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**NYS DIVISION OF PAROLE**

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**1930 — 2010**

**OUR MISSION:**

**"TO PROMOTE PUBLIC SAFETY BY PREPARING  
INMATES FOR RELEASE AND SUPERVISING  
PAROLEES TO THE SUCCESSFUL COMPLETION  
OF THEIR SENTENCE."**



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
**DIVISION OF PAROLE**  
97 CENTRAL AVENUE  
ALBANY, NEW YORK, 12206

**DAVID A. PATERSON**  
GOVERNOR

**ANDREA W. EVANS**  
CHAIRWOMAN & CEO



It is my pleasure to submit the Division of Parole's annual report, for FY 2009-10. The Governor has often said that there is no more fundamental role of government than the protection of its citizenry, and that New York cannot, and will not, jeopardize the public safety because of fiscal constraints. The Division of Parole has embraced that philosophy with considerable success, as this report documents.

Parole is, first and foremost, about public safety. But it is also about helping to turn offenders into law-abiding, tax-paying assets to their community. Public safety and community protection are best ensured when offenders who are returning to the community are assisted and supervised by a professional parole officer.

This annual report summarizes the activities of the Division of Parole and its two main functions – deciding which offenders whom the Legislature has made eligible for parole have met the statutory criteria for discretionary release, and then monitoring and mentoring those who are released to community supervision.

During FY 2009-10, I believe the Division of Parole made substantial progress in its mission to promote public safety and successfully transition releases back to the community – as evidenced by the fact that the percentage of releasees returned to prison for new felony convictions is at its lowest point since the early 1990s. I am particularly gratified that we were able to achieve this success during these particularly difficult fiscal times.

The dedicated men and women of the Division of Parole look forward to the opportunity to continue working with our state partners in our efforts to keep New York State the safest large state in the country.

A handwritten signature in black ink that reads "Andrea W. Evans". The signature is written in a cursive, flowing style.

Andrea W. Evans  
Chairwoman & Chief Executive Officer

# Parole Board Members

<u>Name</u>	<u>Confirmation Date</u>	<u>Term Expires</u>
Andrea W. Evans	June 8, 2009	February 6, 2013
Walter Wm. Smith, Jr.	December 17, 1996	July 06, 2011
James Ferguson	April 12, 2005	July 06, 2011
Christina Hernandez	June 14, 2006	June 02, 2011
G. Kevin Ludlow	June 21, 2006	June 18, 2011
Gerald Greenan III	June 21, 2006	June 18, 2012
Lisa Beth Elovich	December 13, 2006	December 31, 2013
Henry Lemons	May 1, 2007	June 18, 2008
Sally Thompson	June 14, 2007	May 4, 2013
Michael A. Hagler	October 22, 2007	August 31, 2013
Mary Ross	June 19, 2008	August 31, 2013
Joseph Crangle	June 19, 2008	June 16, 2014
Jared Brown	January 26, 2010	June 18, 2012



*New York State Parole Board Commissioners (L-R): G. Kevin Ludlow, William Smith, Henry Lemons, Mary Ross, Michael Hagler, Andrea Evans (Chairwoman), James Ferguson, Christina Hernandez, Jared Brown, Gerald Greenan III, Patrick Gallivan. Not present: Lisa Elovich, Sally Thompson, Joseph Crangle.*

## **DIVISION OF PAROLE STAFF**

### **EXECUTIVE STAFF**

Andrea W. Evans, Chairwoman & CEO  
Mark Manthei, Executive Director  
Terrence Tracy, Counsel  
Angela B. Jimenez, Director of Operations  
Timothy O'Brien, Director of Facility Operations  
Jeffrey Nesich, Director of Administration  
Jose Burgos, Director of Human Resources  
Michael Washington, Director, EEO/Diversity Management  
Michael Buckman, Director of Policy Analysis

### **EXECUTIVE CLEMENCY**

Frank Herman, Director

### **STATEWIDE OPERATIONS**

Angela B. Jimenez, Director of Field Operations  
Timothy O'Brien, Director of Facility Operations  
Mary Smith, Deputy Director Downstate

### **STATEWIDE RE-ENTRY SERVICES**

Vanda Seward, Director of Re-Entry Services  
Patricia Fitzmaurice, Director Upstate  
Robert Smith, Director Downstate

### **METRO 1**

Michael Falk, Regional Director  
William Ponder, Deputy Regional Director

### **REGION 4**

Michael Burdi, Regional Director  
Marco Ricci, Deputy Regional Director

### **METRO 2**

Milton Brown, Regional Director  
William Hogan, Deputy Regional Director

### **REGION 5**

Eugenio Russi, Regional Director  
Grant Scriven, Deputy Regional Director

### **REGION 3**

Steven Claudio, Regional Director  
Gayle Walthall, Deputy Regional Director

### **SEX OFFENDER MANAGEMENT UNIT**

Mary Osborne, Deputy Director

### **STAFF DEVELOPMENT**

Joseph Tewksbury, Director

### **PAROLE VIOLATION UNIT**

Timothy O'Brien, Director of Facility Operations  
Gerald McCord, Chief

## OVERVIEW

The core mission of the Division of Parole is to “promote public safety by preparing inmates for release and supervising releases to the successful completion of their sentence.” The Division of Parole has two cornerstones: The Board of Parole, which determines whether and when an offender serving an indeterminate sentence should be released; and Parole Officers, who supervise approximately 40,000 offenders in New York State who have been released from prison either by the Board of Parole, or statute, or sentenced by courts to the Willard Drug Treatment Campus. Parole Officers also prepare approximately 22,000 inmates annually for release, supervise inmates in the Department of Correctional Services’ Temporary Release Program, and monitor out of state and deportations case. In total, the Division has responsibility for just over 53,000 offenders.

The 19 members of the Board of Parole are appointed by the Governor, and confirmed by the Senate, for six-year terms. One member is designated by the Governor to serve as the Board’s Chairperson and as Chief Executive Officer of the Division of Parole. The Division has staff in 38 field offices and 67 State correctional facilities.

This report describes and explains the various responsibilities of the Division of Parole and provides an accounting of the performance of the agency during fiscal year 2009-10.

In sum, the Board of Parole:

- Conducted 29,059 interviews considering release for persons eligible for supervised release in 2009-10.
- Granted release to 40% of the eligible inmates, and 22% of those being considered for the first time.
- Released 9% of the Violent Felony Offenders and 3% of the Sex Offenders eligible for release.
- Returned 9,342 releasees to prison for violating the conditions of their release.

Parole Officers:

- Made more than 2.6 million case contacts, including 543,673 home visits.
- Conducted 151,038 on-site drug tests.
- Collected nearly \$1.1 million in supervision fees.

In 2009-10, only 2.6% of releasees were returned to the Department of Correctional Services for committing a new felony; that is the lowest level in approximately 20 years.

## **HISTORY**

This year, the Division of Parole marks its 80<sup>th</sup> anniversary of public service to the people of New York State.

The Division was established in the Executive Department on July 1, 1930. A full-time Board of Parole was created within the Division and given the responsibility, formerly held by the Department of Corrections, for decisions on parole releases from prisons. Jurisdiction over releases from training schools and correctional institutions for mentally disabled prisoners was added to the Parole Board's authority in 1945.

A 1967 law extended the Board's release authority to persons incarcerated in local reformatories, transferred the functions of the New York City Parole Commission to the New York State Division of Parole and gave the agency control over the conditional release of inmates under definite sentences.

In 1971, the Division of Parole was consolidated with the Department of Corrections to form the Department of Correctional Services (DOCS). In the wake of the Attica Prison riot and demands from the courts and other quarters that the procedural rights of releasees be protected, the Division was again established in 1977 as an autonomous agency within the Executive Department. The same reform act mandated adoption of formal release guidelines to eliminate any perception of arbitrariness.

A 1978 law made the Division of Parole responsible for determining the appropriateness of releasing juveniles convicted of certain serious felonies and for their post-release community supervision. With the surge in State incarcerations in the 1980s and 1990s, the Division of Parole expanded significantly, as did the array of substance abuse treatment and other services available to help releasees maintain a law-abiding life style.

The Sentencing Reform Act of 1998, commonly referred to as "Jenna's Law," added a new dimension to the Division through the elimination of discretionary release for all violent felony offenders while mandating court-imposed periods of post-release supervision of 1½ to 5 years that the offender must serve after completing the period of incarceration imposed by the court.

Since its creation, the core mission of the Division has remained consistent and unchanged – to protect public safety while supervising releasees in the community and working closely with them to ensure their successful and productive re-entry into society.

The Division's 1,057 Parole Officers and facility staff are among the most highly trained and educated in the nation. They prepare inmates for release in the State's correctional facilities, they supervise releasees in the community, and they issue warrants, pursue fugitives and prosecute parole violators. In addition to these duties,

they also participate in re-entry initiatives, law enforcement task forces, and community-based activities.

Parole Officers must be able to balance the delivery of services and supervision that are tailored to the risks and needs presented by each releasee while also enforcing the laws of the state and taking action to end criminal conduct. Through their work in the community, parole officers develop an in-depth knowledge of the neighborhoods in which they work. This includes familiarity with the full range of community resources available to support releasees as they re-enter society as well as learning where the high crime areas are and who the people are who are involved in criminal conduct.

In addition to being a national model for parole operations, the Division was the first parole-only agency to be accredited by the American Correctional Association.

## **FACILITY PAROLE OPERATIONS**

The Division of Parole promotes public safety by preparing inmates for release and supervising releasees to the successful completion of their sentences. Approximately 57,000 inmates are currently incarcerated at 67 State correctional facilities and the Willard Drug Treatment Campus. Approximately 22,000 inmates are released to parole and post-release supervision annually. The Division recognizes the critical importance of a pre-release presence in order to fully implement the mission of the agency. Facility operations are centered on the concept that release preparation and supervision planning begins at the time of an inmate's arrival at a correctional facility and continues throughout the period of incarceration to the successful completion of the period of community supervision.

The Division's more than 300 Facility Operations staff members provide a wide range of services to the inmate population, Board of Parole, Field Operations, and Re-entry Services staff. Facility assigned parole officers are responsible for parole and post-release supervision orientation, procurement of identification records, public benefit application processing, identification of

needs and targeted services, chemical dependence referral and consent, application processing under the Interstate Compact, domestic violence case identification and reporting, mental health referrals, threat documentation, intelligence information gathering, victim identification and supportive services, sex offender registration and notification of duties as a sex offender, community preparation and case assignment, and procurement of medical records and medical discharge documents. Facility parole officers complete pre-Parole Board interviews and community preparation interviews for all inmates appearing before the Board of Parole (indeterminate sentences) and for all inmates released by operation of law (determinate sentences).

Facilities staff prepares reports used by the Board of Parole in the discretionary release decision-making process and setting the conditions of release and by Field and Re-entry Services staff during the community preparation investigation phase. These reports provide critical information used by decision makers and staff responsible for developing the supervision plan.

### **FACILITY OPERATIONS ACTIVITIES**

**23,453** – Number of releases by Parole Board, CR, and Presumptive release types  
**25,745** – Number of community preparation investigation assignments and community prep packages prepared  
**2,561** – Number of certificates of relief granted in connection with Parole Board interviews and reviews

## **BOARD OF PAROLE**

The Board of Parole consists of 19 members appointed by the Governor and confirmed by the Senate, each of whom serves a six-year term. The Chairperson of the Board is selected by the Governor and serves as the Chief Executive Officer of the Division of Parole.

The Board has two primary responsibilities. The first is the meticulous case-by-case screening of inmates being considered for release. The second major responsibility of the Parole Board is to establish the conditions of release for each person under parole supervision. These conditions are uniquely tailored to meet individual needs for all inmates released to parole supervision; those granted discretionary release by the Parole

Board, those granted Presumptive Release by the Commissioner of the Department of Correctional Services, those released statutorily as conditional releases after successfully completing two-thirds of their maximum sentences and those with determinate sentences released after serving the incarcerative portions of their sentences.

In addition, there are certain other key duties and responsibilities that fall under the umbrella of the Board. These include the power to issue warrants for the detention of delinquent releasees and to revoke their release, and the authority to grant and revoke Certificates of Release from Disabilities and Certificates of Good Conduct. Additionally, the Board reports to the Governor on individuals under consideration for pardon or commutation of sentence.

### **PAROLE BOARD ACTIVITIES FY 2009-10**

**29,059:** Release Interviews and Reviews conducted

**9,342:** Releasees returned to prison under Board authority for violating the conditions of their release

**945:** Three-Year Discharges to releasees who had completed three years of successful supervision.

**40%:** Proportion of eligible inmates granted discretionary release

**22%:** Proportion of inmates released by the Board after their first appearance

**9%:** Proportion of Violent Felony Offenders granted release

**3%:** Proportion of Sex Offenders granted release

## **PAROLE IN THE COMMUNITY**

The job of a Parole Officer, a dynamic blend of social work and law enforcement that is equal parts science and art, is among the most demanding of any profession in the field of public safety. In order to become a Parole Officer, candidates must hold a master's degree or a bachelor's degree with three-years of social services experience and then successfully complete a rigorous eight-week training program that includes supervision skills and firearms proficiency.

A parole officer's day may begin shortly after dawn with a visit to a releasee's home before they leave for work and

may end near midnight with post-work visits, curfew checks or late night surveillance. Home visits may entail as much time spent with the releasee's family as with the releasee. Required additional visits include the releasee's place of employment and any programs in which the releasee is participating. Parole officers also work closely with federal, state and local law enforcement agencies, sharing intelligence about neighborhood crime trends and patterns, working on special operations and collaborating in the apprehension of parole violators and releasees suspected of committing new crimes.



*Spring 2010 Citywide Absconder Search-PO's muster with NYPD*

**Parole Officer Activities  
Fiscal Year 2009-2010**

**2,663,153:** Case contacts

**543,673:** Home visits

**373,185:** Positive home visits

**5 million:** Miles traveled on supervision activities

**151,038:** On-site drug tests conducted

**\$1.1 million:** Supervision fees collected by Parole Officers



*Illegal weapons seized in a Parole operation.*

## **SEX OFFENDER CONTAINMENT**

The Division of Parole takes very seriously its responsibility for supervising sex offenders. The Division has Parole Officers who specialize in the supervision of sex offenders. These officers, who have been specifically trained, supervise sex offenders exclusively and on an intensive basis until they complete their sentence.

Parole Officers assigned to these caseloads often place the releasees under electronic monitoring and GPS surveillance. They administer unannounced on-site drug/alcohol testing, conduct frequent home visits, enforce strict curfews and monitor behaviors through periodic polygraphs. Sex Offender Registry address information and compliance with other provisions of the Sex Offender Registration Act are routinely monitored.

With the enactment of the Electronic Security and Targeting of Online Predators Act (E-STOP), the Division's efforts to protect the public from sex offenders online were enhanced. The Board of Parole was authorized to limit internet use by all Level 3 sex offenders

and other offenders who victimized a minor or who used the internet to facilitate the commission of their sex offenses.

The Division also supervises persons found by a Court to require civil management due to a mental abnormality. This regimen of Strict and Intensive Supervision and Treatment combines structured supervision with intensive treatment to ensure that public safety needs are addressed.

The Division of Parole maintains a close information-sharing relationship with local law enforcement entities, sex offender treatment providers and local community groups, particularly in regard to the release and supervision of sex offenders.

This multi-pronged approach provides parents, caregivers, schools, communities and law enforcement agencies with the tools they need to protect our children and families, and fosters a measure of safety within our neighborhoods.

## MEASURING SUCCESS

The Division continues to achieve significant success in fulfilling its mission. The figures in the following table, provided by the Division of Criminal Justice Services, show, for the last decade, the proportion of all criminal arrests in New York State attributable to releasees. There are two things to highlight in these figures. The first is that in all categories of arrest - Felonies, Misdemeanors and Total

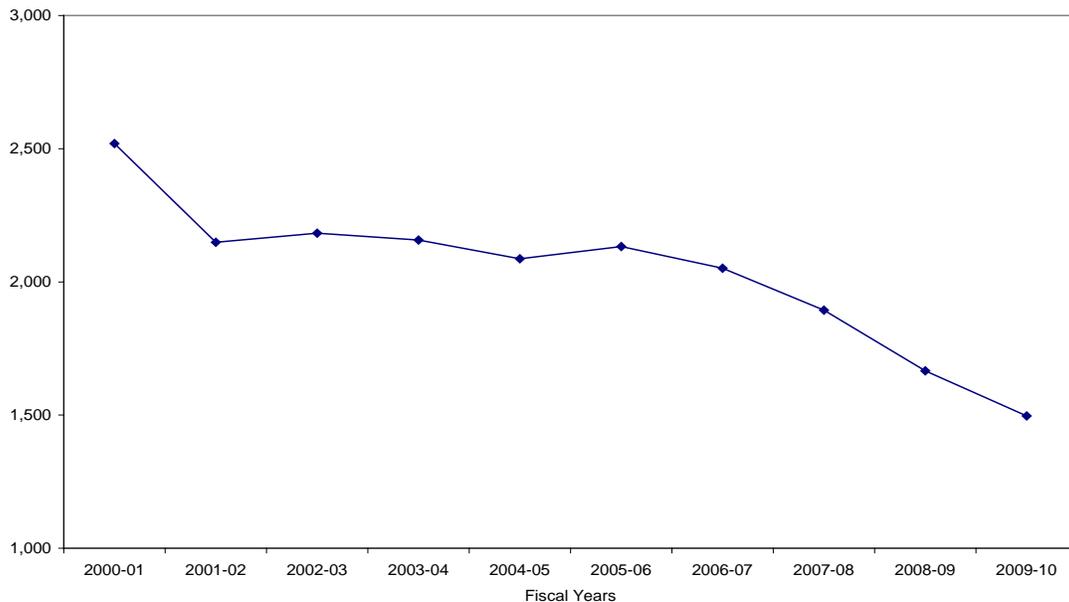
Arrests – releasees’ participation in crime has steadily decreased. We take pride in that trend. The second, and perhaps most important, is that, during the most recent calendar year, releasees accounted for just over 3% of all arrests in New York State and a little over 4% of all felony arrests. This is an indication that the Division’s supervision policies continue to protect the people of New York.

<b>Releasee Proportion of Statewide Arrests</b>										
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
<b>Felony</b>	5.8%	5.4%	5.1%	5.3%	5.0%	5.0%	4.8%	4.6%	4.6%	4.5%
<b>Misdemeanor</b>	3.3%	3.0%	2.9%	3.0%	2.8%	2.8%	2.6%	2.5%	2.5%	2.5%
<b>Total</b>	<b>4.1%</b>	<b>3.8%</b>	<b>3.6%</b>	<b>3.7%</b>	<b>3.5%</b>	<b>3.5%</b>	<b>3.3%</b>	<b>3.2%</b>	<b>3.2%</b>	<b>3.1%</b>

The following graph reflects the trend in releasees returned to prison over the last decade as a result of being convicted of a new felony while under parole supervision. Once again, we see a consistently downward trend – and in fact, the number of returns for new felonies has decreased by 40% over this time period. While we have also seen some decrease in the size of our supervised population over this decade, the decline in new convictions has

occurred at double the rate of the decline in our population. It should be noted that a portion of this population decrease has been a function of statutorily mandated or approved early discharge programs that have removed the more successful releasees from our caseloads, and yet we continue to observe this ongoing pattern of supervision success. Once again we see that our staff and policies are keeping New York safe.

**Number of Parole Violators Returned to DOCS with New Felony Convictions Over the Last 10 Years**



The table below represents the number of releasees returned to prison over the last decade for either a parole violation or for a new felony conviction while under supervision. The table also shows the rate of each type of return relative to the dynamic population of all releasees under supervision during the

course of each year. The table portrays the continuing decline in returns for new felony convictions and the important role that intervening when releasees violate the conditions of their release plays in ensuring the ongoing safety of our communities.

### Releasees Returned to DOCS by Fiscal Year

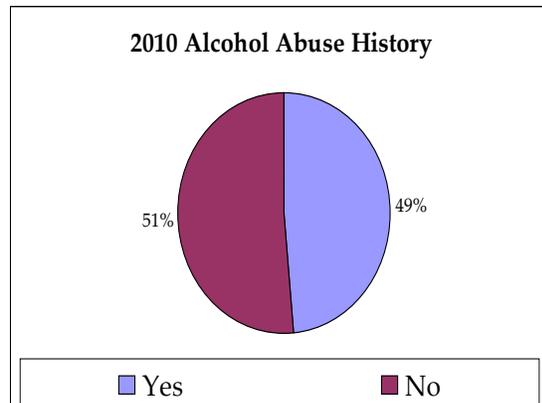
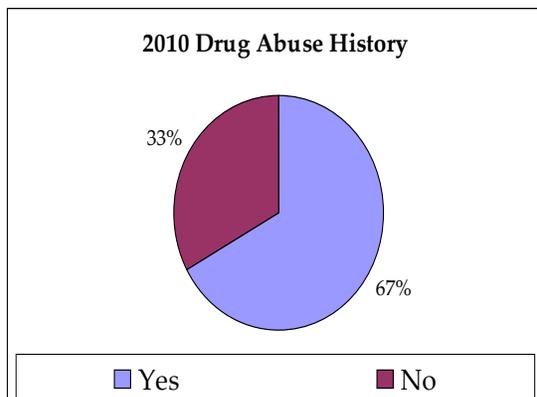
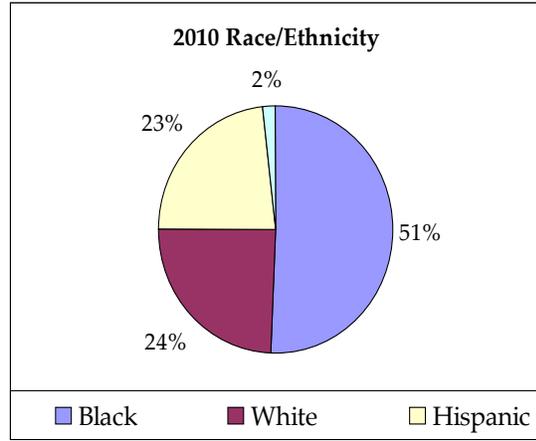
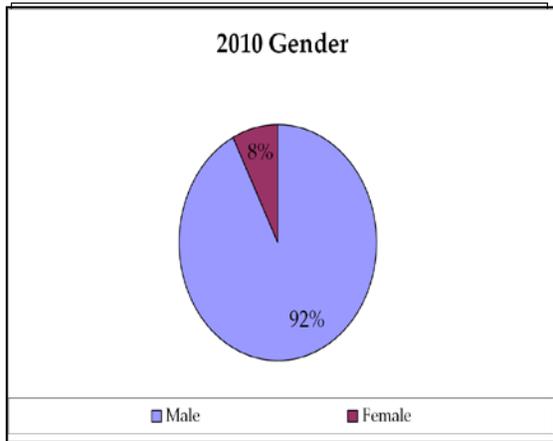
Outcome Measure <sup>1</sup>	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
<b>Rate of Releasees Returned to Prison with New Court Conviction During Year</b>	3.7%	3.2%	3.5%	3.4%	3.5%	3.6%	3.5%	3.2%	2.8%	2.6%
	2,519	2,149	2,183	2,157	2,087	2,133	2,051	1,894	1,666	1,515
<b>Rate of Releasees Returned to Prison for Violating Conditions of Parole During Year</b>	13.2%	13.5%	14.3%	13.7%	13.8%	14.4%	16.5%	17.1%	16.1%	16%
	9,015	8,949	8,981	8,570	8,126	8,446	9,584	10,264	9,765	9,342
<b>Total Rate of Prison Returns During Year</b>	16.9%	16.8%	17.8%	17.1%	17.3%	18.1%	20.0%	20.3%	18.9%	18.6%
	11,534	11,098	11,164	10,727	10,213	10,579	11,635	12,158	11,431	10,857

1 Rates are computed based on the dynamic population for a fiscal year (April 1 through March 31).

The dynamic population was 69,491 for 1997-98; 67,571 for 1998-99; 67,578 for 1999-00; 68,103 for 2000-01; 66,136 for 2001-02; 62,784 for 2002-03; 62,721 for 2003-04; 59,045 for 2004-05; 58,607 for 2005-06; 58,233 for 2006-07; 59,999 for 2007-08; 60,499 for 2008-09 and 58,499 for 2009-10.

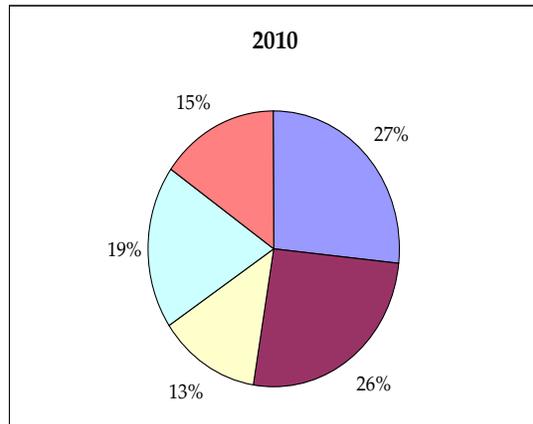
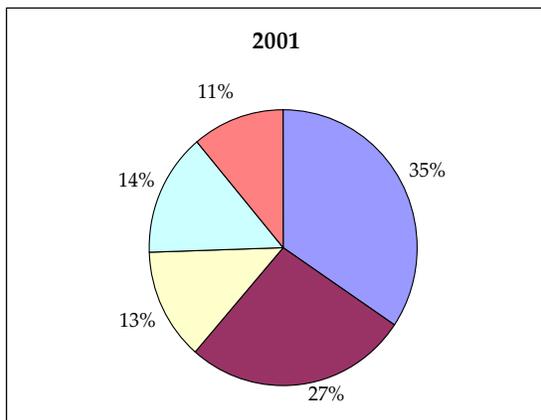
## RELEASEE POPULATION

The charts below provide an illustrative view of the releasee populations. As shown below, more than half of the releasee population is comprised of African Americans individuals, and 74% are either African American or Hispanic. Additionally, alcohol and substance abuse issues are very common among releasees. Nearly half of the population has a history of alcohol abuse, and 67% have a history of drug abuse.



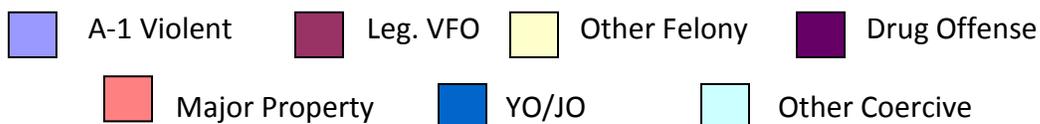
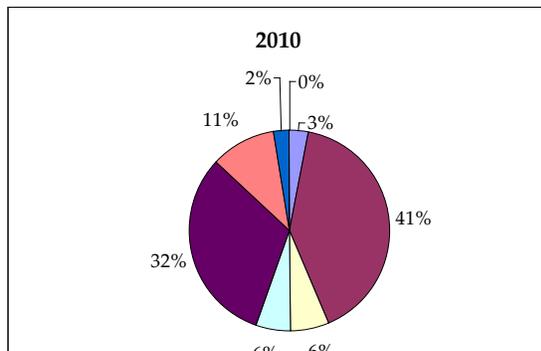
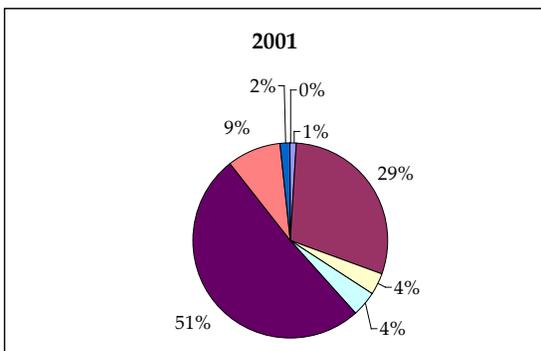
## AREA OF SUPERVISION: 10 YEAR COMPARISON

Over the past decade, the releasee population has undergone a considerable geographic shift. In 2001, the majority of the releasee population was concentrated in the New York City metropolitan area. Now, it is fairly equally divided between areas within and outside of New York City. Metro I covers Manhattan and the Bronx; Metro II covers Brooklyn, Queens and Staten Island; Region III covers the Mid-Hudson/Long Island region; Region IV covers the Central Adirondack/North Country; and Region V covers the Southern Tier/Western New York.



## CURRENT OFFENSE: 10 YEAR COMPARISON

In 2001, approximately half of the releasee population was under supervision for a drug offense. Currently drug offenders make up one-third of those under supervision and violent felony offenders exceed 40%.



## RE-ENTRY SERVICES

A commitment to public safety is the backbone of the Division's Re-Entry initiatives. The goal is to identify the obstacles to successful reintegration prior to release, identify the community services available to remove those obstacles and assist the releasee in making the best use of those resources. The Division partners with a broad range of other state agencies, not-for-profit service providers, and the faith-based community to assist releasees to secure safe, affordable housing, enroll in appropriate treatment and skills programs, and find and hold employment.

By helping those under parole supervision to become productive members of society, the Division can reduce the cycle of crime that results in offenders returning to prison.

Parole's Re-Entry Services Unit (RESU) works with Parole's facility and field staff to build partnerships with service providers and local government entities

that are designed to enhance the successful transition from prison to the community for releasees.

The Re-entry Services Unit also works with county governments throughout the state to facilitate access to housing, benefits and support services. RESU has developed referral sources for housing, substance abuse prevention services, anger management, domestic violence counseling, mental health counseling, medical services, mentoring, employment, and a host of other services needed by releasees. Both RESU and Parole staff statewide participate in a large number of re-entry initiatives.

RESU staff is available in each Region to provide both ongoing and emergency assistance to field and facility staff in obtaining services and critical placements responsive to the special needs presented by releasees in the community.



*160 Releasees (serving Life) and their families attend a re-entry celebration at St. Paul's Community Baptist Church, Brooklyn with congregants, Public officials and DOP staff.*

## Motivational Interviewing

As part of New York State's initiative to promote re-entry concepts in the supervision of the formerly incarcerated, the Division of Parole has adopted "Motivational Interviewing" methods in its casework practices. Many staff have already attended conferences, lectures and practicums on this topic. It is the Division's intent to have all field and facility officers trained on Motivational Interviewing practices by June of this coming year.

To this end, the agency has developed a cadre of Motivational Interviewing instructors who are prepared to deliver training on the concepts and techniques of this client-based approach.

Beginning in January, the Staff Development Unit will be conducting Motivational Interviewing classes throughout the state that will be mandatory for all targeted staff who have not yet received this innovative training.

Supervisors and managers will also be trained, and will be expected to model and reinforce MI concepts in their respective settings. Our goal is to consistently support offender motivation for positive change during both the pre-release and supervision phases of the community reintegration process.



*Successful releasees residing at The Fortune Society are honored by the Division of Parole as DOP celebrates re-entry efforts.*

## **ALTERNATIVES TO INCARCERATION**

### **The Edgecombe Residential Treatment Diversion Program**

The Edgecombe Residential Treatment Diversion Program is a ground-breaking comprehensive substance abuse treatment program designed to assess and address issues that may lead to re-incarceration.

This 110-bed unit is a collaborative effort by the Division of Parole, Department of Correctional Services and Odyssey House, a licensed Office of Alcoholism and Substance Abuse Services (OASAS) provider, to reduce the number of releasees returned to prison for violating the terms of their parole release.

This innovative program is available to releasees who reside in New York City, on Long Island and in Westchester and Rockland counties. During this 45-day program, staff from all three agencies

provide a team case management approach to assist the releasees placed at Edgecombe. The program schedule includes educational goal development, group and individual counseling, anger management skills training, self-help sessions, vocational rehabilitation, relapse prevention planning, family education and reunification, HIV/STD education, parenting, cognitive behavioral training and nicotine dependence treatment. The program model runs 7 days a week for 12 hours a day.

The Edgecombe program opened its doors in April 2008. As of November 2010, a total of 2,400 releasees had entered the program of which 1,989 had successfully been discharged or remained in the program on that date.

### **Harlem Re-Entry Court**

Launched in 2001, the Harlem Parole Re-entry Court, a collaboration between the Division of Parole, the New York City Office of the Mayor and the Center for Court Innovation, works to facilitate the transition from confinement to life in the community for releasees returning to the neighborhoods of East and Central Harlem. The Re-entry Court utilizes comprehensive pre-release assessments, evidence-based interventions, intensive case management, linkages to on-site and community-based social services, and a multi-disciplinary team approach to

confront the most critical issues facing recently released releasees. A Parole Administrative Law Judge presides over each case. A recently released evaluation of the Re-entry Court found that graduates were less likely to be rearrested and reconvicted. The Re-entry Court is based at the Harlem Community Justice Center a multi-jurisdictional community court that works closely with local residents, government and neighborhood-based service providers to solve problems that affect the quality of life in Harlem.

## Willard Drug Treatment Campus

Willard is a 900-bed intensive “boot-camp” style drug treatment center that provides services for both men and women. The 90-day intensive Willard program emphasizes substance abuse treatment, sound decision-making, discipline and education in the context of a therapeutic community and rigorous military-like environment. The program was initially modeled after the Department of Correctional Services’ Shock Incarceration camps, and has routinely been refined to meet the needs of those who attend.

The program provides criminal court judges with a sentencing option other than prison, in addition to offering the Division of Parole a treatment alternative to a return to incarceration for releasees who are not adjusting well in the community. Judges can sentence offenders directly to the

Willard Program as well as a period of Parole supervision following program completion. Those who have violated the conditions of their release can be sent to Willard as an outcome of the Parole violation process rather than being returned to prison, thereby reducing the number of parole violators who would otherwise serve time in prison.

The facility is operated by the Department of Correctional Services, in conjunction with the Division of Parole, and is licensed by the Office of Alcoholism and Substance Abuse Services.

During FY 2009-10, criminal court judges sent 549 offenders to Willard. The same year, the Division sent 2,486 releasees to the program in lieu of a return to prison.



*New York State Deputy Secretary for Public Safety Mary Kavaney addresses The May 2010 Parole Stat audience at Hudson Correctional Facility.*

## **PAROLE VIOLATION UNIT**

The Board of Parole has the authority to revoke the supervision of any person released from a correctional facility in New York State. When a parole officer believes that a releasee has lapsed into criminal activity or has violated one or more of the conditions of release in an important respect, a parole violation warrant can be issued so that the alleged violator may be taken into custody.

The Division of Parole must provide the alleged violator with a final revocation hearing within ninety (90) days from the date on which probable cause was established. Statute requires that the violators be incarcerated in the county or city in which the arrest or alleged violation occurred during the violation process.

Administrative Law Judges (ALJ), employed by the Division of Parole, preside over the final revocation hearings. At a final revocation hearing, the alleged violator is entitled to a number of due process protections. Key among these is the right to representation by counsel.

If an Administrative Law Judge (ALJ) sustains one or more of the violation charges, the ALJ will direct that a person's release status be revoked and

may direct that the adjudicated violator be re-incarcerated, restored to supervision or placed in a Drug Treatment program. The Board of Parole operates in accord with an established system of violation guidelines, structured with appropriate penalties and separated into categories. Depending upon the category into which a violator is placed, he or she may receive a penalty that ranges from a lengthy period of re-incarceration in a state correctional facility to an immediate restoration to supervision back in the community with additional special conditions.

Violators returned to the custody of the Department of Correctional Services are eligible for re-release to the community upon expiration of the time assessment imposed by the ALJ (or Board of Parole).

The Division has long been committed to developing systems that streamline and expedite the parole revocation process so that violators spend fewer days in the county facilities. The Division continues to make great strides in this area.

The Division's "Parole Violator Initiative" has dramatically decreased the number of parole violators incarcerated in local correctional facilities.

## NEW INITIATIVES

The Division of Parole has developed an aggressive and comprehensive staff development and training curriculum to be delivered to all staff during fiscal year 2010-2011.

The Division's *Supervisors Leadership Academy* will expand on the development expertise of: its own Executive Team members; training staff and experts from the Governor's Office of Employee Relations; the Agencies in Partnership for Training; Department of Correctional Services; Office of Alcohol and Substance Abuse Services; Office of Mental Health; and the Office of Temporary Disability Assistance, as well as other state and local agencies to deliver development and training opportunities to supervisors and managers at all levels in the organization.

The Leadership Academy consists of instructional programming in staff supervision, the use of information technology services and reports, to enhance staff performance, as well as

other key skills necessary to successfully fulfill their leadership roles within the Division. Newly appointed Board members, supervisors and managers will be required to complete the Leadership Academy during the first year of appointment to a qualifying title.

The Leadership Academy will be complimented by an extensive in service "back to basics" training calendar for line staff that provides for deliberate and targeted monthly development and training sessions to be delivered in bureau meetings by unit managers and supervisors.

The Leadership Academy and "back to basics" monthly in-service program will be two major components of our ongoing mandatory and competency based training and development curricula that constitute our broader organizational training plan.



*South African corrections officials meet with NYS Division of Parole to discuss methodologies*

## **Transition Accountability Plan**

The Transition Accountability Plan (TAP) is a coordinated case management plan which identifies the actions which need to take place in order to effectively prepare an individual for release to community supervision. The Division has developed the TAP in collaboration with the Department of Correctional Services. The TAP is created when an individual is received into the Department of Correctional Services custody and tailored to the individual's identified strengths and criminogenic needs. TAP will be used throughout the inmate's term of incarceration, as well as through the release planning process and community supervision. The TAP will guide the Department of Correctional Services staff in identifying the needs of the individual at reception and establishing appropriate programming. It will provide critical information to the Board of Parole for release decision-making and it will be utilized by Facility and Field staff in formulating a supervision /case

management plan based on identified risk and need.

The Division has worked closely over the past year with the Department of Correctional Services to identify the critical information required to meet the multiple functions envisioned for the TAP as a case management plan, a supervision plan and a plan to guide the offender. The Executive Team has approved the content of the document. The Division has engaged in preliminary discussions with the Division of Criminal Justice Services about implementation of the TAP in an electronic form that would allow sharing of information among key stakeholders and community partners.

Plans have been framed to implement the TAP in January 2011, as a pilot at McGregor and Greene Correctional Facilities. The Division, in conjunction with DOCS, is putting together a training plan for introduction of the TAP at the pilot sites.

## **Risk and Needs Assessment**

The Division has achieved significant strides towards the implementation of an actuarial risk and needs assessment tool. In March of 2009, development of the NYS COMPAS Re-Entry risk and needs assessment tool was completed and planning began for the pilot site in the Buffalo Metro area and at the Orleans Correctional Facility, both located in the Division's Region V. In late June 2009, software preparation was complete and Region V staff

training began in July 2009. Through the month of August, Buffalo Metro and Orleans Correctional staff trained in the software and the principles of the Transition from Prison to the Community Initiative (TPCI) and they applied the assessment to the standing population of all releasees in, as well as all the inmates returning to, the Buffalo Metro area. The results of the assessments have allowed for the development of four distinct supervision

levels and the identification of criminogenic needs among this population. Currently, Buffalo Metro's caseloads have been reorganized consistent with the specific supervision groupings identified. Supervision standards appropriate to the various levels of risk and need presented by these four groups have been established and Parole Re-Entry Staff in the Region are working aggressively to gather the resources necessary to address the

criminogenic needs displayed by each. The next step in program expansion involves the training of all facility staff across the State in the completion of assessments, so that all releasees will have finished assessments in place when they come into the community. This will be followed by the incremental introduction of caseload restructuring and new supervision standards across the remainder of the State.

### **Graduated Responses**

Although the Division of Parole does not hesitate to return releasees to prison when appropriate, there are many instances in which a less serious sanction will achieve the desired result. Towards that end, the Division utilizes a system of "graduated responses" in which the severity of the sanction increases upon repeated transgressions. This reflects the ongoing application of best practices in parole supervision as individual parole officers apply their experience and expertise to the cases they supervise. Recently, the Division has been working with the Vera Institute of Justice to develop a formally structured system of graduated responses that will work in conjunction

with the agency's newly developing empirical risk and needs assessment tool to provide parole officers with an evidence-based mechanism for identifying what are likely to be the most successful ways to intervene when releasees with particular histories, or sets of needs, engage in particular types of negative behaviors. The objective is not to constrain the responses of field staff, but rather to provide them with options that evidence based practices show to be the most successful. Using the Officer's experience in conjunction with their supervisor's recommendations and directions, an appropriate response is selected from these options and utilized.



*Officers during qualification course at the Camp Smith Range, Peekskill, NY.*

## OFFICE SAFETY AND SPACE PLANNING

Staff safety has always been among the Division's highest priorities. With the support of the Governor and the Division of Budget, the Division was able to take some new steps towards enhancing office safety. This entails the installation of metal detectors at Area Offices and introducing safety procedures and support staffing in conjunction with this equipment. This operational plan will bring this equipment to a group of new offices incrementally until all offices are covered. Priorities for installation sequencing were based upon the nature and level of crime in each office's area. It is anticipated that this development will increase the safety and security of all those who work in and visit the Division's offices.

The Division of Parole is involved in an ongoing process of modernizing, renovating and consolidating its reporting offices across the state in an effort to promote greater operational efficiencies, achieve savings and further enhance safety.

The most recent achievements in this effort were the opening of a new office in Elmira in the fall of 2009 and the extensive renovation of the office in Queens.

In addition to improving existing offices, the Division is planning a series of important office relocation projects over the next two years.

Working with the Office of General Services and the Division of the Budget, the Division will consolidate all Manhattan parole operations from three locations into one at West 40<sup>th</sup> Street, saving over \$2.5 million per year. In addition, plans are underway to consolidate three locations in Brooklyn into one location at 350 Livingston Street, saving an additional \$1 million per year. Both of these significant projects are underway and are scheduled to be completed by 2012.

In the coming year, the office at Russell Road in Albany will undergo significant renovation.



*Executive Director (sunglasses) Mark Manthei cuts the ribbon at opening ceremony at new Elmira office.*



*Metal detectors like this one in Queens are being installed in Parole offices across the state.*