

# DEPARTMENT OF PROBATION

Ana Bermúdez, Commissioner



## WHAT WE DO

The Department of Probation (DOP) helps build stronger and safer communities by working with and supervising people on probation, fostering positive change in their decision-making and behavior through research-based practices and expanding opportunities for them to move out of the criminal and juvenile justice systems through meaningful education, employment, health and behavioral health services, family engagement and civic participation. The Department supplies information and recommendations to the courts on both adult and juvenile cases to help inform sentencing and disposition decisions. In Family Court reports are also provided in family offense, custody, child support, visitation, adoption and guardianship cases. In total, the Department of Probation provides intake services, investigations and supervision for more than 60,000 adult and juvenile cases per year and supervises approximately 21,000 adults and 1,000 juveniles on any given day.

## FOCUS ON EQUITY

The Department of Probation is committed to minimizing the adverse collateral consequences of being involved in the criminal and juvenile justice systems. These consequences, which include the inability to obtain meaningful employment, pursue education and access stable housing, impact not just those on probation but also their families and communities. Through accountability measures and service practices grounded in research, as well as partnerships with community-based organizations, DOP fosters personal change, increases opportunities to thrive and strengthens communities, thereby building a more equal and safer City.

## OUR SERVICES AND GOALS

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### **SERVICE 1 Improve public safety by motivating clients using evidence-based principles and practice.**

- Goal 1a Minimize clients' misconduct and non-compliance with the conditions of probation, based on risk level, to improve their chances of completing a probation supervision term successfully.
- Goal 1b Reduce the percentage of probationers who re-offend.

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### **SERVICE 2 Assist all probationers in minimizing contact with the criminal and juvenile justice systems.**

- Goal 2a Establish individual action plans and promote early discharge for successful completion of probation conditions and programmatic objectives.
- Goal 2b Maximize the use of diversion services at intake and alternatives-to-placement at disposition for juveniles.

## HOW WE PERFORMED

- The rate of adult clients successfully completing their probation terms increased one percentage point to 66 percent in Fiscal 2016. In addition to a higher percentage of clients completing maximum sentences, the improvement was aided by an increase in the rate of clients who were granted an early discharge. The successful completion rate for juvenile clients was 55 percent, representing no significant change from the rate in Fiscal 2015.
- The average monthly violation rate for adult probationers was unchanged at 0.8 percent. Probation violation proceedings ending in revocation for adult clients increased six percentage points to 53 percent. The Department continues to reduce unnecessary filings for minor rules violations, which are less likely to result in a revocation at disposition, via graduated sanctions. The violation rate for juveniles increased from 2.5 percent to 3.1 percent, reflecting increased risk and adjudication charge characteristics of some juvenile supervision categories. Juvenile violation rates are also affected by court-ordered filings based on special conditions of probation or matters related to compliance. The violation revocation rate for juveniles increased to 56 percent, consistent with an increased violation filing rate for high risk youths in the first four months of Fiscal 2016.
- The average monthly rearrest rate for adult probationers increased from 3.5 percent to 3.7 percent, while the juvenile rate increased from 3.8 percent to 4.4 percent. When viewed as a percentage of all arrests made by the Police Department (NYPD), the adult probationer re-arrest rate increased two-tenths of a percentage point and the juvenile rate was unchanged. The Department is participating in ongoing crime strategy meetings with the Mayor's Office, NYPD and local district attorneys' offices to analyze and respond to citywide arrest trends.
- Early discharges represented 10 percent of all adult probation supervision case closings, compared to 13 percent during the first four months of Fiscal 2015. The citywide approval rate from local courts for early discharge applications, however, was 87 percent. The Department continues to prioritize identifying qualified candidates for early discharge based on compliance with the terms of probation and meeting the requirements of individual action plans.
- The number of new enrollments of juveniles in alternative-to-placement (ATP) programs decreased 39 percent in the first four months of Fiscal 2016. The decline was attributable to a significant decrease in the number of juvenile intakes and prosecutions compared to Fiscal 2015, as well as fewer ATP sentences based on available capacity at community-based programs. The Department continues to utilize a risk and needs assessment as well as a structured decision-making process to identify youth appropriate for community supervision, rather than placement, at disposition.
- The juvenile intake adjustment rate decreased six percentage points to 27 percent during the reporting period. The overall number of youths eligible for diversion from prosecution decreased based on severity of charges, assessed risk and prior criminal history. Probation officers utilized individualized service plans for youths, combined with outreach and communication with complainants, NYPD and youths' families, to seek appropriate candidates for adjustment.

### SERVICE 1 Improve public safety by motivating clients using evidence-based principles and practice.

**Goal 1a** Minimize clients' misconduct and non-compliance with the conditions of probation, based on risk level, to improve their chances of completing a probation supervision term successfully.

Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
Successful completion rate for adult probationers (%)	58%	59%	66%	*	*	65%	66%
Successful completion rate for juvenile probationers (%)	58%	60%	59%	*	*	56%	55%
★Average monthly violation rate for adult probationers (%)	0.9%	0.8%	0.8%	*	*	0.8%	0.8%
★Average monthly violation rate for juvenile probationers (%)	2.7%	3.0%	2.7%	3.0%	3.0%	2.5%	3.1%
Probation violation proceedings ending in revocation for adult probationers (%)	45%	44%	47%	*	*	47%	53%
Probation violation proceedings ending in revocation for juvenile probationers (%)	47%	49%	41%	*	*	39%	56%

★ Critical Indicator "NA" - means Not Available in this report \* No Target ↕↑ shows desired direction

**Goal 1b**

Reduce the percentage of probationers who re-offend.

Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
★ Adult probationer rearrest rate (monthly average) (%)	3.1%	3.2%	3.1%	3.0%	3.0%	3.5%	3.7%
★ Adult probationers arrested citywide as a percentage of the NYPD arrest report (monthly average)	2.8%	2.9%	3.1%	2.6%	2.6%	3.1%	3.3%
★ Juvenile probationer rearrest rate (monthly average) (%)	2.7%	3.5%	3.9%	3.0%	3.0%	3.8%	4.4%
★ Juvenile probationers arrested citywide as a percentage of the NYPD arrest report (monthly average)	0.2%	0.3%	0.3%	*	*	0.3%	0.3%

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**SERVICE 2 Assist all probationers in minimizing contact with the criminal and juvenile justice systems.**

**Goal 2a**

Establish individual action plans and promote early discharge for successful completion of probation conditions and programmatic objectives.

Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
Adult probationer early discharge rate (%)	12%	11%	12%	*	*	13%	10%
Adult probationer early discharge approval rate (%)	81.0%	76.0%	81.0%	*	*	83.0%	87.0%

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**Goal 2b**

Maximize the use of diversion services at intake and alternatives-to-placement at disposition for juveniles.

Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
New enrollments in alternative-to-placement (ATP) programs	194	167	160	*	*	80	49
Total probationers supervised in Enhanced Supervision Program (ESP)	977	738	527	*	*	391	294
★ Juvenile delinquency cases eligible for adjustment (%)	34.0%	28.0%	31.0%	32.0%	32.0%	33.0%	27.0%
- low-risk (%)	47.0%	37.0%	38.0%	*	*	42.0%	36.0%
- medium-risk (%)	16.0%	12.0%	13.0%	*	*	11.0%	15.0%
- high-risk (%)	8.0%	7.0%	6.0%	*	*	5.0%	5.0%

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# AGENCY CUSTOMER SERVICE

Performance Indicators	Actual			Target		4-Month Actual	
	FY13	FY14	FY15	FY16	FY17	FY15	FY16
Customer Experience							
Completed requests for interpretation	16,505	16,520	15,859	*	*	NA	NA
Letters responded to in 14 days (%)	97%	77%	100%	*	*	100%	100%
E-mails responded to in 14 days (%)	100%	100%	100%	*	*	100%	100%

"NA" - means Not Available in this report \* No Target

# AGENCY RESOURCES

Resource Indicators	Actual			Sept. 2015 MMR Plan	Updated Plan	Plan	4-Month Actual	
	FY13	FY14	FY15	FY16	FY16 <sup>1</sup>	FY17 <sup>1</sup>	FY15	FY16
Expenditures (\$000,000) <sup>2</sup>	\$81.7	\$83.2	\$89.9	\$95.5	\$99.5	\$96.6	\$36.0	\$40.9
Revenues (\$000)	\$268	\$282	\$339	\$302	\$302	\$302	\$107	\$69
Personnel	952	960	945	1,030	1,063	1,038	959	950
Overtime paid (\$000)	\$404	\$445	\$504	\$534	\$534	\$534	\$91	\$204

<sup>1</sup>January 2016 Financial Plan    <sup>2</sup>Expenditures include all funds    "NA" - Not Available in this report

## NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

None.

## ADDITIONAL RESOURCES

For more information on the agency, please visit: [www.nyc.gov/probation](http://www.nyc.gov/probation).