



Corrections and Community Supervision

ANDREW M. CUOMO
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

March 24, 2016

John Buyce
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

Dear Mr. Buyce:

The Department of Corrections and Community Supervision (DOCCS) has reviewed the Office of the State Comptroller's Final Audit Report 2014-S-50, *Oversight of Sex Offenders Subject to Strict and Intensive Supervision and Treatment*. In accordance with Section 170 of the Executive Law, please find attached the Department's ninety day reply.

We are complying with the provisions of the Budget Policy and Reporting Manual, Item B-410, by simultaneously forwarding two copies of this response to the Division of the Budget.

DOCCS would like to acknowledge the time and effort of all OSC employees who were involved with this audit and their desire to improve the Department's operation. The audit results and recommendations have resulted in various improvements as discussed in the attached response.

Thank you.

Sincerely,

Anthony J. Annucci
Acting Commissioner

Attachment

cc: Governor Andrew Cuomo
Lieutenant Governor Kathleen C. Hochul
Senator John F. Flanagan
Senator Catharine M. Young
Senator John A. DeFrancisco

Senator Jeffrey D. Klein
Senator Andrea Stewart-Cousins
Senator Liz Krueger
Assemblyman Carl E. Heastie
Assemblyman Joseph D. Morelle
Assemblyman Herman D. Farrell, Jr.
Assemblyman Jeffrion L. Aubry
Assemblyman Brian M. Kolb
Assemblyman Bob Oaks
Division of the Budget (2)



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John Buyce, Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

Re: "Oversight of Sex Offenders Subject to Strict and
Intensive Supervision and Treatment"
Report 2014-S-50

Dear Mr. Buyce:

Thank you for the opportunity to respond to the Office of the State Comptroller's (OSC) Final Audit Report, "Oversight of Sex Offenders Subject to Strict and Intensive Supervision and Treatment", dated December 17, 2015. First, I would like to again thank your staff for their professionalism and for their diligent efforts to improve DOCCS practices relative to the oversight of the target population.

On behalf of the Department, I would like to provide some additional information to help clarify and expand upon prior responses to the five draft audit recommendations as outlined in the letter to you dated November 5, 2015. We believe the audit results and recommendations, combined with our continuous self-assessment efforts, have resulted in a variety of improvements which are outlined in the responses below to the five audit recommendations.

1. *Evaluate the reasons for Area Offices' variations in compliance with Act and Department requirements in order to identify potential best practices.*

DOCCS agrees and provides the following updated information. In order to identify best practices, DOCCS identified key SIST performance measures for incorporation into "ParoleStat." This is a data-driven management and accountability strategy that measures each Region's compliance with identified measures, as noted in our previous audit response. The first measure, "Case Conferences," was introduced in December 2015. Subsequently, DOCCS

Program Planning, Evaluation, and Research Unit has developed a new "ParoleStat" report that further reflects information regarding Officer compliance with required "Face-To-Face Contacts" with SIST respondents as well as compliance with the required number of "Collateral Contacts."

In addition, the Acting Commissioner actively conferences with Regional Directors and Bureau Chiefs on a monthly basis. These conferences include on-going reviews of success in meeting SIST performance measures and discussions on how to identify and promote activities that contribute to best practices for enhanced public safety.

2. *Based on the results of the evaluation, identify and implement strategies to improve Area Offices' compliance rates.*

DOCCS agrees and provides the following updated information: in an on-going effort to improve staff compliance, Regional Directors instituted a process of monthly meetings with Bureau Chiefs to specifically review and assess "ParoleStat" and SIST performance measures. Such meetings occurred on January 2, 2016, February 18, 2016, and March 16, 2016. Regional Directors are now required to review resulting outcome information with the Assistant Commissioner(s) for Community Supervision during regularly scheduled supervisory meetings to determine if any mitigating or corrective actions are necessary.

3. *Monitor compliance rates among the Area Offices and assess the effectiveness of steps taken to improve compliance.*

DOCCS agrees and, in addition to the newly revised "ParoleStat" report (which provides Regional caseload compliance rates to compare effectiveness) mentioned above, has implemented two new monitoring reports to assist managers in assessing compliance:

- a. **"SISTHV"**: This report lists the number of home visits completed for each SIST case within a Bureau and prints twice a month. It is available to each Bureau and Region via the On Line Print system in the DOCCS mainframe.
- b. **"SISCON"**: This report lists the number of face to face, collateral contacts and case conferences for all active SIST cases within a Bureau and prints in the beginning of each month. It is available to each Bureau and Region via the On Line Print system in the DOCCS mainframe.

As noted in the responses to recommendations 1 and 2 above, DOCCS will assess the effectiveness of steps taken to improve compliance via the regular meeting between Regional Directors and Bureau Chiefs, and through the monthly conferences between the Acting Commissioner and the Regional Directors and Bureau Chiefs.

In addition, since the reports as noted above were developed to better assist supervision staff with recording the number of monthly case conferences, face to face and collateral contacts, the statewide totals have shown improvement. The December 2015 report noted compliance rates of 92% for case conferences, 84% for face to face contacts and 52% for collateral contacts. The statewide totals of compliance rates for January 2016 were 98% for case conferences, 91% for face to face contacts, and 90% for collateral contacts.

4. *Take steps to improve documentation of supervision activities, among them reminders to staff about the importance of maintaining complete and accurate records, including the nature and extent of their responses to electronic monitoring alerts. Periodically assess the effectiveness of the steps taken.*

DOCCS agrees and notes that as previously reported by DOCCS in the November 5, 2015 letter to OSC, the Sex Offender Management Unit's SIST training curriculum was updated to specifically outline documentation required with regard to SIST activities and to stress the importance of maintaining complete and accurate records.

Since mid-December 2015, SIST cases on Electronic Monitoring (EM) have been assigned to the DOCCS Bureau of Special Services (BSS) Monitoring Center in order to constantly monitor for alerts that include "Master Tamper/Cut Strap," "Jamming/Shielding" or "Critical Battery." These alerts require immediate response by DOCCS. The BSS Monitoring Center coordinates with the Supervision Bureau and local law enforcement agencies as needed to resolve EM issues and/or to issue warrants and fugitive postings if required. BSS Monitoring Center staff and assigned Parole Officers are responsible for fully documenting all activity and EM responses for the above-referenced alerts in the DOCCS Case Management System (CMS), pursuant to newly developed and implemented procedures that will be documented in agency policy.

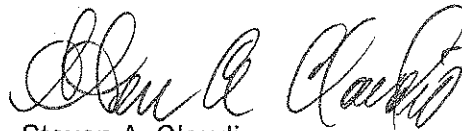
DOCCS has initiated an aggressive statewide EM training campaign targeting SIST Parole Officers, Senior Parole Officers, and Bureau Chiefs. The primary focus of the training is to develop expertise in the use of the contractor's monitoring program software, enrollment and alert settings, and coordination with the Department's BSS Command Center. DOCCS is also developing, and intends to implement, an ongoing training program curriculum at the Department's Training Academy. The EM training will be delivered by DOCCS EM experts and trainers from our contractor [Satellite Tracking of People (STOP), LLC].

5. *Improve SIST training procedures by developing written Article 10 training requirements and retaining documentation of training attendance.*

DOCCS agrees and notes that a Frequency Training Chart for staff which includes trainings on "Article 10 Overview," "SIST Supervision Training," "Transdermal Alcohol Testing," and "Electronic Monitoring" has been approved and incorporated into the DOCCS Training Manual. The Sex Offender Management Unit trained SIST staff in Manhattan on 12/15/15 in accord with the specifics of these requirements.

If there are any questions regarding this report, please contact Paul Guenette, Director, Bureau of Internal Controls at (518) 436-7886, Extension #5030.

Sincerely,



Steven A. Claudio
Assistant Commissioner

cc: Anthony J. Annucci, Acting commissioner
Osbourne A. McKay, Deputy Commissioner, Correctional Industries,
Compliance Standards, & Diversity
Kevin P. Bruen, Deputy Commissioner and Counsel
Daniel F. Martuscello III, Deputy Commissioner Administrative Services
Robert J. Kennedy, Associate Commissioner
Andrea D. Evans, Assistant Commissioner
Michael L. Graziano, Assistant Commissioner
Adam J. Silverman, Special Counsel to the Commissioner for Ethics,
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Jeff Nesich, Director, Internal Audit Unit
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Mary Adams, Assistant Director, Sex Offender Management Unit
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Tina Kim, Deputy Comptroller
Brian Mason, Assistant Comptroller