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1. Juvenile Delinquency Reform 2019

State Director's Memorandum #2019-7 details various amendments to the state's Family Court Act (FCA) Article 3 (Juvenile Delinquency) that took effect Dec. 12, 2019. These amendments provide expanded opportunity for Probation to consider juvenile delinquency cases for potential intake and adjustment for cases.

The amendments expand the potential to adjust acts of juvenile delinquency as it concerns the consideration of the views of the victim/complainant, but it no longer allows the individual to require cases be forwarded for petition (FCA §308.1(8)) and the initial juvenile delinquency adjustment period from two to three months, with an extension possible for two additional months (FCA§ 308.1(9)); and allow Family Court Judges to refer a Juvenile Delinquency matter back to Probation Intake at any point during the pendency of the case (FCA §320.6 (2)).

2. Persons in Need of Supervision (PINS) Reforms 2020.

Significant PINS reform takes effect Jan. 1, 2020. Changes are detailed in State Director’s Memorandum #2019-8. Highlights:

- Removes “detention” for PINS and replaces it with a new type of custody: Pre-Dispositional Placement (PDP). FCA §720
- Prohibits youth alleged or adjudicated to be PINS from being brought to PDP without a court order with the necessary findings under any circumstances. FCA §720(4)(a)
- Outlines criteria for a court to order PDP and specifically excludes PDP when a PINS petition is based solely on allegations of truancy. FCA §720(4)(a)
- Prohibits placement of a youth where truancy is the only finding. FCA §756(c)
- Requires that the designated PINS diversion lead agency shall assess whether the youth is sexually exploited and whether they should be referred to safe house services. FCA §735 (b) (iv)

In addition, Chapter 362 of the Laws of 2018, which took effect in March 2019, pertains to PINS truancy (and educational neglect) and requires that the lead agency involve the school when the PINS complaint contains school-based concerns, regardless of whether the school is the petitioner.

Webinars for Probation staff on these topics are available on the eJusticeNY Integrated Justice Portal: Resources > Reference Library > Probation > Presentations

There also is a new PINS-specific tab in the IJ Portal where Probation officers can view webinars from August and December:

Resources > Reference Library > Probation > Specialized Supervision > PINS

Note: *IJ Portal performs best in Internet Explorer. Functionality is limited in Google Chrome.*

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**3. Mental Health Screening of Probation-Involved Youth with the MAYSI-2.**

To address the expanding body of research indicating that youth with mental illness are over-represented in the juvenile justice system, New York State has updated regulations related to probation practice in this area and is working to finalize trainings on the topic. DCJS will offer web-based trainings on the Massachusetts Youth Screening Instrument (MAYSI-2), a mental health screening of youth eligible to receive intake and adjustment services. The training, which will be provided by the University of Massachusetts, is expected to be provided to all juvenile probation officers and supervisors in early 2020.

In the interim, probation departments are required to have written policies in place, developed in cooperation with their local mental health practitioners, to fully benefit from these trainings. Earlier this year, probation departments were sent a sample policy and asked to review a series of questions with their mental health providers to ensure that the appropriate referrals processes and systems are in place in preparation for the implementation of the use of the MAYSI2.

If you have not already submitted a policy for your department/county, please contact Lisa Karam at [Lisa.Karam@dcjs.ny.us](mailto:Lisa.Karam@dcjs.ny.us) for assistance. Probation Departments that have implemented the GAINS SS as a result of their involvement with the e-connect project with Columbia University may continue to do so. Eventually, the MAYSI2 will be incorporated into the Assessment and Case Planning Program for Case Explorer Connect and will be made available to probation officers electronically.

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4. Probation Responds to Domestic Violence

Nearly 90 professionals, including representatives from probation, parole, domestic violence intervention programs, victims advocate agencies, law enforcement and the courts, recently attended a state training that detailed the ways in which probation could better address domestic violence through offender accountability, community collaboration and using the probationer group reporting model for domestic violence offenders.

The Office of Probation and Correctional Alternatives, and Office of Program Development and Funding at DCJS, in partnership with the state Office for the Prevention of Domestic Violence (OPDV), the Coalition Against Domestic Violence (NYSCADV) and the Office of Victim Services (OVS), sponsored the training, which featured remarks by James Henderson, a nationally recognized expert on domestic violence.

The training also featured a panel of experts who discussed effective models for domestic violence intervention: Joseph DiTunno, Deputy Director, Family Services Judicial Branch of Connecticut; Sara Mahoney, Domestic Violence Probation Officer of Allegany County Probation Department; Kassondra Seyfert, Intimate Partner Violence Intervention of Ulster County District Attorney's Office; Dr. Carla Smith, Chief Program Officer of Urban Resource Institute, and Edmundo Varela, Assistant Commissioner of Westchester County Probation.

In addition, use of a fully validated and specialized risk assessment to inform effective supervision practices is an important component of enhancing probation's role in enforcing offender accountability and supporting a coordinated community response domestic violence. During 2019, more than 500 probation officers were trained in the use of the Domestic Violence Screening Instrument (DVSI-Revised). DCJS will offer train-the-trainer sessions in how to use the instrument in 2020 with Dr. Kirk Williams, the author/developer of the DVISR, and Joseph DiTunno.

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#### **5. Freedom Commons Grand Opening**

The Center for Community Alternatives (CCA), which is funded by DCJS, recently joined with the Syracuse Housing Authority (SHA) for a ribbon cutting ceremony to mark the opening of Freedom Commons, a \$14.9 million, multi-phase housing initiative that offers emergency, supportive and affordable housing. CCA and SHA partnered to address a wide-ranging community needs for quality, affordable housing and other services.

The partnership replicates the Fortune Society's Castle Gardens housing model. First implemented in New York City 15 years ago, Castle Garden has been recognized nationally and internationally as a ground-breaking breaking and successful ATI program.

A component of Freedom Commons is Freedom Commons Academy, which is modeled after The Fortune Society's Castle Academy. The Academy supports individuals who are currently homeless and returning to the community after incarceration by providing them with an array of supportive services (i.e., employment assistance) and a culture of community intended to support their successful re-entry and transition to housing stability and self-sufficiency

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6. NYSPOA 2019 Election Results

The New York State Probation Officers Association elected the following individuals as officers for 2020-2021: President: Gladys Larsen (Tompkins); Vice-President: Russ Zocco (Monroe); Secretary: Pam Cole (Orange); and Treasurer: Laura Provost (Clinton).

The following individuals also were elected as regional vice presidents: Region 1: Ron Rowe (Suffolk); Region 2: Darlene Paolini (Nassau); Region 3: Dalvanie Powell (NYC); Region 4: Sylvester Price (Westchester); Region 5: Pam Cole (Orange); Region 6: Sara Cecce (Delaware); Region 8: Richard Cain (Schoharie) and Tim DeForest (Otsego); Region 9: Dan Connor (Jefferson); Region 10: Julie Smithers (Oswego) and Joanna LoBisco (Cayuga); Region 11: Tim Holden (Broome) and Terri Rosenberger (Tioga); and Region 12: Tarra Cicconi (Chemung). Region 7 is vacant.

State Probation Director Robert M. Maccarone will administer the oath of office to these individuals following the Feb. 4, 2020, meeting of the association in Albany.

7. 2019 ICAOS Annual Business Meeting

DCJS plans to provide probation officers with training through WebEx early in 2020 to help them prepare for the implementation of new ICAOS rules, which take effect April 1, 2020. Among the changes include revisions to definition of the term sex offender; a new requirement for probation/parole authorities to notify jurisdictions of the issuance of temporary travel permits; condensing of victim rules; and strengthening progress reports and requirements for sending states to inform receiving states of their intent to re-take offenders. Additional information will be distributed as those trainings are scheduled.

8. New York State Health Homes WebEx

The state Department of Health and DCJS recently hosted a WebEx for more than 100 professionals to provide updates to the ever-changing and expanding specialized services available to Medicaid-eligible populations through the state's Health Homes Program.

Professionals received an overview of system practices and opportunities offered through Health Homes, eligibility criteria to be enrolled in adult or children's Health Homes, the referral process for probation professionals, the benefits of Health Homes and justice system collaboration, and the new array of children's Medicaid services. These new mental health, substance use and supportive services provide children/youth (under age 21) and their families the ability to improve their health, well-being and quality of life. The presentation is available through the IJ Portal:

Resources-> Reference Library -> Probation -> Presentations

9. County Re-Entry Task Force Forum

About 100 representatives from 20 state-funded County Re-Entry Task Forces convened in Albany earlier this fall to learn about the program model's components for the 2019-20 contract year. The forum focused on the need for the delivery of enhanced service coordination and to provide cognitive behavioral interventions and employment readiness programming to Task Force participants. DCJS administers funding to the Task Forces, which work with moderate- to high-risk parolees to address both stabilization and criminogenic needs.

10. Monroe County Finds Success with Career University

The Monroe County Probation Department is gearing up for the agency's second convening of Career University-Advancing to the Next Level after successfully offering the curriculum this summer. Career

University is a demanding, intensive a curriculum for justice-involved youth and young adults ranging in age from 16 to 24. Several individuals successfully completed the program, one of whom found employment shortly after completion.

11. Recent State Director’s Memoranda

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

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

- # 2019-5 dated Sept. 30, 2019: IID Mid-Year Report Jan. through June 2019
- # 2019-6 dated Oct. 16, 2019: Critical Incident Reporting Policy and Procedures (Revised)
- # 2019-7 dated Nov. 4, 2019: 2019 Amendments to Family Court Act (Juvenile Delinquency) effective Dec. 12, 2019
- # 2019-8 dated Dec 24, 2019: PINS Reform 2020

12. Fundamentals of Probation Practice Curriculum Revisions

In anticipation of probation’s essential role in implementing the state’s Raise the Age Law, the DCJS Office of Probation and Correctional Alternatives (OPCA) developed the week-long **Probation Specialized Juvenile Justice Program (PSJJT)** training for juvenile probation officers to teach the knowledge and skills needed to successfully engage youth and assist them in achieving better outcomes. The specialized training includes emphasis on assessment and case planning, client engagement and procedural justice, motivational interviewing, implicit bias, trauma-informed care, differential responses to probationer non-compliant behavior and transitional planning.

At the same time, OPCA began working with the Probation Statewide Training Committee to revise the **Fundamentals of Probation Practice Curriculum** and incorporate the **PSJJT**. Developed in collaboration with Orbis Partners, the new curriculum includes training on the stages of change, procedural justice, trauma-informed care, race and equity, motivational interviewing, working with women, girls and LGBTQI individuals, and officer wellness. It is rooted in the following:

- 1) A Balanced Approach:** extensive research focused on the impact of probation consistently demonstrates the need for officers to work intentionally to both **manage** and **reduce** risk
- 2) Procedural Justice:** the **fairness** of processes used by those in positions of authority to reach specific outcomes or decisions
- 3) Trauma-Informed Care:** an intervention framework implemented across organizations to respond effectively to all types of trauma experienced by justice-involved individuals, staff, volunteers and other stakeholders. It involves understanding, recognizing and responding to trauma and its impacts
- 4) Cultural Equity:** fair and just policies and practices that reflect current knowledge about people that have been historically underrepresented and face systemic bias. Emerging research on youth, individuals that identify as LGBTQI, women, racial and ethnic minorities suggest the need for increased awareness and equitable services

5) RNR: Risk, Need and Responsivity (RNR) emerged from the What Works literature in the early 90s. These principles continue to dominate correctional reform efforts.

This updated Fundamentals of Probation Practice will be piloted in Albany, Erie, Monroe and Westchester counties in early 2020, with the goal of obtaining feedback before the curriculum is finalized. The final version of the curriculum is scheduled to be presented to the state’s Municipal Police Training Council (MPTC) for consideration at its June 2020 meeting.

13. OPCA Training Updates

Watch for information about the following trainings to be offered in the coming months by OPCA: Interactive Journaling (facilitator), Motivational Interviewing (Basic Training for Trainers), Gender Responsiveness (Boys Council and Girls Circle), Decision Points and MAYSI-2.

14. Practice Tip

This short video details five strategies for Research-Informed Probation:

[Research-Informed Probation: 5 Strategies for Probation Officers](#)

Additional information and materials on the topic are available [through this link](#).

15. Officer Wellness Tips

From the state Department of Health: *“Happiness is a journey. It is not a final destination. It takes effort every day, just like wellness. As you are traveling to your next destination, reflect on your life’s journey. What has brought you happiness?”*

From Dr. Jaime Brower - [A Diamond in the Making](#): *“VITAMIN D – Sunshine in a supplement. Most of us don’t get enough vitamin D naturally, so it is a very good practice to take a supplement. It boosts our acuity, mood and energy levels during the day. Vitamin D-o It!”*

16. Quick Fact

OPCA Interstate Staff managed more than 10,000 transactions during 2018.

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