

# 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 by 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. DOP also supplies information and recommendations to the courts to help inform sentencing and disposition decisions. In Family Court, DOP provides reports in family offense, custody, child support, visitation, adoption and guardianship cases. In total, DOP provides intake and interstate services, investigations and supervision in some 50,000 cases per year.

DOP operates the Neighborhood Opportunity Network (NeON) in seven communities that a high concentration of people on probation call home, providing a range of opportunities to people on probation and other neighborhood residents. Through the NeONs, DOP reaches thousands of New Yorkers through arts programming, High School Equivalency classes, free groceries, access to health insurance enrollment services, and more.

## FOCUS ON EQUITY

As the largest and most robust alternative to incarceration in New York City, and one of the largest in the nation, DOP is committed to ensuring that the people under its supervision—who are disproportionately people of color—have access to the opportunities and services they need in order not just to avoid jail or prison, but to thrive.

DOP brings resources into the NYC neighborhoods which have been disproportionately impacted by the justice system and that large numbers of people on probation call home. DOP's nationally-recognized Neighborhood Opportunity Network (NeON) operates as an engine of equity in seven such communities (Brownsville, Bedford-Stuyvesant, East New York, Harlem, Jamaica, North Staten Island and South Bronx) by partnering with neighborhood residents and community-based organizations to develop ground-up solutions, while also providing people on probation with reporting sites and resources within walking distance of their homes. Recognized with the Excellence in Crime Prevention Award from the American Probation and Parole Association, the NeON model is premised on the value of authentic community engagement.

DOP is committed to minimizing the adverse collateral consequences of being involved in the criminal and juvenile justice systems which fall heavily on people and communities of color. This commitment is demonstrated through the diverse array of resources and programming (educational, employment, and more) made available in these communities. Most NeON programs, including NeON Nutrition Kitchens, NeON Arts and NeON Sports, are open to all community residents fostering connectivity between neighbors and destigmatizing people on probation. An independent evaluation of the ground-breaking Arches Transformative Mentoring program, serving 16–24 year olds on probation who live in NeON neighborhoods, found a more than two-thirds reduction in felony reconvictions among participants and the program was named a finalist in the Harvard Kennedy School's Innovations in American Government Awards.

Through accountability measures and service practices grounded in research, as well as partnerships with community-based organizations and other stakeholders, DOP fosters personal change, increases opportunities to thrive, and strengthens communities, thereby building a more equitable and safer city.

## OUR SERVICES AND GOALS

### **SERVICE 1** Contribute to optimal court processing and decision-making in delinquency and criminal justice matters.

- Goal 1a Produce timely and accurate pre-sentence investigations.
- Goal 1b Identify youth appropriate for diversion from formal juvenile court proceedings via adjustment services.

### **SERVICE 2** Improve community safety through a combination of accountability and support activities with those under probation supervision.

- Goal 2a Assess risk to match individuals with supervision and monitoring levels; use re-arrest and violation trends to make adjustments to supervision level components.
- Goal 2b Increase the probability of successful completion of probation terms through maximizing the use of evidence-based practices and community-based interventions.
- Goal 2c Maximize accountability with probation compliance through field visits and enforcement actions

# HOW WE PERFORMED IN FISCAL 2020

## SERVICE 1 Contribute to optimal court processing and decision-making in delinquency and criminal justice matters.

**Goal 1a** Produce timely and accurate pre-sentence investigations.

The Department completed 6,550 pre-sentence investigations (PSIs) for adults and 971 juvenile Investigation and Reports (I&Rs), respectively a 40 and 32 percent decrease from Fiscal 2019. These trends were driven by modified court operations related to COVID-19, and a year-to-year decline in NYPD arrests. The adult PSI on-time completion rate decreased two percentage points to 96 percent during the reporting period, and the juvenile on-time rate increased one percentage point to 88 percent. Timeliness for PSIs and I&Rs is a priority, and the Department works with the courts directly on individual cases that could prove difficult to process according to standard timelines.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Adult investigation reports completed - total	15,421	14,987	13,263	10,949	6,550	*	*	Down	*
Adult investigation reports - on time completion (%)	NA	88.0%	94.0%	98.0%	96.0%	*	*	NA	Up
Juvenile investigation reports completed	2,019	1,927	1,779	1,429	971	*	*	Down	*
Juvenile investigation reports - on time completion (%)	81.0%	87.0%	87.0%	87.0%	88.0%	*	*	Neutral	Up

★ Critical Indicator    "NA" Not Available    ↑↓ Directional Target    \* None

**Goal 1b** Identify youth appropriate for diversion from formal juvenile court proceedings via adjustment services.

All youth arrested between the ages of seven and fifteen who fall under family court jurisdiction are processed post-arrest by DOP. Based on Raise the Age legislation enacted in September 2017, sixteen and seventeen year-olds in New York State charged with lower-level crimes and those whose cases are removed from adult prosecution are also processed through family court intake, adding more youths to DOP's juvenile intake and increasing workload in investigations and supervision. The Department processed 6,097 juvenile intakes during Fiscal 2020, a 38 percent increase.

During the juvenile intake process, probation officers make individual assessments for statutory eligibility and suitability for adjustment, including outreach and communication with complainants, NYPD, and youths' families. The juvenile intake adjustment eligibility rate increased two percentage points to 39 percent; the Department continues to improve and monitor screening practices by conducting a standardized assessment instrument on all youths eligible and suitable for adjustment. Assessment takes into consideration charge severity, assessed risk score, priors, and statements from witnesses, complainant, family, NYPD, and other stakeholders.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Juvenile supervision - Intake cases received	4,640	3,856	3,699	4,406	6,097	*	*	Up	*
★ Juvenile delinquency cases eligible for adjustment (%)	28%	25%	30%	37%	39%	30%	30%	Up	Up
- low-risk (%)	40%	36%	41%	45%	55%	*	*	Up	Up
- medium-risk (%)	14%	14%	12%	12%	17%	*	*	Up	*
- high-risk (%)	7%	11%	11%	7%	6%	*	*	Down	*

★ Critical Indicator    "NA" Not Available    ↑↓ Directional Target    \* None

## SERVICE 2 Improve community safety through a combination of accountability and support activities with those under probation supervision.

**Goal 2a** Assess risk to match individuals with supervision and monitoring levels; use rearrest and violation trends to make adjustments to supervision level components.

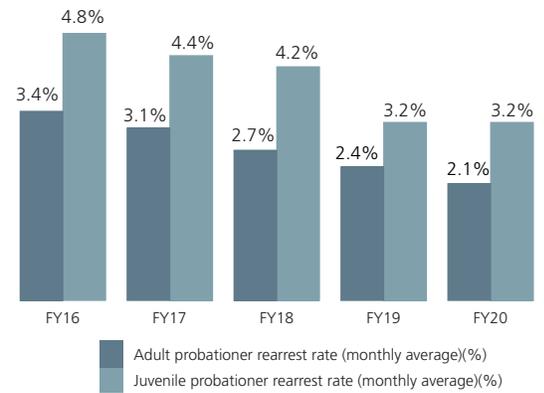
During the reporting period probation officers completed 9,432 initial risk / need assessments for adults entering probation supervision, a decrease of 12 percent, consistent with COVID-19 based declines in new supervision cases added in the last three months of the fiscal year, as well as an overall year-to-year decrease in NYPD arrests. There were 2,264 initial

assessments for juveniles, a 19 percent increase, due primarily to growth in intakes of 16 and 17 year-old youths resulting from Raise the Age implementation. These screenings, based on validated actuarial instruments developed for community supervision, identify criminogenic risk factors and programming needs, and are used to develop Individual Action Plans (IAPs) for those on probation.

The average monthly rearrest rate for adults on probation supervision decreased from 2.4 percent to 2.1 percent, while the juvenile rate remained unchanged at 3.2 percent. When viewed as a percentage of all NYPD arrests, the adult rate was unchanged, while the juvenile rate increased one-tenth of a point. The Department continues to analyze and respond to citywide arrest trends.

The average monthly violation rate for adults on probation was unchanged, at 1.0 percent. Probation violation proceedings ending in revocation for adults declined by ten percentage points to 34 percent. The violation rate for juveniles decreased four tenths of a percentage point to 2.6 percent, while the revocation rate increased five percentage points to 30 percent. DOP continued to utilize a broad continuum of alternatives to a probation violation such as intensive supervision, programming, and behavioral health services to reduce violation filings. Increased revocation rates for cases requiring a violation proceeding are an expected short-term outcome of this practice.

**Rearrest Rate Monthly Average (%) for Adult and Juvenile Probationers**



Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Adult supervision cases - end of period	21,153	20,404	19,229	17,299	14,504	*	*	Down	*
Juvenile supervision cases - end of period	1,347	1,023	973	770	624	*	*	Down	*
Adult initial risk assessments completed	7,648	21,313	17,246	10,705	9,432	*	*	Down	*
Juvenile initial risk assessments completed	1,117	1,413	1,375	1,905	2,264	*	*	Up	*
★ Adult probationer rearrest rate (monthly average) (%)	3.4%	3.1%	2.7%	2.4%	2.1%	3.0%	3.0%	Down	Down
★ Adult probationers arrested citywide as a percentage of the NYPD arrest report (monthly average)	3.3%	3.3%	3.1%	3.1%	3.1%	2.6%	2.6%	Neutral	Down
★ Juvenile probationer rearrest rate (monthly average) (%)	4.8%	4.4%	4.2%	3.2%	3.2%	3.5%	3.5%	Down	Down
★ Juvenile probationers arrested citywide as a percentage of the NYPD arrest report (monthly average)	0.3%	0.3%	0.3%	0.2%	0.3%	*	*	Down	*
★ Average monthly violation rate for adult probationers (%)	0.9%	1.0%	1.0%	1.0%	1.0%	*	*	Neutral	*
★ Average monthly violation rate for juvenile probationers (%)	3.0%	3.5%	3.3%	3.0%	2.6%	3.0%	3.0%	Down	Down
Probation violation proceedings ending in revocation for adult probationers (%)	54%	51%	49%	44%	34%	*	*	Down	Down
Probation violation proceedings ending in revocation for juvenile probationers (%)	NA	41%	30%	25%	30%	*	*	NA	Down
Revocation of juveniles not resulting in placement (%)	36.0%	29.0%	47.0%	51.0%	42.0%	*	*	Up	*
Revocation of juveniles resulting in placement (%)	64.0%	71.0%	53.0%	49.0%	58.0%	*	*	Down	*

★ Critical Indicator      "NA" Not Available      ↑↓ Directional Target      \* None

**Goal 2b** Increase the probability of successful completion of probation terms through maximizing the use of evidence-based practices and community-based interventions.

The percentage of IAPs completed was unchanged at 100 percent for both adults and juveniles. IAPs serve as a roadmap for the period of probation supervision and provide a basis for benchmarking and measuring progress towards achieving short and longer-term goals, leading to better outcomes for individuals serving a community-based criminal or juvenile justice sentence.

There were 72 new enrollments of juveniles in alternative-to-placement (ATP) programs, a six percent increase. There were 857 new enrollments in DOP-managed programs, a 33 percent decrease. These reductions were driven by COVID-19

restrictions on programming and individual needs as determined by risk assessments and IAPs. Service areas in DOP-guided programs include mentoring, education, employment, and life skills.

There were 4,876 targeted behavioral health intervention contacts to individuals on probation citywide, a 42 percent increase. Behavioral Health Services Unit staff worked with adult and juvenile supervision managers in all boroughs to increase outreach and familiarity with available services.

Early completions represented 16 percent of all adult supervision case closings, a four percentage point increase. The approval rate for early completion applications was 89 percent, a three point improvement. The Department continues to prioritize identifying qualified candidates for early discharge based on compliance with the terms of probation and working towards goals set in individual action plans, and monitors these indicators at its quarterly performance management meetings.

The rate for adults successfully completing their probation terms during the reporting period was 83 percent, a five percentage point increase. The juvenile rate remained unchanged at 90 percent.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Adult supervision- new individual action plans (IAPs) created for eligible clients (%)	100%	100%	100%	100%	100%	*	*	Neutral	*
Juvenile supervision - new Individual action plans (IAPs) created for eligible clients (%)	100%	100%	100%	100%	100%	*	*	Neutral	*
New enrollments in alternative-to-placement (ATP) programs	134	100	82	68	72	*	*	Down	*
New enrollments in DOP-managed programs	1,432	1,476	1,452	1,279	857	*	*	Down	*
Adult probationer early completion rate (%)	10%	12%	10%	12%	16%	*	*	Up	*
Adult probationer early completion approval rate (%)	75%	75%	75%	86%	89%	*	*	Up	Up
★ Successful completion rate for adult probationers (%)	NA	NA	76%	78%	83%	↑	↑	NA	Up
★ Successful completion rate for juvenile probationers (%)	NA	NA	84%	90%	90%	↑	↑	NA	Up
★ Critical Indicator    "NA" Not Available    ↑↓ Directional Target    * None									

**Goal 2c** Maximize accountability with probation compliance through field visits and enforcement actions.

The Department’s Intelligence Unit (Intel) completed 1,843 enforcement actions, a 30 percent decrease compared to Fiscal 2019. The decline resulted primarily from COVID-19 field operations modifications from April through June 2020, as well as a reduction in the overall probation supervision population.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Intel enforcement events	1,525	2,548	2,269	2,650	1,843	*	*	Up	*
★ Critical Indicator    "NA" Not Available    ↑↓ Directional Target    * None									

## AGENCY CUSTOMER SERVICE

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Customer Experience									
Completed requests for interpretation	9,425	11,870	11,117	9,661	9,485	*	*	Neutral	*
Letters responded to in 14 days (%)	100%	100%	100%	100%	100%	*	*	Neutral	Up
E-mails responded to in 14 days (%)	100%	100%	100%	100%	100%	*	*	Neutral	Up
★ Critical Indicator    "NA" Not Available    ↑↓ Directional Target    * None									

## AGENCY RESOURCES

Resource Indicators	Actual <sup>1</sup>					Plan <sup>2</sup>		5yr Trend
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	
Expenditures (\$000,000) <sup>3</sup>	\$89.0	\$94.5	\$103.1	\$114.2	\$115.6	\$127.3	\$123.7	Up
Revenues (\$000)	\$420	\$460	\$442	\$453	\$329	\$452	\$452	Down
Personnel	936	973	1,052	1,162	1,123	1,244	1,148	Up
Overtime paid (\$000)	\$563	\$1,239	\$1,548	\$3,466	\$3,276	\$1,861	\$1,861	Up

<sup>1</sup>Actual financial amounts for the current fiscal year are not yet final. Final fiscal year actuals, from the Comptroller's Comprehensive Annual Financial Report, will be reported in the next PMMR. Refer to the "Indicator Definitions" at [nyc.gov/mmr](http://nyc.gov/mmr) for details. <sup>2</sup>Authorized Budget Level  
<sup>3</sup>Expenditures include all funds "NA" - Not Available \* None`

## SPENDING AND BUDGET INFORMATION

Where possible, the relationship between an agency's goals and its expenditures and planned resources, by budgetary unit of appropriation (UA), is shown in the 'Applicable MMR Goals' column. Each relationship is not necessarily exhaustive or exclusive. Any one goal may be connected to multiple UAs, and any UA may be connected to multiple goals.

Unit of Appropriation	Expenditures FY19 <sup>1</sup> (\$000,000)	Modified Budget FY20 <sup>2</sup> (\$000,000)	Applicable MMR Goals <sup>3</sup>
Personal Services - Total	\$80.3	\$80.5	
001 - Executive Management	\$9.4	\$10.3	All
002 - Probation Services	\$70.9	\$70.2	All
Other Than Personal Services - Total	\$33.9	\$35.0	
003 - Probation Services	\$33.8	\$34.9	All
004 - Executive Management	\$0.1	\$0.1	All
Agency Total	\$114.2	\$115.6	

<sup>1</sup>Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2019. Includes all funds. <sup>2</sup>City of New York Adopted Budget for Fiscal 2020, as of June 2020. Includes all funds. <sup>3</sup>Refer to agency goals listed at front of chapter. "NA" Not Available \* None

## 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).

