

Supervised Release COVID-19 Programming Contingency Plan Updated: April 1, 2020

As of 5pm on March 16, 2020, the City's supervised release programs stopped accepting new releases at Criminal Court arraignment and transitioned existing participants to phone contacts only. (The Center for Court Innovation operates supervised release in the Bronx, Brooklyn, and Staten Island, CASES is in Manhattan, and the NYC Criminal Justice Agency is in Queens.) This change complies with the latest Office of Court Administration (OCA) directive to end in-person arraignments at 5pm on March 17, at which point defendants will not receive a CJA interview or a supervised release securing order. Once OCA can set up a third video feed in court, CJA and supervised release may be reinstated.

Given these issues and concerns we are implementing the following modifications to program operations, effective immediately. (Some of these modifications already went into effect on Monday, March 16.)

General Program Operations: Place of Work

- In compliance with local and state directives and guidance, all supervised release staff are working from home until further notice. Court-based supervised release offices will be closed.
- All new participants, released prior to March 17, assigned to either Tier 1 or Tier 2 will have their intake and needs assessments completed over the phone as soon as possible.

Supervision

- All Tier 1 & Tier 2 participants have transitioned to phone check-ins; this involves promptly contacting all participants who are currently scheduled for in-person check-ins to inform them that check-ins must now be done by phone.
- Initially, participants in Tier 2, Level 5 will receive two remote contacts per week (e.g. voice call, text message exchange, and/or video conferencing such as Face Time). The frequency will be reduced to one remote contact per week once Level 5 participants have completed the 3 required CBT sessions or equivalent "virtual" engagements.
- Case managers and social workers will infuse CBT components and techniques into phone check-ins whenever possible and clinically appropriate.
- Supervision check-ins will include: referring participants to in-person or remote services that remain available; providing updates from the Department of Health regarding mental health, substance abuse services, and COVID-19 updates; linking participants to organizations to assist with health needs; ensuring participants can access any necessary medications; and providing reminders regarding the next court date and importance of attending.
- Most importantly, staff are aware of emergency City services available during this time that participants can access. If needed, staff will make appropriate referrals.

Phone Access and Supervision

- We are currently considering other options for communicating with participants who do not have phones, including the possibility of obtaining phones to distribute to participants.
- In the interim, closure signs will be posted at all offices providing a phone number and encouraging participants to call as soon as possible.

Noncompliance and Re-arrest Reporting

Noncompliance reporting is currently suspended. However, supervised release providers will continue to track both re-arrests and noncompliance with required check-ins and be prepared to report on each participant's compliance status at the next court appearance.

Graduated Responses

Graduated responses to noncompliance and compliance are also suspended. Individuals who are compliant with the program will continue to have the same number and frequency of contacts, based upon their current supervision level.

Participants who Report Feeling Ill or a COVID-19 Diagnosis

The assigned case manager will keep in touch with the participant and defense counsel to receive updates on the participant's condition and will notify the Court of any significant changes, if requested by the Court.