

# NYAPSA NEWS

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



## PRESIDENT'S LETTER

By Cathy Lane

I hope everyone had a healthy and happy holiday season. We are looking forward to a new and exciting year in 2010. The New York Association of Pretrial Service Agencies' Conference, entitled "Building on the Past to Forge Our Future," is scheduled for April 25-26, 2010.

The conference will be held in the new and beautiful Hilton Garden Inn, in Troy, New York. Please mark your calendar and plan to join us for a stimulating conference on current approaches and initiatives to delivering quality pretrial and alternative-to-incarceration programming, delivered by state and nationally known facilitators.

Workshop topics include a presentation by Delbert Boone on Addiction, and a presentation on Detention Reform by Tim Murray of PJI and Bart Lubow from the Annie E. Casey Foundation.

I always gain so much from attending conferences in my field. The information presented and the networking with other dedicated professionals throughout New York State inspires me with new ideas to enhance my work in the pretrial and ATI fields. Please read further to learn more about our upcoming conference.

Also in this issue is information on what's new in the field around the state, a National Association of Pretrial Services Agencies (NAPSA) update, and an introduction from our new Board members Jon Heller and Cathy Lucisano.

Please visit our web site at [www.NYAPSA.org](http://www.NYAPSA.org) for additional information about the conference and NYAPSA.

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## Juvenile Pretrial Services In Dutchess County

The elements that are essential to adult pretrial services are also essential to an effective juvenile pretrial services program. Screening with a validated detention screening tool in addition to alternatives-to-detention options and effective collaborations are the components necessary for juvenile pre-trial services. In Dutchess County, a collaboration team comprised of personnel from the Office of Probation and Community Corrections; the County Attorney's Office; County Executive's Office; Family Court; and Department of Social Services met, and continue to meet periodically, to plan a continuum of detention alternatives and processes.

Dutchess County is using the YASI Detention Tab for all youth where detention is being considered. The decision for detention of youth in New York State is determined by a respondent's risk of flight and the likelihood that the youth will commit an additional serious offense. Available options for youth who score high or medium risk include Release Under Supervision; Release to Curfew Monitoring Program; Juvenile Electronic Monitoring; or release to one of two evidence-based family therapy programs: JRISC or MHJJ.

Although elements of Juvenile pretrial supervision have been in effect in Dutchess County for the last three years, it wasn't until the fall of 2009 that a comprehensive Juvenile Pretrial Services program was put together.



### *Inside this issue:*

**Monroe County  
News ... 2**

**Nassau County  
Pretrial Services ... 3**

**NYAPSA's 2010  
Conference ... 4-5**

**NYC Bail Program  
Receives Stimulus  
Money ... 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 via e-mail to or on a disk or:

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## NEWS ABOUT MONROE FROM NYAPSA'S NEWEST BOARD MEMBER

*By Cathy Lucisano*

What an exciting time to be a part of NYAPSA! With our conference right around the corner, I couldn't be happier to be the newest member of this hardworking group of dedicated members. It is so wonderful to see how far NYAPSA has come and where it is headed. I have been employed with Monroe County Pre-Trial Services for nearly 5 years now, and couldn't be more proud of the services we offer to our clients. It is so refreshing to see the comradery among all New York State PreTrial agencies, and to realize the potential of working together to achieve similar goals.

Here in Monroe County, we have many new and improved ways of working with our clients, such as teleconferencing, and the Jail Enhancement Diversion Project, or JADE. The technology provided by our Televisit program within the Monroe County Jail has been extremely beneficial to our agency. Many issues such as weather, location, illness, etc., would have traditionally been a barrier to timely interviews and certain release options. Now we are able to speak with our clients quickly and efficiently, and provide the Courts with appropriate information at an opportune time in the process. This collaboration between our agency and the Jail with regards to the Televisit program has improved communication among our staffs and resulted in a better understanding of both of our roles within the system.

Our Jail Enhancement Diversion Project (JADE) is an excellent opportunity for women with co-occurring disorders to be involved in a long-term intensive case management program with treatment and recovery as the focus.

The program focuses on clients that have traditionally had poor performance during past criminal contacts, and works to establish community and recovery supports in order to assist with pending matters before the Court. Our clients have already achieved degrees of success they have not been able to accomplish without this type of integrated treatment, and in the new year, we will continue to grow and develop this type of coordinated service delivery in order to achieve continued positive results.

We continue to work closely with problem-solving courts and are very optimistic regarding the newest court designed to approach the Veteran population in a more holistic manner. It was determined that Veterans were disproportionately represented in other problem-solving courts, and it seemed necessary to focus on needs unique to these clients. The theory is the same as Drug Court/Mental Health Court; to offer clients charged with non-violent offenses a chance to get the help they need, and break the cycle. The participants are held accountable by reporting to the Judge, testing negative for drug use, and availing themselves of help with jobs, housing and education. If clients succeed, they get a reduction in the offense that brought them into the system. Recently, Judge Marks told a Veteran before her that this court is "a work in progress". The very thankful Vet in front of her bench responded, "that's ok, I'm a work in progress, too, ma'am."

I look forward to the year ahead, and am grateful for the opportunity to learn and develop even better procedures for our Pre-Trial population. The NYAPSA conference will be held April 25<sup>th</sup> and 26<sup>th</sup>, and I am certain that those who attend will gain new perspective and feel rejuvenated about the opportunities for growth within their own agencies. I am grateful to be a part of this ever growing community and I can't wait to see where we go next!

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## NATIONAL ASSOCIATION OF PRETRIAL SERVICES AGENCIES UPDATE

*By Peter C. Kiers, NAPSAs President*

The National Association of Pretrial Services Agencies (NAPSA) is very excited about NYAPSA's upcoming conference in Troy this April. Toward that end, NAPSA has given \$1,000 to NYAPSA to aid in conference expenses. NYAPSA is one of the NAPSA's first affiliate members, and its members have participated in our national conference over the years. The speakers and program that the NYAPSA Board is developing for the New York conference looks extremely worthwhile. I hope to see you there.

NAPSA has been working on two initiatives that I want to mention to you. First, the NAPSA Certification Program provides national recognition to qualified pretrial practitioners. Persons who successfully complete certification will become Certified Pretrial Service Professionals (CPSP). Level One is currently available. It is anticipated that certification will be available for practitioners on various levels depending on his or her responsibility in his or her pretrial agency or organization. The NAPSA Certification Program is designed to advance the overall knowledge level 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.

Second, NAPSA has created an accreditation exploratory group that met in July in Cleveland. The group produced a checklist of issues that the board must consider about implementing accreditation. The group is recommending that NAPSA consider three different areas for accreditation: screening, release, and diversion. The group stressed the need to develop key elements/standards for accreditation, determine which elements will be mandatory, and develop a pre-audit process. We will be discussing the issue of accreditation in more depth at our upcoming board meeting. This program will help programs self-audit as well as come into compliance with recognized standards and best practices.

NAPSA's Conference will be in San Diego this year at the beautiful Westin hotel. We have heard already from a number of you indicating that you plan to attend. We hope that with the San Diego backdrop and the workshops and speakers planned, this will be one of our most successful conferences. It is never too early to start planning your trip! For more info. visit [www.NAPSA.org](http://www.NAPSA.org).

## NASSAU COUNTY PRETRIAL SERVICES OVERVIEW

By Christine Vanasco

In Nassau County, the function of pretrial services is carried out by the Nassau County Probation Department. Nassau County expanded its Pretrial Services Program in December 2004. Since that time, the program has continued to grow and evolve. Our goal in expanding was to provide a more comprehensive tool to aid the judiciary in making bail, remand, and pretrial-release decisions. Additionally, there would be an increased capacity to provide post-release monitoring of defendants pending the resolution of their criminal case. The two main functions of our program are to provide the Court with pertinent information needed for release decisions and to monitor defendants released by the court to our program while their court case is pending, in order to insure their return to court and to monitor their conditions of release.

The pretrial staff consists of a Supervisor, eight Probation Officers, two Probation Assistants, and three Clerks. In April 2005, we began providing Pretrial Services seven days a week, 365 days per year. We have three officers who work straight weekends. The balance of the weekend/holiday staffing is achieved through staff rotations. Daily shifts begin at 7:00 A.M. and end at 4:00 P.M.

Pretrial currently screens an average of over 1,000 cases 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 information, and warrant activity. The screening process begins at the start of the 7:00 A.M. shift. Due to time constraints, it would be impossible to conduct face to face interviews with every defendant prior to his/her arraignment. The screening process allows us to determine which defendants would benefit from further investigation, in order to provide the Court with information and recommendations on those cases where our investigation and assessment will be of the most value to the judiciary in making release decisions.

An investigation is conducted on approximately 200 defendants each month. The interview process begins as soon as the first prisoners are brought from the Nassau County Police Headquarters, which is usually between 9:00 and 9:30 A.M. The defendant is interviewed in the Court's detention area prior to his/her arraignment. Subsequent to the interview, attempts are made to make collateral contacts with family members in order to verify residence, employment, and ties to the community. Information on each defendant is entered into 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 to court. A Pretrial Screening and Release Report is completed and provided to the court. 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. We also offer electronic monitoring on a limited basis and are currently doing research with an eye toward expanding this tool in order to offer the courts an opportunity to release higher-risk offenders to our program.

Approximately 100 defendants are released to our program each month. Pretrial officers currently carry caseloads of approximately 200. The level of monitoring is determined based on the Risk Assessment tool as well as other factors. All defendants are required to report to their Probation Officer after each court appearance. Most defendants are required to report electronically by telephone on a weekly basis. The defendant is registered to a computerized Voice Recognition system, which enables the defendant to call weekly and enables us to monitor the defendant's presence within the jurisdiction of the Court. This system can also assist us in monitoring curfews, as it can be programmed to call the defendant at specific or random times to be sure he or she is home. As an increased level of monitoring, some defendants are required to call their Probation Officers on a weekly basis. Defendants who are considered to be high risk for failure to return to court can be required to report in person to their Probation Officer on a regular basis between court dates.

*continued on page 6 ...*

## GREETINGS FROM NYAPSA'S VICE PRESIDENT FOR DIVERSION

My name is Jonathan Heller and I, along with Cathy Lucisano, am new to the NYAPSA Board this year. I am NYAPSA's Vice President for Diversion and am currently working diligently with the rest of the board in planning the spring conference.

While I have been a probation officer nearly 25 years, my introduction to pretrial services was as an intern in 1982 when, for a time, I single handedly ran the "ROR" program for Dutchess County Probation. At the time, I was a student attending Gustavus Adolphus College in St. Peter Minnesota, and my main motivation for pursuing the internship was to avoid spending another winter on the cold, windy, and very FLAT Minnesota prairie, instead preferring to ski the Catskill Mountains by night, while screening the newly arrested of Dutchess County by day.

Much has changed since those early ROR days. I have been privileged to have a hand in forming and reforming the pretrial services unit at Dutchess County Probation, from the time when it was a half-time job of one officer through its growth to becoming a distinct division within the department, offering release options along a broad spectrum. As I have spent the bulk of my career in pretrial, I had the opportunity to meet many current and past (and future) board members! I have also had the opportunity to be a part of numerous statewide committees and workgroups that had a role in developing risk tools, standards, and technology integration to further the objectives of pretrial services. Locally, I have been fortunate to work with numerous practitioners who think outside the box, including Judges, attorneys and yes, even bail bondsmen. I have come to the conclusion, however, that the single greatest contribution to pretrial services was the advent of the fax machine (and the fact that our jail accepts faxed release orders from our judiciary!)

I am pleased to be serving on the NYAPSA Board, and I look forward to the future directions pretrial services will lead and to meeting many of you at our spring conference.



**DON'T FORGET  
TO REGISTER!**

**NYAPSA'S 2010  
CONFERENCE  
IS THIS  
APRIL 25-26**

**THE DEADLINE TO  
RESERVE A HOTEL  
ROOM AT THE  
SPECIAL  
CONFERENCE RATE  
IS MARCH 25<sup>TH</sup>!**



NYAPSA's conference will be held at the:  
Hilton Garden Inn  
235 Hoosick Street  
Troy, New York, 12180.

Room reservations must be made directly with the Hilton Garden Inn by calling:  
(518) 272-1700.

Rooms must be booked by March 25, 2010 to secure the special conference state rate of \$98.00 (for a single or double occupancy). After March 25, the room rate will be \$149.00.

Conference attendees are responsible for their own room charges.

See registration form on next page.

## NYAPSA 2010 CONFERENCE HIGHLIGHTS

*By Cathy Lane*

We have an exciting line up of topics facilitated by award-winning presenters. Delbert Boone, President of NND Productions, a consulting and training firm based in New York, will be presenting on Addiction. Having struggled with addiction himself, Delbert Boone changed his life and, for the past twenty-eight years, has been one of the most compelling voices on the subject of alcohol and drug abuse. He has received numerous honors over the years. Since 1995, he has been honored with eleven International Telly Awards and recognized for outstanding contributions to the field of addiction and criminal behavior at four American Corrections Association Film Festivals for his video programs.

Bart Lubow, Director for the Program of High-Risk Youth at the Annie E. Casey Foundation, will be one of an illustrious panel of presenters on detention reform. Bart Lubow's work has focused on sentencing alternatives and advocacy since 1974. He became a Senior Associate at the Annie E. Casey Foundation in 1992. For the past 15 years, he has been the manager of the Juvenile Detention Alternatives Initiatives (JDAI), and has been Director of Casey's Program for High Risk Youth since 2002.

Tim Murray, Executive Director of the Pretrial Justice Institute (PJI), will be joining Bart to discuss detention reform. He has worked as a criminal justice practitioner at the local, state, and federal levels. His extensive experience includes management and executive positions with the pre-trial services systems in Washington, D.C. and Miami-Dade County, Florida. While in Miami, Tim was the principal architect and administrator of the nation's first drug court. He completed his federal service as part of the start-up team for the Transportation Security Administration (now part of the U.S. Department of Homeland Security). In his current position, he has provided technical assistance to numerous programs and organizations, nationally and internationally. He is a lifetime member of the National Association of Pretrial Service Agencies (NAPSA) and a recipient of the NAPSA's most prestigious honor, the Ennis J. Olgiati Award.

The New York State Department of Probation and Correctional Alternatives will be presenting their newly developed NYS Fundamentals of Community Corrections Curriculum. New York State continues to lead in the development of evidence- and skill-based learning for probation officers and community correction professionals. Drawing from New York State's Fundamentals of Probation Practice, a nationally recognized training curriculum that was accredited in 2008 by the American Probation and Parole Association, the Fundamentals of Community Corrections includes the latest information on screening, assessment, motivational interviewing, and case planning.

Cliff Kenean, District of Columbia Pre-trial, will be presenting Pretrial 101. We will also be hearing from Monroe County Pre-trial Services about Program Auditing, the NYC Criminal Justice Agency and others on Validated Risk Assessment Tools, and other noteworthy professionals on New Initiatives.

This is just a sampling of the speakers and presentations that we have lined up for this year's conference. Please check your mail for a conference registration packet and NYAPSA's website for updates.

We look forward to seeing and networking with you at the conference!

## NYAPSA CONFERENCE REGISTRATION FORM

Complete this form and mail it with your payment to NYAPSA (see address below). Fill out one form per conference registrant please. Print or type your name, title, and organization exactly as you would like it to appear on your conference name tag. A conference "Attendee List" will be arranged in alphabetical order based on the last name of each registrant.

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ FAX: \_\_\_\_\_  
Email: \_\_\_\_\_

### REGISTRATION FEES

**[NOTE: Hotel reservations must be made directly with the Hilton Garden Inn]**

**Postmarked by April 2, 2010:**

Member:            \$85.00  
Non-Member\*:    \$105.00  
*(\* fee includes \$20.00 membership!)*

**Postmarked after April 2, 2010:**

Member:            \$100.00  
Non-Member\*:    \$120.00  
*(\* fee includes \$20.00 membership!)*

### ONE DAY REGISTRATION:

**Postmarked by April 2, 2010:**

Member:            \$60.00  
Non-Member\*:    \$80.00  
*(\* fee includes \$20.00 membership!)*

**Postmarked after April 2, 2010:**

Member:            \$80.00  
Non-Member\*:    \$100.00  
*(\* fee includes \$20.00 membership!)*

**Total amount enclosed: \$ \_\_\_\_\_**

**Make check payable to: NYAPSA**

Mail this form and your check or voucher to:

NYAPSA Conference  
PO Box 5153  
Poughkeepsie, New York 12602

Please indicate the meal functions you will be attending:

\_\_\_\_ Lunch, Sunday April 25 (12:00 - 1:30 PM)  
\_\_\_\_ Lunch, Monday April 26 (1:00 - 2:30 PM)

**If you require a vegetarian meal check here:**

**Questions?**  
Contact Craig McNair at (585) 454-7350 / Email: cmcnair@monroecounty.gov

## NYC PRETRIAL RECIEVES FEDERAL STIMULUS MONEY FOR EXPANSION OF BAIL PROGRAM

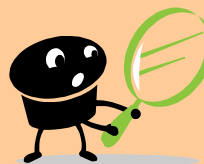
The New York City Criminal Justice Agency (CJA) -- the pretrial services agency for the city's five boroughs -- will receive a two-year federal stimulus package to expand its Bail Expediting Program into Manhattan and Brooklyn. This stimulus grant, designed to create jobs, will fund two Supervisor and eight Interviewer positions at the agency. The program, known as BEX, identifies defendants who are held on cash bails of \$3,500 or less. CJA re-interviews these defendants to elicit the names and telephone numbers of family members and friends who may be able to post their bail.

The program also has a pre-arraignment component. During the pre-arraignment interview, CJA staff encourages all defendants to provide telephone numbers of family members or friends, and make repeated attempts to contact them by telephone to verify the defendant's community ties. CJA staff also encourages defendants' family and friends to attend the defendant's arraignment, and provides them with an estimate of the arraignment time and directions to the courthouse. In the Bronx, CJA maintains an information desk which provides follow-up information about arraignment times.

CJA identifies all defendants who have bail set at \$3500 or less, and re-interviews them immediately after arraignment to identify potential bail sureties. All potential sureties are then contacted (either by telephone or in court) to assess their bail-posting ability and are provided with information on how to post bail.

When a defendant's surety states his or her intention to post bail immediately, CJA advises the Department of Correction (DOC) to delay transporting the defendant from the courthouse to a DOC facility. This helps to reduce the City's costs for processing and admitting inmates to DOC facilities. It also has the benefit of reducing inmate volume. The New York City Department of Health and Criminal Justice Coordinator are interested in this aspect of the program to help reduce instances of H1N1 flu in the jails.

To asses the effectiveness of its Bail-Expediting Program, CJA collects data on the pre-arraignment contacts obtained and reached, arraignment outcomes, and bail making.



### Word Search

Submitted by: C. McNair

P N F S K I N M D I E D E L N  
 R Y H M E A N I O L O C E A O  
 O A C J P V V T A N I C F I I  
 B P I S Y E I C E T I W R R S  
 A S A T R Q S T S R Y T D T I  
 T A F S N T J U A J V Q O E V  
 I W I E N A J U B N Y I I R R  
 O O L I A J D H R T R Y E P E  
 N L O M W N A N N E H E V W P  
 U P C O N F E R E N C E T K U  
 S L A N O I S S E F O R P L S  
 S D R A D N A T S V E R Y I A  
 R E L E A S E M F R O D P A M  
 K S V X I Y Q J N R Y F C B V  
 M H A I T M S N N K H T A Q Z

- |              |               |
|--------------|---------------|
| ALTERNATIVES | NYAPSA        |
| BAIL         | POINTSCALE    |
| CONFERENCE   | PRETRIAL      |
| DEFENDANT    | PROBATION     |
| DIVERSION    | PROFESSIONALS |
| INTERVIEW    | RELEASE       |
| JAIL         | ROR           |
| JUSTICE      | STANDARDS     |
| MONITOR      | SUPERVISION   |
| NAPSA        | VERA          |

## NASSAU COUNTY PRETRIAL SERVICES OVERVIEW

(continued from page 3 ...)

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 Pretrial Officer will remind the defendant of court dates and notifies the court of any arrests or other serous violations of the conditions of release.

The goal of Nassau County's Pretrial Service Program is to continue to encourage Judges to utilize pretrial services as alternative to incarceration, expand the program to offer a wide range of monitoring options, and to continue to maintain the high standard of performance we provide.

Nassau County has recently gone live with Caseload Explorer, the state approved case-management system. All Probation cases, including pretrial, were converted from our old database to the Caseload Explorer database. Although the conversion was less than perfect, we are slowly making adjustments to the system and the staff is learning its functions. Once staff is fully trained and all of the system's growing pains have ceased, we anticipate that the new system will be far superior to the old. Pretrial Officers will be able to input information regarding their defendants, defendant's contacts, as well as collateral contacts regarding the defendant. Pretrial statistics, which were gathered in a variety of ways in the past, will all be available through Caseload Explorer, making it much easier to gather information needed to provide statistical reports on our program's progress to the State. (For more information about Nassau Pretrial contact Christina Vanasco, Assistant Deputy Director, at (516) 571-4739.)

## LEGAL ACTION CENTER

"Helping People Rebuild Their Lives  
With Dignity"

March 2, 2010

Dear Friend,

Many drug and alcohol residential programs and half-way houses have been asking how they can cooperate with census takers, as they make their rounds in 2010, without violating the federal confidentiality law and regulations. Programs are concerned about the two ways in which patient-identifying information could conceivably be disclosed: (1) a census enumerator allowed into a program to assist patients in filling out the census forms would learn the identities of patients; (2) the program itself, if it turned over census forms with its residents' names to the Census Bureau, would identify the patients as persons receiving substance abuse treatment.

The Legal Action Center called the Census Bureau to determine exactly what information census takers will be seeking and how they plan to approach residential treatment programs. We believe we have found a way for programs to cooperate fully with census takers without jeopardizing the confidentiality of their patients' identities. In sum, program staff may obtain training to self-enumerate, thereby avoiding the problem of a census representative interviewing patients directly. In addition, census forms do not require patient-identifying information.

Visit [www.lac.org](http://www.lac.org) to read and download a detailed discussion of our findings.

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**We're on the Web!**

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**NYAPSA NEWS**

NEW YORK ASSOCIATION OF PRETRIAL SERVICE AGENCIES  
C/O NYC CRIMINAL JUSTICE AGENCY  
52 DUANE STREET, 3<sup>RD</sup> FLOOR  
NEW YORK, NEW YORK 10007

