The first regional summit was held on Oct. 18 in New York City. The remaining schedule is as follows:

Capital Region: NYSUT, Wednesday, Nov. 6, 2013, with satellite locations in Plattsburgh and Potsdam

Long Island Region: Hofstra Law School, Friday, Nov. 22, 2013

Mid-Hudson Region: NYS Judicial Institute, Wednesday, Dec. 11, 2013

Central New York Region: TBD, Spring 2014

Western New York Region: TBD, Spring 2014

Please contact Thomas Andriola at [Thomas.Andriola@dcjs.ny.gov](mailto:Thomas.Andriola@dcjs.ny.gov) if you have additional questions or suggestions.

The Interstate Commission for Juveniles 2013 Annual Business Meeting (ABM) was held earlier this month in Tempe, Ariz. Kelly Palmateer from the OPCA Interstate Unit attended the meeting, and was joined by Gladys Carrion, commissioner of the New York State Office of Children and Family Services and New York State's Juvenile Compact Administrator. The ABM offered Juvenile Interstate Data System (JIDS) training to member states and provided a platform for discussion about the functionality of the system as well as common issues being experienced by users. Proposed ICJ Rule Amendments were reviewed, considered and voted on. Those amendments that were approved by majority vote will have an effective date of April 1, 2014. The Interstate Compact Office will be offering training on these amendments in the upcoming months. For additional information, please contact Kelly Palmateer at [kelly.palmateer@dcjs.ny.gov](mailto:kelly.palmateer@dcjs.ny.gov) or 518-485-2398.

All probation departments recently received an Intoximeter FST from the Office of Public Safety (OPS). A free online certified training and printable operator's manual are available at <http://training.intox.com/asfst/> . OPS recommend that all operators of the FST complete the training.

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**9. Practice Tip:** Probation officers and district attorneys can now receive notification of tickets, as well as convictions, through LENS. If you don't already receive this information on your registered probationers, have your LENS contact person e-mail [LENS@dmv.ny.gov](mailto:LENS@dmv.ny.gov) and request this information be added to your notifications. Make sure to provide the LENS customer ID #.

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**10. Quick Fact:** Statistics have shown that most ex-offenders who violated parole or probation were not employed at the time of the violation. It also estimated that about two-thirds of ex-offenders who do not find employment commit another offense within three years. *The Prime Objective, NYS Department of Labor, June 2013*

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