

1 **2025 NYSAC Legislative Conference**  
2 **Standing Committee on Public Safety**  
3 **Resolution #3**

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5 **Resolution In Support of Efforts to Improve Probation and Alternatives to**  
6 **Incarceration In New York State to Protect the Public and Reduce Reliance**  
7 **on Prisons, Jails and Detention**  
8

9 **WHEREAS**, county probation departments are an integral part of the Criminal Justice  
10 System and operate within the legal framework of the Criminal Procedure Law, the  
11 Penal Law and the Family Court Act; and

12  
13 **WHEREAS**, it is the mission of probation to protect the community through  
14 intervention in the lives of those under supervision by facilitating compliance with court  
15 orders and serving as a catalyst for positive change; and

16  
17 **WHEREAS**, State funding for probation was drastically reduced between 1990 and  
18 2015 from a 46.5 percent state share in 1990 to less than 10 percent in 2024, putting a  
19 huge strain on counties and cost to county property taxpayers; and

20  
21 **WHEREAS**, at the same time there have been increases in the number of mandated  
22 programs and services county probation departments are required to provide, from the  
23 1990's where core services of intake, pre-sentence/pre-dispositional investigations and  
24 supervision were the norm, to the current enhanced services that are provided by local  
25 probation departments including but not limited to the following:

- 26 • Specialized caseloads to handle specific types of individuals such as sex offenders,  
27 DWI, mental health, domestic violence and gang members.
- 28 • Probation departments' involvement with specialized treatment courts (drug,  
29 domestic violence, mental health, veterans).
- 30 • Community service programming.
- 31 • School-based probation officers.
- 32 • Warrant squads for apprehension and return of offenders.
- 33 • DNA collection.
- 34 • Ignition interlock device monitoring.
- 35 • Expanded pretrial release programs to deal with the increased RUS cases  
36 resulting from bail reform.
- 37 • Expanded electronic monitoring to deal with both bail reform and lack of  
38 detention beds caused by increased juvenile crime.
- 39 • Increased probation officer time to search for specialized detention beds  
40 occurring from Raise the Age.
- 41 • Increased administrative tasks that probation staff are now responsible for  
42 including populating case management system and various risk assessments.
- 43 • Increased responsibilities for collections and disbursement of funds in  
44 connection with financial obligations including restitution, fines and fees.
- 45 • Sex offender verification.
- 46 • Administering cognitive behavioral interventions.

- 1 • Increased training regarding the delivery of evidenced-based programs.
- 2 • Increased time and cost resulting from new hires completing the basic course for
- 3 peace officers (BCPO).
- 4 • Increased protocol for GIVE counties including higher supervision levels and
- 5 GPS for a minimum of 6 months.
- 6

7 **WHEREAS**, the New York State Council of Probation Administrators, representing  
8 NYS probation directors, administrators and commissioners, has diligently worked with  
9 the New York State Association of Counties (NYSAC) and state leaders to bring more  
10 awareness to the important work that Probation does to protect the public; and

11  
12 **NOW, THEREFORE, BE IT RESOLVED**, that NYSAC supports proposals put  
13 forward by the Governor to immediately enact statutory and regulatory changes that  
14 improve probation and alternatives to incarceration in the following ways:

- 15 1. In response to Raise the Age Legislation:
  - 16 a. Mandate that the state's evidence-based criteria should account for
  - 17 existing local best practice programs.
  - 18 b. Let probation apply for a temporary protection order as part of the
  - 19 adjustment process.
  - 20 c. Authorize law enforcement agencies to issue appearance tickets if deemed
  - 21 appropriate by the arresting officer when Adolescent Offenders and
  - 22 Juvenile Offenders are charged with most D felonies.
  - 23 d. Allow law enforcement agencies to deliver Adolescent Offenders and
  - 24 Juvenile Offenders to be held in detention facilities after hours without a
  - 25 securing order until the Youth Part is in session.
  - 26
- 27 2. Establish a dedicated funding stream through DCJS/OPCA for 100 percent of all  
28 local probation costs including, but not limited to, probation personnel and  
29 evidence-based programming associated with Raise the Age Legislation.
  - 30 a. Eliminate the monitoring of ignition interlock devices by local probation
  - 31 departments or monitors in all cases where a term of state prison has been
  - 32 imposed.
  - 33 b. That local probation departments receive 100 percent funding for all pre-
  - 34 trial services costs associated with bail reform, including, but not limited
  - 35 to, probation personnel expenses.
  - 36 c. That the Executive Chamber and the Office of Children and Families
  - 37 (OCFS) work towards transitioning some of the closed OCFS and/or
  - 38 Department of Correctional and Community Supervision facilities to
  - 39 accommodate the lack of specialized secure detention beds as well as
  - 40 allowing county consortiums to open specialized secure detention facilities
  - 41 if desired.
  - 42 d. The Division of Budget should be required to expeditiously reimburse
  - 43 counties for expanded or new specialized secure detention facilities, as the
  - 44 current capacity statewide is inadequate to meet our youth's detention
  - 45 rates.

1 **BE IT FURTHER RESOLVED**, that NYSAC urges the State of New York to increase  
2 the probation department Aid to Localities budget line item to 46.5 percent of actual  
3 probation department costs; and  
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5 **BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the counties of  
6 New York State encouraging member counties to enact similar resolutions; and  
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8 **BE IT FURTHER RESOLVED** that NYSAC shall forward copies of this resolution to  
9 Governor Kathy Hochul, Deputy Secretary for Public Safety Marcos Gonzalez Soler, the  
10 New York State Legislature and all others deemed necessary and proper.