



Corrections and Community Supervision

Community Supervision

Legislative Report

2023

Community Supervision Legislative Report 2023

This annual report was produced in response to legislation enacted in 2011 that merged the former Department of Correctional Services and the former Division of Parole into the Department of Corrections and Community Supervision (see Correction Law Section 201 (15)).

That legislation required the Commissioner of the Department to provide an annual report to the legislature regarding: individuals released from prison to Community Supervision, individuals supervised on Community Supervision, individuals whose Community Supervision was revoked for violating the conditions of parole, individuals on Community Supervision who were returned to prison for a new offense, and individuals on Community Supervision who were transferred out of state to be supervised. This report provides the Legislature with the required information. The Department's previous reports in this series can be found at <https://doccs.ny.gov/research-and-reports>. All references to Community Supervision refer to parole supervision; probationers are not included in the report.

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EXECUTIVE SUMMARY

- There were 9,542 releases to supervision during 2022. This was a decrease of 23% from 2021 (Table 1).
- Between 2018 and 2022, the proportion of A-1 Violent and Legislative VFO releases to Community Supervision increased from 41% to 50%. During the same period of time, the proportion of Major Property releases to Community Supervision decreased from 16% to 10% (Table 2).
- Since 2018, the incarcerated individual population has decreased by 34% while the active Community Supervision population has decreased by 47% (Figure 1).
- While the number of releasees under Community Supervision convicted of an A-1 Violent or Legislative VFO decreased from 19,215 to 12,224 (-36%) between 2018 and 2022, the proportion increased from 53% at the end of 2018 to 64% at the end of 2022 (Table 7).
- On December 31, 2022, 39% of releasees in the community were supervised at COMPAS Supervision Level 1 (25:1), 10% at Level 2 (40:1), 19% at Level 3 (80:1), and 30% at Level 4 (160:1) (Table 11).
- The number of releasee returns to prison for new felony convictions declined 35% between 2018 and 2022. The number of releasee returns to prison for violating the conditions of parole decreased 89% during the same time period (Table 17).
- While 39% of the releasees in the community were being supervised at Level 1, 53% of the releasee returns to prison were Level 1. Conversely, 30% of releasees were supervised at Level 4, but only 7% of releasee returns to prison were Level 4 (Table 20).
- During 2022, the number of discharges from Community Supervision increased by 66% compared with 2021. This was driven by the implementation of Less Is More, which resulted in thousands of releasees being immediately eligible for maximum expiration discharge (Table 21).
- At the end of 2022, there were 780 releasees from New York who were being supervised out-of-state under the Interstate Compact. This was a decrease of 48% since 2018 (Figure 3).
- At the end of 2022, there were 986 releasees from other states who were being actively supervised in New York under the Interstate Compact. This was a decrease of 17% since 2018 (Figure 4).

Section 1 – Releases to Community Supervision

There are four major mechanisms through which individuals are released to parole supervision in the community: 1) Board of Parole decision, 2) Presumptive Release, 3) Conditional Release, and 4) Other Release.

Board releases are the result of the Parole Board making decisions to release incarcerated individuals from prison to parole supervision. Board releases include releases as a result of Final Deportation and Shock interviews.

Presumptive releases are releases from prison in which the Commissioner of the Department of Corrections and Community Supervision (DOCCS) makes determinations that incarcerated individuals should be released from prison after having served at least 5/6 of their minimum sentences. For these releases, the Board of Parole sets the conditions of parole supervision in the community.

Conditional releases are releases in which incarcerated individuals have reached their conditional release dates (typically 6/7 of a determinate sentence; 2/3 of an indeterminate sentence) and are automatically released from prison on that date, unless good time has been lost while in prison.

The Other Release category includes: being on parole supervision in another state and requesting transfer to New York under the Interstate Compact (Co-op cases), being judicially sentenced to parole supervision (i.e., Judicially Sentenced to Drug Treatment), being a juvenile offender released to parole supervision directly from the Office of Children and Family Services (OCFS), being placed on parole supervision directly from local jail, and being placed on a specialized sex offender caseload in the community after a determination is made by the court (SIST¹).

- There were 9,542 releases to supervision during 2022. This was a decrease of 23% from the 12,421 releases in 2021 and a decrease of 54% from the 20,969 releases in 2018 (Table 1).

¹ SIST stands for Strict and Intensive Supervision and Treatment. Sex offender releasees can be placed on this type of Community Supervision caseload as part of the civil management process in New York. Releasees must be referred (usually by DOCCS) for civil management prior to release from prison or discharge from parole supervision and evaluated by the Office of Mental Health (OMH). If OMH determines that the releasee suffers from a “mental abnormality”, the case is referred to the Attorney General for possible litigation. If the Attorney General proceeds with litigation, the releasee is entitled to a jury trial; a unanimous verdict is required for a releasee to be involuntarily confined or placed under intensive supervision. If the court finds that the releasee warrants Civil Management, but can safely be supervised in the community, that individual will be allowed to live in the community while supervised on a SIST caseload, as long as the releasee complies with all the conditions set by the Board of Parole, does not break the law and receives the treatment needed. For additional information on this topic, the following report can be referenced:

https://ag.ny.gov/sites/default/files/2022_somb_annual_report.pdf

- In 2022, 2,550 releases to Community Supervision were Board or Presumptive releases. This was a 61% decrease in the number of Board/Presumptive releases since 2018 (6,535) (Table 1).
- Between 2018 and 2022, the proportion of VFO and A-I Violent Offenders released to Community Supervision increased from 41% to 50% (Table 2).
- Among 2022 releases, the Western region had the largest proportion of individuals released as supervision Level 1, with 42%. The Queens-LI region had the smallest proportion of releases supervised at Level 1, with 27% (Table 3).

TABLE 1: RELEASES TO COMMUNITY SUPERVISION 2018-2022

	2018	2019	2020	2021	2022	Pct Chg 2018- 2022
Releases to Community Supervision						
Board Releases	6,025	6,070	4,558	2,982	2,301	-62%
Final Deportations	19	30	8	9	4	-79%
Shock Board	470	374	317	127	211	-55%
Releases to Board Action	6,514	6,474	4,883	3,118	2,516	-61%
<i>Board Percent of Total Releases</i>	31%	33%	31%	25%	26%	
Presumptive Release	21	28	27	38	34	62%
Total Board/Presumptive Release	6,535	6,502	4,910	3,156	2,550	-61%
<i>Board/Presumptive Percent of Total Releases</i>	31%	33%	32%	25%	27%	
Conditional Releases	12,944	11,826	9,870	7,699	6,055	-53%
<i>Conditional Percent of Total Releases</i>	62%	60%	63%	62%	63%	
'Less is More' Releases ¹	n/a	n/a	n/a	559	122	--
Co-Ops from Other States	509	454	442	545	395	-22%
Judicially Sanctioned ²	881	809	273	390	319	-64%
Juvenile Offenders	59	47	42	33	49	-17%
Local Releases ³	12	19	11	5	19	58%
SIST ⁴	29	27	32	34	33	14%
Total Other Releases	1,490	1,356	800	1,566	937	-37%
<i>Other Percent of Total Releases</i>	7%	7%	5%	13%	10%	
GRAND TOTAL RELEASES	20,969	19,684	15,580	12,421	9,542	-54%

¹ This represents individuals released from DOCCS's custody whose parole violation was changed from revoke and returned to revoke and restore under the spirit of the Less is More legislation, prior to its effective date on March 1, 2022.

² These cases were sentenced to participate in a 90-Day Drug Treatment Program in a DOCCS facility and are assigned to a parole officer caseload while incarcerated.

³ Represents individuals released from a local county jail who serve the remainder of their sentence on Community Supervision.

⁴ Represents individuals placed on a specialized sex offender caseload in the community after a determination is made by the court.

**TABLE 2: ORIGINAL CRIME OF COMMITMENT
RELEASES TO COMMUNITY SUPERVISION 2018 TO 2022**

Calendar Year	A-I Violent and Legislative VFO		Other Coercive		Drug Offenses		Major Property		Other Felony		YO/JO		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2018	8,587	41%	2,036	10%	4,682	22%	3,286	16%	1,868	9%	498	2%	20,957	100%
2019	8,371	43%	1,887	10%	4,299	23%	2,849	14%	1,829	9%	430	2%	19,665	100%
2020	7,129	46%	1,494	10%	3,201	21%	2,032	13%	1,462	9%	251	2%	15,569	100%
2021	6,364	51%	1,096	9%	2,463	23%	1,353	11%	995	8%	145	1%	12,416	100%
2022	4,759	50%	968	10%	1,766	23%	993	10%	897	9%	145	2%	9,523	100%

Note: CY 2018 excludes 12 Local Releases. CY 2019 excludes 19 Local Releases. CY 2020 excludes 11 local releases. CY 2021 excludes 5 Local Releases. CY 2022 excludes 19 Local Releases.

The COMPAS supervision model was implemented in January 2012. The four supervision levels and the accompanying supervision ratios (25:1, 40:1, 80:1, and 160:1) and reporting requirements were determined based on a number of risk factors, including: risk of absconding, risk of any arrest, and risk of VFO arrest. SIST cases are supervised at a 10:1 ratio and are included in the Level 1 category. Sex offenders and discretionary mental health cases are also supervised at Level 1.

**TABLE 3: COMPAS SUPERVISION LEVEL BY REGION
RELEASES TO COMMUNITY SUPERVISION IN 2022**

Region	Level 1		Level 2		Level 3		Level 4		Pending		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Queens-LI	342	27%	42	3%	374	29%	466	37%	44	3%	1,268	100%
Brooklyn	254	31%	35	4%	182	22%	299	37%	40	5%	810	100%
Manhattan	389	39%	61	6%	242	24%	266	27%	39	4%	997	100%
Bronx	262	32%	28	3%	214	26%	288	35%	28	3%	820	100%
Hudson Valley	547	34%	134	8%	417	26%	450	28%	46	3%	1,594	100%
Central NY	744	32%	341	14%	640	27%	568	24%	65	3%	2,358	100%
Western	625	42%	178	12%	322	22%	305	21%	53	4%	1,483	100%
Total	3,163	34%	819	9%	2,391	26%	2,642	28%	315	3%	9,330	100%

Note: Releases to Willard are included in the Central NY figures.
Note: Does not include releases to Out of State or unknown regions.

Section 2 – Releasees Under Community Supervision

This section presents information about releasees who were under supervision on December 31 of a particular year. This population reflects releasees under active supervision and, except where specifically reported, excludes releasees who are incarcerated in DOCCS facilities. Individuals on temporary release from prison and in community preparation status are also excluded from the figures.

- On December 31, 2022, the total active releasee population was 19,067. Eighty percent were actively reporting to a parole officer while 13% were in the violation process and 7% were in absconder status (Table 4).
- Compared with 2018, the active releasee population in 2022 declined by 47% from 36,127 to 19,067. There was a 34% decrease in the prison population during the same time period (Figure 1). This decline in releasees under Community Supervision was driven by the implementation of Less Is More legislation.
- The proportion of A1 Violent and Legislative VFO offenders among those under Community Supervision has increased in recent years. As of December 31, 2022, 64% of all individuals under Community Supervision were Violent Offenders while only 14% were Drug Offenders (Table 7).
- Almost half (48%) of the releasees under Community Supervision on December 31, 2022 were African-American. The median age of releasees was 41 and over half (51%) reside in Upstate New York. The large majority (95%) of releasees under supervision were male and just under half (47%) had a history of drug abuse (Table 8).
- Among the active releasee population on December 31, 2022, 3,307 or 17% were registered sex offenders (Tables 9A and 9B).
- On December 31, 2022, 39% of releasees on the street were supervised at COMPAS Supervision Level 1 (25:1), 10% at Level 2 (40:1), 19% at Level 3 (80:1), and 30% at Level 4 (160:1) (Table 11).

TABLE 4: COMMUNITY SUPERVISION POPULATION ALLOCATION
December 31, 2022

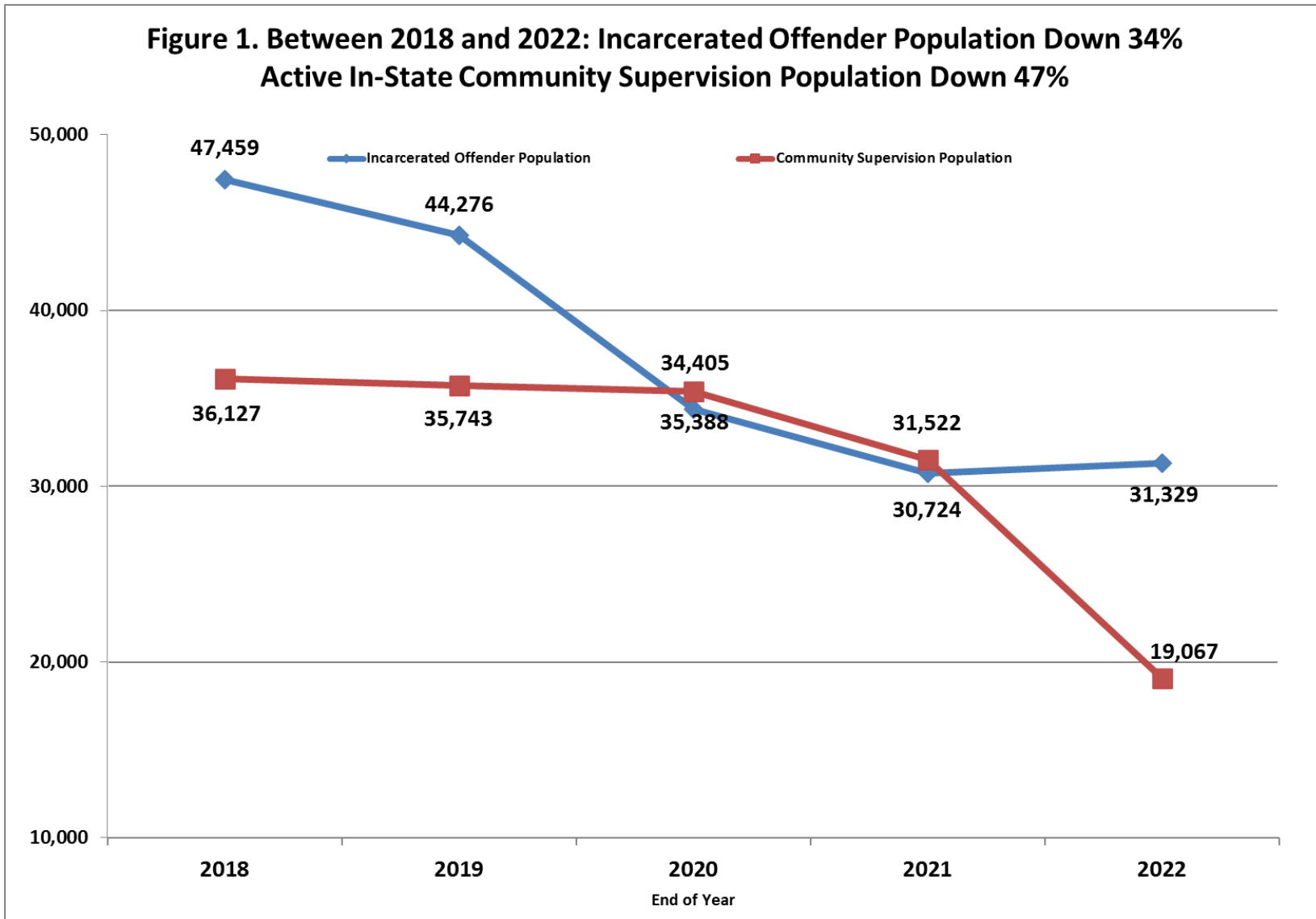
Total Streeted Releasees ¹	15,292	80.2%
In Violation Proceedings	2,395	12.6%
Absconders	1,293	6.8%
Other ²	87	0.5%
Total In-State Releasee Population	19,067	71.6%
Incarcerated Releasees in DOCCS Facilities	141	0.5%
Out of State Releasees ³	7,432	27.9%
Total Community Supervision Jurisdiction	26,640	100%

¹ Total Streeted Releasees includes 6 Interstate cases awaiting transfer.

² Releasees whose deaths have not yet been verified or are in inactive supervision status or are in Interstate supervision status but have not yet been transferred out of state.

³ Releasees who have been deported, transferred to another state via the Interstate Compact or are incarcerated out of state.

**Figure 1. Between 2018 and 2022: Incarcerated Offender Population Down 34%
Active In-State Community Supervision Population Down 47%**



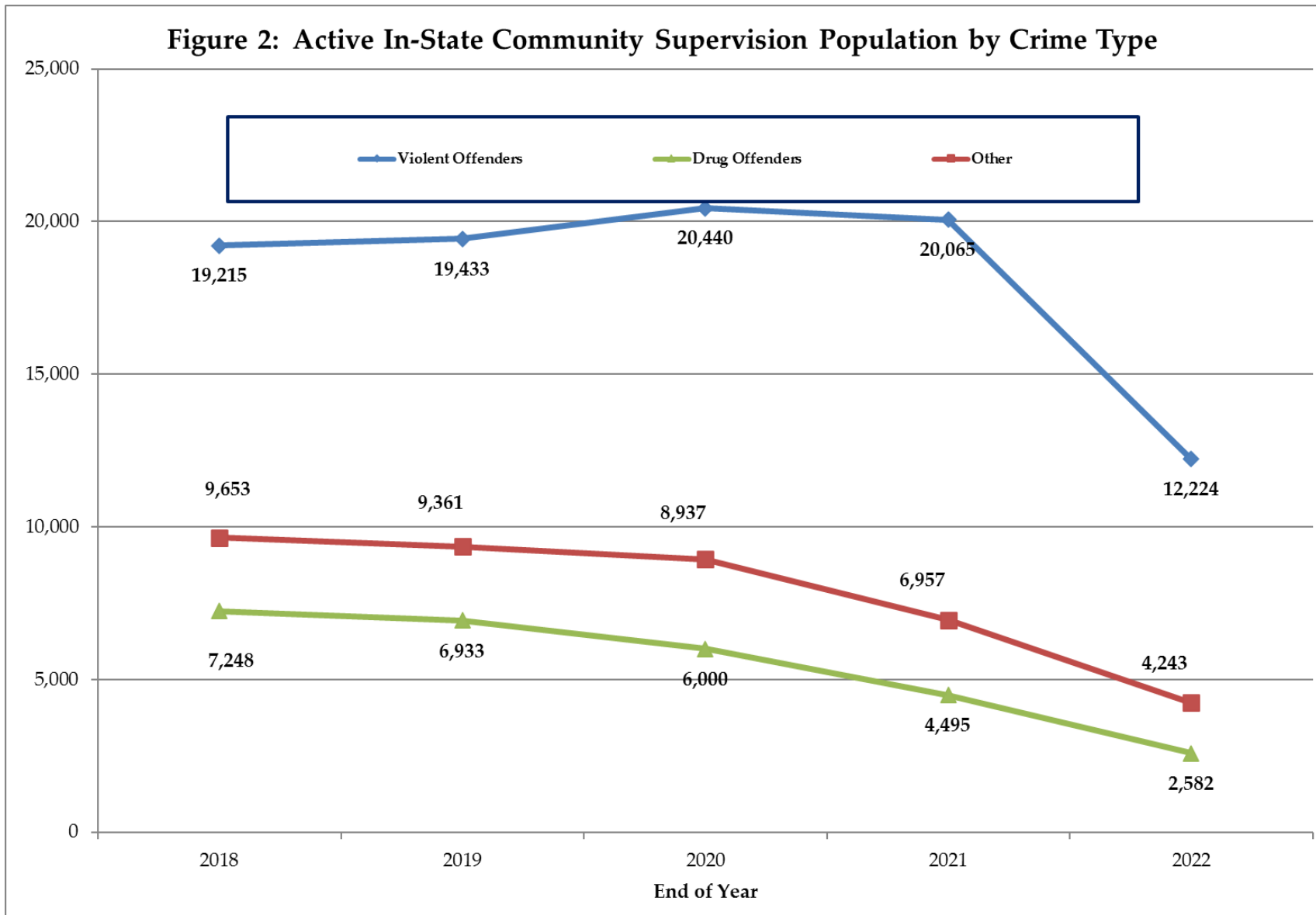
**TABLE 5: SECURITY LEVEL AND FACILITY BY SEX
INDIVIDUALS UNDER COMMUNITY SUPERVISION IN DOCCS FACILITIES
December 31, 2022**

		SEX		TOTAL
		MALE	FEMALE	
MAXIMUM SECURITY	BEDFORD HILLS	0	3	3
	ELMIRA	8	0	8
	GREAT MEADOW	1	0	1
	GREEN HAVEN	1	0	1
	MOHAWK (WALSH)	3	0	3
	SULLIVAN	0	0	0
	UPSTATE	1	0	1
	WENDE	1	0	1
	SUBTOTAL	15	3	18
	MEDIUM SECURITY	ALBION FEMALE	0	4
COLLINS		1	0	1
FISHKILL		39	0	39
FRANKLIN		1	0	1
GROVELAND		3	0	3
MARCY		2	0	2
MID-STATE		4	0	4
ULSTER		2	0	2
WASHINGTON		1	0	1
WOODBURNE		4	0	4
WYOMING	1	0	1	
SUBTOTAL	58	4	62	
MINIMUM SECURITY	LAKEVIEW SHOCK	47	12	59
	SUBTOTAL	47	12	59
SHOCK INCARCERATION	LAKEVIEW SHOCK FEMALE	0	2	2
	SUBTOTAL	0	2	2
GRAND TOTAL		120	21	141

TABLE 6: CRIME BY SEX
INDIVIDUALS UNDER COMMUNITY SUPERVISION IN DOCCS FACILITIES
December 31, 2022

COMMITMENT OFFENSE TYPE		SEX		TOTAL
		MALE	FEMALE	
VIOLENT FELONY	RAPE 1ST	4	0	4
	ROBBERY 2ND	0	1	1
	ASSAULT 1ST	1	0	1
	ASSAULT 2ND	1	0	1
	SODOMY 1ST	4	0	4
	SEX AB 1ST,AG.2	25	0	25
	WEAPONS OFFENSES	3	0	3
	OTHER VFO SEX OFF	7	0	7
	SUBTOTAL	45	1	46
	<i>PERCENT VIOLENT FELONY</i>	38%	5%	33%
OTHER COERCIVE	CONSPIRACY 2,3,4	0	1	1
	OTHER WEAPONS	5	0	5
	OTHER SEX OFFENSES	9	0	9
	OTHER COERCIVE	2	1	3
	SUBTOTAL	16	2	18
<i>PERCENT OTHER COERCIVE</i>	13%	10%	13%	
DRUG OFFENSES	DRUG SALE	3	4	7
	DRUG POSSESSION	25	6	31
	SUBTOTAL	28	10	38
<i>PERCENT DRUG OFFENSES</i>	23%	48%	27%	
PROPERTY & OTHER	BURGLARY 3RD	15	1	16
	GRAND LARCENY	7	4	11
	FORGERY	1	1	2
	STOLEN PROPERTY	3	2	5
	DRIVE INTOXICATED	0	0	0
	CONTEMPT 1ST	1	0	1
	ALL OTHER FELONIES	4	0	4
	SUBTOTAL	31	8	39
<i>PERCENT PROPERTY AND OTHER OFFENSES</i>	26%	38%	28%	
GRAND TOTAL	120	21	141	

Figure 2: Active In-State Community Supervision Population by Crime Type



**TABLE 7: ORIGINAL CRIME OF COMMITMENT
INDIVIDUALS UNDER COMMUNITY SUPERVISION
on December 31**

December 31	A-I Violent and Legislative VFO		Other Coercive		Drug Offenses		Major Property		Other Felony		YO/JO		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2018	19,215	53%	2,899	8%	7,248	20%	3,983	11%	2,146	6%	625	2%	36,116	100%
2019	19,433	54%	2,849	8%	6,933	19%	3,788	11%	2,156	6%	568	2%	35,727	100%
2020	20,440	58%	2,876	8%	6,000	17%	3,536	10%	2,093	6%	432	1%	35,377	100%
2021	20,065	64%	2,478	8%	4,495	14%	2,619	8%	1,583	5%	277	1%	31,517	100%
2022	12,224	64%	1,636	9%	2,582	14%	1,418	7%	1,025	5%	164	1%	19,049	100%

Note: Table excludes 11 locals on December 31, 2018, 16 locals on December 31, 2019, 11 locals on December 31, 2020, 5 locals on December 31, 2021 and 18 locals on December 31, 2022.

The data in this table reflects releasees under community supervision in New York State and excludes releasees incarcerated in DOCCS facilities.

The sums of the percentage subtotals may not equal 100% due to rounding.

Major Property includes Burglary 3, Grand Larceny, Forgery and Stolen Property.

TABLE 8: COMMUNITY SUPERVISION POPULATION FACTS*

The community supervision population is largely non-white (73%), poorly educated (35% have no degree), and underemployed (54%). Over half (51%) of releasees live in Upstate New York.

December 31, 2022

Ethnicity	Service Needs
48% - African-American	54% - Unemployment
27% - White	47% - Drug Abuse
21% - Hispanic	37% - Alcohol Abuse
1% - Native American	35% - No High School Diploma or GED
1% - Asian	
1% - Other	
Sex	Residence
95% - Male	42% - New York City
5% - Female	7% - Long Island
Age	51% - Upstate
Median - 41	
Mean - 43	
Conviction Crime**	
<u>A-I Violent*** and VFO Offenses 64%</u>	<u>Drugs 14%</u>
13% - Murder/Manslaughter	8% - Possession
12% - Robbery	6% - Sale
11% - Weapons	
10% - Sex Offenses	<u>Property/Other 12%</u>
9% - Burglary	4% - Burglary
8% - Assault	3% - Other
1% - Kidnapping/Arson	2% - Larceny
	2% - Other theft
	1% - DWI
<u>Other Coercive 9%</u>	<u>YO/JO 1%</u>
7% - Other	1% - YO/JO
2% - Robbery	

* This information is for releasees under supervision in New York State and excludes releasees incarcerated in New York State correctional facilities.

**All conviction crimes reflect top charge.

***A-1 violent offenses include Murder, Attempted Murder 1st, Arson 1st and Kidnapping 1st. VFOs include other legislatively-designated violent felony offenses.

TABLE 9A: COMMUNITY SUPERVISION INDIVIDUAL CHARACTERISTICS (NUMBERS)
December 31, 2022

The following table presents the characteristics of individuals supervised within New York State by Region. The figures exclude temporary release, community preparation and releases incarcerated in DOCCS facilities.

	QUEENS/ LI	BROOKLYN	NYC ABSCONDERS*	MANHATTAN	BRONX	HUDSON VALLEY	CENTRAL NY	WESTERN NY	DOWNSTATE PVU	UPSTATE PVU	IN-STATE TOTAL
GENDER											
Male	2,556	1,992	895	1,931	1,997	2,830	2,389	2,539	182	803	18,114
Female	129	49	37	70	57	187	250	157	0	17	953
AGE											
16-17 years	0	0	1	0	0	0	2	0	0	2	5
18-20 years	9	7	0	10	10	13	16	22	4	7	98
21-29 years	369	320	110	297	298	469	412	435	35	205	2,950
30-39 years	808	550	222	527	539	1,005	923	887	58	331	5,850
40-49 years	587	445	205	449	446	722	628	643	43	174	4,342
50-59 years	560	464	193	401	432	493	393	387	30	76	3,429
60 years or older	352	255	201	317	329	315	265	322	12	25	2,393
RACE/ETHNICITY											
African American	1,398	1,430	467	1,077	1,037	1,199	672	1,353	108	394	9,135
Hispanic	650	427	297	697	856	489	206	320	56	84	4,082
White	513	127	120	167	108	1,241	1,676	944	14	318	5,228
Native American	24	9	20	22	26	33	43	49	0	10	236
Asian	44	16	12	9	5	13	17	8	0	3	127
Other	47	28	15	25	16	39	20	20	4	9	223
Unknown	9	4	1	4	6	3	5	2	0	2	36
DRUG ABUSE HISTORY											
Yes	1,114	665	487	687	833	1,575	1,623	1,451	65	548	9,048
No	1,509	1,349	389	1,279	1,189	1,383	965	1,194	117	263	9,637
Unknown	62	27	56	35	32	59	51	51	0	9	382
ALCOHOL ABUSE HISTORY											
Yes	854	505	350	527	625	1,239	1,245	1,268	53	401	7,067
No	1,768	1,508	526	1,438	1,396	1,719	1,343	1,377	129	410	11,614
Unknown	63	28	56	36	33	59	51	51	0	9	386
EDUCATION											
No Degree	915	823	435	824	907	839	822	825	94	272	6,756
High School Grad/GED	1,557	1,103	454	1,086	1,022	1,996	1,737	1,777	79	532	11,343
At Least Some College	213	115	43	91	125	182	80	94	9	16	968
ORIGINAL CONVICTION OFFENSE											
A-1 Violent	312	308	30	173	276	197	104	237	4	12	1,653
Legislative VFO	1,520	1,223	516	1,226	1,192	1,542	1,209	1,599	107	437	10,571
Other Coercive	186	134	75	158	160	353	299	184	22	65	1,636
Drug Offenses	346	180	184	247	242	477	482	278	19	132	2,587
Major Property	214	132	87	131	101	188	244	189	26	109	1,421
Other Felony	100	56	39	60	62	249	257	157	3	51	1,034
Youthful Offender	8	8	4	6	10	12	20	24	3	17	112
Juvenile Offender	7	8	2	5	13	5	4	7	0	2	53
SEX OFFENDER REGISTRY OFFENSE											
Yes	286	145	102	330	237	718	756	594	17	122	3,307
No	2,399	1,896	830	1,671	1,817	2,299	1,883	2,102	165	698	15,760
EMPLOYMENT STATUS**											
Employed	832	685	N/A	473	629	1,070	802	971	0	0	5,462
Unemployed	1,245	915	N/A	1,025	941	1,417	1,439	1,302	0	0	8,284
Unable to be Employed	113	84	N/A	85	123	177	187	142	0	0	911
Unknown	105	74	N/A	63	64	111	78	125	4	5	629
TOTAL STREETED***	2,295	1,758	N/A	1,646	1,757	2,775	2,506	2,540	4	5	15,286
TOTAL CASES****	2,685	2,041	932	2,001	2,054	3,017	2,639	2,696	182	820	19,067

Notes:

* NYC Absconder Caseloads assigned to the Bureau of Special Services.

** Employment status based on streeted individuals under supervision only.

*** 'Streeted' cases assigned to PVU are awaiting transfer back to an active caseload.

**** Includes 18 Local releases.

TABLE 9B: COMMUNITY SUPERVISION INDIVIDUAL CHARACTERISTICS (PERCENTS)
December 31, 2022

The following table presents the characteristics of individuals supervised within New York State by Region. The figures exclude temporary release, community preparation and incarcerated releasees and have been adjusted for missing information.

	QUEENS/ LI	BROOKLYN	NYC ABSCONDERS*	MANHATTAN	BRONX	HUDSON VALLEY	CENTRAL NY	WESTERN NY	DOWNSTATE PVU	UPSTATE PVU	IN-STATE TOTAL
GENDER											
Male	95%	98%	96%	97%	97%	94%	91%	94%	100%	98%	95%
Female	5%	2%	4%	3%	3%	6%	9%	6%	0%	2%	5%
AGE											
16-17 years	0%	0%	0%	<1%	0%	<1%	<1%	<1%	0%	<1%	<1%
18-20 years	<1%	<1%	<1%	<1%	<1%	<1%	1%	1%	0%	1%	<1%
21-29 years	14%	16%	12%	15%	15%	16%	16%	16%	1%	25%	15%
30-39 years	30%	27%	24%	26%	26%	33%	35%	33%	2%	40%	31%
40-49 years	22%	22%	22%	22%	22%	24%	24%	24%	2%	21%	23%
50-59 years	21%	23%	21%	20%	21%	16%	15%	14%	1%	9%	18%
60 years or older	13%	12%	22%	16%	16%	10%	10%	12%	0%	3%	13%
RACE/ETHNICITY											
African American	52%	70%	50%	54%	50%	40%	25%	50%	59%	48%	48%
Hispanic	24%	21%	32%	35%	42%	16%	8%	12%	31%	10%	21%
White	19%	6%	13%	8%	5%	41%	64%	35%	8%	39%	27%
Native American	1%	0%	2%	1%	1%	1%	2%	2%	0%	1%	1%
Asian	2%	1%	1%	0%	<1%	<1%	<1%	<1%	<1%	0%	1%
Other	2%	1%	2%	1%	1%	1%	1%	1%	2%	1%	1%
Unknown	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	0%	<1%	<1%
DRUG ABUSE HISTORY											
Yes	50%	35%	54%	38%	42%	56%	63%	60%	45%	67%	47%
No	48%	64%	39%	61%	57%	43%	35%	38%	55%	32%	51%
Unknown	2%	1%	6%	1%	1%	1%	2%	1%	<1%	1%	2%
ALCOHOL ABUSE HISTORY											
Yes	41%	33%	52%	34%	41%	52%	62%	54%	36%	67%	37%
No	56%	66%	42%	64%	58%	46%	37%	44%	64%	32%	61%
Unknown	2%	1%	6%	2%	2%	2%	2%	2%	<1%	1%	2%
EDUCATION											
No Degree	34%	40%	47%	41%	44%	28%	31%	31%	52%	33%	35%
High School Grad/GED	58%	54%	49%	54%	50%	66%	66%	66%	43%	65%	59%
At Least Some College	8%	6%	5%	5%	6%	6%	3%	3%	5%	2%	5%
ORIGINAL CONVICTION OFFENSE											
A-1 Violent	12%	15%	3%	9%	13%	7%	4%	9%	2%	1%	9%
Legislative VFO	57%	60%	55%	61%	58%	51%	46%	59%	59%	53%	55%
Other Coercive	7%	6%	8%	8%	8%	12%	12%	8%	11%	7%	9%
Drug Offenses	13%	9%	20%	12%	12%	16%	18%	10%	10%	16%	14%
Major Property	8%	6%	9%	7%	5%	6%	9%	7%	14%	13%	7%
Other Felony	4%	3%	4%	3%	3%	8%	10%	6%	2%	6%	5%
Youthful Offender	0%	0%	0%	<1%	<1%	0%	1%	1%	2%	2%	1%
Juvenile Offender	<1%	<1%	<1%	<1%	<1%	<1%	<1%	<1%	0%	<1%	<1%
SEX OFFENDER REGISTRY OFFENSE											
Yes	11%	7%	11%	16%	12%	24%	29%	22%	9%	15%	17%
No	89%	93%	89%	84%	88%	76%	71%	78%	91%	85%	83%
EMPLOYMENT STATUS**											
Employed	36%	39%	N/A	29%	36%	39%	32%	38%	0%	0%	36%
Unemployed	54%	52%	N/A	62%	54%	51%	57%	51%	0%	0%	54%
Unable to be Employed	5%	5%	N/A	5%	7%	6%	7%	6%	0%	0%	6%
Unknown	5%	4%	N/A	4%	4%	4%	3%	5%	100%	100%	4%
TOTAL CASES	2,685	2,041	932	2,001	2,054	3,017	2,639	2,696	182	820	19,067 ***
REGIONAL PERCENT	14%	11%	5%	10%	11%	16%	14%	14%	1%	4%	100% ****

Notes:

* NYC Absconder Caseloads assigned to the Bureau of Special Services.

** Employment status based on streeted individuals under supervision only.

*** Includes 18 Local releases.

**** Subtotal percentages may not equal 100% due to rounding.

TABLE 10A: CHARACTERISTICS OF FEMALES UNDER COMMUNITY SUPERVISION (NUMBERS)
December 31, 2022

The following table presents the characteristics of females supervised within New York State by Region. The figures exclude temporary release, community preparation and releasees incarcerated in DOCCS facilities.

	QUEENS/ LI	BROOKLYN	NYC ABSCONDERS*	MANHATTAN	BRONX	HUDSON VALLEY	CENTRAL NY	WESTERN NY	DOWNSTATE PVU	UPSTATE PVU	IN-STATE TOTAL
AGE											
16-17 years	0	0	0	0	0	0	0	0	0	0	0
18-20 years	0	1	0	0	0	0	1	1	0	0	3
21-29 years	17	10	2	13	7	32	33	35	0	5	154
30-39 years	44	17	14	23	19	75	110	45	0	5	352
40-49 years	32	9	9	17	13	43	67	49	0	1	240
50-59 years	21	5	9	11	13	23	25	16	0	5	128
60 years or older	15	7	3	6	5	14	14	11	0	1	76
RACE/ETHNICITY											
African American	51	33	22	37	33	55	26	48	0	3	308
Hispanic	22	9	7	22	14	19	11	13	0	0	117
White	51	5	8	9	9	109	206	92	0	14	503
Native American	0	1	0	1	0	0	5	3	0	0	10
Asian	4	1	0	0	0	1	2	1	0	0	9
Other	1	0	0	0	1	3	0	0	0	0	5
Unknown	0	0	0	1	0	0	0	0	0	0	1
DRUG ABUSE HISTORY											
Yes	50	18	25	31	32	111	189	104	0	16	576
No	77	31	12	37	25	70	54	52	0	1	359
Unknown	2	0	0	2	0	6	7	1	0	0	18
ALCOHOL ABUSE HISTORY											
Yes	39	12	21	22	21	78	136	91	0	10	430
No	88	37	16	46	36	103	107	65	0	7	505
Unknown	2	0	0	2	0	6	7	1	0	0	18
EDUCATION											
No Degree	31	21	19	27	27	53	67	57	0	2	304
High School Grad/GED	70	25	16	40	23	113	165	90	0	14	556
At Least Some College	28	3	2	3	7	21	18	10	0	1	93
ORIGINAL CONVICTION OFFENSE											
A-1 Violent	14	5	0	4	9	9	7	8	0	0	56
Legislative VFO	63	23	12	35	26	55	63	54	0	3	334
Other Coercive	15	6	3	6	4	28	18	9	0	1	90
Drug Offenses	18	5	8	13	9	43	89	34	0	9	228
Major Property	11	7	9	10	7	26	43	30	0	2	145
Other Felony	8	3	5	2	1	25	29	20	0	2	95
Youthful Offender	0	0	0	0	0	1	1	2	0	0	4
Juvenile Offender	0	0	0	0	1	0	0	0	0	0	1
SEX OFFENDER REGISTRY OFFENSE											
Yes	4	0	0	0	1	11	18	16	0	0	50
No	125	49	37	70	56	176	232	141	0	17	903
EMPLOYMENT STATUS**											
Employed	49	16	NA	12	17	58	66	45	N/A	N/A	263
Unemployed	59	25	N/A	38	30	95	155	91	N/A	N/A	493
Unable to be Employed	6	5	N/A	2	4	14	10	7	N/A	N/A	48
Unknown	5	1	N/A	3	1	14	10	4	N/A	N/A	38
TOTAL STREETED	119	47	N/A	55	52	181	241	147	0 ***	0 ***	842
TOTAL CASES	129	49	37	70	57	187	250	157	0	17	953 ****

Notes:

- * NYC Absconder Caseloads assigned to the Bureau of Special Services.
- ** Employment status based on streeted individuals under supervision only.
- *** 'Streeted' cases assigned to PVU are awaiting transfer back to an active caseload.
- **** Includes 6 Local releases.

TABLE 10B: CHARACTERISTICS OF FEMALES UNDER COMMUNITY SUPERVISION (PERCENTS)
December 31, 2022

The following table presents the characteristics of females supervised within New York State by Region. The figures exclude temporary release, community preparation and incarcerated releasees and have been adjusted for missing information.

	QUEENS/ LI	BROOKLYN	NYC ABSCONDERS*	MANHATTAN	BRONX	HUDSON VALLEY	CENTRAL NY	WESTERN NY	DOWNSTATE PVU	UPSTATE PVU	IN-STATE TOTAL
AGE											
16-17 years	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
18-20 years	0%	2%	0%	0%	0%	0%	0%	1%	0%	0%	<1%
21-29 years	13%	20%	5%	19%	12%	17%	13%	22%	0%	29%	16%
30-39 years	34%	35%	38%	33%	33%	40%	44%	29%	0%	29%	37%
40-49 years	25%	18%	24%	24%	23%	23%	27%	31%	0%	6%	25%
50-59 years	16%	10%	24%	16%	23%	12%	10%	10%	0%	29%	13%
60 years or older	12%	14%	8%	9%	9%	7%	6%	7%	0%	6%	8%
RACE/ETHNICITY											
African American	40%	67%	59%	53%	58%	29%	10%	31%	0%	18%	32%
Hispanic	17%	18%	19%	31%	25%	10%	4%	8%	0%	0%	12%
White	40%	10%	22%	13%	16%	58%	82%	59%	0%	82%	53%
Native American	0%	2%	0%	1%	0%	0%	2%	2%	0%	0%	1%
Asian	3%	2%	0%	0%	0%	1%	1%	1%	0%	0%	1%
Other	1%	0%	0%	0%	2%	2%	0%	0%	0%	0%	1%
Unknown	0%	0%	0%	1%	0%	0%	0%	0%	0%	0%	0%
DRUG ABUSE HISTORY											
Yes	39%	37%	68%	44%	56%	59%	76%	66%	0%	94%	60%
No	60%	63%	32%	53%	44%	37%	22%	33%	0%	6%	38%
Unknown	2%	0%	0%	3%	0%	3%	3%	1%	0%	0%	2%
ALCOHOL ABUSE HISTORY											
Yes	30%	24%	57%	31%	37%	42%	54%	58%	0%	59%	45%
No	68%	76%	43%	66%	63%	55%	43%	41%	0%	41%	53%
Unknown	2%	0%	0%	3%	0%	3%	3%	1%	0%	0%	2%
EDUCATION											
No Degree	24%	43%	51%	39%	47%	28%	27%	36%	0%	12%	32%
High School Grad/GED	54%	51%	43%	57%	40%	60%	66%	57%	0%	82%	58%
At Least Some College	22%	6%	5%	4%	12%	11%	7%	6%	0%	6%	10%
ORIGINAL CONVICTION OFFENSE											
A-1 Violent	11%	10%	0%	6%	16%	5%	3%	5%	0%	0%	6%
Legislative VFO	49%	47%	32%	50%	46%	29%	25%	34%	0%	18%	35%
Other Coercive	12%	12%	8%	9%	7%	15%	7%	6%	0%	6%	9%
Drug Offenses	14%	10%	22%	19%	16%	23%	36%	22%	0%	53%	24%
Major Property	9%	14%	24%	14%	12%	14%	17%	19%	0%	12%	15%
Other Felony	6%	6%	14%	3%	2%	13%	12%	13%	0%	12%	10%
Youthful Offender	0%	0%	0%	0%	0%	1%	0%	1%	0%	0%	0%
Juvenile Offender	0%	0%	0%	0%	2%	0%	0%	0%	0%	0%	0%
SEX OFFENDER REGISTRY OFFENSE											
Yes	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	5%
No	3%	0%	0%	0%	2%	6%	7%	10%	0%	100%	95%
EMPLOYMENT STATUS**											
Employed	38%	33%	N/A	17%	30%	31%	26%	29%	N/A	N/A	31%
Unemployed	46%	51%	N/A	54%	53%	51%	62%	58%	N/A	N/A	59%
Unable to be Employed	5%	10%	N/A	3%	7%	7%	4%	4%	N/A	N/A	6%
Unknown	4%	2%	N/A	4%	2%	7%	4%	3%	N/A	N/A	5%
TOTAL CASES	129	49	37	70	57	187	250	157	0	17	953 ****
REGIONAL PERCENT	14%	5%	4%	7%	6%	20%	26%	16%	0%	2%	100% ***

Notes:

* NYC Absconder Caseloads assigned to the Bureau of Special Services.

** Employment status is based on streeted cases under supervision only so this information is not available for absconders.

*** Includes 6 Local releases.

**** Subtotal percentages may not equal 100% due to rounding.

TABLE 11: COMPAS SUPERVISION LEVEL BY REGION FOR RELEASEES IN THE COMMUNITY
December 31, 2022

	Level 1		Level 2		Level 3		Level 4		Pending		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Queens-LI	707	31%	216	9%	466	20%	868	38%	39	2%	2,296	100%
Brooklyn	547	31%	149	8%	343	19%	688	39%	32	2%	1,759	100%
Manhattan	718	44%	165	10%	291	18%	442	27%	32	2%	1,648	100%
Bronx	639	36%	179	10%	329	19%	595	34%	17	1%	1,759	100%
Hudson Valley	1,134	41%	281	10%	521	19%	804	29%	36	1%	2,776	100%
Central NY	1,146	46%	255	10%	465	19%	612	24%	28	1%	2,506	100%
Western	1,126	44%	292	11%	431	17%	650	26%	43	2%	2,542	100%
Total	6,017	39%	1,537	10%	2,846	19%	4,659	30%	227	1%	15,286	100%

Note: this table reflects releasees supervised on the street in New York State and excludes those in the violation process, incarcerated in DOCCS facilities and out of state or in ICE custody, and absconders at large.

Note: Percentage totals may not equal 100% due to rounding.

TABLE 12: VETERAN STATUS BY GENDER FOR RELEASEES
December 31, 2022

Veteran Status	Male			Female			Total		
	Non Veteran	Veteran	Total	Non Veteran	Veteran	Total	Non Veteran	Veteran	Total
Active Releasee Population	17,356	758	18,114	944	9	953	18,300	767	19,067
<i>Streeted Releasees*</i>	13,769	681	14,450	833	9	842	14,602	690	15,292
Incarcerated Releasees	113	7	120	21	0	21	134	7	141
Total	17,469	765	18,234	965	9	974	18,434	774	19,208
Active Releasee Population	95.8%	4.2%	100.0%	99.1%	0.9%	100.0%	96.0%	4.0%	100.0%
<i>Streeted Releasees*</i>	95.3%	4.7%	100.0%	98.9%	1.1%	100.0%	95.5%	4.5%	100.0%
Incarcerated Releasees	94.2%	5.8%	100.0%	100.0%	0.0%	100.0%	95.0%	5.0%	100.0%
Total	95.8%	4.2%	100.0%	99.1%	0.9%	100.0%	96.0%	4.0%	100.0%

SECTION 3 – VIOLATION PROCESS

In 2021 the Less is More Act was signed by the Governor, introducing various changes to the statutory provisions governing the parole revocation process, including among other things, distinguishing between “technical” and “non-technical” violations, and defining the act of absconding from supervision. Most of the enacted changes were effective on March 1, 2022. However, in October 2021 the Board began implementing the legislation’s sanctions scheme, which included a level of particularity not previously contained in the statute. The Board also adopted emergency regulations consistent with the new framework, replacing and nullifying the Board’s prior revocation guidelines.

Where a charge alleging a violation of a condition of release is sustained at the conclusion of a final parole revocation hearing, it remains the case that the presiding officer may revoke parole but direct that the releasee be restored to supervision, and additional conditions may be imposed if deemed appropriate. However, any potential reincarceration, i.e., time assessment disposition, is subject to limitations as explained below.

A technical violation is any conduct that violates a condition of Community Supervision in an important respect other than the commission of a new felony or misdemeanor offense under the penal law. A non-technical violation is: (a) the commission of a new felony or misdemeanor offense; or (b) conduct by a releasee who is serving a sentence for an offense defined in article 130 of the penal law or section 255.26 or 255.27 of such law, and such conduct violated a specific condition reasonably related to such offense and efforts to protect the public from the commission of a repeat of such offense.

Certain technical violations

There are certain technical violations for which a releasee may never be subject to a time assessment. This includes alcohol or drug use (subject to limited exception), curfew violations, and certain other specified conduct.

Technical violations where a time assessment may be possible

Unless specifically exempt from potential reincarceration as indicated above, then technical violative behavior may result in reincarceration consistent with a schedule/scale that links the number of sustained violations the releasee has committed to a limited maximum number of days for the time assessment. For most re-incarcerable technical violations the schedule is as follows: no period of reincarceration may be imposed for the first and second substantiated technical violations for which incarceration may be imposed; up to 7 days reincarceration may be imposed for the third such violation; up to 15 days reincarceration may be imposed for the fourth such violation; up to 30 days reincarceration may be imposed for the fifth and subsequent such violation. For absconding violations only, the schedule is generally as follows: up to 7 days reincarceration may be imposed for the first absconding violation, up to 15 days reincarceration may be imposed for the second absconding violation, and up to 30 days reincarceration may be imposed for the third or any subsequent absconding

violation. While multiple time assessments may therefore be imposed within the same revocation case, all time assessments run concurrently.

Non-technical violations

Where one or more non-technical violation charges alleging the commission of a new felony or misdemeanor offense are sustained, a time assessment for each such violation may be imposed, which will be: no less than 6 months for a misdemeanor except one under Penal Law article 130; no less than 12 months for any felony, or for any misdemeanor under article 130. Where the releasee is serving a sentence for an offense defined in article 130 of the Penal Law or section 255.26 or 255.27 of such law, and the sustained charge(s) are considered non-technical in that context and are not for a felony or misdemeanor offense, a time assessment for each such violation may be imposed, which will be no less than 6 months. Finally, upon agreement of all parties in a case alleging non-technical violations, parole may be revoked upon a guilty plea to a charge other than one alleging conduct that would constitute a felony or misdemeanor offense but with the understanding that the releasee will be deemed, and treated as, a non-technical violator. In such case if a period of reincarceration is directed, it will be for no less than a period of months set forth in Board regulations.

The implementation of Less is More legislation on March 1, 2022 changed violation procedures and warrant issuance. Therefore, direct comparisons cannot be made to warrants issued in previous years.

- There were 3,540 violation cases created from the implementation of Less is More legislation on March 1, 2022 through the end of the year. Sixty-two percent (62%) of these cases were Technical Violation – Absconder cases and 29% were Non-Technical Violations. Only 64 (2%) cases created were technical violations where reincarceration was not possible (Table 13 and Table 14).
- The number of violation cases created that resulted in the issuance of a warrant was 3,217. This represents 91% of all cases created between March 1, 2022 and December 31, 2022. Ninety-six percent (96%) of cases that started out as a Non-Technical Violation resulted in warrant issuance, while 19% of cases that started out as Technical Violation – No Reincarceration Possible resulted in the issuance of a warrant (Table 14).
- Cumulatively, the New York City regions created half of the state’s absconder cases (52%). Two-thirds (66%) of the Non-Technical Violation cases created were from Central New York and Western Regions (Table 15).
- Technical Violation – Absconder cases made up the highest proportion of cases created between March 1 and December 31, 2022. The proportion of all violation cases comprised of Technical Violation – Absconder cases varied by region, ranging from 44% of cases created in the Western region to 87% of the cases created in the Brooklyn region (Table 16).

- Among all cases created, the Bronx Region had the lowest proportion of Non-Technical Violation cases (8%) while the Western Region had the highest proportion of Non-Technical Violation cases created (48%) (Table 16).

**TABLE 13: TOTAL VIOLATION ACTIVITY
2022**

Warrant/Violation Case Type	Number of Cases	Number of Warrants
Absconder	n/a	414
NewArrest	n/a	575
Rule Violation	n/a	19
Non-Technical Violation*	1,019	981
Technical Violation - Absconder*	2,185	2,026
Technical Violation - Reincarceration Possible*	272	198
Technical Violation - No Reincarceration Possible*	64	12
TOTAL	3,540	4,225

* Source of this data is DOCCS SharePoint System. At the time of table production, Violation Casetype was unknown for 104 warrants issued.

After March 1, 2022, violation cases could be created without an associated warrant.

**TABLE 14: VIOLATION CASES CREATED:
MARCH 1, 2022 - DECEMBER 31, 2022**

Original Violation Case Type	Number of Cases Created	Percent of Cases Created	Cases Resulting in a	Cases with Warrants
Non-Technical Violation	1,019	29%	981	96%
Technical Violation - Absconder	2,185	62%	2,026	93%
Technical Violation - Reincarceration Possible	272	8%	198	73%
Technical Violation - No Reincarceration Possible	64	2%	12	19%
TOTAL	3,540	100%	3,217	91%

Note: During January and February 2022, there were 414 Absconder warrants issued, 575 New Arrest warrants issued and 19 Rule Violation warrants issued that are not included in these figures.

Source of the data on this table is DOCCS SharePoint System. At the time of table production, Original Violation Casetype was unknown for 104 warrants issued.

TABLE 15: VIOLATION CASES CREATED BY REGION OF SUPERVISION (COL%)
MARCH 1, 2022 - DECEMBER 31, 2022

Region of Supervision	Original Violation Case Type															
	Non-Technical Violation			Technical Violation- Absconder			Technical Violation- Reincarceration Possible			Technical Violation- No Reincarceration Possible			Total			
	Cases Created	Warrants Issued	% of Cases Created	Cases Created	Warrants Issued	% of Cases Created	Cases Created	Warrants Issued	% of Cases Created	Cases Created	Warrants Issued	% of Cases Created	Cases Created	Warrants Issued	% of Cases Created	% of Cases with Warrants Issued
Queens-LI	88	87	9%	271	252	12%	25	16	9%	8	1	13%	392	356	11%	91%
Brooklyn	29	28	3%	264	253	12%	10	10	4%	1	0	2%	304	291	9%	96%
Manhattan	48	36	5%	396	369	18%	57	41	21%	2	1	3%	503	447	14%	89%
Bronx	23	20	2%	206	193	9%	46	33	17%	11	2	17%	286	248	8%	87%
Hudson Valley	146	143	14%	337	314	15%	32	21	12%	6	0	9%	521	478	15%	92%
Central NY	340	329	33%	378	358	17%	51	43	19%	27	8	42%	796	738	22%	93%
Drug Treatment Program	2	2	<1%	0	0	0%	3	3	1%	0	0	0%	5	5	<1%	100%
Western	330	326	32%	301	276	14%	47	30	17%	9	0	14%	687	632	19%	92%
Out of State	13	10	1%	32	11	1%	1	1	<1%	0	0	0%	46	22	1%	48%
Total	1,019	981	100%	2,185	2,026	100%	272	198	100%	64	12	100%	3,540	3,217	100%	91%

Note: Column percentage totals may not equal 100% due to rounding.

During January and February 2022, there were 414 Absconder warrants issued, 575 New Arrest warrants issued and 19 Rule Violation warrants issued that are not included in these figures.

Regional breakdown reflects bureau/regional structure in place on December 31, 2022.

TABLE 16: VIOLATION CASES CREATED BY REGION OF SUPERVISION (ROW%)
MARCH 1, 2022 - DECEMBER 31, 2022

Region of Supervision	Original Violation Case Type															
	Non-Technical Violation			Technical Violation- Absconder			Technical Violation- Reincarceration Possible			Technical Violation- No Reincarceration Possible			Total			
	Cases Created	Warrants Issued	% of Cases Created	Cases Created	Warrants Issued	% of Cases Created	Cases Created	Warrants Issued	% of Cases Created	Cases Created	Warrants Issued	% of Cases Created	Cases Created	Warrants Issued	% of Cases Created	
Queens-LI	88	87	22%	271	252	69%	25	16	6%	8	1	2%	392	356	91%	
Brooklyn	29	28	10%	264	253	87%	10	10	3%	1	0	<1%	304	291	96%	
Manhattan	48	36	10%	396	369	79%	57	41	11%	2	1	<1%	503	447	89%	
Bronx	23	20	8%	206	193	72%	46	33	16%	11	2	4%	286	248	87%	
Hudson Valley	146	143	28%	337	314	65%	32	21	6%	6	0	1%	521	478	92%	
Central NY	340	329	43%	378	358	47%	51	43	6%	27	8	3%	796	738	93%	
Drug Treatment Program	2	2	40%	0	0	0%	3	3	60%	0	0	0%	5	5	100%	
Western	330	326	48%	301	276	44%	47	30	7%	9	0	1%	687	632	92%	
Out of State	13	10	28%	32	11	70%	1	1	2%	0	0	0%	46	22	48%	
Total	1,019	981	29%	2,185	2,026	62%	272	198	8%	64	12	2%	3,540	3,217	91%	

Note: Row percentage totals may not equal 100% due to rounding.

During January and February 2022, there were 414 Absconder warrants issued, 575 New Arrest warrants issued and 19 Rule Violation warrants issued that are not included in these figures.

Regional breakdown reflects bureau/regional structure in place on December 31, 2022.

Section 4 – Releasee Returns to Prison

This section presents information on releasees returned to prison during the past five years. Individuals on Community Supervision are returned to prison as a result violating the conditions of parole or being convicted of a new offense.

- The number of returns to prison for new felony convictions declined by 35%, from 1,330 in 2018 to 862 in 2022 (Table 17).
- In 2022, there were 1,029 returns to prison for violating the conditions of parole, a decrease of 86% from the 7,438 returned in 2018 (Table 17).
- In 2022, 5% of the 37,912 individuals who spent time on Community Supervision were returned to prison. This was a decrease from 17% in 2018 and 8% in 2021 (Table 17).
- Among the 37,912 releasees who spent time under active supervision in 2022, 3% were returned to prison for violating conditions of parole. This was a decrease from 15% returned to prison for violating conditions of parole in 2018 (Table 17).
- Between 2018 and 2022, the proportion of A-I Violent/Legislative VFO offenders among releasees returned with new convictions increased from 50% to 59%, while the proportion of Drug Offenders decreased from 22% to 15% (Table 18). This is consistent with the changes in the representation of these offenses among the supervised population.
- The number of Drug Offenders returned to prison after conviction of a new felony has decreased by 55% since 2018 (Table 18).
- Between 2018 and 2022, among releasees returned for violating conditions of parole, the number of Drug Offenders decreased by 89%. The number of A-I Violent/Legislative VFO offenders returned decreased by 85% (Table 19).
- While 49% of releasees under supervision in the community on December 31, 2022 were supervised at Level 1 or 2, 72% of releasees returned to prison were supervised at Levels 1 or 2 (Table 20).

**TABLE 17: RETURNS TO PRISON
AS A PROPORTION OF THE RELEASEE DYNAMIC POPULATION**

Return Reason	2018	2019	2020	2021	2022
New Court Conviction	1,330	1,256	509	761	862
	2.6%	2.5%	1.1%	1.8%	2.3%
Violating Conditions of Parole	7,438	7,037	2,917	2,682	1,029
<i>Returned Rule Violations</i>	5,787	5,233	2,315	2,416	1,013
<i>Alt 90 Day</i>	1,522	1,680	587	222	12
<i>Alt 45 Day</i>	129	124	15	44	4
	14.7%	14.2%	6.4%	6.3%	2.7%
Total Prison Returns During Year	8,768	8,293	3,426	3,443	1,891
	17.3%	16.7%	7.6%	8.1%	5.0%
Dynamic Population¹	50,545	49,651	45,297	42,613	37,912

¹ The dynamic population reflects the number of people who spent at least some time under active supervision (start of year active population plus all releases to supervision) over the course of the year.

**TABLE 18: RELEASEE RETURNS TO PRISON AS NEW COMMITMENTS: 2018 TO 2022
ORIGINAL CRIME OF COMMITMENT**

Year	A-I Violent and Legislative VFO		Other Coercive		Drug Offenses		Major Property		Other Felony		Youthful Offenders		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2018	664	50%	79	6%	296	22%	196	15%	58	4%	37	3%	1,330	100%
2019	608	48%	54	4%	313	25%	188	15%	67	5%	26	2%	1,256	100%
2020	268	53%	17	3%	108	21%	71	14%	38	7%	7	1%	509	100%
2021	365	48%	49	6%	152	20%	125	16%	53	7%	17	2%	761	100%
2022	508	59%	46	5%	132	15%	116	13%	48	6%	12	1%	862	100%

Note: Row Percentage totals may not equal 100% due to rounding.

**TABLE 19: RETURNS TO PRISON FOR VIOLATING CONDITIONS OF PAROLE: 2018 TO 2022
ORIGINAL CRIME OF COMMITMENT**

Calendar Year	A-I Violent and Legislative VFO		Other Coercive		Drug Offenses		Major Property		Other Felony		Youthful Offenders		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
2018	3,484	47%	608	8%	1,262	17%	1,261	17%	635	9%	188	3%	7,438	100%
2019	3,197	45%	607	9%	1,146	16%	1,226	17%	675	10%	186	3%	7,037	100%
2020	1,379	47%	240	8%	486	17%	476	16%	250	9%	86	3%	2,917	100%
2021	1,309	49%	248	9%	466	17%	415	15%	194	7%	50	2%	2,682	100%
2022	537	52%	129	13%	139	14%	143	14%	73	7%	8	1%	1,029	100%

Note: Row Percentage totals may not equal 100% due to rounding.

TABLE 20: RELEASEES RETURNED TO PRISON DURING 2022 BY SUPERVISION LEVEL

Supervision Level	Return Reason						Supervision Level for Releasees in the Community* December 31, 2022	
	New Court Conviction		Violating Conditions of Parole		Total			
	Number	Percent	Number	Percent	Number	Percent		
1 (25:1)	447	52%	559	54%	1,006	53%	1 (25:1)	39%
2 (40:1)	142	16%	221	21%	363	19%	2 (40:1)	10%
3 (80:1)	168	19%	176	17%	344	18%	3 (80:1)	19%
4 (160:1)	86	10%	55	5%	141	7%	4 (160:1)	30%
Pending	19	<1%	18	2%	37	2%	Pending	1%
TOTAL	862	100%	1,029	100%	1,891	100%	TOTAL	100%

* Data reflects active releasees under supervision in the community only.

Section 5 - Discharges From Community Supervision

This section presents information on releasees discharged from Community Supervision during the past five years. Individuals are successfully discharged after reaching their Maximum Expiration date, thereby completing their sentence, or prior to the completion of their sentence through one of the early discharge mechanisms, including Merit Termination², Mandatory Termination³, and Board Three Year Discharge⁴.

- There were 21,841 discharges from Community Supervision during 2022. This represents an 89% increase from the 11,585 discharges in 2018 and a 66% increase from 2021 (Table 21).
- In 2022, 87% of releasees discharged from Community Supervision were discharged by Maximum Expiration. This was an increase from 65% in 2018 and a direct effect of Less is More Legislation enacted in March 2022 which made thousands of releasees immediately eligible for maximum expiration discharge (Table 21).
- While the number of Maximum Expiration discharges increased from 7,756 in 2021 to 19,072 in 2022 (+146%), the number of Merit Termination discharges decreased by 55% between 2021 and 2022 (Table 21).

² DOCCS has the discretionary authority to discharge eligible non-violent individuals from their sentence after either one or two continuous years of unrevoked supervision, depending upon the felony class of the instant offense.

³ For those under DOCCS Community Supervision for a felony drug conviction, a mandatory termination of sentence must be granted, by law, after either two or three continuous years of unrevoked supervision, with the time period dependent upon the felony class of the instant offense.

⁴ The Board of Parole has the authority to grant discharge prior to the expiration of sentence to statutorily eligible individuals under DOCCS Community Supervision following three continuous years of unrevoked supervision.

**TABLE 21: DISCHARGES FROM COMMUNITY SUPERVISION BY DISCHARGE TYPE:
2018-2022**

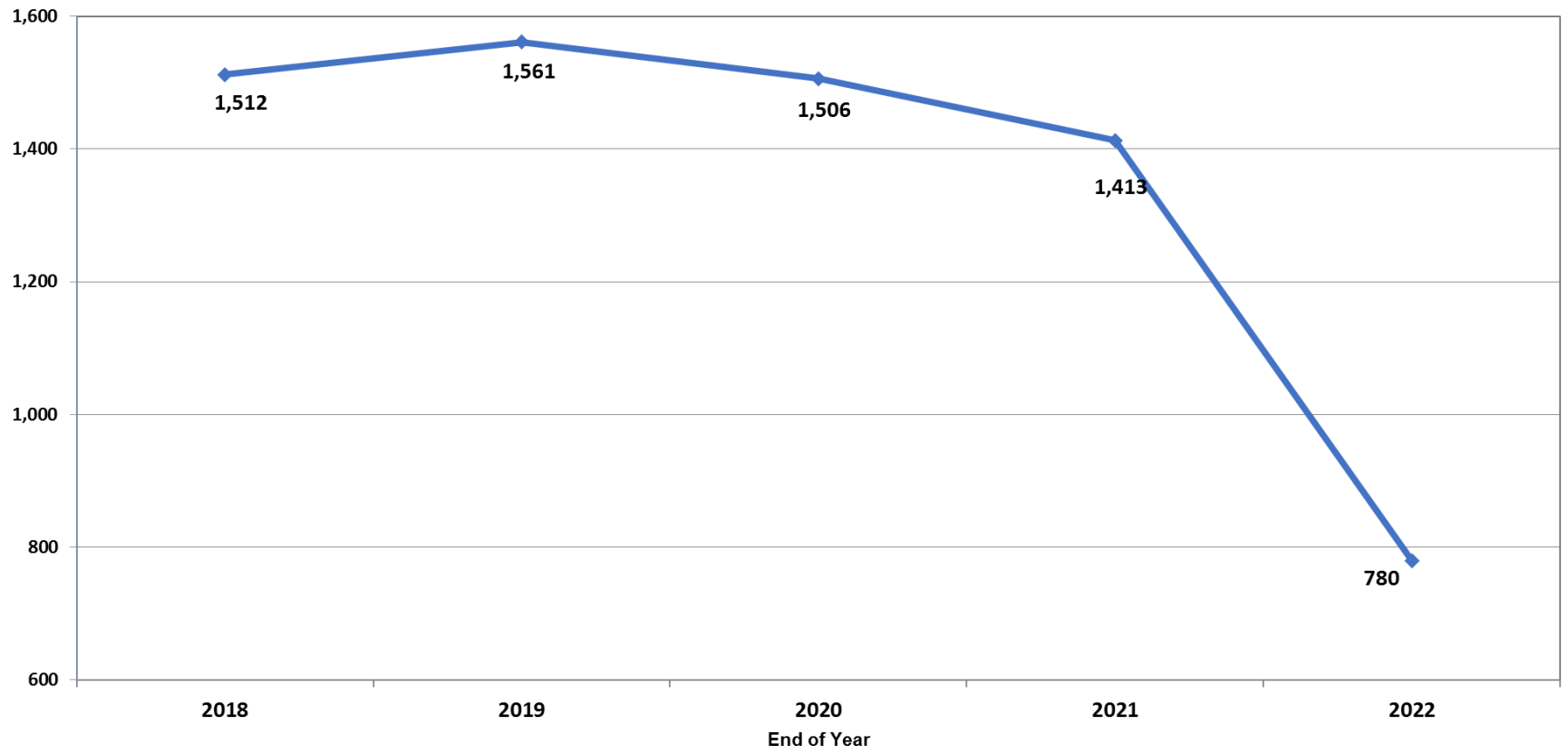
Year	Maximum Expiration		Merit Termination		Mandatory Termination of Sentence		Board Action		Cancel Delinquency Maximum Expiration		Death		Other/Admin		Out Of State Transfer		Court Order		TOTAL
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
2018	7,488	65%	2,363	20%	34	<1%	805	7%	321	3%	303	3%	138	1%	86	1%	47	<1%	11,585
2019	7,370	63%	2,489	21%	35	<1%	883	8%	391	3%	304	3%	205	2%	24	<1%	50	<1%	11,751
2020	7,813	59%	2,974	23%	59	<1%	826	6%	767	6%	479	4%	208	2%	1	<1%	51	<1%	13,178
2021	7,756	59%	2,814	21%	34	<1%	1,134	9%	665	5%	514	4%	205	2%	2	<1%	59	<1%	13,183
2022	19,072	87%	1,265	6%	31	<1%	620	3%	222	1%	396	2%	192	1%	1	<1%	42	<1%	21,841

Note: Rowpercentage totals may not equal 100% due to rounding.

Section 6 – Releasees Supervised Out-of-State

- At the end of 2022, there were 780 releasees from New York who were being actively supervised out-of-state under the Interstate Compact (Figure 3).
- Between 2018 and 2022, the number of releasees being supervised out-of-state decreased by 732 or 48% (Figure 3).
- Between 2021 and 2022, the number of releasees supervised out-of-state decreased by 633 or 45% (Figure 3).
- During 2022, 303 releasees were transferred out of New York to complete their Community Supervision under the Interstate Compact. This was a decrease of 38% from the 489 transfers in 2021.

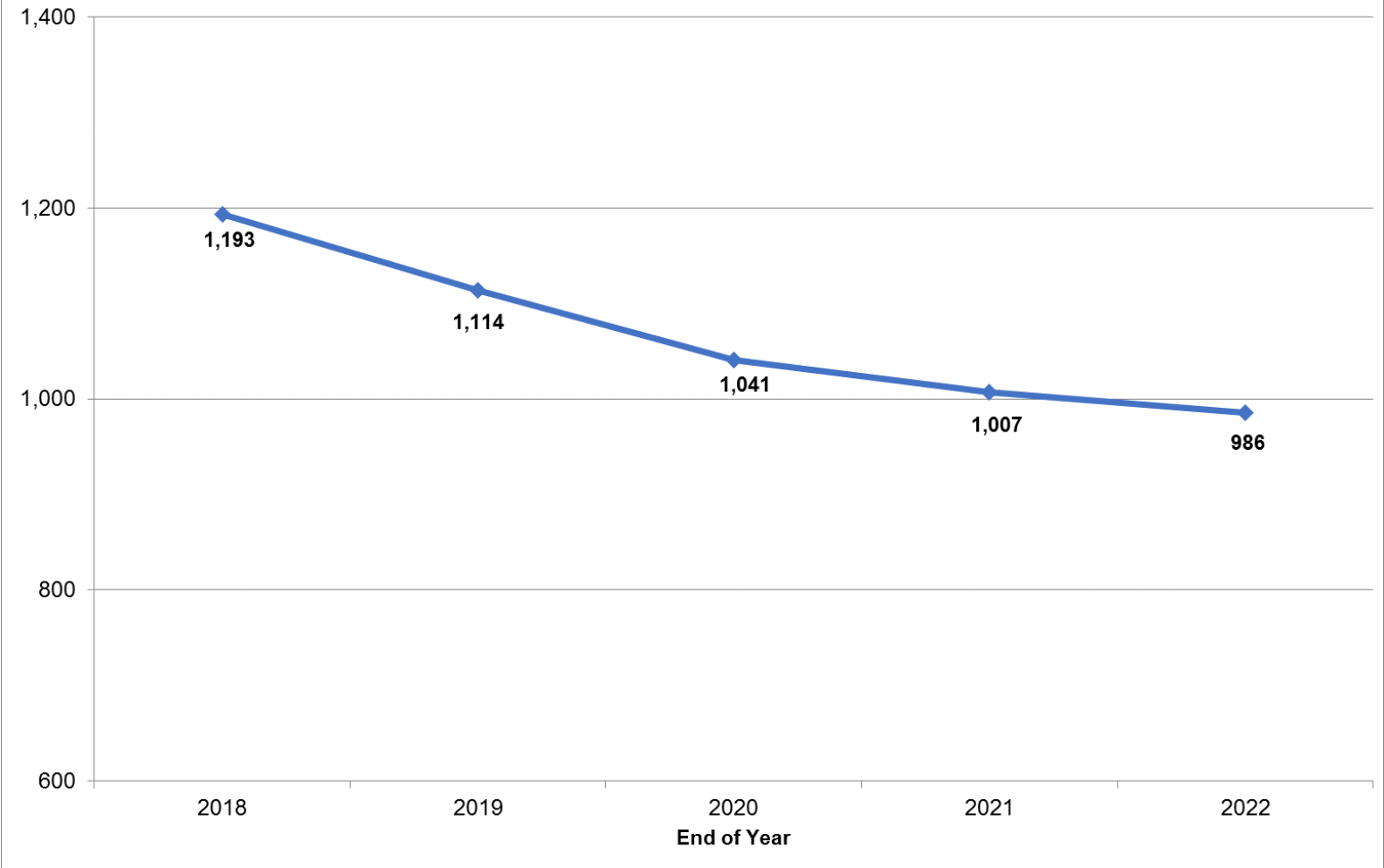
Figure 3. Releasees Supervised Out-of-State Under the Interstate Compact



Section 7 – Releasees Supervised from Other States

- At the end of 2022, there were 986 releasees from other states who were being actively supervised in New York under the Interstate Compact (Figure 4).
- Between 2018 and 2022, the number of releasees from other states being supervised in New York decreased by 207 or 17% (Figure 4).
- During 2022, 353 releasees were transferred from other states to New York to complete their Community Supervision under the Interstate Compact. This was a decrease of 74 or 17% from the 427 transfers in 2021.
- Just over half of releasees from other states (54%) were supervised as Level 3 or 4 (Table 22).

Figure 4. Released From Other States Supervised in New York Under the Interstate Compact



**TABLE 22: RELEASEES FROM OTHER STATES SUPERVISED
IN NEW YORK BY COMPAS SUPERVISION LEVEL
December 31, 2022**

Supervision Level	Number	Percent
1 (25:1)	177	18%
2 (40:1)	93	9%
3 (80:1)	144	15%
4 (160:1)	393	40%
Pending	179	18%
TOTAL	986	100%

*Percentage total may not equal 100% due to rounding.

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