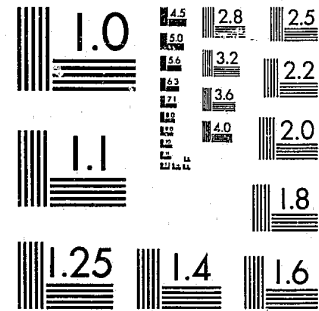


National Criminal Justice Reference Service



This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART  
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

Date Filmed

3/27/81

75277

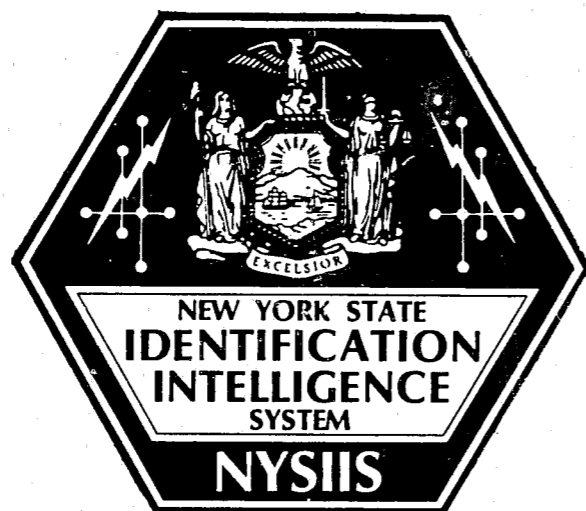
PP  
N

X  
NYSIIS

RECEIVED  
MANAGEMENT SERVICES

11 20 1971

X  
PAROLE AND PROBATION  
STUDY



FINAL REPORT

Bureau of Systems Development

X  
New York State

Identification and Intelligence System

Albany, New York

Contributors

NEW YORK STATE CRIMINAL JUSTICE AGENCIES

Representatives of:

Corrections  
Courts  
District Attorneys  
Parole  
Police  
Probation

NYSIIS Survey Team Members

Bureau of Systems Development

John F. Burbige  
Lester A. Kipp  
Gary E. Schreivogl

Bureau of Systems Planning and Research

James F. Moon  
Thomas H. Mullen  
Alexander Shayne

Report Preparation

NYSIIS  
John F. Burbige

Computer Usage Corporation

Nicholas Carozza

## PREFACE

This report is one of a series of publications designed to disseminate the results of the various special projects conducted in association with Project SEARCH. Most of these special projects were undertaken because there were potential technical or operational implications of significant interest to all participating states. However, the projects were conducted by individual states and primarily addressed intra-state problems.

In approving the publication of these special project reports, the SEARCH Project Group is attempting primarily to accomplish wide dissemination of all of the results coming from SEARCH-associated efforts. It should not be assumed, in these special project reports, that recommendations and conclusions presented by the authors are endorsed by either the SEARCH participants or by LEAA. Rather, the SEARCH Project Group believes that this report is of sufficient quality and comprehensiveness that it deserves consideration in any similar project.

Approved for publication

*O. J. Hawkins*  
O. J. Hawkins  
Chairman  
SEARCH Project Group

## TABLE OF CONTENTS

Section	Title	Page
I	Introduction	1
II	Information Needs	4
III	Background and Major Functions of New York State Parole and Probation	18
IV	The NYSIIS Response Type-Distribution and Priorities	51
V	Data Element Requirements of the Parole/Probation Reporting System	71
VI	Parole/Probation Reporting System	79
VII	Criminal Justice Statistical Reporting System	92
	ATTACHMENT A	100
	ATTACHMENT B-1	101
	ATTACHMENT B-2	103
	ATTACHMENT B-3	105
	APPENDIX	106
	GLOSSARY	109

LIST OF TABLES

<u>Table</u>	<u>Title</u>	<u>Page</u>
2-1	Police Decision Points and Required Systems Assistance	
2-2	District Attorney Decision Points and Required Systems Assistance	ALL TABLES EXCEPT 5-1 ARE GROUPED IN LAST SECTION OF REPORT
2-3	Judicial Decision Points and Required Systems Assistance	
2-4	Probation Decision Points and Required System Assistance	
2-5A	Local Correction Decision Points and Required Systems Assistance	
2-5B	State Correction Decision Points and Required Systems Assistance	
2-6	Parole Decision Points and Required System Assistance	
2-7	Volume Loads and Response Time Needs	
4-1	Type Response By Agency Decision Point	
5-1	NYSIIS Present and Planned Data Base Elements; Source and Use	74-78

LIST OF CHARTS

<u>Chart</u>	<u>Title</u>	<u>Page</u>
6-1	NYSIIS Status File Operations By Major Justice System Decision Points	82
6-2	NYSIIS Inquiry Process	90
6-3	NYSIIS Update Process	91

SECTION I  
INTRODUCTION

GENERAL INFORMATION

This is the final report of the initial Parole and Probation Study conducted by the New York State Identification and Intelligence System (NYSIIS). Briefly, the goals of the Parole and Probation Study were to survey and document the information needs of parole and probation agencies and also to define the methods wherein parole/probation information could be made rapidly available to the criminal justice community. With the accomplishment of these goals, NYSIIS will have the capability to proceed with the design and implementation of an advanced parole and probation reporting system, permitting participating agencies to contribute to and share in the information stored in the system.

SURVEY OBJECTIVES

In order to accomplish the stated goals of the Parole and Probation study, the project team, organized for this effort, conducted the survey in accordance with the following objectives:

1. Determine what information is presently available within parole and probation agencies that can be made readily accessible to the criminal justice community through NYSIIS.

2. Determine the specific information needs of parole and probation agencies that can be satisfied by NYSIIS.
3. Determine what information is presently available, from other agency sources, that would be of use in satisfying the information needs of parole/probation agencies.
4. Determine what information is presently available, from other agency sources, that would be of use in satisfying the information needs of parole/probation agencies.
5. Determine those data elements required for the establishment of a statistical data base to be accessed by contributing agencies for assistance in the performance of program evaluations and projections.
6. Determine the most efficient method of integrating each agencies indicated needs for parole and probation information, into an automated basic data interchange system.

INFORMATION SOURCES

The information contained in this report was derived primarily from two sources. The first source consisted of field trips made by members of the project team to representative parole/probation agencies, courts, police agencies, dis-

trict attorney offices, and correction institutions within New York State. The data collected on each field trip was then documented in a report written by a member of the project team in attendance at the agency interview. All available prior reports pertinent to the current study and individual agency publications were also reviewed for additional information.

#### FORMAT OF THE REPORT

The following sections of this report present a detailed analysis of the results of the investigation performed by the NYSIIS Parole and Probation Study team. Section II is devoted to an analysis of the basic information needs of criminal justice agencies with emphasis given to the needs of parole and probation agencies; section III provides a brief background on parole and probation in New York State and analyzes these operations through an examination of their major functional areas; section IV describes the type and frequency of NYSIIS assistance to the system agencies; section V discusses the data element requirements of the NYSIIS reporting system; section VI describes the revisions to the NYSIIS process system necessitated by the survey results and recent legislative action and section VII provides for an initial description of the planned NYSIIS statistical system.

## SECTION II INFORMATION NEEDS

### INTRODUCTION

The key area of information sharing between criminal justice agencies concerns the continuing relationship of an offender to the entire criminal justice process from entrance to exit. When was he arrested, and with what offenses was he charged? What disposition did the court make in his case? Was he placed on probation or was he committed to an institution? Was he later paroled? Has he had a continuing record of criminal activity, with multiple arrests, convictions and sentences? In general, the question at issue is--what is known about the criminal background of a given individual? All agencies are concerned with these questions. The contents of this section identify the relevant information needs of criminal justice agencies at their specific decision making points as surveyed by the Parole/Probation study team.

The types of agencies interviewed by the project team fall into six distinct groups: probation, parole, police and sheriff, courts, district attorneys, and penal institutions. A defined procedure was used by the project team in interviewing each agency that represented one of these six groups. This procedure generally took the following form:

1. Explain the proposed role and objectives of the Project SEARCH Parole and Probation study in terms of a centralized parole/probation reporting system and the criminal justice community.

2. Define the major agency decision points in processing criminal offenders and obtain the corresponding information needs at each of these decision points. In the same context, obtain agency response time and volumes, attitudes and factors relevant to the enrichment of the NYSIIS SCH (Summary Case History) data base particularly in the area of parole and probation.

#### POLICE NEEDS

Police functions essentially consist of two major decision points: investigation and arrest/booking. As shown on table 2-1, police needs for parole/probation information at these decision points are limited. However, the police would like to be notified as soon as possible if an arrestee is on parole or probation so that they may cause him to be detained pending appropriate parole or probation action.

Additionally, the arrest agencies expressed a desire to be notified of all parolees and probationers under supervision in their particular area, and the conditions of their release. The police feel that in some instances, this information will provide assistance during investigative work and additionally could identify an otherwise seemingly minor infraction of law as a violation of a condition of parole or probation.

#### DISTRICT ATTORNEY NEEDS

The District Attorney offices visited by the survey project team indicated that their primary concern in the investigations functions involved sensitive issues, such as political corruption and organized crime. All other investigations were performed by local criminal justice agencies. However, the agencies visited stated that background information was necessary in prosecutions, particularly in the bail and ROR phases of a case.

The major District Attorney decision points are: arraignment, pre-hearing, grand jury, trial and sentencing. Table 2-2 lists these decision points with the corresponding operations, systems assistance and type response. It is evident from the table that the District Attorney must have access to current or updated parole/probation information concerning the criminal offender. Specifically, a central reporting system can assist the District Attorney in three ways:

1. The District Attorney requires parole/probation and "Wanted" status information before bail/ROR proceedings.
2. The District Attorney requires parole or probation information prior to plea.
3. The District Attorney requires accurate and complete information concerning the suspects prior criminal and social history.

#### COURT NEEDS

To determine the courts' parole/probation information needs at their key decision making points, the project team interviewed administrative staff members of the New York City Criminal Courts. Table 2-3 lists the decision points with the corresponding operations, systems assistance and type response.

In order to assist a criminal court in bail and ROR proceedings, a central reporting system must possess the ability to provide background (in and out of state) criminal history information in a timely fashion. In addition, background information is needed prior to sentencing, especially in those cases where there is a possibility of a sentence of probation. Such information would greatly assist the presiding judge in decision considerations. In regard to the pre-arraignment phase (Bail - ROR) it was indicated by court officials that an abbreviated version of the current NYSIIS criminal history would be quite sufficient at this stage of the judicial process primarily due to the short time period available for arraignment. It was suggested by the project team that a response of this type should include the following information so as to best satisfy the criminal courts operations:

1. A record of the current arrest.
2. A listing of all previous criminal history both in and out of state. This could be in tabular format and in chronological order.

3. A record of any mental hygiene institution admissions as a warning device. This would permit further study by the court's psychiatric staff.
4. A synopsis of the individual's social record, to include general information such as previous addresses, military record, marital status and alcohol and narcotics history.

#### PROBATION NEEDS

In surveying the information of probation agencies, the project team determined that the key decision making points or activities were pre-arraignment, pre-plea, pre-sentence, transfer, supervision, violation, discharge and follow-up. Table 2-4 lists these decision points with their corresponding operations, required system assistance (information needs) and type of response.

The overall reaction to the proposed inclusion of probation data in a central reporting system was enthusiastic. All of the probation agencies interviewed saw it as a significant advance towards a full criminal justice information system. A set of data elements (see Attachment A) was utilized by the survey team as a guideline during each probation agency interview. Each probation agency commented in a positive manner upon these items and generally accepted them as the prime requisites of a probation reporting system.



Throughout the survey each probation agency was asked to comment on what additional information it deemed pertinent to an extended reporting system. The following are those major additions to the system suggested to the survey project team.

1. Establishment of a "County/State of Record" probation file which would include the name and supervising jurisdictions of all persons currently on probation in the state.
2. Increased reporting, on the part of probation agencies, to the central files so as to facilitate the inclusion of pertinent probation data.
3. Initiation of a reciprocal system between individual criminal justice agencies and the central state agency for reporting deaths of individuals of interest to the system. This procedure could, for example, be formulated as follows:
  - a. If the death of an individual is reported to NYSIIS and his records indicate he has had contact with another justice agency (e.g. probation department), NYSIIS would notify the probation department of the death. This would allow the department and NYSIIS a means for file purging.
  - b. If a probationer under the department's supervision dies, this information would be reported to NYSIIS to allow purging of its files.
4. The inclusion of Mental Hygiene, Narcotic Addiction, Alcoholism and co-defendant information would be extremely valuable. However, prior to the approval of

release of this type information a valid method of verifying such information must be resolved.

5. A method wherein investigating probation agencies could ascertain the existence of prior probation reports, their location, type and availability.

#### CORRECTION INSTITUTION NEEDS

##### A. New York City Department of Correction

The survey team interviewed officials of the New York City Department of Correction and the New York City Reception Center for men at Rikers Island to determine Correction information needs at their major decision points in the processing of inmates. The City Correction Department was interested in the possibility of systematically including parole and probation information in the NYSIIS reporting system.

There are five major decision points in the correction process as determined by the survey project team. These are: detention, post-sentence (commitment), transfer, release and follow-up. Table 2-5A lists these decision points with the corresponding operations, systems assistance and type response. The following is a summary of this data:

1. DETENTION: Currently, the New York City Department of Correction receives criminal history information from the New York City Police Department at the time of detention. This history generally includes city-wide fingerprintable arrest and available dispositions and usually excludes non-fingerprintable and non-city arrest and disposition information. To completely meet their information

needs at detention, Correction officials request that NYSIIS provide a chronological synopsis of an individual's prior criminal record. Minimally, this record should include the following data elements:

Name	Arresting Agency(s)
NYSIIS Number	Sentence(s)
Charge(s)	Mental Hygiene Admission(s)
Crime Date(s)	Narcotics Status
Disposition(s)	

Also, if attainable, the reason for the mental institution admission would be valuable to assist in reducing the possibilities of injuries to and suicides among inmates. As to priorities, criminal history background information on individuals arrested for lesser offenses (non-fingerprintable) is considered highly important in that the individual is more likely to be released before the background information is available. Ideally, this information should accompany the individual to the detention facility.

2. POST-SENTENCE: Correction requires the inmate's entire NYSIIS criminal history record at this decision point to assist in the classification process. Here, as in detention, the Correction officials classify the need for background information concerning individuals convicted of lesser offenses as one of their more prominent needs. This is due primarily to the daily receipt rate at the classification center, (170/day),

with the result that the Department may only allow three days for classification processing prior to transfer of these inmates to one of the permanent incarceration facilities spread throughout the city and state. In addition since most of these inmates have been convicted of non-fingerprintable crimes, NYSIIS has not been informed of the arrest and consequently has not previously been able to release a criminal history to the institution. This lack of information, however, will be greatly reduced beginning September 1, 1971, due to the expanded category of fingerprintable crimes in New York State (CPL 160.10) and to the increased number of occasions where a pre-sentence report will be required (CPL 390.10; 390.20).

- 3. TRANSFER: The transfer and subsequent location of inmates within the institution is viewed as a serious problem to Correction officials. The concern has become so great that the Department is presently considering automation of its inmate record keeping system. Compounding the problem of transfer within the institutions of the City Correctional system is a recent agreement between City and State Correction officials to permit the City to transfer portions of its longterm inmate population to State Correctional institutions to ease the overcrowding conditions of City institutions.
- 4. RELEASE: Correction needs a more comprehensive interchange of data in this area. For example, on occasion

the courts will call for someone who is no longer in the custody of the Department. Significantly, Correction does not notify or provide exit data (discharge, escape, death) to NYSIIS. However, the general feeling was that Correction could provide the following data, if requested:

Name	Place of Detention
NYSIIS Number	Sentence
Charge	Release Date
Arrest Date	Type of Release

5. FOLLOW-UP: The Correction officials interviewed expressed interest in the potential of NYSIIS for providing statistical information which would be of use to them in program evaluation. A variety of possible report types were discussed, (see Table 2-5A - Follow-Up Data), and both NYSIIS and the Correction officials agreed to investigate further the possibilities of utilizing central agency data in facilitating this evaluation.

B. New York State Department of Correction

The needs and requirements of the State Department of Correction are, with the exception of detention, significantly similar to the needs of the City Department. Response times are not as critical as the City Department due to the longer sentence length and more stable inmate population. Table 2-5B lists these decision points with the corresponding operations, systems assistance and type response.

PAROLE NEEDS

Due to the centralized structure of the New York State Parole function, the survey team concentrated its efforts on a series of interviews with the Central Offices of the Division of Parole. The result of the interviews was an agreement, as in probation, to investigate the parole function via its major decision point responsibilities.

There are seven major decision-making points in the parole process, as determined by the participants. These are hearing, release to parole, transfer, general supervision, violation, discharge and follow-up. Table 2-6 lists these decision points with the corresponding operations, required system assistance and NYSIIS response. The following is a detailed summary of this data for the Division of Parole:

1. HEARING: A report is prepared at this point by the Institution Parole Officer at the reception center showing the social, marital, military, educational, etc. background of the potential parolee. In general, the preparation of this report amounts to updating the pre-sentence Probation Report. If additional information is needed it is acquired via the local area parole office. As far as can be determined, a central parole/probation reporting system, will not usually be called upon to aid Parole at this decision point.

2. **RELEASE TO PAROLE:** Parole is given advance notice when an inmate will be released and to which Area Parole Office he will be assigned. The information required at this point is contained in the Parole case folder received from the institution. If any information is missing a request for it is made through the Department of Correction. System assistance is not needed at this decision point.
3. **TRANSFER:** Transfers are handled by the transferring and receiving agencies. Copies of transfer reports are forwarded to central parole headquarters by both agencies. System assistance at this point is dependent upon the type of transfer (in or out of state).
4. **GENERAL SUPERVISION:** There are three categories for supervision: intensive, active and reduced. Under intensive supervision, the parolee must report from 2-4 times a month, for active it is once a month, and under reduced it is 4 times a year. Supervision information is required at this decision point to show social rehabilitation of the parolee. This type of information is presently collected by the Division of Parole's Research Unit.
5. **VIOLATION:** There are three categories of violations that parole is concerned with: criminal, technical and absconding. At this decision point, parole wants

- to be notified on all arrests if the person is currently on parole. This is one of the areas where a central parole/probation reporting system can be of assistance. It is standard practice for Parole to notify NYSIIS of all parole violators so that the NYSIIS files can be updated. When a warrant is issued, the Area Parole Office notifies the Central Parole Office. The Central Parole Office then notifies NYSIIS, who posts this information to its WANTED FILE and N.C.I.C. Once entered into the NYSIIS files, NYSIIS will be prepared to notify Parole as soon as an activity is recorded on the parolee.
6. **DISCHARGE:** At this decision point a parolee is discharged when his maximum time is up. According to parole authorities, there is no system assistance needed at this decision point.
  7. **FOLLOW-UP:** At present, follow-up information is available to Parole through statistical studies undertaken and published by the Research Unit of the Division of Parole. The basic system for parole does not, due to the sophistication of the Parole Departments Research function, suggest any system assistance at this stage, other than normal criminal history reporting.

In summary, a central parole/probation reporting system can aid parole by reporting all persons arrested who are currently under parole supervision. Parole, can assist in the formulation of a true and complete criminal justice reporting system, by supplying NYSIIS with a greater range of information (perhaps via the Department of Correctional Services) in a more timely fashion.

VOLUME LOADS AND RESPONSE TIME REQUIREMENTS

Table 2-7 summarizes the case load volumes and required response time of the various types of agencies interviewed by the parole/probation project team. This data is given for each agency's key decision points.

a  
of  
th  
el  
PA  
pr  
Ne  
be  
th  
or  
On  
Se  
Ja  
of  
wi  
De  
wh  
iz  
ch  
po  
re

SECTION III  
BACKGROUND AND MAJOR FUNCTIONS  
OF NEW YORK STATE  
PAROLE AND PROBATION

This section of the report will concern itself with both a review of the functions of parole and probation as segments of the criminal justice system and an examination of each of these functions via an analysis of the major and supportive elements of each function.

PAROLE

Parole may be defined as the conditional release of a prisoner serving an indeterminate or unexpired sentence. In New York State, the application of this process has, by law, been vested in a Board of Parole in the Division of Parole of the State's Executive Department (Correction Law 210). This organizational structure, however, has recently been modified. On May 8, 1970, the Governor signed into law New York State Senate bill number 9086-A which, when it goes into effect on January 1, 1971, will remove both the State Board and Division of Parole from the Executive Department and consolidate it with the New York State Department of Correction into a single Department of Correctional Services.

This legislation is the latest in a series of revisions which relate to modifications of the operational and organizational characteristics of those New York State agencies charged with the rehabilitation and supervision of pre and post adjudicated offenders. It is not the intention of this report to present a detailed study of all these prior revisions.

However, this report will discuss one other recent innovation which, due to its wide ranging impact, does significantly affect the overall responsibilities of the parole function in New York State.

Effective September 1, 1967, by legislative enactment, the New York State Division of Parole assumed the state-wide responsibility of providing parole services to all individuals sentenced to a term of imprisonment in any institution in the State of New York. Prior to this date there had been two independent parole authorities in the State, the New York City Parole Commission responsible for the parole of all individuals incarcerated in institutions under the control of the New York City Department of Correction and the New York State Board of Parole whose responsibility covered all inmates incarcerated in State penal institutions.

In brief, this legislation provided for the absorption, by the State Division of Parole, of the personnel of the New York City Parole Commission and all parolees supervised by this Commission. In conjunction with this assumption of state-wide parole responsibility, the State Division of Parole was also vested with the responsibility for implementing and operating a newly conceived program for providing full parole services to those inmates designated as lesser criminal offenders (i.e. serving sentences of one year or less). This program, the Conditional Release Program, also became effective on 1 September 1967 and with it New York initiated a system of institution release (parole) for those individuals receiving a definite

se  
Un  
re  
of  
co  
si  
se  
  
re  
th  
st  
An  
su

ye  
in  
me  
op

sentence of imprisonment of between ninety days and one year. Under the provisions of this program, inmates are eligible for release after they have served sixty days (including jail time) of that term. Effective April 1, 1971, the requirements for consideration will be modified to pertain to sentences of between sixty days and one year, and eligibility after thirty days service (no jail time).

Release, in either case, interrupts the sentence and the remainder is held in abeyance. Should the individual violate the conditions of his release he may be returned to the institution to serve the remainder of his original sentence. Any individual accepting conditional release is subject to supervision as follows:

1. If at release the unserved portion of the term is not in excess of 120 days, after allowing for jail time and good behavior time, the inmate must accept supervision for a one year period.
2. If the unserved portion is in excess of 120 days the supervision period will be two years.

The results of the agency consolidation process, while not as yet completely known, will provide a high yield of positive benefits in the area of parole practice and operation. One of the most immediate gains is the emergence of a unified state-wide parole operation, supervised by a single Board of Parole. Addition-

ally, the consolidation permits state-wide standards and procedures to be implemented and applied to all inmates who qualify regardless of the type penal institution.

Perhaps the single most notable benefit, from an information reporting system viewpoint, is the formation of a central records section which contains the parole files of all New York State parolees and parolees supervised by New York State for other states. This centralized filing system substantially assists both the "record keeping" process of the Division and the Interagency Reporting system recently initiated between the Division of Parole and NYSIIS.

#### MAJOR PAROLE FUNCTIONS

The parole process may be considered as consisting of the three major functional areas of investigation, supervision and research. Each of these functions while seemingly performed in an independent mode is nevertheless closely entwined with each of the other functions and additionally with the entire criminal justice process.

##### A. Investigation

The parole investigation function is a continuing process which commences upon the receipt of a sentenced individual at a classification center, continues throughout his incarceration and release period and in most cases terminates upon release from legal custody. (In some cases the investigative process may continue into the research function). The primary purpose of the investigative function is to provide information concerning the background of the sentenced

offender which will assist correction and parole authorities in the planning and implementation of institutional and supervisory programs which offer the best prospects for rehabilitation. This investigative function may be subdivided into three types of supporting functions, namely the classification investigation, the parole investigation and general investigations.

##### 1. Classification Investigation

As soon as possible following the receipt of a sentenced offender at a correctional classification center, the institutional parole office begins the classification process. This entails a thorough review of the pre-sentence report performed by a probation agency; an interview with the prisoner and if necessary requests for further background investigative assistance through a parole office. The objectives of the classification investigation are basically two-fold.

- to initiate the professional casework relationship between inmate and officer; a relationship which will eventually continue between parolee and officer and;
- to gather, analyze and evaluate all available background information on the inmate to help determine the institution and program assignment which seems to offer the inmate the best opportunity for rehabilitation.

In order to accomplish a successful classification investigation, the institutional parole officer must have the facilities to acquire timely and pertinent data on the inmate. While this acquisition process has required



considerable effort in the past, it has been of lesser concern recently due to the increase in the number of pre-sentence probation reports transmitted to the classification center. This increased transmission and use of pre-sentence probation reports has, in addition to providing significant assistance in the data acquisition process, also assisted parole in its establishment of positive casework relationships by allowing more time for inmate-officer interviews and discussions.

CENTRAL AGENCY SYSTEM ASSISTANCE

Since one of the most vital ingredients in a successful classification investigation is a comprehensive pre-sentence probation report, NYSIIS contends that by supplying detailed background information to probation authorities, it can most expeditiously assist Parole in achieving its classification objectives. This process of supplying information to probation authorities will be covered at length in the probation portion of the report. However, it must be emphasized that if a parole officer requires assistance from NYSIIS during the classification process, the assistance should be readily available.

2. Parole Investigation

This investigation is basically similar to the classification investigation discussed above and is prepared by the institutional parole officer for use by the Parole Board in examining inmates for release consideration. Although similar to the classification investigation, it differs to the following degrees:

-It contains information relating to the inmate's conduct while in custody, the degree to which the inmate did or did not apply himself to the rehabilitation process, and his record of educational and/or vocational progress, etc.

CEN

at  
to  
or  
How  
par

3.

-It chronicles the attitude of the inmate as it was revealed through the supplementary meetings between himself and the parole officer during the incarceration period. These periodic supplementary sessions permit the parole officer to assess the inmate's performance to date, and give the inmate the opportunity to comment on his progress and his attitude towards his potential for success upon release. This report also indicates the type employment, if any, the inmate tends to pursue upon release.

CENTRAL AGENCY ASSISTANCE

There does not seem to be any need for agency assistance at this point, since NYSIIS will have already replied either to the probation department in its pre-sentence investigation or to the parole officer in his classification investigation. However, as in the classification process, NYSIIS will be prepared, if called upon, to render history assistance at this point.

3. General Investigations

In 1969, parole officers in New York State were called upon to perform in excess of 14,000 investigations. Of this total close to 6,000 investigations were performed in areas, which for the purposes of this report, will be classified as general investigations. These are classified here as: residence-employment, good conduct, executive clemency and cooperative investigations.

a. Residence-Employment Investigations

This type of investigation is performed in order to evaluate the proposed residence and employment plans

i-

st

g

rees

le



of an inmate. The residence portion of this investigation requires that the investigating officer gather information relating to both the type of residence and the individuals residing at the location. In those cases where the prospective residence is other than the inmates familial residence, the investigation may need to determine the presence of prior criminal associates or co-defendants. (This need is also recognized but to a lesser extent, if the prospective residence is in the inmates familial residence.) In complying with the requirements of the employment portion of this investigation, the officer will request assistance in securing similar information on the potential employer and/or other employees.

#### CENTRAL AGENCY ASSISTANCE

A central agency could offer assistance to the investigating officer by supplying him, upon request, with information which will aid him in his attempts to divert the parolee from relationships (prior associates or individuals with prior criminal experience) or places which may hinder his opportunities for a successful parole period.

#### b. Good Conduct Investigation

The purpose of this investigation is to provide, within the limits prescribed by law, for the restoration of some or all of the civil rights or privileges lost by certain convicted offenders. This investigation is performed by the Division of Parole for not only those individuals who were under parole supervision but addition-

ally, upon the request of those who received conditional release (suspended) sentences, fines, or maximum expiration institution releases.

The criteria for eligibility are varied and in general consist of the following:

- Applicant must have five years of acceptable conduct from the date of conditional release sentence, date of payment of fine or date of final institution release.
- Applicant, regardless of time lapse from date of parole, may not be considered if currently in a parole supervision status.
- Applicant, if parole violator, may not be considered until five years have lapsed from the date of reparole.
- Applicant, if cause was out-of-state conviction, must be an inhabitant of New York State for at least five consecutive years prior to application.

The investigation is performed by an area office investigator and his report is submitted to the Chairman of the Board of Parole for consideration. The application is reviewed and acted upon by three members of the Board and unanimous approval is required for granting the relief certificate.

The type of investigation performed will depend on whether or not the individual under consideration has ever been under parole supervision. The investigation performed on individuals with no prior parole supervision experience follows closely the requirement of the previously discussed Classification report. In those cases where the applicant has prior parole supervision experience and a classification investigation has been performed, this current investigation will supplement it by gathering information on the period since his discharge from parole supervision.

CENTRAL AGENCY ASSISTANCE

In rendering assistance to the parole investigator performing the Good Conduct investigation, NYSIIS could provide two distinct types of responses. In those instances, where there has been no prior supervision experience, NYSIIS would respond with a comprehensive summary case history on the individual, as in the classification process. In those cases where there is a prior classification report available, parole would indicate this fact and NYSIIS would reply with a chronological recapitulation of the applicant's criminal activities, if any, from the date of his release from supervision.

c. Executive Clemency Investigation

The Constitution of the State of New York empowers the Governor to grant reprieves; commute sentences and issue pardons following conviction for all but a small number of specific offenses. Applications for Executive Clemency are presented to the Office of the Governor, who at his discretion, forwards the request to the Board of Parole for investigation. The procedure followed in investigating Executive Clemency requests is very similar to the procedure utilized in the Good Conduct Investigation and the investigative scope of the report follows the Classification investigation format.

CENTRAL AGENCY ASSISTANCE

The type assistance rendered at this point would, due to the similarities between this investigation and the Good Conduct investigation be similar to that indicated in the Good Conduct portion of this section.

d. Cooperative Investigations

The basis for this type investigation is found in the application of the Interstate Parole Compact, to which all fifty states are signatories. A cooperative investigation is required in two instances.

- When an offender from an out-of-state correctional institution, eligible for parole, indicates that he would prefer supervision in New York State.
- When an individual with a New York State criminal record is confined in another state, that state may request an investigation so as to better understand and evaluate the individual.

In either of the above instances, the investigation will generally conform to the needs and requirements of the classification investigation.

CENTRAL AGENCY ASSISTANCE

In investigating the requests for out-of-state parolees to reside in New York State, the parole officer will initiate his investigation by requesting a New York State criminal record if any and by investigating the potential residence and employment possibilities of the individual. In satisfying the request of the other states for prior New York State history, NYSIIS would respond, via the State Division of Parole, with a comprehensive summary case history or no-record response.

Implications of Investigative Assistance

The benefits which would accrue to the parole function and the investigative process due to the assistance described thus far would seem to be significant in a number of ways. In the first instance the assistance is recognized as satisfying much of the background informational needs of the investigation. In addition, the information is standardized and would present a uniformity of response not otherwise easily attainable if solicited from divergent sources. And finally by providing for the identification of other potential information sources, the response will considerably reduce the amount of time the officer must expend locating these sources thereby permitting more of his time to be allocated to the critical parolee-officer counseling and supervisory function.

B. Supervision

The parole supervision function is primarily concerned with offering guidance, assistance and counsel to the parolee. This supervisory period commences at the moment the parolee arrives for his initial interview with his supervising parole officer and officially continues until he satisfactorily completes his parole period or is returned to an institution as a parole violator. Unofficially, parole officers often find themselves rendering assistance to prior parolees far beyond the culmination of the parole period.

In the performance of the daily supervisory process, the parole officer must possess the data necessary to monitor and guide the parolee's progress. Much of the investigative work has already been performed, however, it should be emphasized that the supervisory officer may, for any number of reasons, require immediate additional information on a wide range of matters. While most of these additional informational needs are not easily predictable or categorized, there do exist areas such as the identification of new potentially dangerous associations and the identification of newly arrested individuals as parolees where the supervising officer requires information as a matter of routine and a central information agency could offer significant assistance. The manner in which the information relating to associates would be transmitted to the operating agency is similar to the transmission method which will be discussed in the Probation portion of this section.

In the area of identification of possible parole violators, the central agency would examine all incoming arrest records received from any area in the state, and by scanning an active parole file, quickly identify the arrestee as a parolee and notify both the central office of parole and the arresting authorities as to the arrest and status of the individual. This is current procedure between NYSIIS and the State Division of Parole. Without this procedure, the Division of Parole would have to resort to its previous method of determining whether or not a parolee had been arrested: assign a parole officer to a daily review of arrest listings at police or sheriff's agencies. This review consumed a considerable number of parole-officer man-hours, and affected the total supervisory process by keeping otherwise qualified officers involved in non-supervisory functions. While this process has as yet not been discarded, the foundation for its removal has been laid in the newly implemented reporting system. As this system expands in use and sophistication, it can be assumed that the manual daily review requirements will correspondingly decrease and eventually become unnecessary.

#### Implications of Supervisory Assistance

By providing timely and routine assistance to the parole supervisor, a central agency can also benefit parole in two indirect but essential ways, namely, increased utilization of qualified parole officers in the supervisory process and increased value of the supervisory period to the parolee by permitting a close parolee-officer involvement.

#### C. Research

The utilization of sound research techniques in the analysis and evaluation of programs has long been recognized by Parole as a prime requisite for the efficient application of the parole process. In 1957 the Division of Parole initiated a Bureau of Research and charged it with the responsibility for conducting research projects and operational analyses of various parole activities and operations. This Bureau has undertaken a number of research projects which have contributed to a better understanding of the motivations and personality characteristics of offenders. The studies performed by this unit reflect more than the usual basic "head-count" type of research. Instead, many of these research and statistical studies are analytically oriented and reflect the ways in which the relationships of basic social, economic, educational advantages, or lack thereof, contribute toward the increase of criminality in society today. It is through research studies such as these that the criminal justice system will be able to evaluate more realistically the effects of its policies and practices on the offender as he passes through the system.

For example, once documented and formulated, basic relationship research could be expanded to demonstrate the results of various sentences on certain types of offenders (i.e. where probation is ultimately more valuable to society in regard to certain offender types than a period of confinement); or the effects of varying degrees of counseling aids (intensive-moderate-none) on similar and diverse groups of parolees. It is anticipated that these types of studies would provide the groundwork for the eventual reduction of the unknown factors contributing to initial and persistent criminal behavior.

#### CENTRAL AGENCY ASSISTANCE

A central agency can contribute to this type of research in a variety of ways. First, since it is a central repository for the basic system data, it is in a unique position to supply this data for advanced research studies. It can also assist a research function by removing the necessity for duplicate data collection, hence permitting it to spend more time on the research-development phases of a project. Another way it may offer assistance is by producing the research studies once they have been fully developed thereby permitting additional research projects to be undertaken. Lastly, through the knowledge and operational experience gained, it would seem feasible for a central agency to produce composite agency statistical reports which would reflect the total offender treatment process.

#### PROBATION

Probation is defined as "the action of suspending the sentence of a convicted offender and giving him freedom during good behavior under the supervision of a probation officer". <sup>1</sup> This definition, however, renders little understanding of the complete probation process. Indeed the definition delineates but one of the three basic elements of the probation function which are investigation, supervision and research.

The responsibility of probation has grown from its initial concept as a function which supervised the conduct of a convicted offender whose sentence had been suspended to one which generally becomes involved in all investigative matters pending before the court it serves. The original probation emphasis was upon pre-sentence investigation and field supervision of crime and delinquency but as courts became increasingly involved in social services (i.e. family court, juvenile proceeding, adoptions) and the corresponding information needs, these investigations became the concern of the court's probation agency. Coupled with this increase in 'non-criminal' investigative areas was an increase in the need for probation to perform additional 'criminal' investigative operations in the pre-adjudicatory phase of proceedings (bail - ROR, etc.) These factors (combined

---

<sup>1</sup> Websters Seventh New Collegiate Dictionary

with a relatively rapid increase in the crime and arrest rate have contributed greatly to the formidable workload found in most New York State probation agencies.

In order to fulfill these diverse needs and requirements, there exists sixty-nine distinct and relatively autonomous probation departments in the State of New York. These departments are by and large structured at the county level, and depending on the size of the department may service either or both the family and criminal court functions. In certain counties, one probation department provides all the services for all the courts of the county (civil as well as criminal). Other counties distinguish probation responsibility between criminal court services and family court services. In the state's largest city, there exists four distinct probation departments -- one servicing all family courts and courts of inferior jurisdiction and three others servicing the needs of the city's five Supreme courts. This multiplicity of probation responsibility and obligation is also found, via specialized type service, within each probation department division. The combination of all these factors makes difficult any single universal definition of the probation function. These operations run the broad length and breadth of judicial responsibility and encompass operations ranging from the performance of bail and pre-sentence investigations to family court investigation and from supervising convicted felons to supervising wayward minors.

Probation in New York State was formally recognized in 1901, when the first probation law relating to persons over the age of 16, was passed. In 1905 a Probation Commission was appointed to study probation in the State and as a result of the findings of this commission, the State Probation Commission was established in 1907. In 1927 as a result of the findings of the Wickersham Commission, New York State established a Division of Probation in the State Department of Correction. This organization of the Division of Probation remained in effect until May 8, 1970 when the Governor signed into law Senate bill number 9097 which removed the Division from the Department of Correction and established it as a Division of the State Executive Department effective January 1, 1971. Since its inception in 1907 the Division of Probation has grown from an agency which supervised 1,672 offenders using 35 probation officers to an agency which in 1968 supervised 63,693 offenders under the direction of 1774 probation officers.

The New York State Division of Probation is charged with the responsibility of supplying general supervision over the administration of probation throughout the state. The Division is empowered to collect statistical and other information and is charged with the duty to secure the effective application of the probation system and the enforcement of the probation laws.



These mandates, as set forth in the Correction Laws of the State of New York, clearly outline the major functions and responsibilities of the Division of Probation. However, the enforcement of these provisions in relation to local probation operations poses problems to the Division. Many local probation administrators are responsible to four distinct sources of supervision and are vague as to what phase or phases of their operations are controlled by each supervisory phase. The four sources are the county government, the New York State Judicial Conference, the State Division of Probation and the particular justice of the court being served. It is this diversity and multiplicity of operation which contributes to the most recent evaluation by the New York State Division of Probation of the operations of Probation in New York State. This evaluation is based on the findings of the Governor's Special Committee on Criminal Offenders and observes that "as a result of the diversity and multiplicity of these semi-autonomous units, probation services could not be evaluated as good, bad or indifferent. Members of the Committee also could not evaluate whether probation supervision in case work, as presently administered, is helping offenders". /1

#### MAJOR PROBATION FUNCTION

As mentioned previously, probation consists of the three major operational areas of investigation, supervision and research. This section of the report will, as in the parole section, examine each of these major areas and the ways in which

---

/1 Annual Report for 1968 - NYS Division of Probation

a central reporting system may assist them.

#### INVESTIGATIVE

If any function of probation may be considered as the cornerstone of that process, or perhaps the criminal justice system, it would seem to be this investigative function. The importance of performing a proper investigation cannot be over-emphasized due to the heavy impact the investigation results will have on the subsequent phases of the offender's system involvement. There are several types of probation investigation, but all are performed in the context of satisfying two basic criteria:

- acquiring all available and pertinent information concerning the individual in order to provide the ingredients necessary for proper evaluation of prior socio-criminal experience and to facilitate the prudent application of various alternatives (e.g. bail, ROR, sentence of probation, etc.)
- providing the basis for planning institutional or supervisory programs which seem to offer the maximum benefits to the offender and the community upon the offenders exit of the system.

### Types of Investigations

In discussing the various types of investigations performed, this report will limit the discussion to those concerned with the criminal process.

#### BAIL - RECOGNIZANCE (ROR) INVESTIGATIONS

The investigation is performed in order to provide the court with information and thus, relative to the offender's prior history, facilitate the prudent application of the judicial options available at this stage of the proceedings. These investigations must be performed expeditiously without sacrificing any information or accuracy requirements. The present procedure requires that a probation officer interview the offender to acquire data relating to prior criminal activity and present criminal status, employment and educational experience, residence information, etc. The officer then attempts to validate, mainly through telephone calls, as much of the information as possible. Based on the results of the interview and the validation procedure the officer recommends to the presiding judicial officer the procedure deemed appropriate (i.e. bail or recognizance release or detention). The performance of this investigation, however, is restricted in varying degrees, due primarily to the severe time limitation often imposed on the investigator. Secondly, much of the required information is scattered throughout the files and records of various criminal and social agencies. Many times a probation officer will have no awareness of prior criminal activity

outside his given area and unless this information is offered by the offender, it will not be included in the probation report.

#### CENTRAL AGENCY ASSISTANCE

In order to facilitate this investigation, NYSIIS would be prepared to transmit to the investigating officer an abbreviated summary case history indicating all known prior in-and out-of-state judicial information. In addition, this response would include, if available, previous employment experience and residence information. By providing this type of data in an expeditious manner, NYSIIS will significantly reduce the time presently required to locate and retrieve pertinent data, thereby permitting the officer to expend more time, if necessary, in the data verification process. An additional benefit of this central agency involvement is that the timely acquisition of accurate data would release more of the officer's time for use at the supervisory level.

#### Pre-Plea Investigations

In performing this type of investigation the probation officer requires essentially the same kinds of information as in the bail-ROR investigation. The investigation is basically performed to satisfy one or both of the needs below:

- to provide information necessary in the post-indictment period in regard to the advisability of bail or recognizance release;



-to provide information to assist the court in its determination of whether or not to accept a plea to a lesser offense.

#### CENTRAL AGENCY ASSISTANCE

In offering assistance here, a central agency should be prepared to render the same type of response as that described in the proceeding bail-ROR discussion. One significant advantage at this point in comparison to bail investigation is a larger time frame for responses.

The advantages of central agency assistance here are substantially the same as the advantages indicated under the bail description; namely, a wider scope of data, reduction of required investigation time and increased availability of supervisory time.

#### Pre-Sentence Investigations

This investigation is performed, in order to provide the court with detailed information concerning the defendants prior record and the current offense. It is a report upon which the court relies heavily in passing sentence. In basic format the report is similar, insofar as acquisition and correlation of data are concerned, to the two previously discussed types of investigations. However, the preparation and presentation of this report dictates that the investigating officer expend a considerable amount of additional time in developing the background of the offender via a detailed ex-

planation of the prior and current social climate of the individual and an analysis of the ways, if any, these conditions have precipitated the present situation.

In gathering this type of information the probation officer has a number of resources upon which he will call to complete this investigation. He may have the prior probation reports on the individual, and he should have all the support documents which permitted the compilation of these reports. In addition, the officer will expend considerable time and effort visiting the family and area of residence of the defendant, visiting relatives, clergymen and social and business associates, finally he will interview individuals who have known the defendant in the educational and employment areas. All of these visits and others deemed relevant, will assist the officer in portraying a true and complete background report of the offender.

#### CENTRAL AGENCY ASSISTANCE

A central agency reporting system would render significant assistance to the investigator by supplying him with a complete background history of the individual. The history released at this point in the system would differ from those released at the two previous system points in that it will supply information such as the location, type and availability of previously performed probation investigations. This criminal history entry will greatly facilitate the investigation, by providing the officer with an awareness of the existence of prior probation investigative data and thereby, where practical, reduce the time expended in what often amounts to repetitive

investigations. This reduction in investigative time will also render significant benefits to the supervision function.

#### TRANSFER INVESTIGATIONS

The administration of the probation function provides, when just cause exists, the means whereby probationers may apply for inter- or intra-state relocation. This procedure usually entails the completion of a transfer investigation by the receiving agency before it will accept responsibility for the probationer.

#### Intra-State Transfer

Upon application, the probationer is required to give evidence that the change in location will enhance his potential for probation success. The officer will then evaluate the merits of a transfer, and if he concludes that the transfer would be beneficial to both the community and the probationer, he will forward an official request to the prospective supervising agency for permission to effect this change. At this point, the prospective office will perform a transfer investigation, using as its focal point the original pre-sentence report and the supervision reports compiled on the probationer up to this point. In most cases this information is sufficient for the investigation. Occasionally, however, the prospective agency may request that an up-to-date background history be provided, prior to its acceptance of the individual. When the change in supervision is effected, the receiving agency would notify the

central agency, so that in the event of future fingerprintable activities by the individual, the central agency will be able to quickly notify the proper supervisory agency.

#### Inter-State Transfers

Investigations to effect this type transfer concern the New York State probation function only when the individual requests a transfer into New York State. However, they concern NYSIIS whenever individuals request permission to transfer supervision either into or out of the state as the central agency may be called upon for information on transferees in either direction.

When an individual requests permission to transfer his supervision from New York State to another state the procedure followed (examination for just cause, forwarding pre-sentence reports, etc.) is essentially the same as described in the preceding Intra-State procedure. In addition, the central agency should be prepared, as above, to furnish the prospective out-of-state supervisory agency with an up-to-date background report if the new agency deems it necessary. At present, these requests for further information would be channeled through the original New York State probation agency to the central agency and the responses would be returned in a similar fashion. If the transfer is approved, it would be the responsibility of the original New York State probation agency to notify the central agency of the new location and agency identification number of the individual.

In those cases wherein individuals request permission to transfer supervision into New York State, the prospective New York State agency will request that a complete background investigation be performed. This investigation will be assisted by the central agency by providing any prior history it has on the individual. As in the previous instances, the new agency of supervision should be duly registered in the central system to facilitate, should the need arise, the central agency notifying the proper supervisory agency in cases of alleged violations of probation.

#### Other Uses of the Probation Investigation

The examination of the investigative probation function has thus far indicated its use by the courts (in bail-sentence proceedings) and by subsequent probation responsibilities (supervision, other probation reports). However, the utilization of the results of these investigations extends far beyond the aforementioned and affects the eventual operations of the correction function and the parole function. In the correction area the results and evaluations contained in the pre-sentence report will provide the basis necessary for proper classification of the offender at the reception center and should provide assistance in the appropriate placement of the offender in the type of correctional program which offers him the best opportunity for advance.

The probation reports also play an important role in the entire parole function. Initial parole contact with the probation report is in the classification process where as previously discussed, it is used as a basis for the assignment of the offender to a type of training. Based on the conclusions and recommendations contained in the report parole prepares a supervision program for the individual.

#### SUPERVISION

The purpose of supervision in the probation system is to provide, for those deemed qualified by the court, the opportunities within a community environment which will offer the offender the maximum rehabilitative potential. In the performance of his duties, the supervising probation officer is dependant on a number of various factors. The success or failure of the supervisory function depends a great deal on the recommendations set forth in the prior investigative process, for it is here, as previously discussed, that the probationer's background, motivations and aspirations were first uncovered and evaluated, and based on these findings a supervisory program was suggested. The function also depends on the attitude of the probationer: his capacity and his willingness to conform to regulatory procedures and the degree to which he applies himself to the self-improvement process. Another factor in the supervision period is the attitude of the community, especially the attitude of those with whom the probationer is most

likely to associate. And finally, the success or failure of the supervisory function depends, to a large extent, upon the amount of time a probation officer has available to provide guidance and counsel for the probationer.

Embodied among supervisory duties is the necessity for a constant awareness, on the part of the probation officer, of the current status of the probationer. This awareness is maintained not only through interviews with the probationer, but also by visits to his family, his employer and associates. Keeping track of associates, particularly new ones, is seen in conjunction with the need for timely notification of new arrest data as the two most immediate supervisory information needs.

#### CENTRAL AGENCY ASSISTANCE

The central agency can assist in satisfying these needs by forwarding upon request any background information in the file on newly acquired associates, and could supply the rapid notification required in the identification of new arrestees as probationers. Such a response could immediately be transmitted to the probation office listed as the supervising office and to the arrest agency currently holding the individual. While this notification is deemed necessary for all arrests, it becomes a matter of particular concern when the arrest is based on a relatively minor infraction of law and the entire system process (arrest-arraignment-trial-sentence of probation

or fine) may be completed before any agency becomes aware of the individual's current status. Since the investigative process continues throughout the probation period, the officer must allocate portions of his available supervisory time to the investigative process. Here, as before, the central agency can assist by rendering informational services thereby permitting for more time to be expended in a purely supervisory environment.

#### RESEARCH

The utilization of sound research techniques has long been recognized as necessary if effective probation procedures are to be realized. However, research techniques in the probation function have not been developed to any large degree on a state-wide basis. The underlying causes for this lack of development seem to be the result of:

- the autonomy of the various probation agencies;
- the diverse levels and types of supervisory control;
- the number of agencies composing the probation function;
- the demand for operational services (investigation-supervision) of probation which precludes the assignment of research related studies.

While these factors hinder, in varying degrees, the refinement of data evaluation and research techniques on the state level, the survey team did find some research efforts relating to individual agency operations in some of the agencies surveyed.

For example, on one of its visits the team had occasion to meet with and discuss the operations of an agency's Division of Research. This Division is actively engaged in on-going research projects on a county basis, and has initiated, among others, a study relating to the evaluation of probation and its effect on recidivism. <sup>1</sup> It is anticipated that the study when completed will provide the agency with the information it requires to evaluate its present and planned probation programs and the relationships these programs have to the rate of recidivism. In the carrying out of this study, the research team anticipates the assistance of NYSIIS in the gathering of research data concerning a sample number of individuals who have been under the jurisdiction of this agency. In recent years this agency has also published the results of studies relating to the effects of its Parole and Recognizance program and an analysis of all individuals arrested on drug related crimes. <sup>2</sup>

The New York City Office of Probation has undertaken a number of studies relating to evaluation of its operation. Many of these studies have been in conjunction with the VERA Institute of Justice and one of the most recent analyses published was a comprehensive examination of and recommendations for the increased use of the Release on own Recognizance

---

<sup>1</sup> "AN EVALUATIVE RESEARCH STUDY OF PROBATION IN NASSAU COUNTY AND ITS EFFECT ON RECIDIVISM" NASSAU COUNTY PROBATION DEPARTMENT-DIVISION OF RESEARCH.

<sup>2</sup> NASSAU COUNTY PROBATION DEPARTMENT ANNUAL REPORT 1967.

program in the criminal courts. <sup>1</sup>

There are undoubtedly other research projects underway throughout the state, and the impression perceived by the survey team indicated the growing awareness on the part of the surveyed agencies of the benefits which would accrue to those agencies which vigorously pursued this research and evaluative method. In addition, the assurance that NYSIIS would be prepared to offer systems assistance in the pursuit of their research goals is recognized by these agencies as a valuable assist in the formulation of such programs.

NYSIIS is likewise prepared to offer assistance to the New York State Division of Probation in the undertaking of research programs designed to measure and evaluate the results of probation on the state level. While the nature of assistance has not as yet been fully defined, NYSIIS anticipates pursuing the potential for such programs with the Division of Probation once its organizational change is effected on January 1, 1971. The type of assistance which NYSIIS would provide would be designated at both the state and county levels and would closely parallel the type of assistance previously discussed in the parole portion of this section.

---

<sup>1</sup> The PROBLEM OF OVERCROWDING IN THE DETENTION INSTITUTIONS OF NEW YORK CITY-AN ANALYSIS OF CAUSES AND RECOMMENDATIONS FOR ALLEVIATION - ANDREW SCHAFER VERA INSTITUTE OF JUSTICE January 1969

SECTION IV  
THE NYSIIS RESPONSE:  
TYPE - DISTRIBUTION  
AND  
PRIORITIES

The preceding section of this report has detailed the operational needs of parole and probation in New York State and outlined the methods whereby NYSIIS may render functional assistance. This section of the report will concern itself with a recapitulation of the present reporting system and a discussion of the types and distribution of responses that will satisfy these basic needs. The conclusions in this report in regard to type and distribution of agency assistance are based on two underlying factors:

- the stated needs and requirements for parole and probation information exhibited by all surveyed agencies.
- the increased responsibility placed on the operational agencies of the system and NYSIIS, by the recently enacted New York State Criminal Procedure Law (CPL).

PRESENT NYSIIS INFORMATION REPORTING SYSTEM

At present, NYSIIS produces two versions of its criminal history response. These responses are classified as manual and computer and within each there are "no record" responses and full criminal history responses. The manual response is a tabular report and is prepared as a reply to arrest or inquiry transactions concerning individuals whose records, because they did not meet the original computerization criteria <sup>1</sup> have not yet been computerized. This manual response is used only once since the receipt of the current transaction, if it is a criminal fingerprint input, automati-

<sup>1</sup> The basic criteria utilized in the initial computer selection process required that in order to qualify for conversion an individual must have been born in 1912 or later and must have been arrested at least once between 1947 and 1967 (1967 was year of conversion).

cally qualifies the individual's record for computer conversion. However, since the time required for conversion will vary depending on the individual's prior history, NYSIIS satisfies its reporting requirement by releasing either a full manual history or a manual "no record" response prior to computer conversion. Any transactions pertaining to this individual subsequent to the one which precipitated conversion will be responded to by a computerized criminal history. In the event the current transaction is other than a criminal fingerprint input, however, (e.g. license application, employment investigation, etc.), the individual's record will not be converted.

The computerized criminal history response (attachment B-1) is released to requesting agencies if the individual is currently on the computer or if the individual is a "first-timer" (i.e. no prior record). This response will reflect all prior information on the individual including the current event. In the case of "first-timer" status the computerized response will indicate both the no prior record condition and the current event. This procedure in computerized "no record" responses is followed only in those instances where the current input is a criminal fingerprint.

Current distribution procedures call for NYSIIS to forward its responses directly, via facsimile or mail, to the input agencies.

REVISED NYSIIS INFORMATION REPORTING SYSTEM

As a result of the conferences between the SEARCH project team and the criminal justice agencies surveyed and as a result of the increase in reporting responsibility designated to NYSIIS by the new CPL, NYSIIS undertook an examination and evaluation of its present reporting system in an attempt to determine its adaptability towards fulfilling the future information dissemination needs of NYSIIS. This portion of the



report will concern itself with the results, as known thus far, of this internal examination and evaluation.

In order to both effectively satisfy the diverse informational needs of the various agencies in the criminal justice system and to provide this data in a manner which will permit its utmost use, NYSIIS will concentrate on the production and dissemination of histories in the following ways:

I. TYPE AND PURPOSE OF THE RESPONSE

A. COMPREHENSIVE SUMMARY CASE HISTORY REPORT

This report, (see attachment B-1) as furnished by NYSIIS, will contain an account of all the information on file with NYSIIS concerning the individual. It will be an extension on the present criminal history response containing in addition to the current information, those data elements not presently collected by NYSIIS but deemed essential for a full report by the agencies surveyed. This additional data supplied to the system by the agencies, is seen as consisting of bail, ROR information, parole/probation supervision data, supervision transfer information, location, type and availability of prior pre-sentence reports. It is anticipated that the system will also permit the future collection of verified information relating to educational and employment experience, military data, birth date and place data and a number of other relevant social characteristics. This type of response will be transmitted to fulfill the two areas of the justice system wherein full background data is deemed necessary: the probation pre-sentence investigation area and the police crime investigation phase. Each of these areas requires extensive back-

ground information on an individual, or a list of suspects if it is to complete successfully its investigative function.

B. ABBREVIATED SUMMARY CASE HISTORY REPORT

This NYSIIS response (see attachment B-2) is a concise, tabular recount of the individual's prior history. It contains all the pertinent data displayed on the full report but without the detail found thereon. Briefly, the report will be composed of six sections as follows:

1. SUBJECT IDENTIFICATION SECTION

Consisting of name-State Identification number; FBI number (if available); also known as; race; skin tone; sex; date of birth; height; and social security number.

2. CURRENT STATUS SECTION

Contains a statement of the current criminal justice status of the individual such as on parole/probation; under sentence of conditional discharge; wanted and either the supervisory agency and charge for which supervised, or the wanting agency.

3. ARREST AND JUDICIAL DATA SECTION

Containing arrest date, arrest agency, local agency ID number, arrest charge, latest judicial action date, disposition charge, and decision. The arrest and judicial segments of this section will be associated via arrest date.

4. POST-ADJUDICATORY INFORMATION SECTION

Reflects sentence information and contains final judicial date, sentence, term or length of supervision, and institution or supervision area.

5. MENTAL HYGIENE INFORMATION SECTION

Indicates admission date, patient identification number, discharge date and name and location of institution for individuals admitted as a result of a criminal adjudication.

6. OTHER INFORMATION SECTION

Contains specific information in tabular format under sub-headings such as, Employment (date, firm, location, position); Education; Military (date(s), branch, type discharge, service no.); Addresses (location, frequency); Marital Status; Dependants; Narcotic/Alcohol user; Associates (names-dates and ID numbers, if known).

This response will be the type that will be most often produced and distributed by NYSIIS. It will be used for supplying information to: courts, and probation agencies in the preliminary stages of judicial action (Bail-ROR-pre-plea); police agencies, who according to law must receive a copy of the criminal record; and district attorneys who require background information in carrying out their duties in these preliminary stages.

C. HIGH PRIORITY REPORT

Whenever the processing of an arrest record indicates that the subject is presently registered with the system as a parolee, probationer, or fugitive, NYSIIS in addition to

producing the normal report, will also produce a notice for transmission to the supervising or the wanting agency indicating to that agency that the subject has come under the official jurisdiction of another agency. This notification will contain elements (i.e. name, agency ID, present agency and location, etc.) sufficient to permit identification of the subject (see attachment B-3).

D. NO FURTHER ACTIVITY OR SUBSEQUENT ACTIVITY RESPONSE

Occasionally, agencies will have a need for gathering information pertinent to an individual's activity from the date of the last report, such as when a considerable length of time passed between the probation pre-sentence report, (at which point NYSIIS has already replied), and the actual date for sentence. The court may wish to confirm that there has been no further criminal activity in this time period. In processing this request, NYSIIS would scan its files; if no further activity were encountered, a response indicating this fact would be released. If activity were encountered, NYSIIS would reply with a subsequent report beginning where the previous report terminated. Another potential user of this type response would be a parole classification officer, under conditions similar to those described above.

II. DISTRIBUTION AND DERIVATION OF THE CRIMINAL HISTORY

The accompanying table (table 4-1) displays, via agency and agency decision points, the type response which NYSIIS will transmit to the indicated agencies to facilitate fulfillment of their mandates. The provisions of the new Criminal Procedure Law, as they affect the recording and dissemination of criminal history and background information on individuals are included and shown where



applicable.

A. POLICE AGENCY

The activities of police agencies generally fall under two types of operation: investigation and arrest/booking. NYSIIS will be prepared to offer assistance at each of these points.

1. INVESTIGATION (table 4-1; coordinates A-1)

NYSIIS will be prepared to assist the police agencies in their investigation of crime. Upon receipt of the name or names (and SID number when available) of suspects in a criminal case, NYSIIS will search its files and if the suspect(s) have prior criminal activity, a comprehensive summary case history will be released. In the event the suspect is unknown, a "no record" response will be transmitted. In addition, NYSIIS will be able to assist this investigative phase by reporting to the police agency those individuals whose present status preclude their being considered as suspects, thereby reducing the workload of the police investigator. For example, should the individual be currently serving a sentence of imprisonment or should he be listed as dead, this information would be reported.

2. ARREST/BOOKING (table 4-1 coordinates B-2)

Immediately upon arrest, the arresting agency is required to notify NYSIIS of this event if the arrest charge is a fingerprintable offense (section 160.10 of the recently enacted Criminal Procedure Law greatly expanded the category of fingerprintable arrests by adding many new offenses to this category). Upon receipt NYSIIS will

review all arrest fingerprint input records for completeness and accuracy and will respond as follows:

a. Fingerprintable Offenses

The new CPL stipulates that an individual arrested for a fingerprintable offense may not be admitted to bail or recognizance release until the local criminal court has received from NYSIIS a copy of his prior history, if any, or no record response, for its consideration (CPL 530.20). A further stipulation requires that the District Attorney's office receive a copy of the defendant's prior history, in all fingerprintable instances, and that this copy be furnished to the District Attorney via the arrest agency (CPL 160.40).

In order to satisfy the diverse obligations of police, prosecutor, courts (probation) and NYSIIS, the type response and response method will vary and will be predicated upon two basic considerations:

1. The results of the NYSIIS field survey of parole/probation (court) and other agencies.
2. The requirements of the CPL affecting the operations and obligations of each agency.

Thus the following will hold true in the NYSIIS processing and dissemination of information at this point:

URBAN AREAS

-for every arrest, NYSIIS will prepare two copies of an abbreviated summary case history and will transmit both copies to the arrest agency. The

arrest agency will retain one copy for its files and will forward the second copy to the appropriate district attorney.

- for every arrest NYSIIS will prepare two copies of an abbreviated summary case history and will transmit these copies to the indicated court and the probation agency.

RURAL AREAS

- The timely distribution of history information to "upstate" New York areas poses a problem of considerable magnitude. Due to the wide diversity of local criminal courts which may be called upon to participate in this type of bail or recognizance proceeding (there are over 2500 justice courts involved) NYSIIS, without further study of potential transmission possibilities, cannot at this time concretely describe the best dissemination method. However, when this communication study is completed, NYSIIS will be in a position to determine the best method of satisfying the needs of both the surveyed agencies and the mandates of the new law. Until such time, NYSIIS will transmit abbreviated summary case history information to the arresting agency and will request that they provide for the prompt dissemination of the information to the agencies concerned.

b. Other Response

If, during the processing of any arrest fingerprint, the subject's record indicates that he is Wanted, under post-adjudicatory supervision (parole-probation-conditional discharge), or in a preliminary supervisory status (bail-recognizance), NYSIIS will immediately notify both the agency exercising jurisdiction and the arresting agency informing them of his current location and system status through the utilization of the high priority response.

B. DISTRICT ATTORNEY

The needs of the prosecutor relating to the awareness of background information on an individual will be satisfied via responses by NYSIIS to inquiries and updates of police and probation agencies.

For example, although NYSIIS defined four basic system decision points concerning district attorneys, it was suggested that in only the Preliminary Hearing (Initial Arraignment) and Arraignment (plea) phases could NYSIIS be of significant assistance. The remaining points of trial and sentence do not appear to require central agency responses (a possible exception is recognized when during the course of a trial a prosecutor may request additional information concerning a previously unknown witness or event).

1. PRELIMINARY HEARING (table 4-1 coordinates C-1)

NYSIIS will, as outlined in II-A-2-a above (page 58) forward an abbreviated summary case history to the arresting police agency so that the police agency may transmit it to the prosecutor's office.

2. ARRAIGNMENT (table 4-1 coordinates E-1)

Subsequent to the return of a felony indictment by a Grand Jury the court must again consider the bail/ROR possibilities and permit the district attorney to be heard. Hence, at this point it may become necessary for NYSIIS to forward additional copies of the criminal record to both the court and prosecutor. In those instances where the defendant has remained in custody throughout the preceding period, the criminal history initially forward to the court and prosecutor will suffice. In the event the defendant was previously released on recognizance or admitted to bail prior to indictment, the prosecutor and court may require an additional central agency response. For this NYSIIS will reply to the arraignment court with two copies of either the no further activity response or the subsequent report response. One copy of the report will be for the use of the district attorney and the other for the use of the court and probation agency.

C. COURT

The four general decision making areas are Preliminary Hearing (Initial Arraignment); Arraignment (post-indictment); Trial, and sentence. Of the four only the trial phase is seen as not requiring any direct central agency assistance.

1. PRELIMINARY HEARING (table 4-1 coordinates G-1)

The information needs here will be satisfied by the NYSIIS response to the input arrest document as described in II-A-2-a above (page 58).

2. ARRAIGNMENT (table 4-1 coordinates H-1)

The information needs will be satisfied by the NYSIIS response to the probation inquiry outlined in II-D-2 below (page 63).

3. SENTENCE (table 4-1 coordinates J-1)

Information needed by judicial agencies will be satisfied by the NYSIIS response to the probation pre-sentence inquiry outlined in II-D-3 below (page 63).

D. PROBATION AGENCIES

The NYSIIS survey of probation agencies was oriented towards an investigation of the needs and requirements of these agencies. In addition the team ascertained the kinds of data possessed by these agencies and their availability for dissemination. The new CPL has been particularly cognizant of probation function needs and has taken steps to define more fully the role of probation with the remainder of the justice community. NYSIIS, based on the survey results and the new CPL requirements is also cognizant of its obligation to provide active support to the probation function.

The major decision points investigated by the team involve bail/ROR investigation, pre-plea and pre-sentence investigations; probation supervision and termination of probation.

1. BAIL/ROR INVESTIGATIONS (table 4-1 coordinates K-1)

The new CPL stipulates the increased areas of investigative responsibility of probation agencies in the bail/ROR process. NYSIIS will assist these agencies by responding as indicated previously in the Police Agency portion of this section (II-A-2-a page 58).

2. PRE-PLEA INVESTIGATIONS (table 4-1 coordinates L-1)  
NYSIIS will assist the probation agencies at this stage of the judicial proceedings by responding with a subsequent report. This report will also assist both the court and the prosecutor. Information received here is seen as decidedly affecting the judicial process in the "plea" stage.
3. PRE-SENTENCE INVESTIGATIONS (table 4-1 coordinates M-1)  
Section 390.10 of the CPL stipulates that the court may not pass sentence on any fingerprintable offense conviction until it has received a pre-sentence report from NYSIIS. This report will contain a comprehensive history of the defendant and will be utilized by the probation agency in the preparation of the pre-sentence report for the court.
4. SUPERVISION (table 4-1 coordinates N-1)  
If during the course of probation supervision, the probationer has contact with a police agency, this information will be transmitted to the supervising probation agency as outlined in II-A-2-b above (page 60). In addition, NYSIIS will be prepared to provide a probation agency with histories at any time the agency deems it necessary.
5. RELEASE FROM SUPERVISION (table 4-1 coordinates O-1)  
Prior to release from supervision, a supervisory office may require an up-to-date background history on the probationer. In this event, NYSIIS will respond with an abbreviated criminal history to the inquiring probation agency.

Once an individual is released from supervision, for whatever reason, NYSIIS will be so informed and will update both the basic records and the status file records of the individual.

E. PAROLE

The major decision point functions of the parole process, as they relate to a central agency information, may be listed as pre-parole investigation, release to parole, supervision requirements and release from parole investigations.

1. CLASSIFICATION INVESTIGATION (table 4-1 coordinates P-1)  
This investigation is performed by the institution parole officer and consists of preparing a complete background resume of the inmate for submission to the parole board. Since the CPL requires that the pre-sentence report prepared by the court probation staff be forwarded (along with all source reports) with the prisoner to the person in charge of the correctional facility (CPL 390.60), it is not likely that NYSIIS will be accessed for such information.
2. RELEASE TO PAROLE (table 4-1 coordinates Q-1)  
Central Files of the Division of Parole will notify NYSIIS of all individuals released on parole so that the latter's file may be updated.
3. SUPERVISION (table 4-1 coordinates R-1)  
NYSIIS will respond to the Central Parole Files with a notification anytime an active parolee, registered as such with NYSIIS, is arrested and that arrest is reported to NYSIIS. In addition, NYSIIS will prominently display on

its reply to the arresting agency, prosecutor, probation department and court involved; the criminal justice status of the individual (see II-A-2-b page 60). As in the probation supervision phase, NYSIIS will be prepared to forward additional reports to parole upon request.

4. RELEASE FROM PAROLE (table 4-1 coordinates S-1)

Upon the successful completion of parole period or upon re-incarceration, at board direction, the Division of Parole will inform NYSIIS of the action so that the NYSIIS files may be updated.

F. CORRECTIONS

The survey team examined Corrections functions within the framework of their relationship with the parole and probation aspects of the system and with emphasis on what was deemed Corrections four significant function decision points. These four points are detention; receipt; visitors; and release. Each of these either contributes to or benefits from an active parole-probation/central agency relationship.

1. DETENTION (table 4-1 coordinates T-1)

Upon receipt of an individual for detention, those charged with this responsibility often find themselves faced with a greivous problem. In effect this problem concerns the frequent lack of background data on the individual. The absence of this data often prohibits the facility from employing the security necessary to insure the safety of both the detainee and the other residents of the facility (e.g. if the facility were aware of a detainees' prior mental or narcotic problems it would assign the individual

to a psychiatric or medical ward, rather than a general cellblock). In providing this information NYSIIS will routinely produce a copy of its criminal history for transmission to the County Sheriff's office in "upstate" (non-New York City) New York State locals. The dissemination of history information for detention purposes in New York City, however, represents an area of considerable difficulty to both NYSIIS and the New York City Department of Correction. Estimates of detainees by this department put this detention figure at between 60,000 and 75,000 individuals per year. Background information on these individuals is required in most cases within a matter of hours following arrest. In order to resolve this difficulty, NYSIIS is exploring two alternative methods of dissemination: the first of these would request that one of the agencies which initially received the arrest-originated criminal history from NYSIIS, forward its copy, or a copy of the report to the detention facility with the individual. The second possibility would require that the New York City Department of Correction request a history on all individuals remanded to their custody directly from NYSIIS. While the latter alternative is recognized as the most direct approach it is none-the-less the more difficult due primarily to the formidable volume involved.

III.

2. ADMISSION (table 4-1 coordinates U-1)

As a result of the CPL requirements that the pre-sentence report accompanying the offender to prison there is no need for formal reporting procedures at this point. However, NYSIIS will be prepared to forward a comprehensive criminal response upon request. NYSIIS will be notified

of the admission procedure via a fingerprint input from the correction facility and will update its records accordingly.

3. RELEASE (table 4-1 coordinates V-1)

Upon release from an institution, NYSIIS will be so notified and will update the individual's record to reflect his new status.

III. ASSIGNMENT OF PRIORITIES

In order to provide for an orderly and efficient transition to a revised reporting system, NYSIIS will undertake the task in accordance with the following priorities:

- A. NYSIIS is currently engaged in determining the most expedient and advantageous method of collecting the additional data elements which were designated necessary to a parole/probation reporting system by the surveyed agencies.
- B. NYSIIS is currently analyzing those areas of the present reporting system which must be re-designed or modified so as to permit NYSIIS the flexibility required to fulfill the needs of the criminal justice system.
- C. NYSIIS will shortly begin on the analysis and design of a preliminary parole/probation statistical module which will facilitate basic program measurement and evaluation.
- D. NYSIIS plans to initiate discussion with the newly organized New York State Department of Correctional Services (Corrections and Parole) so that NYSIIS may avail itself fully of the resources of this new Department in regard to kinds and transmission of data. Similar discussions will be pursued with the

newly organized Division of Probation.

- 5. NYSIIS plans to initiate discussions with the various justice agencies throughout the state who now possess (or will shortly possess) computerized operations. These discussions will investigate the potentials for an interfacing computerized network, and will seek to identify and define areas of mutual concern and assistance.

hibit  
G-2  
J-2  
N-2  
O-2  
P-2  
R-2  
S-2  
Upc  
arr

Legend  
Table 4-1

hibit

tly

G-2 Chart indicates that data will be received from court, when in reality data will be received from Judicial Conference of State of New York.

J-2 -do-

N-2 Dual entry reflects request for assistance information/automatic violation response.

O-2 Dual entry reflects request for assistance information/or file registry.

P-2 In normal process no input at this point since need has been satisfied at M-1. However, cases may arise when information is required.

R-2 Dual entry reflects request for assistance information/automatic violation responses.

S-2 Dual entry reflects request for assistance information/or file registry.

Upon receipt of arrest notification NYSIIS will always reply to the arrest agency with an abbreviated history and in addition will reply:

- To police (sheriffs) office in rural areas where lower court is of town - village type to satisfy C-1; G-1; K-1.

- In urban areas - to police agency to satisfy C-1 and to the arraignment court to satisfy G-1; K-1.

2 Upon receipt of an arrest notification NYSIIS will ascertain if the individual is currently in a parole, probation, wanted status or if currently on bail or recognizance, if yes to any of the above, NYSIIS will notify both the supervising or wanting agency and the arrest agency.

3 CPL 390.60 requires that the court forward the pre-sentence report and supporting documentation to the correctional facility if the sentence is greater than 90 days. When the sentence is less than 90 days there is no such requirement and NYSIIS will supply the report.



SECTION V  
DATA ELEMENT REQUIREMENTS  
OF THE PAROLE/PROBATION  
REPORTING SYSTEM

One of the major areas of investigation undertaken by the survey team, was the identification of those data elements which, in the opinions of the surveyed agencies, were vital to a parole/probation reporting system. The results indicated that much of the necessary information was already being collected from various sources by the present NYSIIS system; however, several other elements were mentioned that were not being collected. The accompanying table (table 5-1) indicates both the data elements presently collected by NYSIIS and included in its data base and those additives deemed necessary to this data base.

Data Element Origin

With very few exceptions, the elements in the current data base and those indicated as additional elements may be collected by NYSIIS from multiple input sources. For example, Birth Place and Birth Date may be submitted as record elements from the arrest agency, the detention and incarceration agency, the probation agency and the parole agency. In a similar fashion, Crime Place and Crime Date may also be reported by a number of justice agencies. In processing items such as these, entries such as birth date/place are defined as identification information and crime date/place are defined as legal information. Generally speaking, once this distinction is made, the processing system proceeds in the following way.

- In processing identification type information, the system incorporates a "frequency" counter which will indicate, numerically, the number of ways a particular individual was reported. For example, using birth date/place, the system will list all the variations on this entry, each accompanied by a numeric indication of the number of reporting instances. This indication is carried on the criminal history report in the "other information" section.
- With legal type information, the system provides for the acceptance of certain data elements by type of event and does not record a frequency. For example, as indicated the crime place/date elements may be received from a number of sources, but it is collected and recorded only at the arrest level, regardless of the fact that it may also be present on disposition, probation, incarceration, etc., submissions to NYSIIS. Certain other legal data items such as incarceration facility will be noted each time they are reported. Thus the incarceration facility, if reported will be noted in the disposition record, the institution admission record, and the institution release record. The above procedures were designated to permit NYSIIS the flexibility of recording all pertinent data on an individual and to present this information to the user in a concise and meaningful manner.

Data Element Usage

The data elements, once collected by NYSIIS, will be used to satisfy the various information needs of the agencies, and will be tailored to the operating requests and requirements of these agencies. As table 5-1 indicates, most of the data



submitted to and collected by NYSIIS is that usually comprising data of the "public record" type, and as such is not subject to severe dissemination restrictions.

Additional Data Elements

As a result of the survey, NYSIIS has been able to identify a number of parole/probation data elements which would be of use to the justice system if collected and reported in a standardized manner. These elements are listed in the "Additional Data Elements" section of Table 5-1, along with the most appropriate source agency and an indication of the potential users of this information. In addition to these elements, the parole and probation agencies surveyed indicated a need for certain data items which were already routinely collected and maintained by NYSIIS, but not widely distributed in the probation area, due to lack of dissemination facilities and procedures. NYSIIS, as indicated in section IV of this report, is taking steps to remedy this situation so as to provide the facilities for comprehensive agency - NYSIIS data exchange.

PRESENT DATA ELEMENTS

TABLE 5-1

NYSIIS FILE TYPE	DATA ELEMENT	SOURCE	TO SATISFY
Base File	NYSIIS Number	Various	All Agencies
	FBI Number	-do-	-do-
	Sex	-do-	-do-
	Height	-do-	-do-
	Race	-do-	-do-
	Skin Tone	-do-	-do-
Crime History	Arrest Date	Arrest Agency	Police-D.A.-Probation-Court-Correction
	Crime Date	-do-	All
	Arrest Place	-do-	Police-Probation-Parole
	Crime Place	-do-	All
	Arrest Agency	-do-	Police-Probation-Correction
	Arrest Number	-do-	Police-Probation-Parole
Charges File	Court Arraignment	-do-	Police-Probation-Parole
	Arrest Charge	Arrest Agency	All
Disposition File	Disposition Charge	Judicial Conference/Police Agency	All
	Charge Literal	-do-	All
	Disposition Status	-do-	All
Institution File	Date of Disposition	Judicial Conference/Arrest Agency	All
	Court of Disposition	-do-	-do-
	Docket Number	-do-	-do-
	Restitution Amount	-do-	D.A.-Court-Probation-Parole
	Fine	-do-	-do-
	Type Disposition	-do-	All
Name File	Institution Name	Institution Facility	All
	Inmate ID Number	-do-	Probation-Parole-Correction
	Date of Detention	-do-	All
	Date of Admission	-do-	-do-
	Type of Admission	-do-	Probation-Parole-Correction
	Date of Release	-do-	All
Name File	Type of Release	-do-	-do-
	Alias	Various	All
	Nickname	-do-	Police-Probation-Parole
	Name Variant	-do-	All

TABLE 5-1

NYSIIS FILE TYPE	DATA ELEMENT	SOURCE	TO SATISFY
Mental Hygiene File	Institution Name	M.H. Institution	All Agencies
	Date of Admission	-do-	-do-
	Date of Release	-do-	-do-
	Identification Number	-do-	-do-
Parole File	Date of Parole	Division of Parole	All
	Identification Number	-do-	Probation-Parole-Police
	Supervising Agency	-do-	Parole
	Parole Length	-do-	Police-Probation-Parole-Court
Certificate of Relief File	Parole Release Date	-do-	All
	Assigned Area	-do-	Police-Probation-Parole
	Issue Date	Division of Parole	Court-Probation-Parole
	Permanency Date	-do-	-do-
	Certificate Type	-do-	-do-
	Issuing Agency	-do-	-do-
	Revision Agency	-do-	-do-
	Revision Date	-do-	-do-
	Revision Permanency Date	-do-	-do-
	Revision Type	-do-	-do-
	Revocation Issue Date	-do-	-do-
	Revocation Agency	-do-	-do-
	Revocation Effective Date	-do-	-do-
Revocation Type	-do-	-do-	
Birth Date/Place File	Date of Birth	Various	All
	City of Birth	-do-	Probation-Parole
	State of Birth	-do-	-do-
	County of Birth	-do-	-do-
Address File	Address Date	Various	PD-Probation-Parole
	Address	-do-	-do-
Institution Visits File	Application Date	Institution	D.A.-Probation-Parole-Correction
	Inmate ID	-do-	-do-
	Institution Name	-do-	-do-
	Visitor NYSIIS Number	-do-	-do-
	Visitor Name	-do-	-do-
	Relationship	-do-	-do-

TABLE 5-1

NYSIIS FILE TYPE	DATA ELEMENT	SOURCE	TO SATISFY
License Application File	Inmate NYSIIS Number	-do-	-do-
	Inmate Name	-do-	-do-
	Date of Application	Various Licensing Agencies	Various
Employment File	Application Number	-do-	Depending On Type License
	License Agency	-do-	
	License Type	-do-	
Social Security File	Date of Employment	Various	All
	Name of Employer	-do-	-do-
	Address of Employer	-do-	-do-
	Dept. of State ID Number	Dept. of State	Dept. of State
Probation/Custody File	Social Security No.	Various	Parole-Probation
	Date of Disposition	Judicial Conference/Arrest Agency	All
Comments File	Status of Probation	-do-	-do-
	Type of Probation	-do-	-do-
	Length of Probation	-do-	-do-
	Status of Sentence	-do-	-do-
	Type of Sentence	-do-	-do-
	Length	-do-	-do-
	Institution	-do-	-do-
Associates Name File	Additional Comments	Various	Various
	Name of Associate	Various	All
Other Information File	Associate NYSIIS No.	-do-	-do-
	Associate ID No.	-do-	-do-
	Various Items Relating to Non F/P Information	Various	Various
Wanted Person File	Wanting Agency	Wanting Agency	***
	Transmission Date	-do-	
	Weight	-do-	
	Hair Color	-do-	
	Eye Color	-do-	

\*\*\* In general all types of justice agencies are interested in this type information. However, the depth and content will vary between agency types.

NYSIIS FILE TYPE	DATA ELEMENT	SOURCE	TO SATISFY
Additional Data Elements	Sex	-do-	
	Race	-do-	
	Skin Tone	-do-	
	Ethnic Group	-do-	
	Date of Birth	-do-	
	Place of Birth	-do-	
	Height	-do-	
	Address	-do-	
	Social Security Number	-do-	
	Operators License Number	-do-	
	Miscellaneous Number	-do-	
	Type Warrant/Offense	-do-	
	Date Warrant	-do-	
	Case Number	-do-	
	Alias	-do-	
	F/P Classification	-do-	
	License Number	-do-	
	Vehicle ID Number	-do-	
	Identifying Marks	-do-	
	Verified Date of Birth	Probation Agency	All
	Verified Place of Birth	-do-	Probation-Parole
	Supervision Area	-do-	PD-Court-Probation
	Transferred to Area	-do-	PD-Probation
	Verified Marital Status	-do-	Probation-Parole-Court-DA
	Narcotic Status	-do-	All
	Type of Narcotic Used	-do-	-do-
	Psychological Deviations	-do-	-do-
	Employment Data	-do-	-do-
	Occupation	-do-	D.A.-Court-Probation-Parole-Correction
	Education Data	-do-	Probation-Parole-Correction
	Military Data	-do-	Probation-Parole
	Bail/ROR Data	-do-	Police-DA-Court Probation-Parole
Attitude on Prob Discharge	-do-	D.A.-Court-Probation-Parole	
Type Investigation Performed	-do-	Probation-Parole	
Availability	-do-	-do-	
Location	-do-	-do-	
Supervising Agency	-do-	PD-Court-Probation-Parole	
Probationer ID	-do-	Probation-Parole	
Transferred From	-do-	Police-Court-Probation-Parole	

NYSIIS FILE TYPE	DATA ELEMENT	SOURCE	TO SATISFY
	Type Supervision	Probation/Parole	D.A.-Court-Probation-Parole
	Cooperative Supvsn. Data		
	-Original ID No.	-do-	Probation-Parole
	-Original State	-do-	D.A.-Court-Probation-Parole
	-New Supervising State	-do-	-do-
	-New ID Number	-do-	Probation-Parole

of  
pre  
pre  
of  
wil  
wil  
repe  
tati  
I.

SECTION VI

PAROLE/PROBATION REPORTING SYSTEM

In order that NYSIIS may accomplish the stated survey objectives of satisfying the needs of criminal justice agencies for parole/probation information and provide for the rendering of the services previously described in this report, NYSIIS will undertake a series of revisions to its primary reporting system. These revisions will encompass the following points.

1. revision of output format to more closely provide the critical information needed by processing agencies throughout their operations;
2. revision of dissemination procedures so as to facilitate the transmission of this information in a time frame acceptable to agency needs;
3. revision of current data collection procedures to permit NYSIIS to acquire more comprehensive information concerning individuals of interest to the system in a more expeditious manner;
4. revision of the basic composite of the criminal history reporting system to provide for, in addition to a data base file, a status file and a statistical file.

The report thus far has examined the manner in which NYSIIS will satisfy points one and two above. In this section, the report will deal with the procedures necessary for the implementation of points three and four.

I. REVISION OF CURRENT DATA COLLECTION PROCEDURES

As the section on required data elements indicated most of the data required (including parole/probation data) is presently being collected. However, in regard to those elements not presently being collected, NYSIIS will expand its data collection procedures by requesting more active input assistance from the probation and parole agencies. One of the

areas of major concern is the receipt, from probation, of notification of prior investigation reports so that NYSIIS may include this information on its responses with the objective of reducing the investigative workload. Another area of concern for the system is the acquisition of timely results of bail/ROR proceedings so that the system may be continually aware of the status of an offender completely through the process. The collection of this data causes problems which are quite similar to those problems mentioned in section IV of this report dealing with the dissemination of data. In order that information such as the above, particularly bail/ROR information, be reported to and processed by NYSIIS within an acceptable time frame, this information must be quickly transmitted to this agency. This transmission requirement cannot, in most instances be satisfied through normal mail deliveries, hence NYSIIS plans to utilize much the same procedure as previously described for output dissemination, for receiving input data. That is, in urban areas NYSIIS would request, that, via centralized court facilities, the probation agencies input the preliminary disposition data to NYSIIS for immediate update of the central files. In the rural areas, NYSIIS plans to request the assistance of the agency usually State Police or Sheriff's office, possessing the transmission equipment to forward the necessary data.

II. STRUCTURE AND PURPOSE OF THE COMPUTER SYSTEM

As indicated in the previous NYSIIS survey report, dated April 1970, the present NYSIIS computer criminal history reporting system consists of over twenty sub-files making up the NYSIIS data base file. These files contain the total information available on an individual and it is via these files that responses are produced for agency use.

this  
inve-  
he  
e  
pletel  
s whic  
his  
forma-  
ported  
info  
ssion  
l mail  
e as  
ut da  
zed  
ispo-  
In  
gency  
ssion  
fil  
tem  
file  
dual  
y use

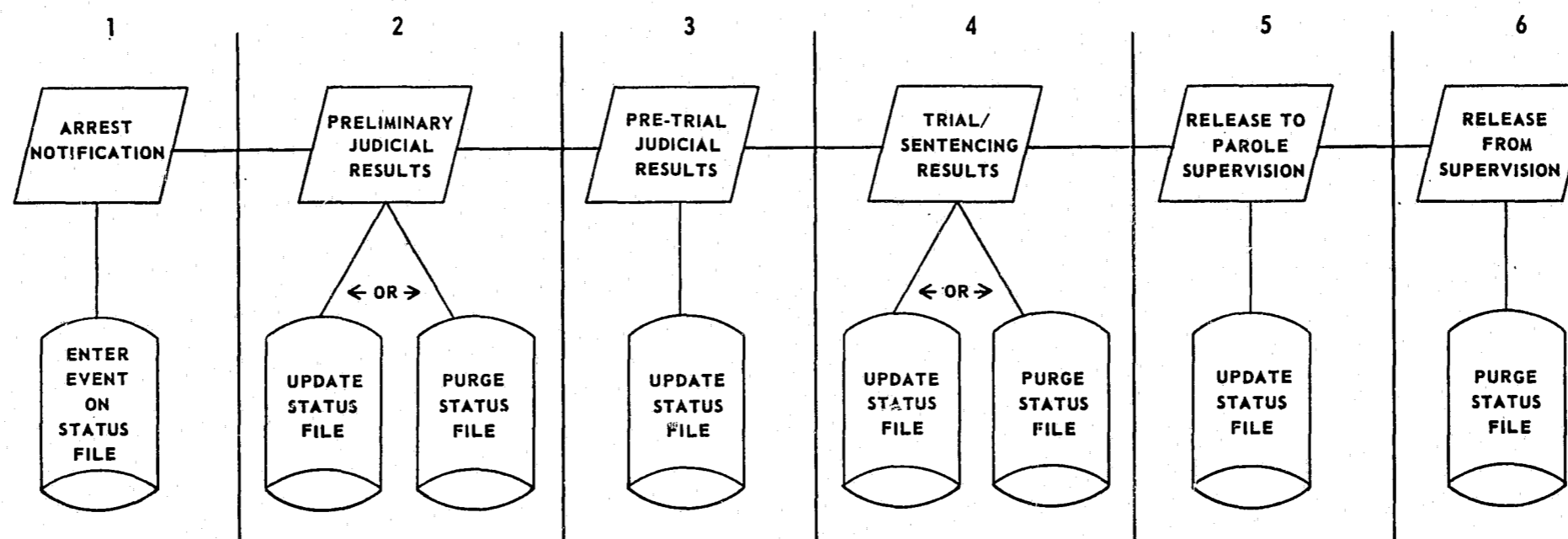
At the present time, although the data exists, the system does not possess the capability for the production of statistical data or for an expeditious method of determining the present criminal justice system status of an individual. Presently in order to determine this status, NYSIIS must scan the individual's complete file, and produce a comprehensive history report for transmission to the input or inquiring agency. Based on the data in the report the recipient agency then determines the individual's status within the system.

A. STATUS FILE

In order to streamline the above procedure, NYSIIS plans to introduce a status file into its present criminal history reporting system. This file will contain pertinent extracts, from an individual's complete record, which will reflect the current criminal justice status of the individual. These extracts will consist of entries which will chronicle the individual's progress through the system from point of entry (arrest) to point of exiting the jurisdiction of the system (release from legal obligation). At a future date the status file organization will provide for the entry of post-sentence "appeal" events, however, at the present time due to the absence of comprehensive data concerning this area it has not been included. The following narrative describes what is anticipated to be representative of the typical operations of the status file (see chart 6-1).

NYSIS STATUS FILE OPERATIONS BY MAJOR SYSTEM ACTIVITY

CHART 6 - 1



1. ARREST NOTIFICATION

Upon receipt of an arrest fingerprint record and following the manual and computer data verification process, an update concerning this event will be performed on the status file to indicate entry into the justice system.

2. PRELIMINARY JUDICIAL RESULTS

Upon receipt of preliminary data, two processing alternatives are possible. If the data represents a dismissal of charges the system will provide for the purging of the arrest information from the status file, since the individual is no longer a matter of system responsibility. However, should the charges remain, the offender may be admitted to bail or recognizance release or be remanded to a detention facility to await further judicial action. When any of these occur, the individual's status file will be updated to reflect this condition.

3. PRE-TRIAL JUDICIAL RESULTS

This stage of the judicial process generally consists of the activities following a grand jury indictment. Again, as in the previous instance, the individual may qualify for bail or recognizance release or be remanded to custody. The entry at this point will reflect this judicial decision.

4. SENTENCING RESULTS

If, as a result of the trial process, the defendant is either acquitted of all charges or sentenced to a period of imprisonment the information relating to

this event will be purged from the status file. This purge will be performed, in the case of acquittal, for the same reason as the purge process at the charge dismissal point. In the case of a sentence of imprisonment, the purge will be performed due to the fact that the individual may no longer be considered in an active status. If the offender is convicted and sentenced to a period of probation, this information will be entered onto the status file.

5. RELEASE TO PAROLE SUPERVISION

Upon receipt of notification informing NYSIIS of a parole supervision status, this information will be posted to the status file.

6. RELEASE FROM JUDICIAL OBLIGATION

Upon an individual's successful completion of a probation, parole or conditional discharge supervision period, all information relating to the original event will be purged from the status file. If, during the supervisory period, the individual is returned or is sent to a correctional facility, all records pertaining to the original event will be purged from the status file.

7. ADVANTAGES OF THE STATUS FILE

The implementation of the status file will provide all criminal justice agencies with the rapid type of notification they require regarding the status of parolees and probationers. It will provide for the identification

B.



of new arrestees who are currently in a phase of either post-adjudicatory (parole-probation) supervision or pre-adjudicatory (bail-recognizance) supervision. An added benefit to the system through the utilization of this file will be recognized in the assistance it will lend to all those agencies performing investigative operations. For example, in the police crime investigation phase, this file is seen as potentially reducing the number of suspects the agency must concern itself with. In another way this file is seen as lending assistance to parole and probation investigative officers in their offender or offender-associate types of investigations by providing rapid notification of the subjects current justice system status.

B. STATISTICAL FILE

The second planned additive to the current criminal history reporting system will be a statistical file. The addition of a statistical capability will provide NYSIIS with the operational potential for providing either comprehensive statistical reports for individual agency evaluation or for providing those data elements which are required by the individual agencies in performing their own evaluation of programs.

The statistical file will contain those data elements concerning offenders which will enable parole and probation agencies to effectively evaluate the effects their operations and programs and the total justice system have had on the individual passing through the system. In order for this evaluation to be complete, it must collect data at system entry, at various points throughout the system and at system

exit. The input to the system would initially consist of presently received documents plus those additional elements relating to the interim judicial process. At a future date, once experience has been gained, the system will provide for the acceptance of additional data elements which will assist in providing the mechanisms for more detailed statistical analysis. It is anticipated that these additional elements will consist of information relative to types of institutional programs and training enrolled in and the results of such training; similar information relating to planned probation programs and training, etc. This data would be captured and correlated on the file in a manner which will optimize its utilization by the system's subscribers.

The survey results indicated that, as a whole, the supervisory agencies are actively interested in receiving data and assistance from a central agency which will facilitate their operational evaluative process. Of particular concern to many of these agencies was the acquisition of subsequent information concerning individuals who had previously been under their supervision and discharged. It was indicated that by examining these subsequent criminal activities or lack thereof, (in addition to previous criminal behaviour) an agency would possess the basic ingredients necessary to initiate research into the effectiveness of present agency procedures. The output of the planned statistical system would be structured, as far as possible, in accordance with basic user agency goals and automated capabilities. Thus, the output of the system is seen as providing either individual or broadly based (by

III.

pre-arranged classification) statistical reports or, the basic data necessary for an agency to produce its own reports. The following section, Section VII will describe in greater detail the data needs and potential uses of this file in providing the sound basic statistics necessary for effective program planning.

II. OPERATION OF THE SYSTEM

The manner in which NYSIIS will process the documents it receives will be divided, for discussion purposes, into two segments, namely the INQUIRY PROCESS segment and the UPDATE PROCESS segment. The following is a brief explanation of the major functions of each process in relation to its interaction with the NYSIIS computer-based files and the type(s) of reports generated by each process segment.

A. INQUIRY PROCESS SEGMENT

This process (see chart 6-2) is designed to handle those types of input documents which only request information from the files. In determining the manner in which these requests will be accommodated, the system will provide for alternate processing procedures depending upon the type of request.

In those cases where the inquiry is a request for statistical data which will assist in the research and statistical operations of an inquiring agency, NYSIIS will search the statistical file; access the data; and release it in the format required for agency use. The other possibility in inquiry processing includes requests for prior history information by justice system agencies. In processing these

**CONTINUED**

**1 OF 2**

requests, NYSIIS will search both the status file and the data base file in order to produce one of the types of responses described in Section IV of this report.

B. UPDATE PROCESS SEGMENT

This segment (see chart 6-3) provides the mechanisms whereby the three primary NYSIIS files (data base; statistical and status) are updated with current information concerning individuals in the justice system. In general, the operations of the segment may be described as follows:

- Upon the receipt of a criminal justice event, the system will provide for the immediate addition of all pertinent data to the statistical file. The type of data entered on the statistical file will be discussed at greater length in Section VII of this report. At this point the process segment will decide whether or not the event is an arrest event and accordingly will proceed in one of the following ways:

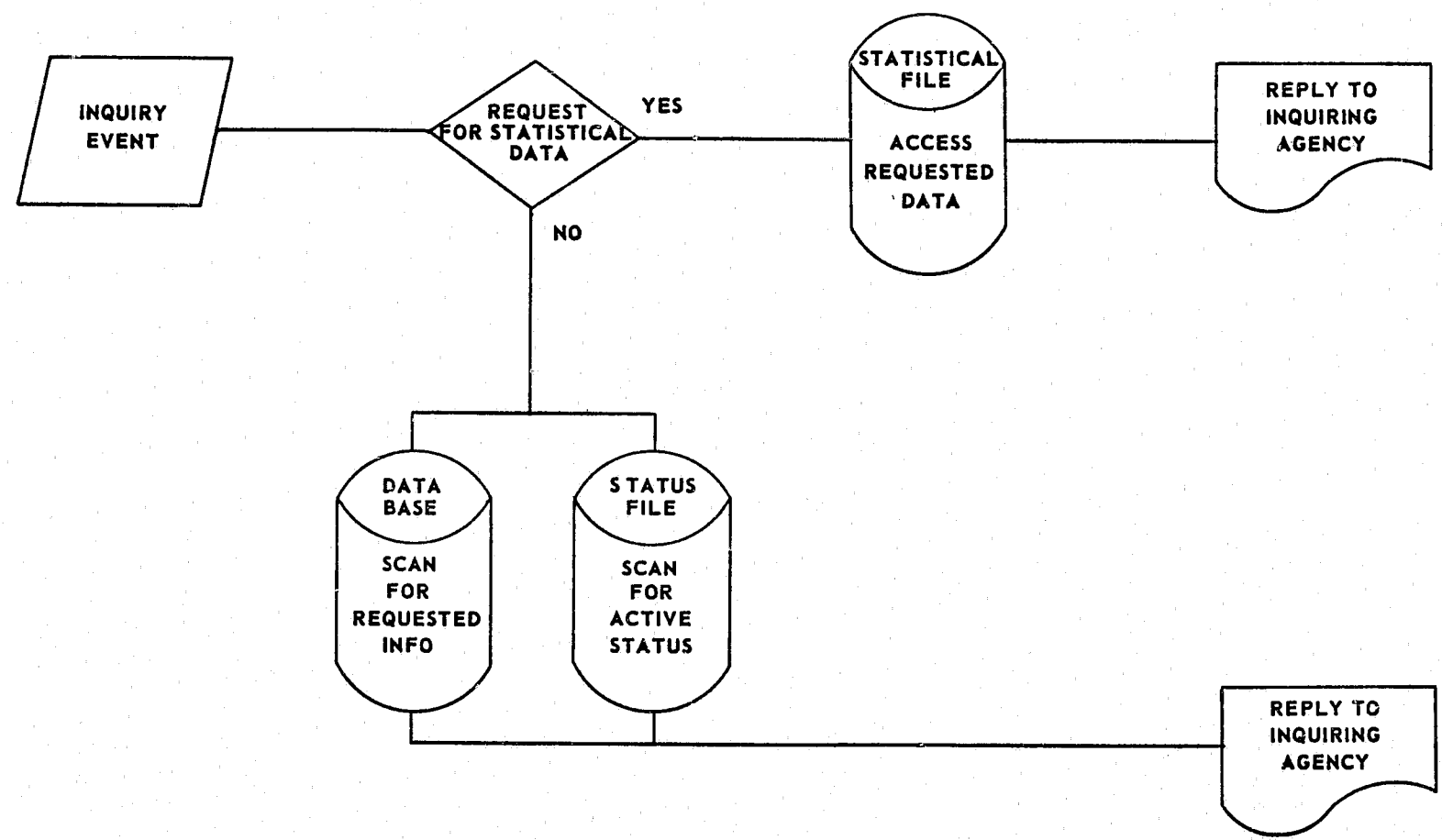
1. if the event is an arrest event and is also the first event for the individual, the system will initiate records for the individual on both the data base and the status file and will format a reply for transmission to appropriate agencies.
2. if the event is an arrest event and is a subsequent event, the system will update the data base. Additionally, if the offender is recognized to be in an active status, via the status file, the system

will update the status file and notify both the arrest agency and the agency, exercising interest in the individual as indicated by the status file. However, if the offender is not found to be in an active status, the system will initiate a record in the status file and format a reply for the appropriate agencies.

3. if the event is other than an arrest event and represents a removal from active system status, the system will purge the status file and update the individual data base file.
4. if the event is other than an arrest event and represents additional system data of an active type (bail-ROR-probation-parole) the process will update the status file and the data base.

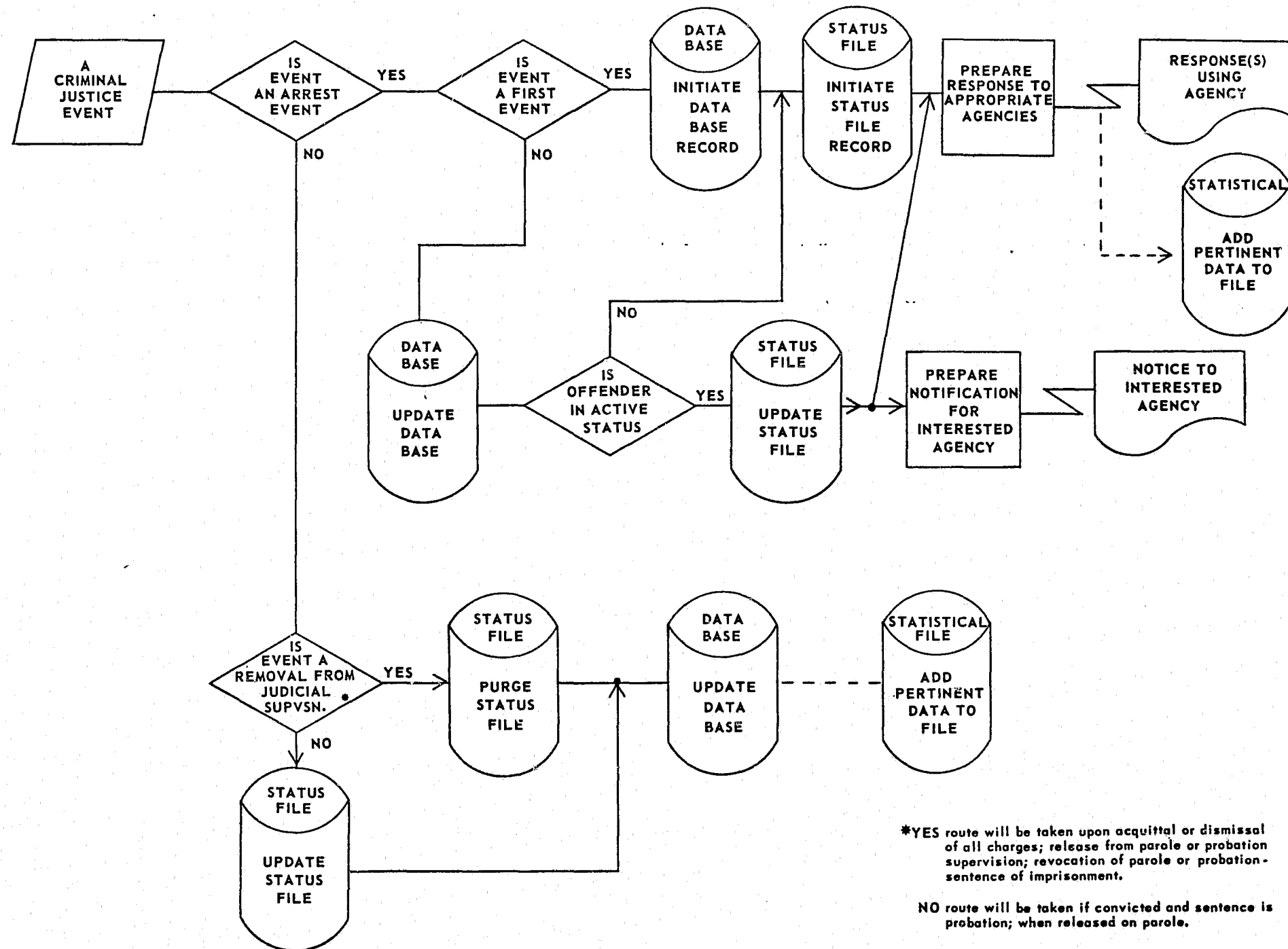
NYSIIS INQUIRY PROCESS

CHART 6 - 2



-06-

DATA STATUS



\*YES route will be taken upon acquittal or dismissal of all charges; release from parole or probation supervision; revocation of parole or probation-sentence of imprisonment.

NO route will be taken if convicted and sentence is probation; when released on parole.

SECTION VII  
CRIMINAL JUSTICE STATISTICAL  
REPORTING SYSTEM

In order that the statistical file concept discussed in the previous section be utilized to its utmost not only by parole/probation authorities but also by all segments of the justice system, NYSIIS is planning to develop and implement a series of procedures which will provide for an eventual comprehensive criminal justice statistical system.

The initial stage of this statistical reporting system will require that NYSIIS automatically collect the type of data now included in the SEARCH statistical project demonstration system. In defining the data elements to be utilized, in this initial stage, NYSIIS will closely conform to the recommended items contained in the Data Collection Manual for the SEARCH Statistical Demonstration Project, dated March, 1970. Most of this required data is routinely collected by NYSIIS in its data base updating process, and when required it will also be included on the statistical file. The acquisition of certain other required data (e.g. interim judicial determinations), although not presently provided in all cases, via the survey, been recognized as necessary to a full information system, and procedures are currently being developed to provide for the timely receipt of this information by NYSIIS. Certain other information required by this system (e.g. presence or absence of a pre-sentence report) has never been routinely received by NYSIIS, but the facilities are available for doing so in the future.

(Effective September 1, 1971, a pre-sentence investigation will be mandated by CPL 390.20 for all felony convictions and for all misdemeanor convictions unless the sentence consists of a fine or a period of incarceration less than ninety days duration). With the implementation of this stage of the ongoing automated statistical system, NYSIIS will possess the capability of satisfying, on a higher volume and more immediate scale, the original objectives of this statistical system as established by the SEARCH Statistical Methods Task Force. This statistical system will trace offenders, on an individual basis, through the New York State criminal justice process and, as in the national system, will be designed to indicate by major system decision point the results of system process on an individual.

The successful completion of this preliminary stage of a state-wide justice system statistical model will precipitate the advancement of the model to a higher developmental stage. A major objective of this more advanced stage will be to provide statistical information on an individual transaction basis for a representative sample of individual justice system agencies. The type of data required to achieve this objective is basically similar to the previously discussed elements of data; in addition, this phase will require the collection and utilization of specific agency identities. A second objective of this stage will be to examine the feasibility of producing statistics such as:

- Individual transaction statistics reflecting the flow of the system on similar type offenders (e.g. same age-race-sex-charge, etc.) on a state-wide level;

-Individual transaction statistics reflecting the flow of the system on similar type offenders within a specific agency designation (e.g. statistics reflecting the system flow on all 25 year old males arrested for robbery, who were or are being supervised by a specific probation agency);

-Cumulative individual statistics which will reflect, on the state level, the system flow on individual offenders with multiple events;

-Cumulative individual statistics which will reflect, via a specific agency designation, the system flow on individual offenders with multiple events.

The basic data components suggested by the SEARCH statistical task force are with the exception of specific agency designation sufficient to accomplish the above objectives.

Once the above stages have been completed, modifications or refinements implemented and the subsequent results analyzed, the project will progress to a third and more comprehensive phase. This phase will include all the attributes of the previous stages and will contain basically the same information. However, it will be designed to include elements which will greatly refine the overall results, such as educational, marital and military experience. They will encompass items concerning employment and training experience (institution or private). In short, this phase of the statistical system will incorporate all those elements which the surveyed agencies indicated were vital to a comprehensive and accurate analysis of agency programs, policies, procedures and results.

This phase will provide statistics which will not only reflect the flow of the system via its various "drop-out" points, but will also reflect the types of background commonality among offenders. In addition, this phase may be extended to provide the detailed data necessary for the examination and appraisal of both the criminal justice system and its individual component agencies as positive reconstructive forces.

#### Data Requirements of the System

The initial portions of this section alluded to the type of data required to produce a preliminary, intermediate and comprehensive version of a statistical reporting system. Admittedly, these elements exist in various formats in many segments of the criminal justice system and are used for various purposes (see table 5-1). So, in order to provide for the systematic collection of this data, to avoid the redundant entry of similar data to the statistical system, and to demonstrate the practicality of data accumulation and control at a central function, NYSIIS has defined the type of data it will collect and maintain from each type of agency.

The following data breakdown is not intended to be totally inclusive, since system experience will, in all probability, necessitate modifications to some degree.



1. Arrest Agencies

Data is needed concerning frequencies of reported and (where possible) unreported crime; number of arrests; types of arrests (i.e. warrant, citizen, etc.); type of arrest offense; type of booking offense and complete information concerning the pertinent information surrounding the arrest (i.e. dates, places, etc.).

2. Judicial Agencies

At the pre-trial stage (preliminary arraignment/initial court appearance, etc.) data should be available in relation to bail, (including amount), the number of persons released on their own recognizance (ROR programs), the number of persons detained prior to trial, reasons for and length of their detention, the number of persons not appearing for trial and the reasons for non-appearance.

At subsequent judicial levels, data should cover adjudications; number and type of trials; number of cases in which there was no trial; sentences and lengths; whether or not the accused was represented by counsel, and whether counsel was retained or appointed; number of postponements or continuances and the reasons for these. Finally, it should be recognized that data concerning the time expended in court proceedings must be available and should, in addition to indicating total judicial time for a complete proceeding, be refined to permit the relation of time spent in and between the major phases of the court process.

For example:

- a. How much time was expended from point of arrest to ultimate final disposition (Sentencing or appellate decision)?;
- b. How much time was expended between conviction or guilty plea (trial) and sentence date?;
- c. How much time was expended between the preliminary hearing and trial?;
- d. How much time was expended in the actual trial phase?

3. Probation Agencies

At the probation level, data is needed on type, availability, and location of various investigations and their reports; number of persons on probation; type of specific probation program enrolled in; social background data; verified identification data elements (e.g. date of birth, true name, actual residence and place of employment, etc.); and specific data relating to probation revocation activities such as cause of revocation (i.e. technical violation and type, new arrest, etc.); number of hearings, etc.

4. Parole Agencies

NYSIIS would require that Parole furnish data concerning types of parole programs parolees are enrolled in; the number of parole board hearings; the number of paroles approved; the relation of parole violations to the three general categories of new offense, technical violation and absconding, and the reasons for these infractions.

5. Correctional Facilities

Data needs include the number of persons in correctional institutions (local and/or state); the reasons for incarceration; whether or not these people are awaiting trial or are sentenced inmates; their sentences; number of persons discharged and released on parole; numbers being trained in educational and vocational programs; the types of programs involved; and the numbers in pre-release programs.

In essence, what is needed is a uniform statistical reporting system to serve all criminal justice agencies by providing information which will assist them in assessment of policies and programs and in planning more effective crime prevention, treatment and control measures. Before much progress may be made in examining the interrelated decisions along the criminal justice process from arrest of offenders to their final discharge, we need reliable comparable information about the persons involved, the decisions made about them, and the consequences of these decisions. Once this data is obtained and correlated, it will be possible to begin examining the results of decisions in one sector of the criminal justice system, upon other criminal justice sectors. The police, probation officers, judges, correctional workers, parole boards, and others involved in the administration of criminal justice all have at least one thing in common -- they all must make decisions concerning criminal offenders. Yet these decisions, each of which is an integral part of the total system, are often unrelated to their effects on the

entire system. The statistical system discussed here will assist in the total relation of the operations of the system.

ATTACHMENT A

Proposed Probation Data Elements

- 1. ADMISSION TO PROBATION  
NAME (LAST, FIRST, M.I.)  
NYSIIS NUMBER (SID)  
SUPERVISION AREA  
DATE RECEIVED AT SUPERVISION OFFICE  
VERIFIED DATE OF BIRTH  
LENGTH OF PROBATION  
TYPE INVESTIGATION PERFORMED  
AVAILABILITY OF INVESTIGATION  
LOCATION OF REPORT  
LOCAL IDENTIFICATION NUMBER

- 2. VIOLATION  
NAME (as above)  
NYSIIS NUMBER (SID)  
RESULTS OF PROCEEDINGS  
WARRANT INFORMATION

- 3. TRANSFER  
NAME (as above)  
NYSIIS NUMBER (SID)  
NEW SUPERVISING AGENCY  
DATE OF TRANSFER  
NEW LOCAL IDENTIFICATION NUMBER

- 4. RELEASE  
NAME (as above)  
NYSIIS NUMBER (SID)  
DATE OF RELEASE  
PROBATION PROGRESS

STATE OF NEW YORK - EXECUTIVE DEPARTMENT  
IDENTIFICATION AND INTELLIGENCE SYSTEM  
ALFRED E. SMITH STATE OFFICE BLDG., ALBANY, NEW YORK 12225

DATE 6-03-70

TRANS. NO. 12857 PAGE 1

NYSIIS NO. 0078301A THIS RESPONSE TO YOUR INQUIRY IS BASED ON A F/P IDENT  
INQUIRY NAME SAMUEL SAMPLE SKIN TON MEDIUM SEX MALE HGT 6-01 FBI NO. 0427373B  
KNOWN AS SAMUEL SAMPLE RAC APP CAUCASOID BIRTH 07-16-31 SOC. SEC. NO. 183-32-1749

TO: FEDERAL BUREAU OF INVESTIGATION  
FEDERAL BUILDING  
ALBANY, N.Y. 12207

----- CRIMINAL HISTORY -----

ARREST:	SAMUEL SAMPLE	AGENCY ID 81846672
ADDRESS:	121 3RD AVE NEW YORK CITY	NEW YORK
CRIME DATE/PLACE:	01-31-60 NEW YORK CITY	NEW YORK
ARREST DATE/PLACE:	03-02-60 NEW YORK CITY	NEW YORK
AGENCY:	53RD PRECINCT NEW YORK CITY	NEW YORK
ASSOCIATES:	ROBERT PETERS 060001AA	AGENCY ID 8024956
	SAMUEL P. JOHN	AGENCY ID 8024956
	JOHN ROBERT JONES	AGENCY ID 8124956
ARREST CHARGES:	POSSESSION DANGEROUS DRUG	
	CARRYING DANGEROUS WEAPON 1896 PL	
DISPOSITION:	04-31-60	DOCKET NO 00003333
	MANHATTAN CRIMINAL COURT NEW YORK CITY	NEW YORK
CHARGES:	POSSESSION DANGEROUS DRUG	
	CARRYING DANGEROUS WEAPON 1896 PL	
ACTION:	05-04-60 CONVICTED PLEA OF GUILTY	COMBINED CHARGES
SENTENCE:	5 YEARS	
	SING SING STATE PRISON OSSINING	NEW YORK
INSTITUTION ADMISSION:	05-05-60	INMATE ID 01234567
	SING SING STATE PRISON OSSINING	NEW YORK
NEW COURT COMMITMENT, NOT ON PAROLE		
INSTITUTION RELEASE:	05-04-62	INMATE ID 01234567
	SING SING STATE PRISON OSSINING	NEW YORK
PAROLED		
PAROLE:	05-05-62 3 YEARS	AGENCY ID 0078301A
	DIVISION OF PAROLE	NEW YORK.
CERTIFICATE OF RELIEF, ORIGINAL:	ISSUE DATE 06-12-65	
	DIVISION OF PAROLE ALBANY	NEW YORK
	THIS CERTIFICATE SHALL RELIEVE HOLDER OF ALL DISABILITIES AND BARS TO EMPLOYMENT, EXCLUDING RIGHT TO BE ELIGIBLE FOR PUBLIC OFFICE	
	-----	
ARREST:	SAMUEL SAMPLE	AGENCY ID 00276538
ADDRESS:	5366 1ST AVE NEW YORK CITY	NEW YORK
CRIME DATE/PLACE:	02-26-68 NEW YORK CITY	NEW YORK
ARREST DATE/PLACE:	02-26-68 LEEDS	NEW YORK
AGENCY:	N.Y.S. POLICE LEEDS	NEW YORK
ARREST CHARGES:	PL 120.05-01 CLASS D FEL ASSAULT 2ND	
DETENTION:	02-26-68	INMATE ID 00041736
	GREENE COUNTY JAIL CATSKILL	NEW YORK
DISPOSITION:	03-04-68	DOCKET NO 00000001
	MANHATTAN CRIMINAL COURT	NEW YORK
CHARGES:	PL 120.00-01 CLASS A MISO ASSAULT 3RD	

\* Represents arrest information unsupported by fingerprints in our files.  
All entries are as complete as the data furnished to NYSIIS

*Robert R. J. Keller*  
Director

DATE 6  
NYSIIS NO. 00  
INQUIRY NAME S/  
KNOWN AS S/  
ACT  
SEN  
03-  
NAME  
FRE  
RECO  
03-  
02-  
BIRT  
FRE  
\* Represents All e

STATE OF NEW YORK - EXECUTIVE DEPARTMENT  
IDENTIFICATION AND INTELLIGENCE SYSTEM  
ALFRED E. SMITH STATE OFFICE BLDG., ALBANY, NEW YORK 12225

DATE 6-03-70

TRANS. NO. 12857 PAGE 1

DATE 6

NYSIS NO. 0078301A THIS RESPONSE TO YOUR INQUIRY IS BASED ON A F/P IDENT  
INQUIRY NAME SAMUEL SAMPLE  
KNOWN AS SAMUEL SAMPLE  
SKIN TON. MEDIUM  
RAC. APP. CAUCASOID  
SEX MALE  
HGT 6-01  
BIRTH 07-16-31  
FBI NO. 0427373B  
SOC. SEC. NO. 183-32-1749

NYSIS NO. 0078301A  
INQUIRY NAME SAMUEL SAMPLE  
KNOWN AS SAMUEL SAMPLE

TO: FEDERAL BUREAU OF INVESTIGATION  
FEDERAL BUILDING  
ALBANY, N.Y. 12207

ACT  
SEN

----- CRIMINAL HISTORY -----

ARREST: SAMUEL SAMPLE AGENCY ID B1846672  
ADDRESS: 121 3RD AVE NEW YORK CITY NEW YORK  
CRIME DATE/PLACE: 01-31-60 NEW YORK CITY NEW YORK  
ARREST DATE/PLACE: 03-02-60 NEW YORK CITY NEW YORK  
AGENCY: 53RD PRECINCT NEW YORK CITY NEW YORK  
ASSOCIATES: ROBERT PETERS 06000144 AGENCY ID B024956  
SAMUEL P. JOHN AGENCY ID B024956  
JOHN ROBERT JONES AGENCY ID B124956

03-

NAME  
FRE  
REGO  
03-  
02-  
BIRT  
FRE

ARREST CHARGES: POSSESSION DANGEROUS DRUG  
CARRYING DANGEROUS WEAPON 1896 PL  
DISPOSITION: 04-31-60 DOCKET NO 00003333  
MANHATTAN CRIMINAL COURT NEW YORK CITY NEW YORK

CHARGES: POSSESSION DANGEROUS DRUG  
CARRYING DANGEROUS WEAPON 1896 PL  
ACTION: 05-04-60 CONVICTED PLEA OF GUILTY COMBINED CHARGES

SENTENCE: 5 YEARS  
SING SING STATE PRISON OSSINING NEW YORK

INSTITUTION ADMISSION: 05-05-60 INMATE ID 01234567  
SING SING STATE PRISON OSSINING NEW YORK

NEW COURT COMMITMENT, NOT ON PAROLE  
INSTITUTION RELEASE: 05-04-62 INMATE ID 01234567  
SING SING STATE PRISON OSSINING NEW YORK

PAROLED  
PAROLE: 05-05-62 3 YEARS AGENCY ID 0078301A  
DIVISION OF PAROLE NEW YORK

CERTIFICATE OF RELIEF, ORIGINAL: ISSUE DATE 06-12-65  
DIVISION OF PAROLE ALBANY NEW YORK

THIS CERTIFICATE SHALL:  
RELIEVE HOLDER OF ALL DISABILITIES AND BARS TO EMPLOYMENT,  
EXCLUDING RIGHT TO BE ELIGIBLE FOR PUBLIC OFFICE

-----

ARREST: SAMUEL SAMPLE AGENCY ID 00276538  
ADDRESS: 5366 1ST AVE NEW YORK CITY NEW YORK

CRIME DATE/PLACE: 02-26-68 NEW YORK CITY NEW YORK  
ARREST DATE/PLACE: 02-26-68 LEEDS NEW YORK  
AGENCY: N.Y.S. POLICE LEEDS LEEDS NEW YORK

ARREST CHARGES: PL 120.05-01 CLASS D FEL ASSAULT 2ND  
DETENTION: 02-26-68 INMATE ID 00041736  
GREENE COUNTY JAIL CATSKILL NEW YORK

DISPOSITION: 03-04-68 DOCKET NO 00000001  
MANHATTAN CRIMINAL COURT NEW YORK

CHARGES: PL 120.00-01 CLASS A MISD ASSAULT 3RD

NYSIS-5 (1/69) SUMMARY CASE HISTORY

\* Represents arrest information unsupported by fingerprints in our files.  
All entries are as complete as the data furnished to NYSIS

*Robert R. J. Elliot*  
Director

\* Represents  
All

STATE OF NEW YORK - EXECUTIVE DEPARTMENT  
IDENTIFICATION AND INTELLIGENCE SYSTEM  
ALFRED E. SMITH STATE OFFICE BLDG., ALBANY, NEW YORK 12225

DATE 6-03-70

TRANS. NO. 12857 PAGE 2

NYSIS NO. 0078301A THIS RESPONSE TO YOUR INQUIRY IS BASED ON A F/P IDENT  
INQUIRY NAME SAMUEL SAMPLE  
KNOWN AS SAMUEL SAMPLE  
SKIN TON. MEDIUM  
RAC. APP. CAUCASOID  
SEX MALE  
HGT 6-01  
BIRTH 07-16-31  
FBI NO. 0427373B  
SOC. SEC. NO. 183-32-1749

----- CRIMINAL HISTORY -----

ACTION: 03-04-68 CONVICTED PLEA OF GUILTY, LESSER OFFENSE  
SENTENCE: 90 DAYS SUSPENDED

----- OTHER CRIMINAL HISTORY -----

03-28-66 SAMUEL SAMPLE STAMFORD CONNECTICUT  
STAMFORD COUNTY JAIL  
SERVED 90 DAYS FOR VAGRANCY

----- OTHER INFORMATION -----

NAMES USED BY SUBJECT:  
FREQ 04 SAMUEL SAMPLE FREQ 01 "LEFTY"  
RECORDED ADDRESSES:  
03-02-60 121 3RD AVE NEW YORK CITY NEW YORK  
02-26-68 5366 1ST AVE NEW YORK CITY NEW YORK  
BIRTH DATE/PLACE:  
FREQ 04 07-16-31 FREQ 04 NEW YORK CITY FREQ 04 NEW YORK

----- LAST PAGE -----

NYSIS-5 (1/69) SUMMARY CASE HISTORY

\* Represents arrest information unsupported by fingerprints in our files.  
All entries are as complete as the data furnished to NYSIS

*Robert R. J. Elliot*  
Director

7-01-70

TRAN NO. 12857 PAGE 1

0078301A THIS RESPONSE TO YOUR INQUIRY IS BASED ON A F/P IDENT
SAMUEL SAMPLE MEDIUM MALE 6-01 04273738
SAMUEL SAMPLE CAUCASOID 07-16-31 183-32-1749

CONFIDENTIAL TO: FEDERAL BUREAU OF INVESTIGATION
FEDERAL BUILDING
ALBANY, N.Y. 12207

CURRENT STATUS SUBJECT CURRENTLY ON PROBATION TO
NASSAU CO. OFFICE OF PROBATION

ARREST - JUDICIAL INFORMATION

Table with columns: ARREST DATE, ARREST AGENCY, ARREST CHARGE, JUDICL DATE, DISPOSITION CHARGE, COURT DECISION. Contains multiple rows of arrest records.

POST - ADJUDICATORY INFORMATION

Table with columns: DATE, ACTIVITY, SENTENCE CHARGE, COMMENTS. Contains records of imprisonment, parole, and probation.

MENTAL HYGIENE INFORMATION

Table with columns: ADMIT DATE, PATIENT ID NU, DISCHG DATE, INSTITUTION NAME-LOCATION, COMMENTS. Contains one record for a psychiatric exam.

7-01-70

0078301A
SAMUEL SAMPLE
SAMUEL SAMPLE

OTHER HISTORY INFORMATION

ASSOCIATES

THOMAS A WINIERS
LOUIS T NOITS

ADDRESSES
27-25 QUEENS BLVD
260 NASSAU DR

EMPLOYMENT
090267 UNIVERSAL DIAPER CO
011768 UNIVERSAL DIAPER CO
122269 DOWNTOWN IRON WORKS

EDUCATION
HIGHEST GRADE

MILITARY
BRANCH
DATE

7-01-70

TRAN NO. 12857 PAGE 2

0078301A THIS RESPONSE TO YOUR INQUIRY IS BASED ON A F/P IDENT
SAMUEL SAMPLE MEDIUM MALE 6-01 04273738
SAMUEL SAMPLE CAUCASOID 07-16-31 183-32-1749

OTHER HISTORY INFORMATION

ASSOCIATES

THOMAS A WINIERS SID NO. 3015017
LOUIS T NOITS SID NO 3015018

ADDRESSES BIRTH DATE/PLACE
27-25 QUEENS BLVD JAMAICA NY FREQ 03 QUEENS NY FREQ 05
260 NASSAU DR MINEOLA NY FREQ 02

EMPLOYMENT
090267 UNIVERSAL DIAPER CO BABYLON NY FOLDER
011768 UNIVERSAL DIAPER CO BABYLON NY FOLDER
122269 DOWNTOWN IRON WORKS NY NY WELDER

EDUCATION
HIGHEST GRADE 11TH

MILITARY
BRANCH US ARMY
DATE OF DISCHARGE 09-15-53 SERVICE NO 127305794
TYPE DISHONORABLE

TO: COUNTY PROBATION DEPARTMENT  
ANYTOWN, NEW YORK 12345

RE: SAMUEL SAMPLE NYSIIS NO. 0078301A  
THE ABOVE INDIVIDUAL IS CURRENTLY LISTED AS  
UNDER SUPERVISION BY YOUR AGENCY.  
WANTED

YOUR AGENCY I.D. NO. 987654

SUBJECT IS PRESENTLY IN THE CUSTODY OF

ANYCITY, NEW YORK P.D.

THEIR AGENCY I.D. NO. 456789

NOPS

W YO

this  
both  
pro  
the  
of  
Ser

W YO

this  
the  
for  
Dep  
with

W YOR

W YOR

join  
l, l  
Crim  
cedu  
rela  
of N

e fol  
ction

L 160

- fin

APPENDIX

UNOPSIZED DEFINITION OF LEGISLATION MENTIONED THROUGHOUT THE TEXT

NEW YORK STATE SENATE BILL 9086-A

this bill, with an effective date of January 1, 1971, amends both the Correction and Executive laws of New York State and provides for the removal of the State Division of Parole from the Executive Department and consolidates it with the Department of Correction in a newly created Department of Correctional Services.

NEW YORK STATE SENATE BILL 9097

this bill with an effective date of January 1, 1971, amends both the Correction and Executive law of New York State by providing for the removal of the State Division of Probation from the State Department of Correction and re-establishes it as a division within the Executive Department.

NEW YORK STATE SENATE BILL 7276

NEW YORK STATE ASSEMBLY BILL 4561

jointly enacted legislation with an effective date of September 1, 1971, providing for the repeal of the New York State Code of Criminal Procedure and establishing in its place a Criminal Procedure Law (CPL). This newly enacted law, contains provisions relative to criminal actions and proceedings throughout the State of New York.

The following is a brief narrative of the major contents of those sections of the CPL mentioned in this presentation.

L 160.10

- fingerprints are required to be taken in the following instances:

- arrest for felony
- arrest for penal law misdemeanor
- arrest for misdemeanor defined outside the penal law, which would constitute a felony if the individual has a previous judgment of conviction for a crime.
- loitering, as defined in subdivision three of section 240.35 of the penal law.

CPL 160.20

- requires that fingerprints taken in accordance with requirements of CPL 160.10 be forwarded to NYSIIS.

CPL 160.30

- requires NYSIIS to classify all fingerprints received, pursuant to CPL 160.20, search its records for pertinent information and transmit such information, or notification of lack thereof, to the forwarding police officer or agency.

CPL 160.40

- upon receipt of a fingerprint report from NYSIIS, the police officer or agency must promptly transmit such report or a copy thereof to the district attorney of the county.

CPL 390.10

- directs that the court may not pronounce sentence in the event of a conviction for any offense specified under CPL 160.10 until it has received a fingerprint report from NYSIIS.

CPL 390.20

- directs that, if a felony conviction, the court must order a pre-sentence investigation of the defendant and may not pronounce sentence until it has received a written report of such investigation.
- further directs that, if a misdemeanor conviction, a pre-sentence report is not required but the court may not pronounce any of the following sentences unless it has ordered a pre-sentence investigation of the defendant and has received a written report thereof:
  - sentence of probation;
  - reformatory or alternative local reformatory sentence;
  - sentence of imprisonment for a term in excess of ninety days;
  - consecutive sentence of imprisonment for terms aggregating more than ninety days.

CPL 390.60

- directs that, when a person is sentenced to any of the terms of imprisonment mentioned in the misdemeanor section of CPL 390.20 or to an indeterminate sentence of imprisonment, a copy of all pre-sentence reports and memoranda be delivered to the person in charge to the correctional facility.

CPL

-

-

CPL 530.20

- directs that, when a defendant is charged with an offense or offenses of less than felony grade, the court must order recognizance or bail.
- further directs that no local criminal court may order recognizance or bail with respect to a defendant charged with a felony unless and until:
  - The district attorney has been heard or has waived his right to appear; and
  - The court has been furnished with a report of NYSIIS concerning the defendant's criminal record, if any.

ce  
he  
l  
of:

ays;  
Et



GLOSSARY

1. ABBREVIATED SUMMARY CASE HISTORY

- a report indicating in a concise manner all available information relating to the individual's prior criminal justice experience.

2. COMPREHENSIVE SUMMARY CASE HISTORY

- a detailed report chronicling all available information relating to the individual's prior criminal justice experience.

3. COURT OF SERVICE

- the court or courts which a probation agency serves.

4. CPL

- Criminal Procedure Law -- see Appendix for definition.

5. HIGH PRIORITY REPORT

- a report transmitted to supervisory agencies (i.e. parole/probation) notifying them that an individual under their supervision has re-entered the justice system via another event.

6. NO RECORD RESPONSE

- a report which indicates to the input agency that the current event represents the individuals initial contact with the system.

TABLE 2-1 POLICE DECISION POINTS AND REQUIRED SYSTEMS ASSISTANCE

	INVESTIGATION	ARREST/BOOKING
OPERATION	In criminal investigation police oftentimes develop a list of suspects who may be responsible for an act. Since the checking out of this list involves valuable time a faster method is desirable.	At this point the police proceed to place a formal charge against an individual in their custody. Further, they are required by law to fingerprint and photograph the suspect and forward the fingerprints and photo to NYSIIS (CPL 160.10).
SYSTEM ASSISTANCE (PAROLE/PROBATION REPORTING SYSTEM)	The investigating agency will forward its list of suspects to NYSIIS and NYSIIS will search its files and return all available information to the police agency.	NYSIIS will seek to identify the individual. If the suspect is currently on parole or probation, NYSIIS will so inform both the arrest and supervising agencies.
TYPE RESPONSE	The response will consist of a comprehensive summary case history on all input suspects.	NYSIIS will respond with an abbreviated summary case history to the arresting agency and where applicable with a notification to the supervisory agency.

TABLE 2-2 DISTRICT ATTORNEY DECISION POINTS AND REQUIRED SYSTEMS ASSISTANCE

	PRE-ARRAIGNMENT	PRELIMINARY HEARING	GRAND JURY	ARRAIGNMENT	TRIAL	SENTENCE
OPERATION	The District Attorney has the right to be heard at this preliminary stage where decisions relating to bail/ROR for felony arrests will be undertaken. (CPL 530.20)	The operations of the district attorney at this stage are similar to those at the arraignment stage.	At this point, the district attorney will present the people's case in an attempt to obtain an indictment.	The district attorney upon indictment proceeds in a manner similar to the original arraignment.	During this stage, the prosecution assumes responsibility for presenting the people's case to a jury.	No Activity.
SYSTEM ASSISTANCE (PAROLE/PROBATION REPORTING SYSTEM)	In order to efficiently pursue his obligations at this point in the process, the district attorney will require current background information on the individual.	Depending on the status of the accused between arraignment and preliminary hearing (bail/ROR) the prosecutor may require additional information concerning the activities of the defendant subsequent to the pre-arraignment phase.	See Preliminary Hearing.	Depending on the status of the accused (bail/ROR etc.) the prosecutor may require additional updated information to assist his decision-making.	Although the bulk of systems assistance will have previously been supplied, there exists the possibility that further information will be required. For example, the prosecutor may need to determine the background of a witness.	None Required.
TYPE RESPONSE	NYSIIS will forward an abbreviated copy of the individual's criminal background to the district attorney to assist in the bail/ROR process. This reply will be forwarded to the prosecutor from NYSIIS via the arrest agency as required by law. (CPL 160-40).	If assistance is requested, NYSIIS will reply with either an updated summary case history or a "no further activity" response.	See Preliminary Hearing.	See Preliminary Hearing.	If assistance is required at this point, NYSIIS will respond with a full background report to the district attorney.	None Required.

TABLE 2-3 JUDICIAL DECISION POINTS AND REQUIRED SYSTEMS ASSISTANCE

	PRE-ARRAIGNMENT/PRELIMINARY HEARING	ARRAIGNMENT	PRE-TRIAL	TRIAL	PRE-SENTENCE	SENTENCING	DISCHARGE
OPERATIONS	At this point in the judicial processing, the Court must decide whether or not to grant bail or ROR. The Court will direct that a NYSIIS background history report be forwarded.	At this point (following indictment/information) the court again considers the disposition of the defendant (i.e. ROR, bail, detain, etc.).	In Y.O. (Youthful Offender) cases the court requires the probation agency to conduct an investigation and document the results in a report. This report is used by the court to determine if the defendant will be given Y.O. treatment during the trial. The court sometimes requires probation to make adult pre-trial investigations in lieu of pre-sentence investigations (see pre-sentence).	No information needed.	Prior to the imposition of sentence, the court requires that the probation agency prepare a pre-sentence report on the convicted individual. (CPL 390.10).	In pronouncing sentence, the court uses the probation report and other reported information concerning the individual. The court could also desire current information, at this time, as evidence that the defendant has not committed any new offenses while awaiting trial.	The court at this point requires information in order to determine if there exists any cause legal or otherwise for refusing probation release.
SYSTEMS ASSISTANCE (PAROLE/PROBATION REPORTING SYSTEM)	NYSIIS assistance at this point will entail forwarding an abbreviated criminal history or no record response to the appropriate court to assist in the preliminary court actions.	Assistance at this point will be available from NYSIIS upon receipt of an inquiry from the probation department and will consist of background information.	In most instances, NYSIIS assistance at this point would not be necessary due to previous history transmissions. However, if requested, NYSIIS will respond.	None Required.	Upon receipt of the request, NYSIIS will forward a comprehensive summary case history of the individual to the probation agency preparing the pre-sentence report.	All systems assistance necessary at this stage has been provided in the pre-sentence stage. However, should the court require confirmation that no criminal activity occurred between the pre-sentence and sentence stage, NYSIIS will forward either a "no further activity" response or an updated criminal history detailing all events reported to NYSIIS since the last date of transmission.	Upon receipt of a pre-release check inquiry, NYSIIS will search the individual's files and reply to the probation agency so that it may prepare its report for the court. However, since NYSIIS will routinely be notifying probation agencies of any new criminal activity on the part of those supervised, assistance here will be minimal.
TYPE RESPONSE	As required by law (CPL 530.20) NYSIIS will respond, upon receipt of a fingerprint felony arrest report, with an abbreviated summary case history to the probation office serving the court.	If requested, NYSIIS will respond with either a "no further activity" response or an abbreviated summary case history to the probation office for submission to the court.	The response will be an abbreviated summary case history and will be transmitted to the investigating probation agency.	None required.	See above.	See above.	If required, NYSIIS will respond with either a "no further activity" response or an abbreviated summary case history.

TABLE 2-4 PROBATION DECISION POINTS AND REQUIRED SYSTEMS ASSISTANCE

	PRE-ARRAIGNMENT	PRE-PLEA	PRE-SENTENCE	TRANSFER	SUPERVISION	VIOLATION	DISCHARGE	FOLLOW-UP DATA
<b>OPERATION</b>	At this point, probation conducts an investigation to determine if a defendant is suitable for MOR (Release on Recognizance) or bail. The investigation consists of an interview with the defendant and checks in the community to determine the individual's residence, employment, and family ties. The details of this investigation are the primary means by which the arraignment court will determine disposition before trial.	Two types of investigations are made at this point, Y.O. (Youthful Offender) eligibility investigations and adult investigations. Y.O. investigations are made on order from the court and will be utilized by the court in determining whether or not the defendant is to be afforded Y.O. treatment. Adult investigations are conducted on order from the court with the consent of the defendant and D.A. Results of investigations are contained in a report and transmitted to the court.	On order from the court, probation conducts a comprehensive investigation of the defendant's legal (criminal) and social history. Results of the investigation are incorporated in a report and transmitted to the court.	Acceptance of a transfer case by probation agencies usually requires a background check on the individual.  Transfer Out of New York State  The only assistance necessary at this point concerns the need of NYSIS to be informed of the transfer so it may update its files. Under the basic system, it was suggested that both the transferring and accepting agencies notify the central reporting system of the transfer. Under the final system, only the accepting agency would notify the central reporting system.	When a case is resolved by the probation department, an officer is assigned and a schedule of appointments issued to the probationer. This period of supervision requires that the probation officer have knowledge of all the activities of the probationer.	Probation violations fall into three categories: technical (violating the rules of probation), criminal (committing a new offense), and absconding. Warrants are usually issued for technical violations and absconding. Probation requires a means of providing the police with adequate information to recognize violators during normal police activities.	Standard procedure at this point requires a pre-release inquiry on the probationer to assure that there has been no criminal activity on probation.	Data collected at this point would be used to conduct systems and program effectiveness studies. Probation agencies indicated a need for the acquisition of reliable statistics which would enable them to evaluate the post-probation period of individuals and groups of individuals. Such information is seen as assisting in the evaluation of probation program and supervision effectiveness.
<b>SYSTEM ASSISTANCE (PAROLE/PROBATION REPORTING SYSTEM)</b>	Information needs at this point concern prior criminal history data to both substantiate information collected in bail/MOR investigations and to provide background data to assist the investigator in acquiring additional information on the individual. System assistance rendered at this point is seen as significantly aiding the work of the probation officer by providing data otherwise difficult and time-consuming to acquire.	Detailed information is needed at this decision point to facilitate probation investigations. The following is the type of data required: 1. Updated information indicating if defendant committed a crime while awaiting judicial action. 2. Co-defendant information. 3. Mental Hygiene, Alcoholic and Narcotic Addiction history information.	The same type of information required at pre-plea is required at pre-sentence. In addition, probation would consider it helpful to obtain a listing of prior experienced agencies where detailed information is readily available.	Transfer to New York State Prior to accepting an individual for supervision, the New York State agency would wish to determine whether or not the individual has a criminal record in New York State.  Transfer Out of New York State Due to the fact that NYSIS will routinely keep supervising agencies informed of any criminal behavior this information will be available from the transferring agency. In addition, the transferring agency will possess the pre-sentence response and should make it available to the receiving agency.	Probation needs at this point require a rapid report of all probationers who are arrested. In addition, it was suggested that the proposed parole/probation reporting system incorporate a central file of all individuals currently on probation. This could be accomplished via the installation of a status file at NYSIS. This file would contain identification of all individuals currently maintaining an open status in the system (e.g. parolees, probationers, arrestees with outstanding dispositions, etc.)  In the event conditions require a response under the supervision area, NYSIS would respond with an abbreviated summary case history or a no further activity response.	Assistance at this point would entail a procedure which would require the probation agency responsible for the warrant to notify NYSIS so that NYSIS may post this information to its files. However, due to the quantity of warrants which are issued and closed within a short period of time, it was deemed advisable that only warrants remaining open for a minimum of two weeks be reported. Based on this data in its files, NYSIS could recognize a wanted probationer during normal processing.	Probation agencies generally agreed that to fully implement the proposed system, agencies would have to report discharge data to the reporting system. In order to fulfill this probation request, NYSIS will propose to accept inquiries from agencies requesting discharge background information. In addition, NYSIS will anticipate receiving pertinent discharge data from each agency so that it may both update its base files and purge the status files.	Based on the kind, completeness and accuracy of data reported to NYSIS by all agencies concerned with the individual, NYSIS would be able to prepare statistical profiles on individual probationers so that probation may evaluate its effectiveness in a particular case. Additionally group tables may be prepared to illustrate the post-probation experience of similarly grouped prior probationers.
<b>TYPE RESPONSE</b>	NYSIS assistance at this point will entail the forwarding of an abbreviated summary case history report to the probation agency involved in this preliminary investigation.	Depending on the defendant's status between the pre-arraignment and pre-plea phases, the court may direct that it be furnished with another copy of the criminal history; for example, if the defendant has been on bail or MOR between the pre-arraignment and pre-plea phases a new NYSIS response may be necessary. Should a response be deemed necessary, NYSIS will respond with either a "no further activity" response or when applicable an abbreviated history summary case report.  * To be eligible for Y.O. Consideration, an offender must fulfill each of the following criteria: - be at least 16 and less than 19 years of age. - present indictment must be other than a class "A" felony. - no previous judgment of conviction for a felony.	The response at this point will consist of a comprehensive summary case history report.	Transfer to New York State NYSIS will search its files for any information it has on the individual and report either a comprehensive summary case history or a no record response to the prospective New York State agency.  In either case, NYSIS will be informed of the new supervision area of the probationer so that the files may be updated.	If a response is dictated by a warrant entry on the status file, NYSIS will respond with a high priority notice to the sending agency indicating where the individual is being held. Additionally, NYSIS will report this information to the arresting agency so that it is aware of the status of the individual.	NYSIS will respond with either a "no further activity" response or a comprehensive summary case history report.	NYSIS would, on a pre-arranged basis supply statistical tables to either or both individual probation agencies and the State Probation Department. The format of these tables remain to be discussed with the new Division of Probation.	

TABLE 2-5A LOCAL CORRECTION DECISION POINTS AND REQUIRED SYSTEMS ASSISTANCE

	DETENTION	POST SENTENCE COMMITMENT	TRANSFER	RELEASE	FOLLOW-UP
LOCAL OPERATIONS	At this point correction authorities are charged with the custody of individuals held prior to arraignment; in lieu of pre-trial bail, awaiting, sentencing, etc.	At this point the facility accepts responsibility for the custody of the convicted individual. It is the responsibility of each facility to notify NYSIIS, via fingerprints, of the receipt of all sentenced individuals. (Correction Law 618)	On occasion, Correction is required to shift inmates between facilities. This shift may be caused by reasons such as over-crowding, or lack of available educational or vocational programs at a particular facility.	At this point correction either releases the individual upon reaching maximum expiration of sentence or releases him to parole supervision.	Correctional authorities feel there is a need for the compilation of statistical studies (both individual and group) which will assist them in the evaluation and planning of institutional programs directed towards the improvement of the inmate.
CORRECTION SYSTEM ASSISTANCE (PAROLE/PROBATION REPORTING SYSTEM)	NYSIIS will assist these facilities by providing background history, including arrest/disposition information and when available and officially certified, information relative to mental hygiene admission data; narcotic and/or excessive alcohol usage, etc. This type of reply is seen as providing the basis for proper supervision of the inmate.	NYSIIS is required by law (CPL 390.10) to provide information on all persons convicted of a fingerprintable crime. In some cases the replies previously submitted at arraignment or pre-trial will suffice. In either case the report when available must be transmitted to the correction institution (CPL 390.60).	This activity requires no direct system assistance at this time.	No system assistance required from NYSIIS at this point. However, NYSIIS will be informed of all releases and type (maximum expiration, parole, etc.) This will be added to the individuals base file and if necessary action will be taken on the status file.	System assistance at this point is requested in providing data which would assist the correction administrators in their evaluation process. The depth of NYSIIS assistance has not as yet been fully ascertained, however, it is felt that the preliminary steps in this operation will follow one or a combination of the types listed below.
FACILITIES TYPE RESPONSE	NYSIIS will respond at this point with an abbreviated summary case history.	When requested by probation agencies preparing pre-sentence reports, NYSIIS will supply comprehensive summary case history. This history will accompany the prisoner to the institution.	None Required.	None Required.	At the present time, NYSIIS envisions reports which may fall into some or all of the following types: <ul style="list-style-type: none"> <li>a. report similar to Uniform Parole Reports;</li> <li>b. individual reports at re-arranged intervals to monitor the persons progress following release;</li> <li>c. general studies on groups of similar individuals and their progress in the post-release period.</li> </ul>

TABLE 2-5B STATE CORRECTION DECISION POINTS AND REQUIRED SYSTEMS ASSISTANCE

		DETENTION	POST SENTENCE COMMITMENT	TRANSFER	RELEASE	FOLLOW-UP DATA
S T A T E	OPERATIONS	No Applicable	See Local Correctional Facilities.	See Local Correctional Facilities.	See Local Correctional Facilities.	See Local Correctional Facilities
	SYSTEM ASSISTANCE (PAROLE/PROBATION REPORTING SYSTEM)	None Required	-do-	Systems assistance does not appear to be applicable, at this point, to State Correctional Facilities. This is primarily due to factors such as a less dense inmate population per facility, longer sentences, etc.	-do-	Due to the present involvement of the State Correction Department Research Unit in this type application, no direct system assistance is envisioned. However, NYSIIS will investigate the possibility of providing service in any area as yet uncovered or minimally covered by the department research unit.
C O R R E C T I O N A L						
	TYPE RESPONSE	None Required	-do-	None Required.	-do-	At the present time assistance is seen as encompassing those areas mentioned in Section VII of this report.
F A C I L I T I E S						



TABLE 2-6 PAROLE DECISION POINTS AND REQUIRED SYSTEMS ASSISTANCE

	HEARING	RELEASE TO PAROLE	TRANSFER	SUPERVISION	VIOLATION	DISCHARGE	FOLLOW-UP DATA
<b>OPERATION</b>	A report is prepared at this point by the Parole Officer showing the social, marital, military and educational background of the potential parolee. This report is one of the factors considered by the Parole Board in granting parole.	Parole is given advance notice when a man will be released and to which area parole office the parolee will be assigned.	Transfer cases are handled by the local transferring and accepting agencies. Transfer reports are forwarded to the Parole Central Office.	At this point, parolees must report to their assigned parole officer at scheduled time periods. Parole officers during this time prepare a report summarizing the parolee's activities during his release.	Parole prepares a report at this time in all instances where a parolee is charged with absconding, a new offense or a technical violation.	Parole will at this point discharge a parolee when his maximum time is up.	Data collected at this point is used to evaluate the effectiveness of parole programs in terms of knowing why some parolees return to the same or different crime patterns that existed when they were institutionalized.
<b>SYSTEM ASSISTANCE (PAROLE/PROBATION REPORTING SYSTEM)</b>	Information required at this point is obtained by the parole officer through inmate interviews, parole area agency investigation and review of the probation report. System assistance at this point would depend on the status of the defendant between conviction and sentence. However, regardless of pre-sentence status, parole will receive a copy of the pre-sentence report from the probation office (CPL 390.60).	Required information at this point is contained in the parole case folder received from Correction. All required information is checked to insure this data is in the folder. If any information is missing a request is made for it through the Department of Correctional Services. When an inmate is released NYSIIS will receive notification of this release and will update its files for the individual.	<p>TRANSFER OUT OF NEW YORK STATE</p> <p>No assistance is required at this decision point due to the centralized structure of the Division of Parole. All responses on the part of NYSIIS concerning any parole activity are forwarded directly to the Central offices of Parole for action and follow-up.</p> <p>TRANSFER TO NEW YORK STATE</p> <p>New York State upon receiving a request from another state to assume supervision responsibilities will request background information on the parolee. At present no system assistance is performed, however, NYSIIS does possess the capability of searching its files, based on fingerprints, to ascertain if the individual has a record in New York State.</p> <p>- In either case NYSIIS will be notified of the transfer so that the proper file updating may be performed.</p>	Assistance at this point would be restricted to that outlined in the "violation" decision point.	Assistance may be rendered at this point by providing information on criminal activities of persons under parole supervision. In processing new arrest information against a status file NYSIIS will be able to recognize whether the individual is a parolee and/or in a wanted status.	No system assistance is required at this decision point. Parole will notify NYSIIS of all individuals completing parole either through being returned to an institution or satisfactory completion of the supervisory period. NYSIIS will then update its files for the individual.	At present, the Research Unit of the Division of Parole compiles and distributes statistics concerning a wide range of parole operations and parole experience. NYSIIS can assist this function by providing pertinent background information from its files. In addition, NYSIIS will in the near future, explore with Parole the possibility of providing active assistance in future statistical programs.
<b>TYPE RESPONSE</b>	If the inmate has remained in custody during the pre-sentence period, there will be no need for NYSIIS to supply any information at this point since the reply given probation for its pre-sentence investigation will suffice. However, if the inmate has been released on bail/ROR during the pre-sentence period, NYSIIS will be prepared to forward either a "no further activity" response or an updated criminal history report.	None Required.	<p>TRANSFER OUT OF NEW YORK STATE</p> <p>None Required.</p> <p>TRANSFER TO NEW YORK STATE</p> <p>NYSIIS would reply, with a comprehensive summary case history or no-record response to the Central Offices of New York State Parole.</p>	See Violation	Upon recognizing parole and/or wanted status, NYSIIS will note this condition on the abbreviated criminal history reply to the arrest agency and will immediately notify Parole of the location of the parolee via a high priority notification.	None Required.	Although NYSIIS does not presently respond at this point, information is available in its files, monitoring the current activities of individuals released from supervision. Discussions are planned with the Division of Parole which will explore the maximum utilization of this information.

2-7 VOLUME AND RESPONSE TIME

POLICE DECISION POINTS	VOLUME/RESPONSE TIME		DISTRICT ATTORNEY DECISION POINTS	VOLUME/RESPONSE TIME		PROBATION DECISION POINT	CORRECTIONS** DECISION POINT		CORRECTIONS** DECISION POINT		PAROLE DECISION POINT	VOLUME/RESPONSE TIME					
	STATE WIDE VOLUME	TIME		STATE WIDE VOLUME	TIME		STATE WIDE VOLUME	TIME	STATE WIDE VOLUME	TIME		VOLUME	TIME	STATE WIDE VOLUME /10	TIME		
																NEW YORK CITY DEPARTMENT	NEW YORK STATE DEPARTMENT
INVESTIGATION	-----	1 to 24 hours	PRE-ARRESTMENT	140,000 /1	1-2 hours after input to RTDII	PRE-ARRESTMENT	Included in pre-sentences	1 to 6 days /2	PRE-ARRESTMENT	140,000 /6	1 to 2 hours after input to RTDII	DETEENTION	90,000/yr	2 to 3 hours /8	HEARD	18,381	Not Applicable
ARREST/BOOKING	140,000 /1	2 to 4 hours	GRAND JURY	26,000	Not Applicable	PRE-PLA	Included in pre-sentences	1 to 7 days /5	ARRESTMENT (FINGERPRINTABLE CRIM)	100,000 (estimate)	Within 3 hrs. after input to RTDII	SENTENCING (commitment)	30,000/yr	15 to 30 days /9	RELEASED TO PAROLE	3,291	Not Applicable
			ARRESTMENT	25,000	Unknown	PRE-SENTENCE	9,907	1 to 4 weeks	PRE-TRIAL HEARINGS	6,000	1 to 2 days after input to RTDII	TRANSFER	3,500/DAY	No Response Required	TRANSFER	752	As Requested
			TOTAL	25,000	Within 1 day	TRANSFER	To NYC Supervision 2,808 To Other State Supervision 2,808	1 to 5 days Unknown	SERIAL	140,306 /7	-----	FROM DETENTION	60,000/yr	No Response Required	To NYC Supervision	752	As Requested
			DEFERRED	N/A	Not Applicable	SUPERVISION	37,062	As required	PRE-SERVICE	257,520 /7	Within 7 days	UPON COMPLETION OF SENTENCE	30,000/yr	-----	To Other State Supervision	879	As Requested
						VIOLATION	----- /3	Immediate	SENTENCING	257,520 /7	1 to 2 days after input to RTDII	FOLLOW-UP	-----	-----	SUPERVISION	19,077	As Requested
						DISCHARGE	24,251	Immediate	FOLLOW-UP	-----	-----	NEW YORK STATE DEPARTMENT	-----	-----	VIOLATION	4,276	Immediate
						FOLLOW-UP	-----	-----				SENTENCING (commitment)	4,900	1 month /8	DISCHARGE	4,362	No Response Required
												TRANSFER	7,700	-----	FOLLOW-UP	-----	-----
												RELEASE	9,500	-----			
												FOLLOW-UP	-----	No strict time requirements			
												**Based on 1966 statistical tables					
												/8 Due to provisions of new CPL, this information should be available via response to court and probation agency in preliminary bail-RCP proceedings.					
												/9 Due to provisions of new CPL, this information required prior to sentence and further that this information be transmitted with inmate in correctional facility.					
												/6 This figure is based on finger-printable arrests for calendar year 1969. This total will increase with the inception of the new criminal procedure law effective 1 Sept 1971.					
												/7 This figure includes all court activity finger-printable and non-finger-printable of a criminal nature for 1968.					
												/2 Based on 1968 statistics					
												/3 No State-wide statistics available.					
												/4 Due to new provisions regarding bail/RCP investigations in felony arraignments (CPL 530.20). This time will in many instances be reduced to hours.					
												/5 New requirements stipulated in CPL 530.40 effectively reduce this time estimate.					
												/10 Based on 1969 statistics of the Division of Parole.					

/1 Based on 1969 arrest statistics

TABLE 4-1 TYPE RESPONSE BY AGENCY DECISION POINT

Agency		Decision Point	Input Type	Response Required	Legal Source	Type Response	How Satisfied	ADDITIONAL RESPONSES
Police	A	Investigation	Inquiry	Yes	None	Comprehensive History or No Record	By Direct NYSIIS Response	At the time of response to the Police at the arrest/booking point (B-1) NYSIIS will also forward responses to the District Attorney, the Court and Probation in order to satisfy their needs at C-1, G-1 and K-1. In addition, should the arrest concern an individual currently under Probation or Parole supervision, NYSIIS will assist Parole and Probation by forwarding a response which will satisfy their needs at N-1 and R-1.
	B	Arrest/Booking	Update	Yes	CPL 160.10	Abbreviated History or No Record	By Direct NYSIIS Response	
District Attorney	C	Preliminary Arraignment	None	Yes	CPL 160.40 CPL 530.20	Abbreviated History	By NYSIIS Response at B-1	None
	D	Grand Jury	None	No	-----	-----	-----	
	E	Arraignment	None	Yes	CPL 210.15 CPL 530.40	Abbreviated History	By NYSIIS Response at L-1	
	F	Trial	None	No	-----	-----	-----	
Court	G	Preliminary Arraignment	Update*	Yes	CPL 530.20	Abbreviated History	By NYSIIS Response at B-1	None
	H	Arraignment	None	Yes	CPL 530.40	Abbreviated History	By NYSIIS Response at L-1	
	I	Trial	None	No	-----	-----	-----	
	J	Sentence	Update*	Yes	CPL 390.20	Comprehensive History	By NYSIIS Response at M-1	
		1	2	3	4	5	6	7

TABLE 4-1 TYPE RESPONSE BY AGENCY DECISION POINT

Agency		Decision Point	Input Type	Response Required	Legal Source	Type Response	How Satisfied	ADDITIONAL RESPONSES
Probation	K	Preliminary Arraignment	None	Yes	CPL 530.20	Abbreviated History	By NYSIIS Response at B-1	<p>At the time of response to Probation at the Arraignment point (L-1) NYSIIS will also forward responses to the District Attorney and the Court to satisfy decision points E-1 and H-1.</p> <p>At the time of response to Probation at the Pre-Sentence decision point (M-1) NYSIIS will also forward responses to the Court, Parole and Correction to satisfy decision points J-1, P-1 and U-1.</p>
	L	Arraignment	Inquiry	Yes	CPL 530.40	Abbreviated History	By Direct NYSIIS Response	
	M	Pre-Sentence	Inquiry	Yes	CPL 390.10	Comprehensive History	By Direct NYSIIS Response	
	N	Supervision	Inquiry/ None* /2	Yes/Yes	-----	Subsequent Report/ High Priority Notice	By Direct NYSIIS Response	
	O	Release	Inquiry/ Update*	Yes/No	-----	Subsequent Report/None	By Direct NYSIIS Response	
Parole	P	Classification	Inquiry*	Yes	-----	Comprehensive History	By NYSIIS Response at M-1	<p>If for any reason, Parole does not receive a copy of the NYSIIS report supplied to Probation at the Pre-Sentence decision point (M-1) NYSIIS will, upon request, forward a history report to satisfy the needs of Parole in the classification process (P-1).</p>
	Q	Release to Parole	Update	No	-----	-----	-----	
	R	Supervision	Inquiry/ None* /2	Yes/Yes	Correction Law 216	Subsequent Report/ High Priority Notice	By Direct NYSIIS Response	
	S	Release from Parole	Inquiry/ Update*	Yes/No	-----	Subsequent Report/None	By Direct NYSIIS Response	
Correction	T	Detention	Update	Yes	-----	Abbreviated History	By Direct NYSIIS Response	<p>If for any reason, Correction does not receive a copy of the NYSIIS report supplied to Probation at the Pre-Sentence decision point (M-1) NYSIIS will, upon request, forward a history report to satisfy the needs of Correction in the admission process (U-1).</p>
	U	Admission	Update	No /3	CPL 390.60	Comprehensive History	By NYSIIS Response at M-1	
	V	Release	Update	No	-----	-----	-----	
		1	2	3	4	5	6	7

**END**