

DUTCHESS COUNTY
CRIMINAL JUSTICE COUNCIL



2011 ANNUAL REPORT



Marcus J. Molinaro
County Executive

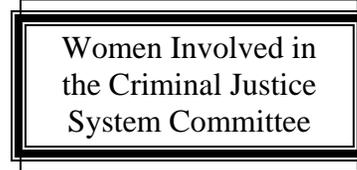
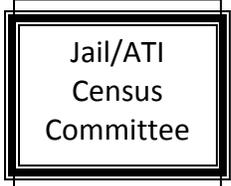
CHAIRMAN: **Mary Ellen Still**

Vision Statement - The vision of the Criminal Justice Council is a fair and effective Criminal Justice System.

Mission Statement - The Criminal Justice Council engages in a collaborative process of information sharing to maximize resources resulting in an enhanced criminal justice process. This work is done through utilizing research based practices to ensure community safety, through the promotion and support of: intervention for at risk youth and adults; addressing victims' needs; and reduction of recidivism.

ORGANIZATIONAL CHART

CRIMINAL JUSTICE COUNCIL



BACKGROUND

In 1992, the Dutchess County Criminal Justice Council was created to serve in an advisory capacity to the Legislature and the County Executive. The Dutchess County Legislature subsequently passed Resolution number sixty-one in 1993 creating a Criminal Justice Council as “necessary to support an efficient and effective criminal justice system.” Representatives of all elements of the criminal justice system, as well as representatives of human service agencies, not-for-profits, and citizen appointments, participate on the Council. In 2010, the Dutchess County Legislature further amended the operating guidelines of the Council, formally recognizing the Executive Committee.

As one of ten national sites selected, Dutchess County worked with the National Institute of Corrections during 1998-1999 to develop a strategic planning process and a committee structure. The Council, based on the strategic planning process, committed to the use of evidence-based practices.

CRIMINAL JUSTICE COUNCIL

The Criminal Justice Council meets six times annually at the Office of Probation and Community Corrections from 8:00 a.m. to 10:00 a.m. Meetings are held on the second Tuesday of the following months: January, March, May, July, September and November. Meetings are open to the public.

In 2011, the Council:

1. Approved the ATI Service Plan Update which must be submitted to the state annually. Completion of the plan is required for the county to receive state funding to support criminal justice programming.
2. Applied for and received technical assistance from the National Institute of Corrections (NIC). The Council applied for technical assistance under the “Framework for Evidence-Based Decision Making in Local Criminal Justice Systems.” In May, Council members participated in a two-day assessment process with NIC consultant, Becki Ney. Ms. Ney subsequently provided a report to help further the goals of the Council. In 2012, the Council will issue an RFP for technical assistance to further planning and evaluation goals identified by the NIC.
3. Under the auspices of the Council, the county successfully applied for a fourth year of funding from the New York State Division of Criminal Justice Services for the re-entry project. Counties throughout the state may apply for funding to assist in the transition of offenders from state prison, or in some cases local jails, back to the community. The Osborne

Association implements the project under the guidance of the Re-Entry Committee of the Criminal Justice Council.

4. The Council considered the many changes that occurred during the latter part of 2011 and into 2012 in the mental health system. The closing of Hudson River Psychiatric Center will have an impact on the community and the agencies providing services. A conference sponsored by PEOPLE, Inc. on December 12th, "*Jail Diversion and Cost Containment*" was attended by many members of the Council. The Council will continue to focus on the needs of people with mental health issues, as well as other special populations in the criminal justice system.

The Council depends on its sub-committees and task forces to provide in-depth evaluation and analysis on various topics.

THE EXECUTIVE COMMITTEE

The Executive Committee oversees the work of the Council and its committees, establishes strategic direction and analyzes available data to ensure decision making is informed by research. The Executive Committee meets monthly and serves as the steering committee for the full Council.

COMMUNITY INVOLVEMENT COMMITTEE

Co-Chairs: Jacki Brownstein and Shirley Adams

The Committee dealt with two major issues in 2011: housing for the formerly incarcerated and planning for reentry of people with a mental illness history back into the community after prison. The committee coordinated housing issues with the DC Housing Consortium, the DC Ten Year Plan to End Homelessness and the Council's Re-Entry Committee.

Housing:

- At the end of 2010, 10 questions regarding different issues related to the housing of the formerly incarcerated were formulated by the committee. In 2011 we reviewed the questions and decided which we should further explore with key agencies. In particular, they explored the following five issues with key informants:
 - ✓ Questions regarding Parole provision of subsidized housing for ex offenders.
 - ✓ Can a person reentering from incarceration enter into a NYS Office of Alcohol and Substance Abuse Services sponsored halfway house?

- ✓ Who is eligible and what is the process for admission into Community Housing Innovations run by Hudson River Housing?
- ✓ What are the regulations governing the availability of public housing for people reentering from incarceration?
- ✓ How to develop a list of “workable” landlords and some of the barriers posed by DSS eligibility?

They were able to clarify issues related to all five questions, clarifying misinformation for the members of the committee who work with the formerly incarcerated. We also gained a better understanding of program criteria, and which issues were regulatory and which, through discussion, had the possibility of lifting barriers. In addition, through the issues posed by the committee to the City of Poughkeepsie Housing Authority regarding proof of residency, the Housing Authority restructured requirements that better take into consideration people who are returning home after incarceration, rehabilitation or hospitalization.

Re-entry from incarceration of people with a history of serious mental health issues:

The committee explored the concern raised by service providers that there were people reentering from prison with serious mental health problems but unable to gain immediate access to treatment and services such as mental health supported housing because they were coming out of prison without a serious mental health diagnosis even though prior to incarceration they had such a diagnosis. To better understand this issue, they invited representatives from the NYS OMH Forensic Unit to discuss the mental health system inside the prisons and the reentry process. The presentation helped the committee gain some understanding of the system and why there might be a downgrading of the individual’s diagnosis. Upon further committee discussion gaps were identified and additional questions were raised.

Issues for further exploration:

- The committee will try to get parole at the table to discuss communication issues between the parole office inside and outside prison, which may account for some of the issues
- Getting signed releases from inmates prior to release needs to be worked on
- Getting more complete packets of community services into the prisons and getting connections inside the prisons to improve communication with reentry and providers
- Possibility of meeting face to face with prisoners before release, at least on a trial basis, perhaps with Fishkill Correctional, to see if reentry results for this population improves
- Use of half-way houses

JAIL/ATI CENSUS COMMITTEE

Co-Chairs: Thomas Angell and Susan West

The Jail/ATI Census Committee suspended its meetings during 2011. There was a general consensus among our members that we should await the recommendations of the National Institute of Corrections consultant prior to undertaking any additional projects. Our committee stands ready to move forward with any projects assigned to us by either the Criminal Justice Council or its Executive Committee.

Our committee did meet once this past year to consider the issue of centralized arraignments and the related issue of counsel at arraignment. In addition to our membership, the president of the Dutchess County Magistrate's Association and a supervisor from Troop K State Police was present. The committee discussed the New York State constitutional right that all indigent arrestees have to legal representation at arraignment. It was acknowledged that many individuals being arraigned are not represented by counsel. The committee was made aware of the fact that funding was soon to be made available from the New York State Office of Indigent Legal Services to pay for attorneys at arraignment. There was also a discussion of the need for Legislative action to make it possible for local justices to handle arraignments on non-felony offenses which did not occur in their municipality or an adjoining one. The committee decided to wait for additional information regarding the parameters of the potential funding available for attorneys at arraignment prior to making any formal recommendations to the Criminal Justice Council regarding either centralized arraignments or the provision of counsel at arraignment.

Co-Chair Susan West retired from the Council after many years of dedicated service. Her co-chair, Thomas Angell, makes the following observations about Sue's service to the committee, Council and community: "I would be remiss if I did not mention that Susan West, co-chair of the Jail/ATI Committee for many years, will be missed. She always provided a steady hand overseeing committee meetings. She was instrumental in developing and overseeing many of the initiatives the Jail/ATI Committee recommended during the past decade. Her common sense, creative problem solving approach, and genuine concern for both victims and offenders was appreciated by all our members."

JUVENILE JUSTICE COMMITTEE

Chairperson: Karen DeSimone

In 2010, the Criminal Justice Council added the Juvenile Justice Committee to its structure. This committee evolved from the already existing Juvenile Justice Task Force; a long-standing group hosted by the Office of Probation, comprised of members from various public agencies and organizations serving the at-risk youth population of Dutchess County. The Juvenile Justice Committee meets six times per year to discuss issues relating to the Juvenile Justice System, identify needs and

trends, share information from related committees, and monitor statistics/outcome measures of the various programs in place for the at-risk youth.

In 2011, the Juvenile Justice Committee gathered for six bi-monthly meetings. Topics of discussion included:

- Review of current Family Court Probation programs and statistics;
- Review of the Youth Services Unit statistics and programs;
- Status reports from: The Functional Family Therapy program, the MAYSI Probation utilization, the Probation Family Court Pre-trial Services, the Probation J-RISC program, and the Mental Health/Juvenile Justice program.

In June, 2011, the first New York State Juvenile Justice Reform initiatives introduced the Supervision and Treatment Services for Juvenile Program (STSJP) requiring each county to propose a plan to decrease the use of juvenile detention while utilizing funds for alternative programming. A multi-systemic plan submitted and approved for Dutchess County included the funding of the Probation Curfew Monitoring Program and the lease of five additional Electronic Monitoring units as alternatives to the use of detention. The Department of Social Services was instrumental in securing this funding.

This committee continues to monitor the Juvenile Justice Reform issues as they relate to the needs of the at-risk youth in Dutchess County. The committee has begun discussions regarding the possible transition in New York State to move 16 and 17 year old offenders out of the Criminal Justice System and under the Family Court jurisdiction. The courts, criminal justice and human service agencies, as well as the public, will be impacted by these potential changes.

RE-ENTRY COMMITTEE

Chairperson: Thomas Angell

The committee, in conjunction with the Osborne Association, continues to provide services to the formerly incarcerated at 25 Market Street, Poughkeepsie, NY. Almost 100 individuals were served on a walk-in basis. Case management services were provided to 74 new participants in 2011. Forty seven individuals successfully completed the program. Out of the total served, fourteen of the clients were rearrested during the year. During the year, various seminars, workshops and support groups for clients and members of the community were provided including Debriefing the Prison Experience, an employment group, and a cognitive behavioral group called "Breaking Barriers". The work of the committee is completely funded by a grant to Dutchess County from the New York State Division of Criminal Justice Services (DCJS).

The committee works closely with the New York State Division of Parole to identify parolees and other individuals returning to the community from prison who are at high risk of re-offending. Criminogenic needs (challenging areas of

their lives which lead to criminal behavior) are identified. Once the needs have been identified, they are addressed in a systematic way.

The committee also seeks to identify institutional barriers at a local level which limit the successful reentry of the formerly incarcerated into Dutchess County. The committee can then advocate and work for solutions which will lower these barriers. Work has been conducted with the Department of Social Services, Hudson River Housing and the Department of Mental Hygiene and their contract agencies to address many of these concerns.

The committee continues to have active participation from both state, local, faith based, and charitable organizations. There were four (4) full committee meetings during the year. The Steering Committee meets monthly.

Two significant changes occurred in 2011. The first coordinator, Christina Langan-Hein, resigned her position and was replaced by Adrienne Davis. In addition, Dutchess County government is no longer the financial intermediary between the funding agency, DCJS, and the Osborne Association. While the committee provides programmatic oversight of the reentry work, the Osborne Association now contracts directly with DCJS.

The committee's success is a result of the assistance received from many other segments of the community; all of us working together to promote community safety by lowering the recidivism rate of those returning to our county from places of incarceration. Together we have been able to ease the often stressful transition of the formerly incarcerated and at the same time create a safer atmosphere for all of Dutchess County residents.

SANCTIONS COMMITTEE

Co-Chairs: Margaret Hirst and Ronald Knapp

Mission Statement

The Sanctions Committee will educate participants in the criminal justice system and the general public about treatment versus punitive sanctions, research and promote innovative concepts and programs, and evaluate effectiveness of the graduated sanction continuum

Strategies

Committee members will meet regularly to define the purpose of the Alternative to Incarceration (ATI) system and make recommendations to CJC about the philosophy and purpose of a system of intermediate sanctions;
Committee will research and promote the development of new intermediate sanctioning programs to address targeted special populations;
Committee will broaden representation of the committee to include broad representation of community and criminal justice system;

Committee will collaborate with the CJC evaluation staff to define effectiveness and measure program outcomes;
Committee will educate public and CJ system regarding issue of mental illness.

2011 Goals

PROMOTE & SUPPORT PUBLIC SAFETY

Evaluate the effectiveness of the graduated sanctions continuum

1. Review mental health services in the criminal justice system in light of rising population in the Jail
 - The Sequential Intercept Model was used to review the continuum of services for the mentally ill from the time of first encounter by law enforcement to incarceration;
 - Met with Police Chiefs to review use of MHL 9.41 and protocol for expedited admission to SFH ED and use of HELPLINE;
 - Met with Judiciary to review protocol for mental health evaluation at first arraignment;
 - Made recommendations in conjunction with DCJ staff and Corrections Medical staff for expedited mental health screenings upon booking into Jail;
 - Held joint meeting with Community Involvement Committee members, Living Room staff and Shelter staff to review their needs with respect to this population;
 - Committee members attended conference: Jail Diversion and Cost Containment;
 - Attended OASAS presentation: Understanding Risk and Needs: Concepts and Tools for Successful Re-entry.
2. Evaluate needs of the Women in the Dutchess County Jail
 - Committee members given presentation of the Single Day Survey of the females in DCJ completed by DMH/Probation/DCJ staff. Learned that there are a high percentage of women with mental health issues. The chemical dependency issues are widespread and are not confined to a particular socio-economic group or geographic location in the county.
3. Reviewed the length of stay in DCJ by parolees with no new charges
 - Made linkages with Domestic Violence Advocates for victims to be supported during parole hearings with the outcome that victims would appear at the hearings to reduce time to disposition.

Research and promote innovative sanctioning programs

- Researched innovative approaches to diverting individuals with mental health/chemical dependency issues from criminal justice system
- Committee members attended conference: Jail Diversion and Cost Containment

-Attended OASAS presentation: Understanding Risk and Needs: Concepts and Tools for Successful Re-entry

Educate public and CJ system regarding issue of mental illness and addiction

- Findings of the Single Day Survey of Women in DCJ presented to Criminal Justice Council.

WOMEN IN THE CRIMINAL JUSTICE SYSTEM COMMITTEE

Co-Chairs: Mary Ellen Still and Susan West

The committee was interested in obtaining information about women incarcerated in the jail, especially in view of the fact that the majority were in jail for non-violent offenses, such as Petit Larceny. In order to gather this information, the committee requested the assistance of William Eckert, a jail-based employee of the Department of Mental Hygiene.

Mr. Eckert gathered data on two separate occasions - March and May of 2011 and compared the results of the two studies. The findings were deemed so interesting that a power point presentation was prepared for both the Executive Committee and the full Criminal Justice Council

The study showed that this population had a very high rate of co-occurring issues (mental health and substance abuse.) Over 30% had a major mental health diagnosis; more than twice the national average. In addition, there was a high rate of unemployment.

Recommendations included the following action steps:

- Mental health and substance abuse screenings should occur as soon as possible following admission to the jail;
- ATI's should have a strong mental health/trauma informed focus as well as substance abuse components;
- Explore ways to complete risk assessments on entire female population;
- Prevention programs need to focus on school retention and job training.

In 2012, the committee will discuss the most effective ways to implement the recommended action steps.

The committee would like to express its appreciation to Susan West for her devoted work on the Women's Committee, Executive Committee and the Criminal Justice Council. Susan was instrumental in creating the Women's Committee and

promoting its goals. Although Susan retired from the Council at the end of 2011, her many contributions will continue to have a positive impact in the years to come.

VICTIMS COMMITTEE

Co-Chairs: Marjorie Smith and Thomas Pape

During 2011, the committee discussed creating a resource manual that would include information that victims might find helpful. Distributing such information, especially in the more rural areas, presented a challenge. Various strategies were explored, including sending information in mailings with other material.

The committee also maintained its commitment to the non-DWI Victim Impact Panel. This panel, created several years ago at the suggestion of the committee, is facilitated by the Office of Probation and Community Corrections.

SUMMARY

In 2012, it is anticipated that the Criminal Justice Council will have a role in furthering the recommendations contained in the Dutchess County Legislature's Jail Study Advisory Report.

The Council looks forward to having administrative support and technical assistance with planning and evaluation. This support will enable the Council to further the goals mentioned in the National Institute of Correction's *A Framework for Evidence-Based Decision Making in Local Criminal Justice Systems*.

The Council appreciates the continued support of the Dutchess County Legislature and County Executive Marcus J. Molinaro.