



Queens Interim Probation Domestic Violence Team

Practitioner:

[NYC Department of Probation](#)

Natalie Gomez
Branch Chief
(718) 520-2145
nagomez@probation.nyc.gov

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Summary:

The New York City Probation Department created a specialized domestic violence program in Queens County to provide alternatives to incarceration that enhance accountability by those who offend, provide appropriate interventions, and increase victim safety.

Problem

Domestic violence is a wide-ranging and complex issue with high rates of reoffending. According to the [Mayor's Office of Criminal Justice](#) and the Mayor's Office to End Domestic and Gender-Based Violence, domestic violence crimes increased while violent crime in New York City decreased from 2007 to 2016. In 2007, 5 percent of major crimes in New York City were related to domestic violence, compared to 12 percent of major crimes related to domestic violence in 2016.

Specifically, in the borough of Queens, many domestic violence offenders return to court on new charges or violations. Prior to 2017, these individuals typically received sentences of conditional discharges and/or short jail terms. Many subsequently returned to court facing violations of orders of protection or violations of their conditional sentence. Sentences to probation were rare: in 2016, only 14 of 8,050 domestic violence cases resulted in a sentence to probation in Queens County (fewer than 0.002 percent).

In November 2016, the [New York City Domestic Violence Task Force](#) was established to develop a

comprehensive, citywide strategy to address domestic violence. As part of the recommendations presented and implemented by the Task Force, the New York City Department of Probation created domestic violence programming and launched the Queens Interim Probation Domestic Violence Team, a pilot program designed to hold domestic violence defendants accountable and prevent further abusive behavior during the pendency of a case.

Program Description

Launched in December 2017, the Queens Interim Probation Domestic Violence Team aims to reduce domestic violence reoffending. The team utilizes evidence-based risk and needs assessments, individualized treatment plans, and support for victims and families through specialized caseloads that incorporate participant accountability and a domestic violence offender intervention program.

The team consists of four probation officers specifically trained to work with defendants who have a history of domestic violence offenses or whose instant case involves a domestic violence assault. Participants must

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accept a conditional plea and are placed on interim probation. Following successful completion of interim supervision, the participant may be sentenced to a term of probation supervision and the period of interim supervision is credited to the term of probation supervision. As of May 2018, the program includes participants who are sentenced directly to a probation term.

The team has the benefit of working with limited caseloads and is supported by two court liaison probation officers who are present during courtroom proceedings to review potential cases, meet with potential participants and their defense attorneys, provide updates on compliance, and track potential interim probation pleas. Additionally, probation officers have regular contact with victims and family members and refer them to services.

Probation officers administer the Level of Service Inventory – Revised (LSI-R), an evidence-based risk and needs assessment, and the Domestic Violence Screening Instrument – Revised (DVSI-R), an evidence-based assessment of risk of intimate partner violence. Staff administer both assessments within 30 days of a participant’s first interview with their probation officer. The probation officer and participant develop an individual action plan to focus on addressing underlying criminogenic needs, identifying their support systems, and developing short-term goals. Staff re-administer the assessments every six months to inform changes to the plan.

The primary goals of the program are maintaining victim safety, identifying appropriate interventions, and providing offender accountability. The program addresses victim safety in many ways, including creating steps to comply with an order of protection in the participant’s action plan and conducting field visits to the victim’s home. Staff also refer the participant to additional programming, including an Abusive Partner Intervention Program (APIP) facilitated by team members and/or programs that address other needs, such as alcohol treatment. In most cases,

the judge requires participation in the APIP or a similar program.

The in-house APIP incorporates cognitive-behavioral, trauma-informed and accountability-focused components to educate participants and help them make alternative, positive decisions regarding their intimate relationships. Probation officers conduct 24 classes through the program, which is intended for English speakers who identify as male. It has an open, rolling enrollment and is offered at no cost to the participant. Staff refer individuals who are non-English speakers or female to similar programs in the community.

Similar to typical probation, probation officers report violations of probation conditions to the judge, usually at scheduled court appearances. Judges take swift action to hold participants accountable for their misconduct, and impose different types of sanctions, such as increased court updates to remand in jail overnight, depending on the specifics of the case.

Funding

The New York City Domestic Violence Task Force, under the Mayor’s Office of Criminal Justice, funded the initial pilot period of the program.

Program Reviews or Evaluations

As of December of 2019, 133 people participated in this pilot program: 33 individuals violated the terms of their probation sentence (eight of whom were re-arrested), while 100 individuals (75%) abided by the terms of their probation sentence.

The Urban Institute is currently evaluating the pilot program, and results of this evaluation are expected in the near future.

Supportive Research

The APIP that is part of this pilot is partially based on the [Duluth Model](#), in which group-facilitated exercises challenge the male’s perception of entitlement to control and dominate his partner, and instead use non-violent strategies based on equality and respect.

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Critical Success Factors

- Ensuring all stakeholders (e.g., the defense, district attorneys, court personnel, victim services, etc.) are involved in the development of the program is key. The New York City Department of Probation made several stakeholder presentations explaining the purpose of the program, defining interim probation, and describing the key elements of the program. These presentations continue regularly, keeping all stakeholders apprised of the program's progress and any changes made, which builds and strengthens buy-in and support.
- Recognizing that stakeholders have different philosophies about how best to hold domestic violence defendants accountable in the criminal justice system. While these differences did not impede the development of the program, it is important to remain accepting of divergent viewpoints as each brings an important perspective to the program.

Lessons Learned

- In May 2018, the team began accepting individuals sentenced to traditional probation. Early on, the team only accepted defendants with sentences to interim probation because the stakeholders were concerned that resources would not accommodate more participants. The team, however, found there were sufficient resources to support additional participants.
- The in-house APIP curriculum evolved and improved with assistance from the probation officers who facilitate the groups. The officers gained experience, insight, and additional training working with the program and the population. For example, staff updated the rules and regulations document, which improved participant accountability. The officers also incorporated current events and real-world examples into group sessions. This made the program more interactive and engaging, and expanded the information entered on sessions into the program database. Staff document the

quality of participant participation during group sessions to measure participant engagement.

Additional Comments

- The program is pending an on-going funding commitment. Expansion beyond Queens County will depend on available resources and additional evaluative data.
- The Queens Interim Probation Domestic Violence Team remains in place, although group sessions occur through a virtual platform due to COVID-19. As of September 2020, Queens County had not seen an increase in domestic violence cases, but there were delays associated with case processing due to COVID-19.

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