

NYAPSA NEWS

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



President's Letter

By Craig McNair

I hope everyone is enjoying 2007 so far. As this issue goes to press, the NYAPSA Board is looking forward to our third year of participation in the ninth annual New York Association of Drug Treatment Court Professionals conference. The conference is being held at the Adams Mark Hotel, in Buffalo NY, February 28th through March 2nd, 2007. The NYAPSA board worked hard to prepare a track on pretrial-related information to share at the conference. The pretrial track will include topics such as Pretrial Diversion as an option, the scope of pretrial services, and a discussion of the criminal justice planning process. The conference has been a successful venue for our association to continue to spread our message and provide information regarding our profession. For more information visit: <http://www.nyadtcp.org/>.

In 2006, the Department of Probation and Correctional Alternatives (DPCA), with the assistance of NYAPSA, was proud to reconvene the Pretrial Standards committee. This hard-working group, made up of professionals across the state, worked tirelessly to update the New York Pretrial Release Standards for approval and release. The standards help us to maintain quality programs and to work toward consistency in our field. It was a wonderful process and everyone put a lot of thought into the final product. You can read more about the standards in this issue of NYAPSA News.

In 2007 your Board will continue to work

on several issues including the distribution of and training on the New York Pretrial Release Standards; keeping the NYAPSA website updated with the latest news from our field; and planning our own pretrial conference or roundtable trainings for professionals in our field across the state.

Please visit our web site at www.NYAPSA.org, and any time you have questions or need something don't hesitate to email me at: cmcnair@monroecounty.gov.

Thanks and best wishes!



We're on the Web!

Visit us at:
www.NYAPSA.org

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National Certification Pre-Test Completed Board to Finalize Protocol

By Peter C. Kiers

In November 2006, the National Association of Pretrial Service Agencies (NAPSA) conducted a second pre-test and evaluation for Pretrial Certification (Level One). Twenty-seven NAPSA members agreed to participate in the test which involved reviewing study materials posted on the web, completing and submitting an on-line application and test, and completing a post-test survey that enabled the Association to formulate and present a better test for pretrial practitioners. The time commitment was substantial, and fourteen participants actually completed the process. Participants who took the test, passed with at least a score of 85%, and completed the survey will be awarded a certificate of *Pretrial Certification Level One*.

It is anticipated that Pretrial Certification will be available to practitioners by the spring of 2007 after the Board of Directors meets and votes on procedures for implementation. The next issue of the NAPSA News will have more details and a notice will be posted on the NAPSA website: www.NAPSA.org.

Thanks to the following NAPSA members who participated and completed the process: Dianna Cunningham (CA), Mary Pat Maher (MN), Katie Green (VA), Michelle Brown (TX), Tyson Spears (MI), Tiffany McWhorter (MI), Aida Tejaratchi (NY), Cathy Lane (NY), Jeff Kilpatrick (FL), Catherine Alexander (NY), John Collins (CA), Stephen Rowe (CA), Day'le Lathon (NC), Chris Bunting (FL). Their participation was invaluable.

New York was represented with three participants, and NYAPSA will continue to work closely with NAPSA in helping to develop and advance Pretrial Certification.



2006 National Conference - A Learning Experience

By Barbara Tiberio

Coordinator of Post Release Services Monroe County Pre-Trial

The National Association of Pretrial Services Agencies (NAPSA) Conference, that was held in Nashville, Tennessee, in September 2006, was very interesting. It's been more than 10 years since I last attended a conference, and many of the faces and programs were new. I truly enjoyed attending the presentations to see what others are doing all over the US (including Hawaii!). Since the venue was held in Nashville, several presentations explained local programs which are under the Sheriff's Department, and are very different from ours.

Specialty courts were also a hot topic, and there was a lot of dialogue regarding the pros, cons, and procedures of such. The SAMSA website is being used for in-jail screening instruments and recommendations by some, and was highly regarded by those using it. Specialized supervision was suggested, and some jurisdictions mentioned having a "memorandum of understanding" with mental health treatment providers.

Accessing the NAPSA.org website was suggested as a very useful resource, offering information, technical support, and links to BJA research.

The NAPSA Code of Ethics was presented as well, promoting professionalism and ethical standards for all pretrial practitioners. The full document can be found on the NAPSA website.

I hope that as many of you as possible will take advantage of the proximity of the next conference, which will take place in Cleveland, Ohio in 2007. Learn and enjoy!

PROGRAM UPDATE: NASSAU COUNTY PRETRIAL SERVICES

By Christina Vanasco
Assistant Deputy Director Nassau County Probation

[This is a follow-up on an article that appeared in the last issue of the NYAPSA NEWS. The NYAPSA NEWS attempts to follow new programs so that others may share and network as they develop their own programs.]

It has been two years since the Nassau County Probation Department expanded its Pretrial Services Program. Our goal in expanding the program was to provide a more comprehensive tool to aid the judiciary in making bail, remand, and pretrial release decisions and to increase our ability to monitor defendants while their court cases are pending. The staff consists of a supervisor, seven Probation Officers, four Probation Assistants and two clerks. We have been operating our program seven days a week, 365 days a year since April 2005. Initially we had only two volunteers who permanently changed their work week to include Saturday and Sunday. The balance of staffing was done through staff rotations. This year we were fortunate to have another staff member volunteer to work straight weekends which helped to alleviate some of our staffing problems. In addition, we have promoted Meredith Ritter to the position of the Pretrial Services Unit Supervisor. Ms. Ritter has over 25 years of experience in Pretrial Services. She has worked her way up through the ranks, brings to her position years of experience, and is a true believer in the concept of Pretrial Services.

Nassau County Pretrial currently screens an average of 1,000 cases or more per month. Criminal clearances through NYSPIN, E-Justice, and SWIFT Justice are completed in order to obtain useful information needed to help determine arrest details, criminal history, gang involvement, Domestic Violence cases, and warrant activity. An investigation is conducted on approximately 300 defendants per month. The defendant is interviewed in the detention area prior to his first appearance in court. Each individual is rated on the New York State Division of Probation and Correctional Alternatives (DPCA) endorsed COMPAS risk-assessment tool, which rates the defendant's risk for failure to return for his next court appearance. Attempts are made to make collateral contacts with family members in order to verify residence, employment, and ties to the community. All cases investigated are entered into the Probation PROBE computer system. This allows us to track an individual in the same system utilized by Probation to monitor individuals who are the subject of pre-sentence investigations, or who have been sentenced to Probation. Additionally, the system is set up to store valuable statistical data elements needed to complete state-mandated quarterly reports.

We offer a number of release recommendations, including Release on Own Recognizance and Release to Probation with a range of options including therapy conditions or curfew. In most cases, the defendant is registered to a computerized Voice Recognition system, which enables us to monitor the defendant's presence within the jurisdiction of the court. We also offer electronic monitoring on a limited basis. We are continuing to do research with an eye toward expanding this tool in order to offer the courts an opportunity to release higher-risk offenders to our program.

Pretrial officers currently carry caseloads of approximately 65 defendants who report after every court date, call in regularly, and report in person other times as needed. In cases where a referral has been made for therapy or when therapy is a special condition of release, the officer documents the defendant's progress in treatment. The officer will remind the defendant of court dates and is also required to notify the court of any arrests or other serious violations of the conditions of release.

Our relationship with the judiciary continues to improve. We have met with District Court Judges to update them on the progress of our program and to explain its function and benefit to the court. Our goal is to continue to encourage judges to utilize pretrial services as an alternative to incarceration, expand the program to offer a comprehensive electronic monitoring option, and to continue to maintain the high standard of performance we currently provide.

For further information contact:
Christina Vanasco, Assistant Deputy Director
(516) 571-4511

Meredith Ritter, Supervisor
(516) 572-2431.

Dutchess County Pretrial Impacts the Mentally Ill

By Catherine Lane

As those of us who work in pretrial services well know, there are many mentally ill individuals who become involved in the criminal justice system for a variety of reasons. Pretrial service providers are in a unique position of being one of the first services the mentally ill defendant may come in contact with after being arrested.

One individual we came into contact with recently illustrated the profound effect pretrial service providers have on this population. This defendant had been charged with a misdemeanor DWI offense about six years ago. Suffering from agoraphobia -- a fear of open spaces -- the individual retreated from society following the arrest and arraignment. All assets and employment were lost as the individual remained behind closed doors. Following the execution of a bench warrant, our ROR unit began contact with the defendant.

Over the past few months, the defendant managed to get to our office and expressed interest in employment and mental health referrals, even though there is no court mandate for this. Negotiating the system was particularly difficult for this defendant, and the pretrial worker was able to connect the person with the appropriate services at the time of the ROR check-in. After six years, this person is beginning to emerge back into society with the assistance of our pretrial services unit.

Wayne Pre-trial Awards Honorees at Newark Luncheon

By Trey Lockhart

On October 26, 2006, Wayne Pre-Trial Services held its Annual Meeting and Awards Luncheon in Newark, N.Y. This annual meeting is not only an opportunity to address changes in the membership of the agency's Board of Directors, but it is also used to recognize the achievements of successful clients and the contributions of agency supporters.

In 2006, two clients in the Homeless Youth Services Program were recognized with Achievement Awards. Kayla Russell and Maria Gonzalez (pictured with Homeless Youth Counselor Carla Royle) made substantial life changes while in counseling and are an inspiration to their peers as well as agency staff.

Awards of Thanks and Recognition were also presented to three community members who have consistently provided strong support to the agency. Susan Claeysen, of Wayne County's Department of Aging and Youth, was recognized for having overseen the operation of the Homeless Youth Program for many years. Carol Pettis, Executive Director of Wayne County's United Way, was recognized for her constant support of the Pre-Trial Diversion program [Assistant District Attorney Mike Calarco, currently the United Way's Board President, accepted on Carol's behalf]. Ramona Palmer, Executive Director of the Victim Resource Center, was recognized both for her enthusiastic support of each of the Pre-Trial programs and for the valuable services provided by her own agency.

Wayne Pre-Trial Services, Inc. receives support from the following: Wayne County, the Wayne County Department of Aging and Youth, NYS Division of Probation & Correctional Alternatives, United Way of Wayne County, Ronald McDonald House Charities Inc., and the Rochester Area Community Foundation.



Left to right: Kayla Russell, Homeless Youth Counselor Carla Royle, & Maria Gonzalez.

NYAPSA Board Seeks Nominations

By Charlene Leistman

The New York State Association of Pretrial Service Agencies (NYAPSA) is currently seeking nominations for office. NYAPSA was formally incorporated in June 22, 1976, and represents the interests of all pretrial programs around the state. Whether the pretrial population is a primary or secondary focus of your agency, it is NYAPSA's main priority.

As with all not-for-profits, a Board of Directors is required. The current NYAPSA Board of Directors is listed at the end of this newsletter and has been active for several years -- the "newest" member has been serving for almost 5! Now is the opportunity for you to consider sharing their knowledge and time for this worthy cause. Now don't roll your eyes... it is common knowledge that we are all busy people with several commitments. However, the time commitment is not a huge one. The Board meets less than six times per year (usually in Albany) and is required to contribute articles for the NYAPSA News; respond by email or phone to issues that arise between meetings; provide information to whatever region the member represents; and voice ideas and concerns that are relevant to move NYAPSA's agenda forward.

Positions up for election are: President; VP for Release; Secretary; and Directors for Region I (NYC not including Long Island), Region II (Nassau and Suffolk counties), and Region IV. Nominations are due by February 28, 2007, and can be submitted by email, phone, or letter to Craig McNair, NYAPSA President. All NYAPSA members are eligible to be nominated. Elections will be held at the annual membership meeting on March 1, 2007 at the New York Association of Drug Treatment Court Professionals conference. Please give serious consideration to joining the NYASPA Board and making a difference!

REVISED N.Y. PRETRIAL RELEASE STANDARDS TO BE RELEASED IN 2007

By Peter C. Kiers

During 2006, a committee of pretrial practitioners from around the state met to discuss and review the existing New York State Pretrial Release Standards. As part of their discussion, the committee reviewed the recent Pretrial Release Standards issued by the American Bar Association (ABA) in 2002 and the National Association of Pretrial Services Agencies (NAPSA) in 2004. It was found that the state Standards reinforce what is promulgated by both the ABA and NAPSA Standards. In fact, the NAPSA Standards included wording of the New York State Standards recognizing important principles in the area of confidentiality of pretrial information.

The committee agreed, and submitted to DPCA for approval, expanded language addressing types of release and best practices as well as a review of the Confidentiality Section (which is extremely important in today's technological environment), collaboration with the criminal justice and larger community, plus a Foreword and a new section on Organizational Structure.

The N.Y. Pretrial Release Standards were first issued in 2003. At that time, the Division of Probation and Correctional Services (DPCA) convened a committee to review and draft standards for

pretrial release agencies and programs. The committee, consisting of pretrial practitioners from around the state, examined the need for pretrial services in every jurisdiction and composed a comprehensive draft of important principles. That committee recognized the need for addressing criminal justice concerns, the need for best practices, and pretrial conformity that reduces unnecessary dependence on money bail. At that time, it was deemed appropriate that the committee would meet every few years to review and discuss the issues that may be of consequence since the last edition of the Standards. It was hoped that the document would not be static, but rather a useful tool to pretrial programs and policy makers in fashioning programs that are useful and vital in the administration of justice. The standards have proved useful to both new and existing agencies and programs alike. Regular reviews, like the one undertaken, help to ensure that best practices and sound principles are promulgated.

DPCA is reviewing the draft and all subsequent comments, and will be releasing a revised set of Pretrial Release Standards in 2007.



Monroe County Mental Health Court Names Its First Coordinator

By Charlene Leistman

The Monroe County Mental Health Court celebrated a major milestone in October 2006 by hiring its first Coordinator, Kim VanCamp. Since the court's inception four years ago, it had utilized volunteers, interns, clerks, and other court-related personnel to manage referrals.

Prior to being hired as Sr. Court Analyst/Resource Coordinator III, Ms. VanCamp spent 13 ½ years at Monroe County Office of Probation Community Corrections (MCOGCC) – 11 years as a Probation Officer, and the last 5 years as a MICA Supervision Officer. She is a Certified DCJS and is a graduate of the Rochester Police Department's Emotionally Disturbed Persons Response Team training program. Ms. VanCamp worked with Monroe County Court Judge Patricia Marks on the design and implementation of the Court during the fall of 2002. The court began with a specialized mental health calendar in January 2003.

The Monroe County Mental Health Court initially focused on defendants that had either an Axis I mental health diagnosis, Traumatic brain injury (TBI), or mental retardation and a pending Violation of Probation. The cases have now expanded to include pending non-violent felonies, and misdemeanors that have been pled down from a felony in which the defendant's mental illness contributed to the instant offense. Included in the goals for this

treatment-based court are: 1) improved public safety by reducing recidivism, and 2) creating and enhancing linkages between the criminal justice and mental health system.

In September 2006, the court collocated with Rochester's Drug Treatment Court. Together they share expert staff, space, and a more holistic treatment philosophy that recognizes the multitude of co-occurring disorders that exist within this population.

What is pretrial's role? We provide release recommendations and screening for our supervised release and screening programs, as we do with all defendants who are in custody. We supervise defendants released to our programs and assist with referrals and monitoring of treatment. The court also utilizes our programs as a sanction for those defendants who have fallen out of compliance with treatment or the court and need short-term consequences or stabilization. To date the court has referred almost 300 cases for our monitoring.

For more information on Monroe County Mental Health Court, please contact Kim VanCamp at kvancamp@courts.state. For information on pretrial related matters in Monroe County contact Craig McNair, Director of Operations at Pretrial Services Corporation, at cmcnair@monroecounty.gov.



**We'd like to know
your email address
for future
correspondence.**

**You can send it to us
at yreece@nycja.org or
visit our website at
www.NYAPSA.org**

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New York Association of Pretrial Service Agencies

MEMBERSHIP APPLICATION



NYAPSA is an organization of professionals who are dedicated to the advancement of pretrial release services and community-based, non-incarcerative alternatives for the disposition of criminal cases. Through its statewide Board of Directors, **NYAPSA** provides advocacy and education, hosts an annual conference on pretrial and alternatives to detention and incarceration issues, and releases annual newsletters.

If you are interested in pretrial services, alternatives to incarceration, and community corrections, and would like to become a **NYAPSA** member (or to renew your membership), please fill-out the membership form below.

Annual **NYAPSA** Membership Dues:
\$25 individual
\$10 student

Mail membership form and check (payable to **NYAPSA**) to:

Aida Tejaratchi
NYAPSA Treasurer
c/o NYC Criminal Justice Agency
52 Duane Street, 3rd floor
New York, New York 10007

NYAPSA MEMBERSHIP APPLICATION:

Name _____

Title _____

Agency _____

Address _____

Phone _____

Email _____

SPECIAL OFFER TO NYAPSA MEMBERS!

Because **NYAPSA** is an Affiliate member of the National Association of Pretrial Services Agencies (NAPSA), as a member of **NYAPSA** you are eligible to join NAPSA at a special membership rate of \$20.00 annually which is far less than the cost of an individual membership of \$75.00 for management and supervisors and \$50.00 for line staff per year. The only difference in memberships is that you have limited voting eligibility. You also receive a discounted registration fee for NAPSA's Annual Conference and Training Institutes, and NAPSA is currently exploring the possibility of bringing pretrial content experts to your states or regions to enhance training opportunities for members who are unable to attend NAPSA's national conferences.

For more information regarding this special offer, **NYAPSA** members should contact Katie Green, NAPSA Affiliate Director, via e-mail at katieg@james-city.va.us, or by phone at 757-564-2312.



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