

NYAPSA NEWS

A Publication of the New York Association of Pretrial Service Agencies
Established in 1976



PRESIDENT'S LETTER

By Craig McNair

Hello to everyone out there. The NYAPSA Board has been working very hard this year and I would like to take this opportunity to thank each and every Board Member for their dedication to our association and to the field of pretrial. Keep watching your mail and the web for some very exciting news. After many years and promises from me, we are on track planning a day of training. We are tentatively shooting for a date in October 2009 to organize some strong programming for pretrial professionals that will allow us to get together and network, share ideas, and learn more about our craft. I know I am very excited and truly miss the wonderful annual conferences we used to have.

So with that said, hopefully you have renewed your membership, or convinced a colleague to join our association. Budgets are tight but please save a few training dollars for this upcoming October event. More information will be forthcoming.

I am pleased to announce that one of our Board Members, Peter Kiers, was elected President of the Board of the National Association of Pretrial Services Agencies (NAPSA). Peter

has dedicated several years to both our and NAPSA's Boards and to the field of pretrial justice – we know he will serve his term well, and we wish him luck and congratulations!

I am also pleased to announce that my agency's very own Barbara Darbey has been appointed to the board of NAPSA as our Northeast Regional Director. Anyone that knows Barb and her passion for our craft will certainly agree that we'll be well represented at the national level. Congratulations to Barb! We look forward to working with her in her new capacity.

I wish you all the best during these tough economic times. Now, more than ever, I feel the field of pretrial will be needed since our quality work and high standards can only make our local criminal justice systems more effective and save tax payer dollars.

In closing, please visit our web site often (www.NYAPSA.org), and feel free to submit any news from your agency or county. As always, any time you have questions or need anything don't hesitate to email me at: cmcnair@monroecounty.gov.

Thanks and best wishes!



Inside this issue:

**Message from the
NAPSA Northeast
Regional Director . 2**

**Pretrial Services
Reduce Cost,
Improve Public
Safety ... 3**

**Tulsa – Home of
Nation's Newest
Veterans Court ... 5**

**NAPSA's Pretrial
Certification
Program ... 6**

NYAPSA NEWS is published annually. Articles for submission relating to pretrial release and diversion are always welcome.

Send your article (in MS Word format), along with your full name, title, and organization, on a disk or via e-mail to:

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MESSAGE FROM NEW YORK'S NORTHEAST REGIONAL DIRECTOR

February 11, 2009

To my colleagues in the Northeast Region:

I'd like to introduce myself as your new Northeast Regional Director. I was just recently appointed to the National Association of Pretrial Services Agencies' (NAPSA's) Board of Directors to fulfill Jan Egner's term. I know many of you, but am hoping that I will get to work with each of you in the future.

To give you a little about my background, I have been the Executive Director of Pre-Trial Services Corporation (PTSC) since 2001 but have worked at the agency since 1985. PTSC is a non-profit agency which began a ROR program for jail detainees in Monroe County (Rochester, NY), in 1970. Over the years, the agency continued to evolve and now provides graduated release options up to and including Day Reporting and electronic monitoring. The agency also operates a pretrial diversion program which provides alternatives to prosecution for a variety of populations.

I served on the NAPSA Board in the late 1990's and have been actively involved with the NAPSA Diversion Committee for many years. In addition, I served on the most recent Pretrial Release Standards Revision Committee and the 1995 Diversion Standards Revision Committee. In 2008, I was the principal author for the 2008 Diversion Standards revision. Finally, I worked with NAPSA and the National Institute of Corrections (NIC) to develop and implement the curriculum for the Pretrial Executives Professional Development Program. I am a faculty member for that program.

A number of years ago, in Chicago, NAPSA and NIC convened a strategic planning process which a number of us attended. At that time, we developed a "road map" for NAPSA's future. Many of those plans have come to fruition through the hard work and determination of the NAPSA Board. Individual pretrial professional certification is one of those accomplishments. The development of training and educational programs for pretrial folks is another. The final piece is a national program accreditation process. I think that accreditation is the next step in the development of our field and I have already volunteered to be part of creating the process. I hope that you will join me in working toward this lofty goal through sharing your organizational and state wide standards.

The life blood of any strong organization is its members. The NAPSA News is an excellent means to showcase the variety of programs we have in the Northeast and to highlight the good work you do. I will be reaching out to you to write about your programs and the challenges you face. Many programs are going through tough times now but are still providing high-quality services. How do you continue to do that? Would you be willing to share your experiences and lessons learned? I know that the general membership could greatly benefit from your insights. If you have something that you can easily send me, I would be very grateful! Just email the article to me at: bdarbey@monroecounty.gov

Feel free to email or call me at any time with questions or if I can help you in any way. We are fortunate in the Northeast to have so many active and involved programs - let's share that expertise!

Barbara Darbey
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The Ever-Changing Role of Pretrial Services

By Cathy Lane and Jon Heller

As community safety continues to be a challenge in a time of dwindling resources, the role of pre-trial services can be instrumental in helping jurisdictions meet these challenges. At times, every county experiences jurisdictional warrant sweeps, increased arrests, and prosecution of quality-of-life crimes. We are currently experiencing such a movement in Dutchess County. With our already overcrowded jail, there is a need to meet this bump up in arrests with creativity and collaboration. We are in the process of joining with the Police and the Court to provide alternatives to incarceration to resolve these charges in a meaningful way. The Dutchess County Probation Department's day reporting center has been made available to supervise these defendants in the community service program. Previously, the service was only available to probationers and probation-eligible pretrial defendants. We will now accept non-probation eligible pretrial offenders for the purpose of implementing a meaningful consequence while helping to address our already overburdened jail population.

[The following article appeared in the NACO County News, a publication of the National Association of Counties, February 23, 2009, Vol., 41, No. 4. The author, Cherise Burdeen, is the Chief Executive Officer of the Pretrial Justice Institute in Washington, DC]

PRETRIAL SERVICES REDUCE COSTS IMPROVE PUBLIC SAFETY

By Cherise Fanno Burdeen

With shrinking budgets and growing jail populations, counties across the nation are facing tough decisions on how to cut costs. National data shows that nearly two-thirds of the country's jail inmates are pretrial detainees.

Improved pretrial services provide one avenue for counties to reduce jail populations, use resources more effectively and improve justice while maintaining community safety.

For the past 50 years, pretrial programs have helped ensure that defendants appear for court proceedings without wasting costly jail beds on defendants who can safely be released.

Pretrial programs play an important role in helping judges make more informed bail decisions by providing comprehensive information on each defendant using research-based methods that assess their likelihood for failure to appear in court, likelihood for re-arrest while on release and need for pretrial diversion programs. Once judges reach their bail decisions, pretrial programs then supervise defendants on release and notify the courts of any violation of release conditions.

Although operating a pretrial services program may appear cost-prohibitive, there are many models for providing these services cost-effectively, such as establishing a multi-county program, partnering with community- and faith-based organizations, or incorporating pretrial justice within existing structures such as jail administration or probation.

In central Virginia, eight counties have pooled resources for pretrial services, which are administered by the nonprofit OAR/Jefferson Area Community Corrections. Counties in Virginia have

engaged in comprehensive pretrial services since the state enacted the Pretrial Services Act in 1994. The act gave cities and counties state funding to establish their own pretrial services agencies to systematically improve the ability of judicial officers to assess defendants' risk to public safety while ensuring their appearance in court.



"Because OAR/JACC has a long history of successfully providing pretrial services, we as counties are able to take advantage of that expertise, maximize our resources and achieve a higher quality of service and effectiveness by working with them," said Albemarle County Executive Bob Tucker. "Without this multi-county arrangement, it would be a challenge to provide the level of services available through OAR/JACC."

Albemarle County serves as the fiscal agent for OAR/JACC's pretrial services, but all of the counties that partner with OAR/JACC are represented on a Community Criminal Justice Board that reviews monthly reports and quarterly narratives on the work and progress of the organization's pretrial services.

Continued on page 5 ...

NEWS FROM THE NATIONAL ASSOCIATION OF PRETRIAL SERVICES AGENCIES

- NAPSA's Annual Conference and Training Institute will be held this year in Charlotte, North Carolina from September 13 through 16. Pretrial professionals - line staff to managers - from around the country are invited to hear the latest initiatives, discuss standards and best practices, and network. A valuable and worthwhile experience for you and your staff.
- The Pretrial Justice Institute (PJI) and NAPSA are excited to announce their new partnership! As of February 1, 2009, PJI will serve as NAPSA Service Director. In addition to assuming NAPSA's administrative and annual conference responsibilities, PJI will focus on increasing membership, developing robust member benefits, and collaborating with the NAPSA Board of Directors on training and technical-assistance projects that deepen evidence-based policies and practices.
- NAPSA has issued the National Standards for both Pretrial Release and Diversion. These are valuable tools for all practitioners to assess their programs, defend practices, and to use as a rationale for new program funding. Both standards are available on the NAPSA's website.
- NAPSA is proud to offer pretrial certification which:
 - provides individuals with an opportunity to attain and be certified at levels of expertise that will be recognized by employers as measures of advancement;
 - provides program administrators with a tool to motivate and educate personnel in the field of pretrial services in an efficient and effective manner;
 - provides the field with the knowledge base required to administer services at the pretrial stage in a fair and even-handed manner in jurisdictions throughout the United States.
- Since NYAPSA is affiliated with NAPSA, our NYAPSA members are entitled to the following benefits:
 - a reduced "affiliate" membership rate when you join NAPSA
 - reduced rate to attend national conferences
 - reduced member rate when applying for pretrial certification application
 - copies of NAPSA News
 - networking with other pretrial professionals nationally and from your region

For further information about the National Association of Pretrial Services Agencies' mission and services, or to join, please visit www.NAPSA.org.



2008 NAPSA Conference Attendees

Left to right: Bruce Beaudin Award recipient, Tahesha Jean (Day Reporting Counselor, Pretrial Services Corp.); Northeast Droege Memorial Scholarship recipient, Luis Ovalle (ROR Interviewer, CJA); Presenter & NYAPSA President, Craig McNair.



CALL FOR NOMINATIONS!

The New York Association of Pretrial Service Agencies is soliciting nominations for the following Board positions in 2009:

- President
- VP Release
- Secretary
- Region I (NYC)
- Region III (Upstate NY)
- Region IV (Central NY)

If you (or someone you know) are a dues-paying member, are able to attend 3 to 4 full-day meetings in Albany per year, and are interested in representing the voice of New York's pretrial agencies as a member of NYAPSA's Board of Directors, please email name, title, address, and candidate statement **by APRIL 30, 2009**, to:
pkiers@nycja.org

TULSA, OKLAHOMA IS HOME TO THE NATION'S NEWEST VETERANS COURT

Tulsa Mayor, Kathy Taylor, joined representatives of the 14th Judicial District Court, the U.S. Department of Veteran's Affairs, veterans' organizations, the Tulsa County District Attorney, and Public Defender offices to launch the new Veterans Treatment Court. The Veterans Treatment Court will be a specialized docket within the Tulsa County Drug Court and will target veterans charged with non-violent felony offenses.

The Mayor's office, the Courts, the Veterans Health Administration, and the Veterans Benefits Administration are collaborating in this effort to address the needs of military veterans. With the ongoing wars in Iraq and Afghanistan, many veterans and service members return from war with Post-Traumatic Stress Disorder (PTSD), depression, or other combat-related issues. Upon returning home, many veterans and service members turn to alcohol or drugs to deal with the aftermath of combat and wind up in the criminal justice system.

The need for intervention with veterans charged with non-violent crimes in need of mental health and/or substance abuse treatment related to their military service has increased. "With 158 veterans arrested in Tulsa County in the month of October, there is clearly a need for this new therapeutic court," said Tulsa County Special Judge Sarah Smith. "The Veterans Treatment Court offers a unique partnership between the Veterans administration, the court system and other veterans' organizations to provide treatment, compassion and hope to the men and women who served our country and are struggling in the criminal justice system."

Continued from page 3 ...

PRETRIAL SERVICES REDUCE COSTS IMPROVE PUBLIC SAFETY

OAR/JACC dedicates six specially trained staff members to pretrial services. They interview and screen defendants using a validated risk-assessment tool on-site at two regional jails, complete record checks, make recommendations to the court and provide supervision to those who are released under certain conditions, which often include in-person visits, drug testing and substance abuse evaluation.

In 2007–08, the program completed roughly 1,200 interviews and pretrial investigations, made recommendations to the court in half the cases and received 687 placements for supervision. Of those under the supervision of OAR/JACC, 85 percent successfully avoided re-arrest and appeared in court for trial or sentencing — better than the national average, according to the Bureau of Justice Statistics. As a result, the counties saved hundreds of jail-bed days, their most expensive criminal justice resource.

To help county leaders learn more about successful programs like OAR/JACC and develop better jail management strategies, the Pretrial Justice Institute and NACo are publishing *Pretrial Justice and Jail Management: A Guide for County Officials*. The free guide, funded by the Bureau of Justice Assistance, will be mailed to all of NACo's chief elected officials and posted online this summer.

The guide will be a valuable resource to all counties, whether rural, suburban or urban. It features model programs with diverse organizational structures, advice on how to use pretrial services to better manage resources, and strategies for coordinating services with existing county agencies.

To further understand counties' diverse needs and help counties strengthen pretrial services, the Pretrial Justice Institute will also conduct a national scan of pretrial programs to assess counties' needs, abilities and accomplishments.

(For more information about pretrial services, please visit www.pretrial.org.)



SAVE THE DATES!

**NAPSA'S
37TH ANNUAL
CONFERENCE
& TRAINING
INSTITUTE**

**"A GAME PLAN
FOR CHANGE"**

SEPTEMBER 13 - 16,
2009

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THE STAGE HAS BEEN  
SET FOR  
THE NATIONAL  
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PRETRIAL SERVICES  
AGENCIES'  
37TH ANNUAL  
CONFERENCE &  
TRAINING INSTITUTE!

THE 2009 CONFERENCE  
WILL BE HELD  
IN BEAUTIFUL  
CHARLOTTE, NORTH  
CAROLINA.

For more information,  
visit [WWW.NAPSA.ORG](http://WWW.NAPSA.ORG)

# NATIONAL ASSOCIATION'S PRETRIAL CERTIFICATION PROGRAM

By Peter C. Kiers, NAPSA President

The National Association of Pretrial Services Agencies (NAPSA) is pleased to announce the initiation of its certification program for pretrial practitioners. The certification program provides a method by which individuals gain national recognition as qualified pretrial practitioners. Persons who successfully complete certification will become a *Certified Pretrial Services Professional* (CPSP). Certification exams will be available twice a year, in the fall and spring. Interested practitioners who work in the pretrial field will be able to apply for the Spring (May/June) exam in April 2009. Details are available on NAPSA's website [www.napsa.org](http://www.napsa.org).

Achieving *Certified Pretrial Services Professional* status involves qualifying in occupational experience and education, and passing an examination that covers both general legal and court issues and practices, and issues specific to the individual's pretrial area. Persons obtaining *Level One Certification* demonstrate a basic understanding of the Pretrial movement and the history upon which it is based. To maintain this status, individuals must be re-certified when the three-year certification term expires. Re-certification requires that an applicant meet qualifying criteria concerning his or her current position, and acquires 25 hours of continuing education.

The certification program is designed to advance the overall knowledge of practitioners in the pretrial field, and help ensure that they are aware of the most current information and best practices. Further, it promotes the capabilities of pretrial professionals -- both within the program and to the public in general -- by demonstrating their adherence to the **NAPSA Code of Ethics**, and enhancing their public image thereby aiding in the recruitment and formation of new and talented staff.

There are three major phases to the certification program: 1) candidate status, 2) certification status, and 3) re-certification. The **FIRST PHASE** has three steps: (a) applying for certification, (b) qualifying, and (c) passing an examination. All three steps must be completed within two years from the date the application is received by Certification Staff. An individual employed full-time in pretrial release or diversion who wishes to become certified begins the process by submitting the completed electronic application for certification available at [www.napsa.org](http://www.napsa.org) within the specified application period. Submitting a completed application, along with required documentation, constitutes entering the certification program. After the application material has been reviewed and approved by the Certification Staff, the now-qualified candidate must take and pass an exam. This exam will be offered twice each calendar year.

A candidate who passes the exam enters the **SECOND PHASE** and will become a *Certified Pretrial Services Professional, Level One (CPSP)*. His or her pretrial career has received the highest level of national peer recognition in that certification category. This **SECOND PHASE** lasts for three (3) years.

To continue as a *Certified Pretrial Services Professional Level One* beyond the three-year period, the CPSP must be re-certified -- which constitutes the program's **THIRD PHASE**. Re-certification requires the individual to have attended 25 hours of continuing education (that is pertinent to pretrial and the law) and to hold a position equal to, or higher than, his or her position at the time the original certification was issued. (Persons, who are in a lesser position than the position held at the original certification, may appeal to the Chair of the Education Committee to be re-certified. Appeals will be reviewed on a case-by-case basis.)

For details on the certification process, how to apply, and forms and fees, visit the NAPSA website at [www.napsa.org](http://www.napsa.org), and click on the Pretrial Certification overview.

# NEW YORK ASSOCIATION OF PRETRIAL SERVICE AGENCIES

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