

Department of Probation
Statement to the New York City Council
Committee on Fire and Criminal Justice Services
By Martin F. Horn
March 20 2009

Good afternoon Chairman Vacca and Council members. Thank you for the opportunity to appear before you today.

In the January Financial Plan for FY '10, the Department of Probation's operating budget is projected to be \$84.4 million, which represents a \$1.4 million reduction from FY'09. The Department will achieve these savings through the elimination of our Resource Development Unit, where we already laid off 18 provisional personnel in January, an OTPS reduction of \$180,000, and by maximizing the use of our Alternative to Placement Program, operated for us by Esperanza.

In previous testimony, I discussed Esperanza and its success as an alternative to placement for adjudicated juvenile delinquents since opening in 2003. Through our efforts and those of our partner agencies, the City has reduced the number of adjudicated juvenile delinquents placed with private providers or directly with OCFS from 1257 in 2004 to 853 in 2008. But while overall placements with the State have decreased, there has been an increase in the proportion of placements with private providers, rather than OCFS facilities. The financial implication of this trend is considerable for the City. Unlike direct OCFS placement costs which are shared equally by the City and State, the cost of private placement is born entirely by the City. OCFS has agreed to exercise its authority to redirect

an additional 50 youth destined to be placed with private agencies into Esperanza, which will generate a savings of \$1.3 million.

I would also like to tell you about the proposed Release Under Supervision program, a collaborative effort between the Departments of Probation and Correction and the Office of the Criminal Justice Coordinator. Working with our partners in the criminal justice system, we will develop a means to reduce the DOC population through an alternative to cash bail for low and moderate risk defendants. This initiative is projected to provide a net savings of \$1.8 million.

The Department of Probation has achieved many successes over the last several years. I have previously spoken to you about the development of our Reusable Case Management System (RCMS). I am pleased to report that this system became fully operational in November of 2008. RCMS has enhanced the way we do business and has enabled us to increase our on-time delivery of pre-sentence reports to the courts from 70% to 100% while saving more than 4 million sheets of paper annually. RCMS has also enhanced information sharing within our agency and with our partner agencies and is serving as a model for other agencies seeking to share better and timelier information. Probation and other justice partners including the Department of Juvenile Justice, the NYS Department of Correctional Services, the NYC Department of Correction, the NYS Division of Criminal Justice Services, the Division of Probation and Correctional Alternatives and our contracted agency, Esperanza, now have the capability of contributing detailed case information that will help

identify strategic resources to assist in community safety and in providing support to children and families.

Another success story is Employment Works, which is a partnership between the Department of Probation and the Department of Small Business Services. The program is designed to increase the employment rates and the long-term job retention of our adult probationer population, and subsequently reduce the recidivism rates. To date we have placed 249 persons in jobs with an average wage of \$10 an hour.

Research shows that the best outcomes for juveniles are obtained from community-based solutions. This past year our Project Zero initiative, which is based on the principles of evidence-based practice and community alternatives to confinement, won recognition by being named a finalist for Harvard University's Innovations in American Government award. In addition to our success in reducing state placements, our innovative efforts have increased by 30% the number of juvenile delinquents who receive effective non-judicial sanctions, while enabling the courts to focus on more serious cases.

We continue to build on that initiative. Our probation staff play a major role in the success of the new Weekend Court Processing program, announced by the Mayor last spring, a first for the State. This initiative was created within the New York City juvenile justice system to process juvenile delinquency arrests on the weekends, even though it is not required by law. Seven day a week processing including holidays has reduced

detention time for youth who can be safely released to the community and might otherwise be detained by DJJ for up to 48 –72 hours.

From the beginning of this program through February, 633 youths were brought to court and our staff produced Risk Assessment Instruments for all. Of the 633 youths we saw, 74% were released from detention to their community and 12% of the cases were given alternative non-judicial sanctions and diverted from court, saving the city a total of 751 detention bed days during this nine-month period of operation.

The Department of Probation continues to work to fulfill our core mission of providing public safety and we are determined to build on that success.

I would be happy to answer any questions you may have. Thank you.