



# Case Study:

## New York City

### Department of Probation's

## Federal Partnership Efforts

Profile of a Successful Technical Assistance  
Collaboration With the Bureau of Justice Assistance  
and the National Institute of Corrections

Jason Ziedenberg

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# Introduction

The New York City Department of Probation (DOP)—the second largest probation department in the country—is advancing a process to infuse evidence-based policies and practices (EBPP) throughout the organization. Building on a solid organizational foundation as well as on advances in the field over the past decade, the staff and leadership are driving initiatives to use better tools to design supervision strategies, utilize communications more effectively, and improve staff development through customized training so that senior leadership through line staff are invested in the new approach. They are also engaging community partners to build capacity so that DOP’s clients can thrive in the communities where they live.

DOP’s commitment to evidence-based policies and practices has been buoyed by the comprehensive support and coordinated assistance received from experts who helped the department achieve its goals. Specifically, DOP received technical assistance from, and collaboratively strategized with, two agencies within the U.S. Department of Justice: the Bureau of Justice Assistance (BJA), which is under the umbrella of the Office of Justice Programs, and the National Institute of Corrections (NIC), which is part of the Federal Bureau of Prisons. BJA and NIC worked together to retain a group of experts to assist the Adult Operations Division of the department through various change processes.

Because of the way New York City and the Federal agencies chose to work with one another, the technical assistance process they forged was unique and innovative:

- **Blended approaches:** BJA and NIC blended the best of their approaches to technical assistance so that DOP could draw from a better resourced system of support, with better correctional expertise from the two agencies as a result.

- **Coordinated assistance:** Multiple agencies and organizations were involved in the delivery of technical assistance. Support was provided throughout the process to ensure that the assistance offered by the multiple agencies fully addressed the issues at hand in a complementary, nonduplicative manner in order to achieve the intended results.
- **Educated consumers:** DOP was an “educated consumer” of technical assistance—department leaders knew where they wanted to go, and they knew they needed some help in some areas to get there.
- **Flexible, targeted, and timely technical assistance:** Because the partnership was built on trust, DOP, BJA, and NIC were able to develop a strategic “a la carte” approach to providing technical assistance, which allowed each partner to make the most of its investment.

At a time when probation in particular—and community corrections in general—is being asked to help the larger corrections system address the challenges of

## This brief examines six questions to tell the story of how the BJA and NIC collaborative partnership with DOP made a difference, and what lessons can be learned from the experience.

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mass incarceration, the coordinated technical assistance experience of DOP, BJA, and NIC can illuminate some key lessons learned about the way Federal agencies can make the most of the expertise that exists in the field and deliver support in a way that meets the needs of local agencies. The DOP, BJA, and NIC collaboration shows how Federal agencies can support localities with the right types of assistance and successfully partner with large local entities to support change.

This brief examines six questions to tell the story of how the BJA and NIC collaborative partnership with DOP made a difference, and what lessons can be learned from the experience:

- 1 What did the BJA and NIC technical assistance providers work on with DOP, and how did their work fit with other pilot programs, initiatives, and philanthropic support?
- 2 What is unique about DOP from the perspective of Federal agencies that engage in technical assistance with local agencies?
- 3 What is unique about what the partners brought to the table, what kind of technical assistance approach they developed together, and how it was managed and delivered?

- 4 How did the Federal agencies' technical assistance advance DOP's EBPP goals?
- 5 Where is New York City's DOP evidence-based practice work taking the department?
- 6 Conclusion: What can the rest of the field learn from the DOP, BJA, and NIC technical assistance collaborative partnership, and why does it matter?

It is important to note that DOP's major goals and the initiatives that flowed from them were developed long before the Federal agencies' technical assistance was provided. DOP was already leveraging multimillion dollar funding opportunities offered by both the city and private philanthropies through the Young Men's Initiative—*Doing no harm, doing more good, and doing it in the community*—and was developing a community engagement and reinvestment model that fit the specific context of New York City.

What is significant for the purpose of this story is that the Federal agencies were able to thoughtfully, strategically, respectfully, and effectively apply the right dosage of technical assistance to the moving train in a way that made the most of the investment and the capacity that BJA and NIC had to marshal for the city.

## What did the BJA and NIC technical assistance providers work on with DOP, and how did their work fit with other pilot programs, initiatives, and philanthropic support?

Even before the NYC Department of Probation requested technical assistance from BJA and NIC, DOP management was engaged with a variety of reform partners and multiple sources of funding. For example, DOP was participating in federally funded pilot projects consistent with the shift to evidence-based policies and practices, receiving grants from philanthropic and other private sources to help accomplish reform goals, and soliciting in-kind donations from organizations in the New York community. The collaboration with BJA and NIC enabled DOP to retain the appropriate support for the department's reform efforts that fit with the other resources the city was already bringing to the table and that matched its documented needs.

### BJA- AND NIC-SUPPORTED TECHNICAL ASSISTANCE TO DOP

**Planning and coordinating the technical assistance strategy with DOP staff.** George Keiser, a former division head from the National Institute of Corrections who helped advance the implementation of evidence-based policies and practices, assisted in coordinating the overall technical assistance strategy with DOP. His team helped the department identify strategies to get the most out of the NIC and BJA technical assistance processes. He conducted an EBPP orientation for department branch chiefs, helped leadership identify staff development and communication tactics, and engaged other technical assistance providers to recommend ways to deepen the commitment to evidence-based policies and practices among line staff and reduce resistance to change. Mr. Keiser also worked closely with his successor at NIC, Jim Cosby, to serve as an informed liaison between DOP and NIC.

**Evaluating the climate, training, and implementation of new tools.** The Crime and Justice Institute (CJI) at Community Resources for Justice is a national nonprofit that provides nonpartisan policy analysis, consulting, and research services to improve public safety throughout the country. CJI was engaged in several technical assistance projects to help DOP achieve its goals:

- In 2011, CJI's Lisa Brooks conducted an organizational survey of more than 400 staff members to assess their readiness to work toward the department's goals.
- In 2012, CJI worked with staff to implement rollout of the Level of Service Inventory-Revised (LSI-R) validated risk/needs assessment tools. As part of its work with the city on justice reinvestment, CJI also helped staff develop a directory of alternatives to incarceration and detention for DOP's adult clients.<sup>1</sup>
- In 2013, CJI's Michael Collins, Michael Kane, Barbara Pierce Parker, and Judith Sachwald were part of a professional development and training initiative, which included a Supervisors Leadership Academy and Evidence-Based Practices 101 Train-the-Trainers sessions, for DOP staff.

**Developing a policy and practice implementation plan.** Dr. Gary E. Christensen, currently of Corrections Partners, Inc., is a former corrections and county public safety executive from Dutchess County, NY. Dr. Christensen helped DOP's executive and senior leadership team plan their evidence-based policy and practice implementation efforts. In 2011, he led sessions with department leaders to review the latest approaches to whole system risk screening, assessment of needs

<sup>1</sup> In New York State, persons 16 years of age and older are under the jurisdiction of the adult system.

and risk, revocation and violation practices, and service matrices. He also assisted DOP in developing an evidence-based policies and practices implementation team.

**Building skills to effectively use tools for community engagement.** Since 2013, DOP has been a SOARING 2 pilot site. SOARING 2 is an e-learning system created to help justice professionals build the skills associated with using evidence-based practices for the effective management of clients. Under Dr. Faye Taxman and Stephanie Maass' leadership, three staff members were trained at the Center for Advancing Correctional Excellence at George Mason University to become departmental coaches on SOARING 2. A total of 129 staff members have since gone through the SOARING 2 e-learning curriculum on risk-need-responsivity, motivation and engagement strategies, case planning tactics, problem solving with clients, and desistance. First begun in 2012, the work continues in 2014, with DOP staff and nonprofit partners working to address medium- and high-risk clients in the community.

**Developing restorative justice approaches and community engagement strategies.** In 2012, Tracy Mullins, deputy director of the American Probation and Parole Association (APPA), led a session to train 19 DOP trainers and coaches in the use of restorative justice practices. Since these train-the-trainer sessions were completed, 415 DOP staff members have been trained. As part of these trainings, Dee Bell, a program coordinator in the community services division of the Georgia Department of Juvenile Justice, led a train-the-trainer session on community engagement approaches. Since that training session was completed, about 305 DOP staff members have been trained.

**Identifying better ways for staff to motivate and engage clients in change.** In 2012, DOP worked with Dr. Jonathan Fader, a psychologist with expertise in motivational interviewing and cognitive behavioral therapy, and Carmen Rodriguez, a senior training specialist with Cook County's adult probation department and current president of APPA, to train staff on motivational interviewing approaches. Since the train-the-trainer sessions were completed, more than 435 staff members have been trained.

#### **Participating in NIC's Urban Chiefs Network.**

Vincent Schiraldi, who had no prior experience in probation prior to becoming commissioner of the NYC Department of Probation in 2009, participated in a group, funded and led by NIC, of probation chiefs from some of the Nation's largest urban areas. Called the Urban Chiefs Network, this group is where Commissioner Schiraldi met other probation chiefs grappling with some of the same issues he was confronting—especially in terms of incorporating evidence-based policies and practices into his department—and became aware of the technical assistance available through NIC. New York City's participation in Urban Chiefs will continue through recently appointed NYC Probation Commissioner Ana Bermudez.

### **INTEGRATING A VARIETY OF OPPORTUNITIES TO ADVANCE BETTER PRACTICES AND APPROACHES**

DOP had been working for some time on a number of efforts that were helping to intensify management's commitment to evidence-based programs, policies, and practices. As part of the department's efforts to advance new strategies for low-risk, low-need clients, DOP signed up to participate in a study funded by the National Institute of Justice (NIJ) to compare the outcomes of clients who reported to probation via kiosk to those of clients who reported by phone through a pilot distance reporting program called AnyTrax (see "Choosing a risk/need instrument," below). The department was also an NIJ-funded site for improving approaches to the supervision of sex offenders through the Sex Offender Treatment Intervention and Progress Scale (SOTIPS). More than 80 staff were trained in the SOTIPS system.

Private philanthropy also played a crucial role in DOP's reform efforts. Among the agency's most significant privately funded partnerships, the Annie E. Casey Foundation supported DOP as well as other NYC stakeholders in a comprehensive effort to plan reforms to the juvenile justice system's "back end," or post-adjudication process. The foundation helped the city form an interagency task force, called the Dispositional Reform Steering Committee, and helped

DOP develop a structured decision-making (SDM) tool to enhance dispositional recommendations and decisions. The SDM tool standardized the way risk level and arrest charge were factored into dispositional recommendations by DOP staff and was rolled out at the same time as an expanded continuum of alternative to placement programs.

On the adult end, the Open Society Foundation provided support for the department to retain Susan Tucker, a nationally recognized expert on reentry, for three years. Ms. Tucker drew on the expertise of her grantees and other specialists in community engagement to hire some of the more progressive community-based organizations, including the Center for NuLeadership on Urban Solutions and Community Connections for Youth, to help DOP change its neighborhood approach. These experts helped DOP develop new strategies for community engagement.



Source: NYC Department of Probation



Source: NYC Department of Probation

## What is unique about DOP from the perspective of Federal agencies that engage in technical assistance with local agencies?

Many BJA and NIC projects are undertaken with modest-sized local or county departments or jurisdictions, whose staff may or may not have awareness of or training in evidence-based policies and practices. DOP, in contrast, is a large jurisdiction whose staff and leadership have both a background in evidence-based practices and an interest in improving the organization's overall approach.

In New York, probation is locally administered under the general supervision of the state. Since the 1970s, all local probation directors have been accountable to their respective chief county executive, or, in the case of New York City, the mayor.

Most notably, the New York City Department of Probation is distinguished by its size, which rivals that of probation systems covering an entire state. Today's DOP is the second largest probation agency in the country (only Los Angeles County's department is larger). DOP employs approximately 1,000 staff, with bureaus in the five boroughs (Bronx, Brooklyn, Manhattan, Queens, and Staten Island). Each borough is a separate county equivalent in size to a medium to large city. On any given day DOP supervises approximately 24,000 adults and 1,800 juveniles. During the course of a year, the agency conducts roughly 20,000 presentence investigations and 5,500 intakes of adult clients, who are sentenced locally, and approximately 7,000 juvenile intakes and 1,500 juvenile investigations to inform dispositional decisions.

Among DOP's strengths is the number of relatively experienced staff at the line level. The average length of service among staff is 18 to 22 years. The staff-to-supervisor ratio is 1 to 3, which exceeds best practices in probation services, where 1 to 7 is considered ideal.

Another of DOP's strengths is that several former probation commissioners had already taken significant steps to increase the organization's alignment with evidence-based policies and practices. Experienced line staff readily acknowledged the hard work that went into efforts to align what works in community corrections with DOP practice.

### UNCOVERING STAFF STRENGTHS AND CHALLENGES

With support from BJA, CJI undertook an organizational assessment to document the base that the department had to build from and lay out the steps that DOP would need to take to achieve its goals. The assessment consisted of staff surveys, focus groups, and interviews with more than 400 staff from all levels of the department in all five boroughs.

The assessment showed that staff were familiar with evidence-based practices, had demonstrated knowledge of evidence-based approaches, and had been trained in various evidence-based practice

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*As one technical assistance provider noted, "I have to remind myself that New York City is the equivalent of a state composed of five counties that, if counted as a state, would rank between New Jersey and Virginia in population . . . Dramatically changing business practices for such a longstanding culture comes slowly."*

approaches. The survey found little formal, or organized, resistance to the direction in which the department wanted to go.

At the same time, the CJJ assessment did identify some challenges that the department would need to overcome. Some staff members voiced frustration that the organizational pendulum might have swung too far away from the law enforcement approach that many officers were familiar with toward a rehabilitative approach. The assessment also revealed that some staff were concerned about their lack of involvement in decisions to change practice.

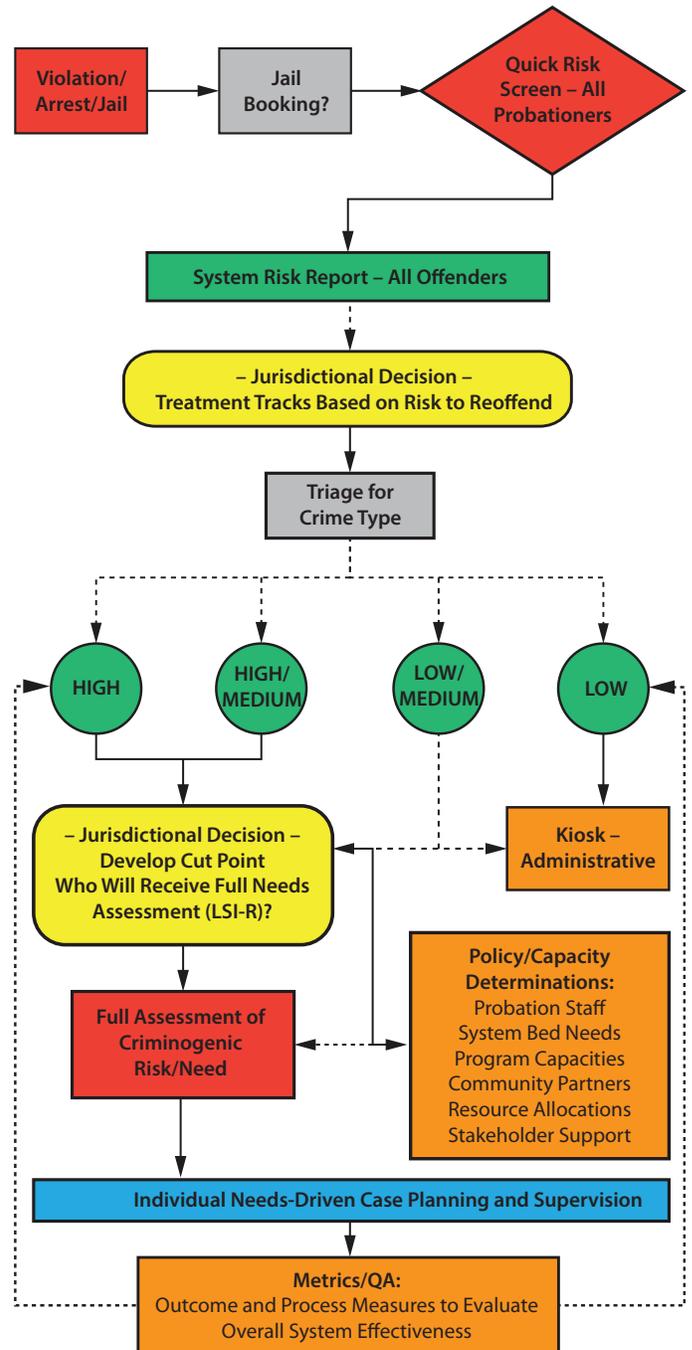
The Center for Advancing Correctional Excellence at George Mason University helped administer and train staff in the use of SOARING 2, an e-learning system created to assist justice professionals in building the skills associated with using evidence-based practices for the effective management of clients. The system also serves as a tool to measure staff competencies in and comfort with evidence-based practices, and identifies points that the department could focus on with staff.

Compared to other community corrections departments using SOARING 2, DOP staff were found to be less supportive of “just desserts” or “an-eye-for-an-eye” responses to offending, and they reported higher than average perceptions of compliance with organizational directives. DOP staff also had the highest perceived use of case management practices compared to other SOARING 2 sites.

Similar to the organizational assessment report compiled by CJJ, SOARING 2 pointed to some areas the department needed to address. Specifically, the data showed that, compared to other SOARING 2 sites, DOP staff reported lower than average perceptions of officer identification with the agency’s values, as well as lower than average perceptions of the organization’s functioning.

In short, when NYC selected a new commissioner for the Department of Probation in 2009, and when DOP, BJA, and NIC began seriously considering developing a technical assistance partnership in the ensuing years, the department had to address the size of—and unique issues facing—staff as part of the opportunity.

## SYSTEM FLOWCHART



**BJA and NIC technical assistance providers helped the department shift supervision and resources to fit their clients’ assessed risk and needs.**

Source: Corrections Partners Inc

## What is unique about what the partners brought to the table, what kind of technical assistance approach they developed together, and how it was managed and delivered?

New York City, BJA, and NIC came together under a unique set of circumstances when they sought to partner to advance the DOP's EBPP implementation work. Some of these unique factors relate to the players, as well as to the time at which the players came together—and given the facts on the ground—how these individuals chose to work together to make the most out of the collaboration.

### THE CITY: “EDUCATED CONSUMERS” OF TECHNICAL ASSISTANCE

Following Commissioner Martin Horn's departure in 2009, Mayor Michael Bloomberg appointed Vincent Schiraldi as commissioner of the NYC Department of Probation. Commissioner Schiraldi's experience included running two nonprofit organizations that, among other things, provided technical assistance to probation departments.

Mr. Schiraldi had also directed the Washington, DC, Department of Youth Rehabilitation Services, a juvenile justice agency which, prior to Mr. Schiraldi's arrival, had been criticized nationally for having some of the worst outcomes. Mr. Schiraldi harnessed an impressive team of technical assistance providers in the youth development field to turn the organization around. Far better outcomes for young people and families were the result. At DOP, Commissioner Schiraldi's leadership team—on the adult, juvenile, and administrative sides—included a number of people who, like him, were familiar with both providing and receiving technical assistance, working as or with expert consultants.

One technical assistance provider who had worked with dozens of agencies across the country described the staff at DOP as “educated consumers.” *“They knew what they knew, and what they did not know. They asked for more ways to pick up knowledge, and asked ‘who can I talk to who has lived through this experience.’ And then they knew how to move ahead on their own.”*

In sum, DOP management had a clear vision of the kind of probation organization it wanted to become, could identify many of the challenges the agency faced, and was able to ask nationally recognized experts in evidence-based practices for the kind of assistance needed to move the organization in the right direction.

### BJA AND NIC: BUILDING FROM STRENGTHS, BLENDING APPROACHES, AND BUILDING TRUST

BJA and NIC are unique entities within the Federal justice system bureaucracy that bring different strengths, skills, and approaches to their technical assistance work.

BJA has a greater capacity to support local programs and initiatives and can make more technical assistance grants to jurisdictions. NIC has more field experience working on a day-to-day basis with probation departments, and has deeper, hands-on historical relationships in the probation world. However, NIC's financial resources are much more limited than BJA's, and, historically, the two agencies have not always coordinated efforts or worked together in ways that are optimal.

At the time the two agencies contemplated working together on the DOP project, Gary Dennis, senior policy advisor for corrections with BJA, had first-hand knowledge of NIC. Dennis had worked there earlier in his career and had a clear understanding of NIC's operating style. Jim Cosby was a relatively new head of the Community Services Division (succeeding George Keiser in that role) and was open to different and more collaborative ways of working with BJA. The two principals for the two agencies worked together to create what one technical assistance provider described as “a true blending of what the two organizations had to offer.”

## **COLLABORATIVE PARTNERSHIP: LEARNING TO MOVE BEYOND THE TRADITIONAL LIMITATIONS OF TECHNICAL ASSISTANCE**

The staff at DOP, BJA, and NIC all had some experience with technical assistance, working with consultants, and understood the limits of various approaches to both providing and receiving “help.” They were well aware that some technical assistance projects can end up being out of alignment with actual needs on the ground. As one DOP representative commented, too often both governmental and nongovernmental technical assistance projects default to a “spray and pray” approach, where the provider gives all the services it has to offer in the hope that some of it helps.

Along with wasting scarce resources, this approach can have a negative impact on the recipient of technical assistance. If the recipient becomes overwhelmed simply trying to manage all the different technical assistance providers and initiatives being recommended, leadership and staff can lose their focus on the true priority changes that are needed.

For this project, BJA opted to enlist the aid of an existing technical assistance provider<sup>2</sup> who offered a neutral and unbiased approach and who recognized the importance of tasking one technical assistance provider with the role of facilitator and coordinator for the duration. Priority was given to careful consideration of DOP’s needs, identification of the resources required to meet those needs, and effective coordination of resources. The provider incorporated ongoing dialogue and communication into the process, which resulted in the use of specific, targeted, and cost-effective resources, with broad monitoring of the delivery of services. DOP reaped the benefits.

Indeed, as DOP, BJA, and NIC were establishing the process, they initially sought to limit the assistance, to be more strategic so as not to overwhelm staff. As one technical assistance provider wrote, *“My recommendation is to limit the number of different consultants being sent in or brought in to ‘help’ . . . The client, NYC-DOP, has*

*the responsibility to be the gatekeeper in terms of who they let or bring in and for what purpose.”* Again, the effective management and coordination of training and technical assistance delivery through a neutral organization that facilitated and maintained ongoing dialogue and coordination among the Federal agencies helped to achieve a positive outcome.

When technical assistance is purchased through a highly restricted process, local agencies sometimes end up applying for, and receiving, a service that does not fit their needs once funding is approved (or is overly restrictive in terms of how the resource can be used). Indeed, both providers and recipients of technical assistance must navigate a “consultant incentive,” in which the individual or organization who is funded to provide the technical assistance has an institutional incentive to have those receiving the assistance like the work, so that the experience is seen as successful and the consultant can receive more consultant opportunities. As one technical assistance provider commented, *“Every consultant—and for that matter, every investor—has an agenda. The ethical ones know what it is, acknowledge what it is, and don’t deviate from what it is . . . ‘Free’ assistance that you don’t plan to use or that runs contrary to your course of action isn’t free. It is also why the client must have a strong voice with the investors.”*

DOP has an annual budget of \$84 million, and early in the process, the city was clear on the amount of money that could be devoted to the DOP EBPP plan. At earlier stages and different points in the process, the leadership might have imagined whether the department’s small investment in their change process warranted having to navigate Federal agency procedures to obtain additional funds.

For the Federal agencies to successfully deliver assistance to New York City, BJA and NIC had to imagine working with a jurisdiction as large as DOP, focus their resources appropriately, and consider ways to sustain the investment for a longer duration than might be the norm.

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<sup>2</sup> Fox Valley Technical College was tasked by the Bureau of Justice Assistance with responsibility for managing and facilitating dialogue and collaboration among partner agencies in order to achieve the goals and intended outcomes of this effort.

The process of building trust between DOP and the two Federal agencies involved regular conference calls, meetings of all parties in Washington, DC, and site visits by Federal agency staff to various probation offices and satellite offices in the New York City neighborhoods. The partners noted the value of building trust in informal, nonwork settings—the principals sat down and split a meal together, an important opportunity for breaking the ice.

Building trust also meant learning to recalibrate and refocus when something was not working. Early in the partnership, it became apparent that one of the technical assistance providers was out-of-sync with the level of knowledge among DOP leadership and that the general training and hand-holding being offered was not needed. Recalibrating and refocusing allowed DOP to identify other needs that BJA and NIC could fulfill and spurred the Federal agencies to concentrate instead on providing assistance that met those needs.

In sum, for DOP, BJA, and NIC to work together effectively, they had to work through a process that resulted in a common understanding of what each one needed and what each one could provide.

### **THE “A LA CARTE” APPROACH: PICKING AND CHOOSING FROM THE BEST BJA AND NIC COULD OFFER**

Although they did not start there, DOP and the two Federal agencies ended in a place where the partners were able to forge a unique approach to technical assistance defined by its “a la carte” nature: BJA, NIC, or its delegates would work with and shape DOP’s request to identify and provide technical assistance items priced and ordered separately to meet the agency’s needs on the ground.

But the three partners did not reach this place overnight. It took time for them to overcome their institutional histories and obligations, to free themselves from the constriction of traditional approaches, and to build trust. As one technical assistance provider related, *“All of this made the relationship a more legitimate client-consultant relationship. To the degree that you can build authentic relationships, it matters, and it makes a difference.”*



Source: NYC Department of Probation

## How did the Federal agencies' technical assistance advance DOP's EBPP goals?

Since 2010—before BJA and NIC began working with the department—DOP had been developing a series of goals designed to infuse evidence-based approaches throughout the organization's work. The goals of the New York Model for DOP include:

- 1 Safer communities.
- 2 Opportunities, resources, and services for clients.
- 3 Organizational excellence.
- 4 Strong partnerships and community engagement.
- 5 Capacity to measure success.

DOP's ability to develop a clear vision for where the organization wanted to go was a key factor in building the strong collaborative partnership with BJA and NIC. Where it made sense, BJA and NIC worked in collaboration with DOP to identify the best technical assistance the Federal agencies could marshal to advance the organization's goals in its adult practices. Over time, the Federal agencies sought to limit the dosage of technical assistance in a way that supported DOP's change process without overwhelming the department or line staff. The a la carte approach that emerged allowed the Federal agencies, their agents, and the city to work together to pick and choose from the toolkit to advance pieces of work that supported DOP's overall approach.

How the DOP, BJA, and NIC collaborative partnership advanced the work can be told by examining three fundamental areas that represent the probation field's shift to evidence-based policy and practice:

- **Enhancing community safety by focusing on risk, need, and responsivity.**
- **Building better connections to opportunities, resources, and services through community engagement.**
- **Emphasizing excellence organizationwide.**

### **ENHANCING COMMUNITY SAFETY BY FOCUSING ON RISK, NEED, AND RESPONSIVITY**

The probation field is moving in the direction of approaches based on the emerging science of supervision (rather than on an individual officer's "gut" view of a client's needs), and on the reallocation of resources to focus on those individuals who have been identified through scientific means as high risk and high need. Probation is also shifting away from the surveillance model to one that engages the client, promotes changes in personal behavior, and views each client as an individual (rather than approaching clients with a standardized, cookie-cutter approach to supervision).

DOP sought to achieve its goal of enhancing community safety for New Yorkers by targeting resources to clients who are at higher risk of reoffending, and by developing a broad continuum of graduated sanctions and approaches more likely to change clients' behavior, meet their needs, and reduce the risk of reoffending.

As part of a series of trainings with DOP staff, BJA and NIC technical assistance providers discussed better ways to identify those individuals who need higher or lower levels of supervision and services through the use of actuarial risk/needs assessments, which classify clients into risk levels based on the factors and circumstances that research has shown are associated with reoffending. The providers also explained how to use these tools to both develop effective case plans and designate agency resources appropriately.

The technical assistance providers helped the Adult Operations staff work through the process of becoming comfortable with the move from the gut-based decision-making they had been using to the new actuarial risk principles. Talking through these issues, first with the departmental leadership, then with the branch chiefs, and through them with the line staff, the technical assistance providers helped catalyze a

process that helped the department build greater competency, capacity, and comfort in using the new tools.

**Choosing a risk/need instrument.** After considering a range of options, the department chose the Level of Service Inventory-Revised (LSI-R) to assess its adult clients. The LSI-R was selected because it has one of the largest bodies of research in support of its use as a risk/need instrument, and because it was the best fit for the types of clients sentenced to probation in New York City. CJI helped DOP develop an implementation plan for the LSI-R to minimize as many of the upfront challenges as possible and lay a foundation for studying its use on the ground. The LSI-R was rolled out borough by borough beginning in December 2012, and within five months, the instrument was being used in all five boroughs.

Implementation of the LSI-R helped DOP improve how it manages the lowest risk, lowest need adult clients. It gave staff the right tool to identify which clients need what type of supervision and enabled the department to focus on its larger goal of doing no harm by providing a lighter touch of supervision (for example, via computerized kiosk in a physical office) to those individuals who need less for a shorter period of time (via early discharge from probation).

During the technical assistance period, DOP began to shift away from kiosk reporting to an even more innovative use of technology for low-risk, low-need clients for whom the lighter touch is appropriate. The Community Progression supervision model allows such clients to report in on their home or cell phone, with voice-recognition software able to analyze and confirm responses. (The next phase of Community Progression may involve facial recognition, with clients reporting in and meeting their supervision requirements through a computer.)

Preliminary descriptive data on Community Progression are promising, showing that failures to report are lower among Community Progression track clients

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## Enhancing Community Safety by Reallocating Resources to Clients at High Risk of Reoffense

- **On any given day, about two-thirds of DOP's supervision population reports in electronically.** As of January 2014, 15,967 of 23,913 clients were eligible for the Community Progression supervision model.
- **Retargeted resources results in an improved response for the fraction of clients who were convicted of more serious offenses or who pose a higher risk of reoffense.** By using better tools, the system could bring more resources to bear on those individuals whose assessments revealed that they had greater needs or were at higher risk to reoffend. Those clients who score at highest risk on the LSI-R are targeted for supervision on caseloads of 25 probationers to 1 probation officer.

who use the distance reporting program compared to those who report via kiosk. And, as mentioned above, DOP is participating in an NIJ evaluation to explore differences in outcomes—including arrests and failures to report—between those Community Progression clients who report to a kiosk and those who use distance reporting.

Innovations in Community Progression reduce the need for clients to come to an office when assessment shows it is not necessary. As a result, staff are freed to use their time for other purposes and the system as a whole can reallocate its resources to attend to the needs of clients who actually need more attention. The LSI-R screening tool is an essential part of the process. Clients who score low on the LSI-R go directly to Community Progression. Clients at a higher level of supervision who are doing well may be stepped down to Community Progression.

Finally, having a lighter touch with some clients means that DOP is able to increase the level of attention paid to clients assessed as higher risk or higher need. While much of this effort is focused on developing enhanced case plans for high and highest risk clients informed by their LSI-R assessments, the department is also enhancing its supervision of and services for sex offenders. Through funding from the National Institute of Corrections, DOP is implementing the Sex Offender Treatment Intervention and Progress Scale, an empirical risk and needs assessment tool specially designed to identify the risk and needs associated with sexual reoffending. The instrument is currently being administered to all men convicted of qualifying sex offenses (about 1,000 of the city's 24,000 adult clients). As of December 2013, DOP had trained 86 staff to use SOTIPS with qualifying clients.

## **BUILDING BETTER CONNECTIONS TO OPPORTUNITIES, RESOURCES, AND SERVICES THROUGH COMMUNITY ENGAGEMENT**

NIC lists “engagement of the community” as one of seven essential ingredients for successful reentry initiatives. The community corrections field is advancing enhanced strategies for probation staff to work with clients to build better connections to work, school, and services. The shift largely involves merging proven approaches to developing a stronger officer-client relationship with creating better ways for probation to tap into existing neighborhood and community strengths.

BJA and NIC identified technical assistance services that supported DOP's work to build better connections to opportunities, resources, and services; develop better community engagement strategies; and help staff and partners tie everything together through trainings on the theory of change underlying evidence-based practices.

**Community engagement.** Dee Bell, a program coordinator in the community services division of the Georgia Department of Juvenile Justice, trained a group of DOP staff on community engagement approaches—crafting workable solutions to complex problems by identifying and building on individual and community assets and strengths. Supported by BJA, the training sessions helped staff define community engagement within their probation department setting, applied management experts' eight stages of change model<sup>3</sup> to the context of what the city was trying to achieve in the community, and presented the idea of residents being the experts on those locations where probation works. Since completion of the train-the-trainers session, about 305 additional staff have been trained in community engagement strategies.

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<sup>3</sup> In *Leading Change* (Boston: Harvard Business Review Press, 1996), John P. Kotter described the eight stages of change: Create a sense of urgency, Form a powerful coalition, Create a vision, Communicate the vision, Empower others to act on the vision, Create quick wins, Build on the change, Institutionalize the change.

**Restorative justice.** Another key aspect to community engagement is developing a strategy for situations in which the person who has harmed someone and the person who was harmed live in the same location, neighborhood, or even family.

Restorative justice is an approach to justice that addresses the needs of the person who was harmed, as well as the person who has caused harm, and that shifts the focus away from punishment. In this approach, victims play an active role, while those who have caused harm are encouraged to take responsibility for their actions and repair the harm through a variety of actions, such as apologizing, returning property, making restitution, and/or performing community service. This approach can benefit the victim as well as the entire community.

Tracy Mullins, deputy director of the American Probation and Parole Association, led a BJA-supported training of 19 probation department trainers and coaches in restorative justice practices. Mullins' training was offered to the Adult Operations side of the department (earlier, more intensive trainings occurred on the juvenile side under a different grant). Some 415 staff have since been trained in restorative justice practices.

**Motivational interviewing.** Motivational interviewing is used in probation and parole (and beyond) as a direct client-centered counseling approach to help individuals explore why they make the choices they do, review the thought process behind those choices, and build skills for making better choices that solve problems and harness opportunities.

The technical assistance team identified two individuals to train DOP staff on motivational interviewing techniques—Dr. Jonathan Fader, a nationally recognized expert on motivational interviewing who serves as team psychologist for the New York Mets, and Carmen Rodriguez, president of APPA and a senior training specialist with Cook County's Adult Probation Department. As of December 2013, 320 staff had been trained in motivational interviewing techniques.

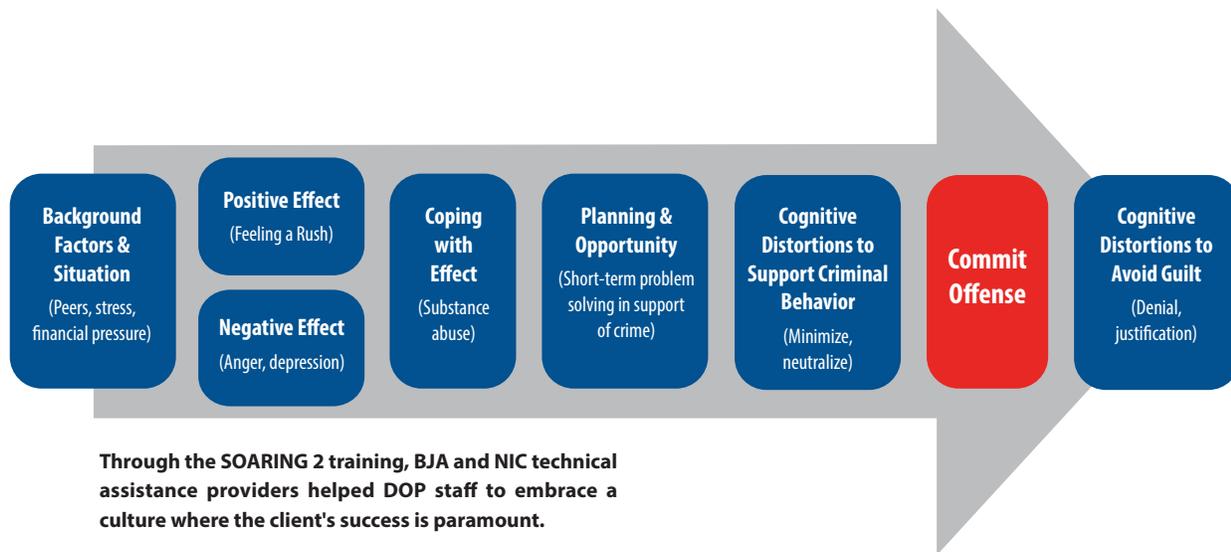
DOP now has nine persons on its payroll who are certified to train staff on community engagement, restorative justice, and motivational interviewing—the three skill sets that department leaders identified as necessary for staff to help clients realize opportunities, resources, and services. These skill sets are helping staff shift from simply referring clients to services to becoming change agents in their clients' lives.

### **Connecting the Dots Between the Theory of Change Behind Evidence-Based Practices and Skill Building Efforts: SOARING 2**

The LSI-R, Youth Level of Services Inventory (YLS), motivational interviewing, restorative justice, and community engagement are all tools that enhance supervision practices and improve how a supervision agent interacts with the client and the community. But like any tool, these evidence-based practices are only useful if you know how to use them to achieve a particular end.

To connect the dots between the various tools and approaches that DOP was advancing, staff needed to understand how all the new approaches connected to their work and why the new approaches matter to the mission and goals of the New York Model. To address that need, DOP Adult Operations staff participated in a pilot for the SOARING 2 training program. SOARING 2 was described by one member of the DOP training staff as *"something that helps you understand why these staff development approaches fit together, and help staff work effectively with clients."* The system was created to assist line staff in building the skills associated with using evidence-based practices for the effective management of clients in the community.

The SOARING 2 training builds knowledge and comfort in the risk, need, and responsivity approaches; identifies stabilizers and destabilizers in a client's life; and develops engagement and motivation skills, competencies, and knowledge in case planning, problem solving, and desistance. The training offers opportunities for basic, intermediate, and advanced knowledge and skill building.



Three DOP staff attended a two-day training at George Mason University to become certified as SOARING 2 coaches. By December 2013, 129 staff had gone through the SOARING 2 trainings.

### EMPHASIZING EXCELLENCE ORGANIZATIONWIDE

Agencies that are shifting toward excellence are called “learning organizations.” They work constantly to adopt best practices (where the definition of “best” is constantly changing as new evidence is learned), seek to improve staff skills, and study clients’ success as a means to improve the agency’s overall approach. The NYC Department of Probation is one such agency.

First, DOP used the information gleaned from surveys of staff perceptions of reforms, conducted by CJI and the Center for Advancing Correctional Excellence, to address staff involvement in both the decision-making process and subsequent communication of policy changes.

Second, DOP developed an evidence-based policies and practices steering committee comprised of representatives from various groups within the agency, including line staff and managers from both Juvenile and Adult Operations.

Third, DOP organized a series of professional development days, featuring presentations by experienced DOP staff, community partners, and technical assis-

tance providers, who discussed tactics and strategies for implementing EBPP. These events—there have been four thus far with a fifth planned for July 2014—are designed by and for staff and concentrate on practical strategies for line officers.

Fourth, along with external training courses to train-the-trainers—efforts that built agency capacity for DOP staff to train other staff on lead initiatives—DOP management took steps to establish two-way channels of communication between leadership and staff concerning the new initiatives. To monitor the rollout of the LSI-R, for example, DOP created an implementation work group tasked with troubleshooting implementation challenges, developing quality control strategies, analyzing data trends, and ensuring regular communication with operations staff concerning initiative progress. Additionally, Vincent Carrique, DOP’s implementation manager of evidence-based policies and practices, drew upon his two decades of experience in the department to help the leadership team figure out where and how to build support for the new approaches among the branch chiefs and staff in the boroughs.

The technical assistance providers worked with DOP to identify and recommend tactics as part of a communications plan to help staff become aware of, and more comfortable with, some of the new practices they were seeking to implement. Along with a commissioner who is a nationally recognized communicator on criminal justice policy issues, DOP’s public information officer (PIO) is equally skilled at present-

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ing information to staff in a crisp, compelling way (so much so that other, noncriminal justice departments in the city are borrowing tactics from probation). The PIO harnessed the use of DOP's public Web sites, the intranet, and Web-based tools such as Flickr to communicate a consistent message about implementation of the new reforms.

With the assistance of CJI's Michael Kane, DOP developed and launched Eye on Evidence, an e-newsletter for staff that routinely shares information on EBPP fundamentals and a variety of other topics such as the risk, needs, and responsivity approach; graduated sanctions; and positive reinforcement skills for clients. In a field where one of the principal challenges is to move the site of supervision out of centralized offices and into the community, DOP regularly features images of probation officers working with clients in New York neighborhoods on department Web sites, flat-screen TVs in waiting rooms, and posters throughout the agency. And the department increased opportunities for leadership to positively reinforce staff in their commitment to the new approach through a variety of venues, including staff assemblies, picnics, and yearend gatherings during probation and parole week.

Finally, DOP leaders and line staff joined a number of national initiatives that helped them build stronger internal and external skill sets and bolster agency commitment to EBPP. For example, as previously discussed, as part of the effort to connect the department to national initiatives and resources, then-Commissioner Vincent Schiraldi joined the NIC-sponsored Urban Chiefs Network, a peer network of probation chiefs representing the largest urban probation departments in the country.



Source: NYC Department of Probation

## Where is New York City's DOP evidence-based practice work taking the department?

At the end of December 2013, DOP published *Do More Good: A Progress Report From the NYC Department of Probation*. At the same time, Susan Tucker, the former director of DOP's justice reinvestment, published an article detailing the department's reforms in *Perspectives: The Journal of the American Probation and Parole Association*.<sup>4</sup> In both pieces, DOP reports significant progress and paints a picture of the organization's trajectory. To explain where the agency is headed, the work has been organized into the following themes: "Do no harm, do more good, and do it in the community."

### DO NO HARM: WORK TO REDUCE REVOCATIONS AND INCREASE EARLY DISCHARGE

In 2012, DOP reported a lower violation rate for adult clients than the average for the rest of the state (3.1 percent compared to 11.0 percent). Moreover, the violation rate fell steadily during then-Commissioner Schiraldi's administration (a 45 percent decline between 2009 and 2012). DOP has continued to reduce the failure-to-report rate on kiosk supervision (as of July 2013, the rate was 8.2 percent, compared to 12.7 percent in 2006) and has increased the early discharge rate from 4.9 percent of all discharges in 2009 to 17.0 percent of all discharges in 2012. Additionally, DOP is cleaning up clients' rap sheets to eliminate errors in the permanent record (something that can hinder employment). Key to the "Do no harm" strategy is the department's steadily improving tracking of public safety outcomes: DOP boasts one of the highest probation completion rates in the state, and only 4 percent of those who complete probation are rearrested for a felony a year after completion. Rollout of the LSI-R and the YLS were crucial elements in helping DOP to restructure caseloads and minimize the department's touch on low-risk clients.

### DO MORE GOOD: WORK TO DIFFERENTIATE CASELOADS, AND CONNECT INDIVIDUALS TO THE RIGHT SERVICES

DOP has developed differentiated caseloads in Adult Operations based on the client's assessed risk, need, and responsiveness:

- Highest risk clients are assigned to DOP's Intensive Engagement track, where officers work a target caseload of 25 individuals.
- Medium- or high-risk clients are assigned to DOP's Client Development track, where officers work a target caseload of 50.
- Low-risk clients are assigned to DOP's Community Progression track, where the ratio of officers to clients is a few hundred to one. (Community Progression clients identified as needing a bit more hands-on support are assigned to the stabilization unit, where officer caseloads are targeted at 75 to 1.)

Information collected by DOP on individual clients through the LSI-R assessment helped DOP to revamp and strengthen its Individual Achievement Plans for clients, based on their assessed criminogenic needs. The revised plans are more likely to help clients connect to school, work, community programs and services, and restitution and other positive activities.

### DO IT IN THE COMMUNITY: THE PROMISE OF THE NEIGHBORHOOD OPPORTUNITY NETWORK

The Neighborhood Opportunity Network, called NeON, is a network of community organizations, government agencies, local businesses, and residents

<sup>4</sup> Tucker, Susan, Neighborhood Opportunity Network: Transforming Probation, *Perspectives: The Journal of the American Probation and Parole Association* 37:4 (2013) 55–77. See appendix for link to this article.

focused on connecting probation clients who live in the target neighborhood to local opportunities, resources, and services. NeON offices are located in neighborhoods that have a high concentration of probation clients, share office space with community-based organizations that provide the types of services and opportunities clients need, are part of local networks of businesses and community-based organizations, and encourage staff to work with neighborhood residents and community leaders.

NeON's approach is consistent with DOP's shift toward evidence-based practices. Indeed, NeON adheres to the same principles that guide the entire department, as DOP strives to achieve the same goals for all its clients, regardless of where or when they report.

- **Decentralization of services:** Instead of making clients report to a downtown office far from where they live, the seven NeON offices (plus seven satellite offices) were deliberately sited near clusters of clients. NeON staff operate with a high level of independence.
- **Integrate clients into local networks:** NeON offices are often co-located with nonprofit providers to whom DOP staff might refer a client for a service, thus avoiding the missed connections that sometimes happen in supervision. As a result, NeON staff are more familiar with the community's assets, needs, and activities, and they provide better links for their clients to education, work, and other opportunities.
- **Create opportunities for family and community involvement in supervision:** Before NeON, clients' encounters with their probation officers often happened in a closed, restricted office environment, where family members were generally prohibited from accompanying adult clients to meetings with staff. Now family members are encouraged to help develop a client's Individual Achievement Plan.
- **Engage the community:** The NeON program creates opportunities for staff to participate in neighborhood organizations, and for individuals active in neighborhood life to realize probation's role in building the community (for example,

through residents' involvement in NeON-sponsored job fairs). Each NeON office is required to assemble a stakeholder group of community members to guide the work of the network. Stakeholder groups are actively meeting in each of the seven NeON neighborhoods, organizing job, health, and education fairs, participating in community cleanups, and most recently, serving as a selection panel for the distribution of foundation funding for arts programs that will involve NeON clients in painting murals, performing concerts, and putting on plays in the NeON neighborhoods. As described by DOP, *"This kind of participation makes probation more visible and transparent, builds community understanding and trust, and normalizes both probation operations and clients, breaking down the kind of us/them mentality that often impedes client success during and after probation."*

By December 2013, DOP estimated that it was serving 50 percent of medium- and high-risk adult clients (the target population for NeON) at one of the seven NeON sites, or at one of the seven NeON satellite offices.

It should be noted that, because NeON is still a relatively new initiative, it is too early to conduct a rigorous outcome evaluation. That said, preliminary analysis suggests that the program is on the right trajectory. A six-month comparison of the rearrest rate of individuals assigned to NeON to that of individuals with similar risk levels who were not assigned to NeON shows that, among 16- to 24-year-olds, clients in the NeON track had a recidivism rate that was 23 percent lower than the rate among non-NeON clients (25.6 percent vs. 33.1 percent).

The Federal agencies' work with DOP to improve how its staff "do it in the community" continues. In 2014 DOP extended the SOARING 2 training regimen to 22 community-based provider staff who are partnering with the department through its NeON offices, and there is ongoing work between DOP and SOARING 2's developers at the Center for Advancing Correctional Excellence at George Mason University.

# 6

## Conclusion

### What can the rest of the field learn from the DOP, BJA, and NIC technical assistance collaborative partnership, and why does it matter?

Both BJA and NIC were very supportive of DOP's reform trajectory. And because all three agencies invested time in developing a more authentic client-consultant relationship based on trust, the partners were able to develop a sustainable technical assistance model that supported DOP's true needs within the context of multiple initiatives.

BJA and NIC helped support DOP's initiatives by helping the organization develop:

- **Better tools:** CJJ's work with DOP helped the organization implement and roll out tools like the LSI-R and the YLS—instruments that helped leadership and staff to refocus their approaches to supervision and community engagement.
- **Better skills:** Training in motivational interviewing, restorative justice, and community engagement both enhanced staff skills and honed organizational approaches to working with the community, and have been integrated into DOP's training and development curriculums.
- **Better tactics:** SOARING 2 and CJJ's surveys of the strengths and gaps in the staff's readiness for new initiatives helped DOP focus on the kinds of professional development and communication activities that would make the climate more hospitable to high-level EBPP work.

Having the leaders of two major Department of Justice agencies collaborate at a high level resulted in a blend of the best of what BJA and NIC had to offer—a technical assistance approach that was delivered in a flexible and timely manner, that focused the dosage of technical assistance by the type that was needed to meet the department's needs, at a pace that did not overwhelm the department, for a sustainable duration longer than what the Federal agencies usually provide. Consequently, the collaboration was seen as much more successful than many other technical assistance experiences.

The collaboration between DOP, BJA, and NIC came at a time when the probation, parole, pretrial, and nonprofit providers that together comprise the community corrections field are entering a period of profound change, when a wide spectrum of stakeholders at the Federal, state, and local levels are increasingly turning to community supervision agencies to solve the problem of mass incarceration.



Source: NYC Department of Probation

The collaboration between DOP, BJA, and NIC came at a time when the probation, parole, pretrial, and nonprofit providers that together comprise the community corrections field are entering a period of profound change, when a wide spectrum of stakeholders at the Federal, state, and local levels are increasingly turning to community supervision agencies to solve the problem of mass incarceration.

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The community corrections field is already stepping up to the challenge. With the largest number of individuals in corrections under its supervision, community corrections is at the center of discussions on mass incarceration. Recently the leading associations that represent community supervision agencies (Community Corrections Collaborative Network) have called upon the field to adopt the following principles:

- Embrace evidence-based practices as the foundation for the work.
- Target research to identify what works.
- Target treatment and supervision only to those with an assessed need.
- Embrace technology so the field can manage clients effectively.
- Support the probation workforce's development, training, and skill building needs.
- Revise laws, policies, and practices, such as sentencing and reliance on treatment for low-risk, low-need clients, so they align with known risk reduction interventions.<sup>5</sup>

Operationalizing these principles requires that additional resources—a mix of financial resources and technical assistance to meet the very real needs of the field in real time—be directed to community corrections. The partnership that DOP, BJA, and NIC have engaged in represents a new way for the Federal Government to help the community corrections field safely and smartly reduce our reliance on incarceration. By providing timely, targeted, flexible, and effective assistance to local agencies that are working toward a shift to evidence-based practices, Federal agencies can, together with their local public safety partners, rise to the challenges before them and support the probation field as its role in society continues to evolve.

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<sup>5</sup>The associations that endorse these principles include the American Probation and Parole Association, Association of Paroling Authorities International, International Community Corrections Association, National Association of Pretrial Services Agencies, and National Association of Probation Executives. See Community Corrections Collaborative Network: Safe and Smart Ways to Solve America's Correctional Challenges (Washington, DC: U.S. Department of Justice, Federal Bureau of Prisons, National Institute of Corrections, 2013, <http://community.nic.gov/wikis/cccn/corrections-community-collaborative-network.aspx>)

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