

What is probation?

[Law](#), [Criminal Justice](#)



According to Probation and Parole: Theory & Practice, probation is a community punishment that requires the offender to comply with certain court-ordered conditions, such as curfew or attendance at a day reporting center, and may subject him or her to various levels of supervision based on public safety and rehabilitative needs.

Stated in the Offenders Rehabilitation Act, probation is to ensure the improvement and rehabilitation of the probationers through "instruction and supervision" and "guidance and assistance."

"Instruction and Supervision" is maintaining contact with probationers and keeping track of their behavior; giving necessary instructions or taking measures to ensure that probationers comply with the general and special conditions of probation; and providing professional treatment designed to improve specific criminal tendencies.

"Guidance and assistance" includes assistance in securing accommodation; assistance in receiving medical care; assistance in job placement and vocational guidance; improving and coordinating social circumstance, and providing instructions on necessary life skills"

The administrative structure of probation varies widely from state to state. In some states, probation and parole are combined. In New York, probation is locally administered under the supervision of the state.

The New York State Probation Commission was created in 1907. In 1917, a State Division of Probation was established within the NYS Department of Corrections, and in 1928 the Office of the Director of Probation was created.

The State's Division of Probation remained within the Department of Corrections until 1970, when it was organized as a separate state agency within the Executive Department.

As a result of additional changes, local probation departments, which prior to the early 1970s were responsible to the judiciary, followed the NYS Division of Probation's lead. In 1974, all local probation directors were made accountable to their respective chief county officials, or, in the case of New York City, the mayor.

In 1984, the Classification/Alternatives Law expanded the authority of the state division. The name was changed to the New York State Division of Probation and Correctional Alternatives.

Present time, the New York City Department of Probation is second only in size to its counterpart in Los Angeles County.

Probation's Vision

Probation is important to society. Its mission is to insure public safety, relapsing in criminal behavior and lower incarceration rates in already overcrowded prisons. The New York City's Department of Probation has five major goals to keeping offenders out of/ going back into prison; all of which are: Safer Communities; Opportunities, Resources, Services; Organizational Excellence; Strong Partnerships and Community Engagement and lastly Measuring Success.

To provide safer communities The New York City's Department of Probation planned two strategies. The first one is focusing on high-risk clients through

programs and practices with proven rehabilitative results; and the second, creating a series of actions that distinguishes positive behavior and imposes quick and certain responses for violating the conditions of probation. By focusing on high-risk clients probation officers are reducing a number of things such as: re-arrests, failures to report; unnecessary violations of probation; intensity and frequency of being supervised.

It also increases early discharges for offenders on probation who keeps a record of success through community programs. Positive actions that the Department of Probation plans on doing is partnering with law enforcement and community organizations to enhance supervision and the prospect of rehabilitation. Other ways to apply public safety in communities are case management tools to track and respond to milestones and setbacks for clients, and also assessment tools that reflect client's assets, interests and validated risks to public safety.

The Department of Probation believes people on probation are more likely to be successful if they have access to a wide range of opportunities that build on their strengths, needs, and interests. Therefore, they established The Neighborhood Opportunity Network (NEON). NEON maximizes use of valuable resources and services in neighborhoods where clients live. The factors Neon include are : joining and enriching local networks of educators, businesses, social service providers, law enforcement, community groups, and residents to enhance clients access to opportunities, resources and services.

It also will have probationer officers and clients working together in a community based setting. To make this request successful, the department of probation will provide clear and understanding guidelines for the completion of probation, partner with organizations that link people to education and work in growth industries and enhance client achievement through the use of evidence based practices. That's the opportunities, resources and services side of it.

For Organizational Excellence, the department of probation aims to set the national standard for achieving probation client success through a highly-trained professional staff. They plan to strengthen the agency as a learning community, and share relevant knowledge and research. To do this, they must adopt supervision practices grounded in professional development; recognize client and staff achievements and etc.

As Strong Partnerships go, DOP believes probation clients are more likely to succeed when they have strong, positive connections to the communities where they live. By working with local partners to provide a range of opportunities, and engaging in efforts to benefit the neighborhoods that have been harmed by crime.

Lastly, Measuring Success. This goal requires assessing progress, testing innovations, using new technology, and demonstrating what works. To make a good outcome the department of probation establishes incentives that encourage positive results, advance public safety by adopting evidence-based, validated risk and needs assessment instruments that to guide supervision and decision-making.

Rehabilitation

The goal of probation is to rehabilitate offenders and make a way for them to not end up back in jail. Probation is a form of rehabilitation in itself, especially for new offenders who are given a second chance at being a part of their community and society. Probation can require you to attend counseling, no drug or alcohol use, weapon restrictions, and reporting to a probation officer. Rehabilitation is also an essential to improving social environments and engaging communities in the prevention of crime.

There are two types of conditions of probation that can be categorized as rehabilitation, which are standard conditions and special conditions. The standard conditions of probation are imposed on all juvenile and adult probationers and parolees alike and they cannot be changed or withdrawn during probation or parole. Standard conditions are responding to summons or interviews by probation officers, providing relevant information when requested by probation officers; residing at the designated residence and obtaining the permission of the director of the probation office before changing residence or traveling for seven days are more.

Special conditions are not as strict as standard conditions of probation. Special conditions are necessary for improvement. As an adult probationer, special conditions are determined by the director of the probation office after hearing the opinion of the court. Types of special conditions are prohibition of specific acts such as: association with certain people, going to certain places, reckless wasting of money for pleasure (gambling), excessive consumption of alcohol and etc.

To go deeper in special conditions, there are three designated treatment programs that rehabilitate probationers. They are the Sex Offender Treatment program, the Stimulate Drug Offender program and the Violence Prevention program. These programs are all broken down into thirteen different categories, which are : thinner-sniffing offenders; stimulant drug abusers; offenders with drinking problems; gang members; hot-rodders; sex offenders; mentally disordered offenders; unemployed offenders; elderly offenders; junior high-school students; in-school violence offenders; family violence offenders and offenders with gambling addiction.

The three programs above are based on cognitive-behavioral theory (the development and maintenance of emotional and behavioral responses to life situations) and consist of one introductory session and five core sessions. Probationers are expected to understand their tendencies in thinking, to recognize the situations in which they are likely to commit the offense, and to develop skills to cope in certain situations.

Programs

There are many programs to help prevent offenders from being re-incarcerated. Two organizations that help rehabilitate offenders are YMI and MAP. Young Men's Initiative (YMI) is investing programs that connect young men to educational, employment, and mentoring opportunities across more than a dozen city agencies.

Mayors Action Plan for Neighborhood Safety (MAP) is a citywide plan to reduce violent crime in NYCHA developments through targeted law enforcement efforts, immediate physical improvements, aggressive

community engagement and outreach efforts, and the expansion of work and education programs.

Programs that categorize into YMI are the ARCHES program and the Justice Scholars program. One program that correlates with MAP is the NEXT STEPS program. The ARCHES program is a curriculum based group mentoring program that helps probation clients transform the attitudes and behaviors that have led to criminal activity. About 840 participants are served annually between the ages of 16 and 24. The program goes on for about six months and the locations are in all five boroughs- Brooklyn, Manhattan, The Bronx, Queens, and Staten Island.

The beneficial factors of ARCHES are that it's a process where people on probation become important systems for each other. It is also an evidence-based curriculum based on cognitive behavioral principles delivered by culturally appropriate paid mentors and it is a setting that incorporates positive youth development values, principles and practices. In addition to group mentoring, the participants of this program also works one-on-one with their probation officers.

Justice Scholars is an educational program targeted toward high school students and GED candidates. Justice Scholars features educational services, tutoring, career exploration, case management, peer support, financial incentives, placement and follow-up services. Organizations in this program are located in The Bronx, Long Island City, Queens, Manhattan and Brooklyn. Participants of this program range from ages of 16 and 24.

The NEXT STEPS program is an initiative of the Mayors Action Plan for Neighborhood Safety that's offers both, one-on-one and group mentoring within a cognitive behavioral therapy based curriculum designed to help young adults make the emotional and behavioral changes necessary to avoid criminal activity and get back on track with education, work and community. The department of probation contracts with non-profit organization in targeted neighborhoods to provide a transforming mentoring experience for young adults who are actively engaged and/or involved in serious violent activity; gang-affiliated; and etc.

The beneficial factors of NEXT STEPS are that the program offers mentors who are available for intensive support, advice and guidance. It is also incorporated of positive youth development values, principles and practices. NEXT STEPS serves about 200 people annually between the ages of 16 and 24. This program carries for about nine months and caters to residents living in NYCHA in certain areas of The Bronx, Manhattan, Staten Island, Long Island and Brooklyn.