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eFocus is published by the DCJS Office of Probation and Correctional Alternatives (OPCA) to further the goal of promoting public safety through probation services and other community corrections programs.

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1. New York State Youth Pardon Program

As of Dec. 21, 2015, Governor Andrew M. Cuomo is offering executive pardons to New Yorkers convicted of non-violent crimes at ages 16 and 17, who have been crime free for a minimum of 10 years since their offense.

For individuals who receive this pardon, the New York State Office of Court Administration has stated that it will restrict public access court records, no longer making them available to private employers, landlords, or other companies that seek this information.

To learn more, visit http://www.ny.gov/services/apply-clemency and click the "Pardons" tab.

2. Field visits to Probation Departments in Warren and Washington counties

DCJS Deputy Commissioner and Probation Director Robert Maccarone and Executive Deputy Probation Director John Adams recently met with probation officials in Warren and Washington counties.

Among the topics discussed were the 2015-16 Annual Plan, ignition interlock device-related regulations changes (New York Codes, Rules and Regulations Part 358), Appendix H-10 update, IPRS Warrant and Domestic Incident Report notifications, the important role of the probation supervisor, the Supervision Regulation (NYCRR Part 351), real-time video reporting technology, and ongoing Caseload Explorer enhancements.

During the visit to Warren County, District Attorney Kate Hogan and Probation Director Robert Lusi joined Director Maccarone and Executive Deputy Director Adams as they recognized Probation Supervisor Mark Sager, who retired after more than 30 years of public service. From left to right: Director Maccarone, Executive Deputy Director Adams, Mark Sager, Probation Director Lusi and District Attorney Hogan.



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### 3. Erie County implements Local Conditional Release Program

Erie County recently enacted a Local Conditional Release Program, as permitted under New York State Correction Law Article 12. The program allows for qualified inmates at the Erie County Correctional Facility, who are sentenced to up to one year in jail, to apply for early release.

Five volunteers serve on the Erie County Conditional Release Commission, which interviews applicants, reviews applicant records, and makes a determination as to participation in the county's supervised Conditional Release Program. If approved for release, applicants agree to comply with prescribed conditions of probation supervision. The Probation Department has assigned one probation officer and one probation assistant to the program and capped the program's caseload at 25.

The program is being funded by Erie County, the county Sheriff's Department and the Oishei Foundation.

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### 4. Ignition Interlock Report Guide for Caseload Explorer

At the request of the departments, OPCA issued a detailed Caseload Explorer Ignition Interlock Report Guide in February. The guide is designed to help departments successfully enter the required data in Caseload Explorer to allow the automated Ignition Interlock Report be produced for DCJS Finance, OPCA, and the department itself.

The guide has been posted to the eJusticeNY Integrated Justice Portal (IJ Portal): Resources > Reference Library > Probation > Case Management Tools under the *User Guides* section.

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## 5. Probation Home Contact in Chenango County Leads to Arrest for Drugs and Weapons:

Chenango County Probation Officers, working with the Chenango County Sheriff's Office and the New York State Police, conducted a home contact visit and discovered convicted felon Calvin M. Parker, 56, in possession of a Remington 870 .20-gauge shotgun, marijuana and digital scales. Another individual at the residence, Heather J. Naylor, 29, also was found to be in possession of marijuana.

According to published reports, a strong chemical odor also was discovered during the investigation, leading to the discovery of methamphetamine. Both individuals were charged with multiple offenses.

Kudos to Chenango County Probation for their work on this case. Do you have similar success stories to tell about your department? Send an e-mail to [Patricia.Clements@dcjs.ny.gov](mailto:Patricia.Clements@dcjs.ny.gov) and those stories will be featured in upcoming issues of eFocus.

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## 6. OPCA Training

**COMPAS Webinar Training:** Nearly 300 probation, ATI and parole professionals recently participated in a live training webinar on use of the NYCOMPAS instrument. The training also featured representatives from the state Department of Corrections and Community Supervision (DOCCS) providing training on the use of the COMPAS Re-entry Instrument as well.

**Spring 2016 OSST/Peace Officer/Fundamentals of Probation Practice Training:** The Spring class began on Monday, Feb. 29 and runs through March 18. There are 39 officers representing 21 different counties registered for the class. The next class is scheduled for the fall: Oct. 3 through 7, 17 through 21 and 24 through 28, 2016.

**OPCA/DOCCS Firearms Training Course:** A class is scheduled for Nov. 14 through 18 and Nov. 21, 2016, in Albany. Preference will be given to individuals participating in the Fundamentals courses this year but any departments that have officers who need to be trained should contact Patty Clements at [Patricia.Clements@dcjs.ny.gov](mailto:Patricia.Clements@dcjs.ny.gov) or (518) 485-0905.

**NIC's Thinking for a Change (T4C) Blended Model Facilitators Training:** This training, which began in January, consists of six online trainings and a two-day, in-person training. OPCA staff members have received certification from NIC as T4C trainers; 30 students are enrolled in the training. OPCA plans to offer four additional trainings across the state this year. Information about those trainings will be provided when dates are set.

**Offender Workforce Development Specialist Training:** OPCA is hosting this three-week, 180-hour training on Monday, May 23 through Friday, May 27; Monday, July 25 through Friday, July 29; and Monday, Sept. 12 through Friday, Sept. 16, at the Alfred E. Smith Building in Albany.

Attendees are instructed in the National Institute of Corrections' (NIC) Offender Workforce Development Specialist curriculum and those who successfully complete it are certified as an Offender Workforce Development Specialist through NIC and the National Career Development Association (NCDA). Completion of this training also is necessary to facilitate the **Ready, Set, Work! (RSW!)** curriculum.

For more information, please contact Frank F. Cangiano at [Frank.Cangiano@dcjs.ny.gov](mailto:Frank.Cangiano@dcjs.ny.gov) or (518) 485-5153.

**Fundamentals of Probation Practice Training for Anchor Trainers:** In December 2015, OPCA gave certified instructors from Westchester, Monroe and Suffolk counties with an in-depth overview of the

Fundamentals of Probation Practice (FPP) course curriculum to provide them with the necessary skills to become a FPP Anchor Trainer. If you are interested in having this training provided, please contact Patricia Clements at [Patricia.Clements@dcjs.ny.gov](mailto:Patricia.Clements@dcjs.ny.gov) or (518) 485-0905.

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## 7. State Director's Memoranda

- # 2015-9: Dec. 17, 2015 – Restitution Reporting by Crime Type
- # 2015-10: Dec. 22, 2015 – Review of Ignition Interlock Installation Data
- # 2015-11: Dec. 29, 2015 – Juvenile Risk Intervention Service Coordination  
2014 Annual Summary Report

As a reminder, all State Director's Memoranda are posted to the IJ Portal: Resources > Reference > Library > Probation > Director's Memoranda

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## 8. Awards, Events, Additional Trainings and News

**Lawyers Manual on Domestic Violence:** The sixth edition of the Lawyers Manual on Domestic Violence has been released and contains a wealth of information for both the legal community and probation practitioners.

In particular, Chapter 30 contains an article illustrating the significant role that probation plays in domestic violence cases. The article was written by former OPCA staffer William Schaefer, who now works for the DCJS Office of Program Development and Funding, and Director Maccarone.

To view the full manual, click this link: <http://www.nycourts.gov/ip/womeninthecourts/pdfs/DV-Lawyers-Manual-Book.pdf>

The **National Resource Center on Justice Involved Women** has created an [infographic](#) that brings together key statistics about women in the criminal justice system, including the following key statistics:

- Education: 42 percent of women in state prisons have not completed high school
- Employment prior to arrest: 37 percent earn less than \$600 per month
- Maternal incarceration significantly impacts children: 64 percent of mothers in state prison lived with at least one of their children just prior to imprisonment

**New York State Probation Officers Association board members take oath:** Director Maccarone administered the oath of office to the association's board members in January.



In addition, the Association will be hosting its *annual Training Conference* at the Conference and Event Center in Niagara Falls, New York, from Wednesday, July 27 through Friday, July 29, 2016.

Registration cost is the same as last year – \$185 for association members and \$210 for non-members – and the association is currently seeking submissions for presenters. Anyone interested in presenting can visit [www.NYSPOA.com](http://www.NYSPOA.com) and click on the Conference tab for more information.

The Albany County Crime Victims and Sexual Violence Center announces the **35th Annual Take Back the Night Rally and March against Sexual Violence**, scheduled for Thursday, April 14, at the Washington Park Lake House. For more information please contact Renisse T. Bains at [renisse.bains@albanycounty.com](mailto:renisse.bains@albanycounty.com) or (518) 447-7100.

**The 21<sup>st</sup> Annual New York State Child Abuse Prevention Conference** is scheduled for Monday, April 11 through Wednesday, April 13, in Albany. Visit [www.preventchildabuseny.org](http://www.preventchildabuseny.org) to register online.

**The 10<sup>th</sup> Annual Statewide Conference on Victim Notification** is scheduled for Wednesday, April 13. For more information, contact Chris O'Brien or Ed Wutzer at the New York State Sheriff's Association: [cobrien@nysheriffs.org](mailto:cobrien@nysheriffs.org) or [ewutzer@nysheriffs.org](mailto:ewutzer@nysheriffs.org) or 518-434-9091.

**Save The Date:** The Mental Health Association of New York State is joining with New York State Rehabilitation Association (NYSRA), Youth Power, the New York State Coalition for Children's Behavioral Health and the Learning Disabilities Association in New York State for the annual **Transition Age Youth Institute**, scheduled for Thursday, Sept. 22 and Friday, Sept. 23 at the Saratoga Hilton.

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## 9. Practice Tip

**Practice Tip 1:** The period of probation supervision or conditional discharge does *not* toll for persons sentenced for DWI crimes pursuant to VTL §1192, while held for alleged violations of parole supervision.

The period of probation supervision/conditional discharge would only toll if a Declaration of Delinquency were signed for an alleged violation of the probation supervision or conditional discharge monitoring.

**Practice Tip 2:** OPCA Regulation Title 9 Part 346(5) Training Requirements for New Probation Officers – Fundamentals of Probation Practice states:

(a) All probation officers shall successfully complete, ***within the first six months of service***, a basic program in the fundamentals of probation practice, which conforms to guidelines as issued by the State Director of Probation and Correctional Alternatives.

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**10. Quick Fact**

Social Services Law §483-bb has a new subdivision (c), effective Jan. 19, 2016, affecting specified New York State prostitution and human trafficking charges, authorizing the victim to bring “a civil action against the perpetrator... to recover damages and reasonable attorney’s fees.”

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