

MARCUS J. MOLINARO  
COUNTY EXECUTIVE



MARY ELLEN STILL  
DIRECTOR

**COUNTY OF DUTCHESS**  
Dutchess County Criminal Justice Council

**MEMORANDUM**

TO: Marcus J. Molinaro, Dutchess County Executive  
Robert Rolison, Chairman of the Legislature  
Sheriff Adrian Anderson

FROM: Mary Ellen Still, Chairperson 

DATE: October 23, 2012

RE: Criminal Justice System Needs Assessment—Final Report

The Dutchess County Criminal Justice Council is pleased to submit the Criminal Justice System Needs Assessment document with public comments attached as an Addendum.

The Council highly recommends that a third party consultant review the report, validate the data and make recommendations as appropriate.

If you have any questions, please feel free to contact me.

# Dutchess County Criminal Justice Council Criminal Justice System Needs Assessment



November 1, 2012

## **Criminal Justice System Needs Assessment Study**

Mary Ellen Still—Chairperson  
George Krom—Coordinator

### **Acknowledgements**

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The Dutchess County Criminal Justice Council wishes to acknowledge the support and participation by many talented, dedicated and responsible officials, staff and community members, during this needs assessment and review process of Dutchess County.

#### **Ad Hoc Jail Models Subcommittee**

Major Todd Gdula—DCSO/Jail, Chair  
William O’Neil—Deputy County Executive  
Valerie Sommerville—Budget Director  
Lieutenant Charles Pardee—DCSO/Jail  
Joseph Beahan—Building Administrator, DCDPW  
Kealy Salomon—Commissioner, Planning and Development

#### **Ad Hoc Special Populations Subcommittee**

Tom Angell—Acting Public Defender, Chair  
Marjorie Smith—Bureau Chief, District Attorney’s Office  
Robert Allers—Commissioner, Dept. of Social Services  
Margaret Hirst—Division Chief, Dept. of Mental Hygiene  
Lieutenant Gregory Gale—DCSO/Jail  
Catherine Lane—Deputy Director, Office of Probation and Comm. Corr.  
Jacki Brownstein—Executive Director (retired), Mental Health America of Dutchess County

#### **Ad Hoc Criminal Justice System Subcommittee**

William Grady—District Attorney, Chair  
Mary Ellen Still—Director, Office of Probation and Comm. Corr.  
Chief Ronald Knapp—C/O Poughkeepsie Police Dept.  
Michael Ellison—Asst. to the County Executive  
Thomas Angell—Acting Public Defender

We would also like to convey a special “thank you” to the Dutchess County Office of Computer Information Services for providing valuable data to all of the Ad Hoc Subcommittees.

**Dutchess County Criminal Justice Council**  
Criminal Justice System Needs Assessment Study  
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## **EXECUTIVE SUMMARY**

One of the major accomplishments of the Dutchess County Criminal Justice Council (CJC) has been the development of a variety of effective Alternatives to Incarceration (ATIs). Dutchess County can take great pride in the fact that on a daily basis, we have approximately 600 individuals diverted from being incarcerated in county jail to a program that focuses on the behavioral issues and criminogenic reasons for their being a part of the criminal justice system in the first place. Still, over 400 individuals are incarcerated daily, having reached an all time high of 502 on August 15, 2012. This creates a serious problem for the Sheriff and Dutchess County because the Dutchess County Jail facility can accommodate a maximum of 292 inmates, and with classification requirements the average number is closer to approximately 257 inmates. This means 200 plus inmates must be housed in other institutions. Recently, this has meant housing out at some jails as far as four hours from Dutchess County. The logistics of housing prisoners in multiple institutions is extremely complex and fraught with liabilities.

Additionally, our housing out is very expensive. In 2011, approximately \$6.5 million was spent on housing out. The 2012 budget includes \$6.7 million and based on the recent increase in the number of inmates and the additional overtime required by Dutchess County Correction Officers, that number could easily exceed \$7.5 million.

The chaotic nature of this scheduling situation also severely limits the programmatic efforts to help with inmate rehabilitation. The county's inability to work with these inmates because of their being housed in remote locations prevents effective efforts to help reduce recidivism.

Earlier this year, County Executive Marc Molinaro directed the CJC to consider this housing out situation in the context of the entire criminal justice system and make recommendations on how to proceed. The Executive Committee of the CJC met and formed three sub-committees to address the following:

1. Systemic issues that might impact the total number of inmate jail days
2. Special population needs and what other alternatives might be available through existing ATI expansion or the creation of new options
3. Modeling the current jail expenses for housing out to compare and contrast new models for expansion of the existing facility and/or building a new facility

These three sub-committees met and developed their reports separately. The Executive Committee advised the County Executive in May of the desire to merge these three reports into one, and received his support to take the time to do so.

There are two major recommendations contained in this consolidated report.

The first is to continue to build on past CJC efforts and achievements. The National Institute of Corrections (NIC) completed a report for the Dutchess County CJC in July of 2011, with the observations and recommendations organized around Four Evidence Based Decision Making Principles.

- Principle One: The professional judgment of criminal justice system decision makers is enhanced when informed by evidence-based knowledge
- Principle Two: Every interaction within the criminal justice system offers an opportunity to contribute to harm reduction
- Principle Three: Systems achieve better outcomes when they operate collaboratively
- Principle Four: The criminal justice system will continually learn and improve when professionals make decisions based on the collection, analysis, and use of data and information

The report identifies many of Dutchess County's strengths as well as areas for improvement. In order to achieve the objectives laid out in the NIC report, it is clear that we need to increase our ability to collect and analyze data as it relates to the risk levels of inmates and those in ATIs. The CJC has recently completed a Request for Proposal (RFP) process to engage a consultant to help formulate plans to use this data analysis. This is the first step in defining the specific actions that can help analyze the activity at various system decision points, identify specific actions for systemic improvements and how to address the needs of various populations within the criminal justice system. This analysis will lead to a reduction in jail beds required and also help to reduce recidivism.

The second major recommendation is to move forward with the building of a better jail. This is a critical need and although the actual size of the facility is not yet determined, the evidence is compelling to build a new facility. This report clearly defines the need for more jail space in Dutchess County. Furthermore, a new jail should be built on an alternate site, to employ a state-of-the art design. A state property has recently become available which presents a window of opportunity to pursue the creation of this new facility. Building on this alternate site will deliver significant short term operational expense savings by allowing the installation of temporary housing on the existing jail site on North Hamilton Street. This would allow for most, if not all, housed out inmates to return to Dutchess County resulting in multi-million dollar annual savings, and a reduction of transport liabilities while also allowing inmates to receive programmatic services to help in their rehabilitation.

Building new will mean a lower cost per square foot to build, but more importantly, it will allow for a new jail design making it easier and less costly to maintain while dramatically decreasing staffing needs. This dual, parallel approach will create a comprehensive solution to our housing out difficulties.

Both recommendations can be pursued in parallel but we must not allow one to cause progress on the other to slow down.

We believe the New York State Commission of Corrections will be very supportive of this approach for both the construction of a new facility and the temporary housing at the existing site. Dutchess County Government will certainly benefit with the short term decrease of operating costs and the significant savings in staffing expense which makes this a valuable long term investment. The Sheriff's Office and Jail administration will be relieved of the chaotic logistics and there will be increased public safety by eliminating the liabilities inherent in the transportation requirements of housing inmates in multiple facilities throughout New York State. Finally, inmate families and their legal representatives will benefit from not having to travel the long distances to see their loved ones and clients. Our intention is that ultimately, this new facility will become more of a transition center as we improve our ability to institute effective rehabilitative and re-entry programs.

## **History and Background of the Criminal Justice Council**

In 1993, the Dutchess County Legislature passed Resolution #61 which established the Criminal Justice Council (CJC) “as necessary to support an efficient and effective criminal justice system.”

As outlined in the local law, the CJC serves in an advisory capacity to the County Executive and Legislature. It is also designated to serve as the local ATI (Alternatives to Incarceration) Board as mandated by the state. Membership is defined by local law and state requirements.

The Council’s duties include:

- Promote cooperation among criminal justice system components
- Recommend policies to achieve improved management of the system
- Act as a planning group for relief of jail overcrowding
- Review and comment on program initiatives
- When possible, measure system effectiveness
- Recommend new programs or initiatives
- Identify funding and service opportunities
- Recommend priorities for resource allocation

During 1998-1999, the CJC worked with the National Institute of Corrections (NIC) as one of ten national sites to develop a strategic planning process. As a result of this planning process, the Council developed a committee structure and a vision statement that emphasized its mission as promoting a fair, equitable, cost-effective and efficient administration of justice.

In 2008, the Council secured technical assistance from the Office of Community Research, originally formed by Marist College, to further strategic planning efforts and develop a Logic Model. The process emphasized a collaborative approach, information sharing and making decisions informed by research. The outcomes desired by the Council were: the reduction of recidivism, consideration of victims’ needs, intervention for at-risk youth and adults and community safety.

In 2011, the Council again received technical assistance from the National Institute of Corrections to begin an analysis of the entire criminal justice system by focusing on various decision making points. *The Framework for Evidence-Based Decision Making in Local Criminal Justice Systems* is being relied upon as efforts are focused on a comprehensive approach to achieving a fair, effective and efficient criminal justice system in Dutchess County.

The CJC has previously analyzed the jail and its population, but the systems approach advocated for by the NIC adds another dimension to understanding how the jail is part of, and connected to, the entire criminal justice process. Previous research conducted by and for the CJC does, however, provide valuable historical insight and perspective on our current circumstances.

Prior studies include:

- A 1999 study that recommended measures to reduce the jail census, prevention initiatives that would have a long term impact on crime and delinquency, jail expansion with support of a continuum of sanctions and innovative approaches to system improvements with a focus on prevention.
- A 2002 study prepared by Cerniglia & Swartz/Vitetta made predictions for jail growth through 2015. The actual number of admissions for 2010 was 3,423; lower than the average number predicted. However, the average daily population of 386 was toward the highest prediction of 394.

**AVERAGE INMATE ADMISSION PROJECTIONS**

<u>Year</u>	<u>Average</u>	<u>Low</u>	<u>High</u>
2005	3,530	3,001	4,060
2010	3,678	3,126	4,230
2015	3,877	3,295	4,459

**AVERAGE DAILY POPULATION**

<u>Year</u>	<u>Average</u>	<u>Low</u>	<u>High</u>
2005	329	279	378
2010	343	291	394
2015	361	310	415

Admissions for the first six months of 2012 were 1,763. If the admissions during the second half of the year reflect the same pattern, total admissions will continue to track along the low to medium range. However, the average daily population is on a track that will exceed the high not predicted to be reached until 2015.

- A 2005 briefing to the County Executive, Legislature and Sheriff contained a number of recommendations regarding youth, electronic monitoring, the mentally ill, women and the parole population. The report provided information on the achievements that had occurred and made a number of recommendations including: crisis intervention teams, mental health courts and/or strategies, alternative sentencing that included treatment and residential placement and special needs jail units and programming, expansion of electronic monitoring and gender specific programming.
- A 2006 study was conducted by Kevin Warwick from Alternative Solutions Associates, Inc. This study, *Exploration of Need and Justification for a Residential Component to the Dutchess County Office of Probation and Community Corrections' Community Transitions Center*, contained the following recommendations: there is a clear need for a residential program in the county; there would be a reduction in direct jail costs and recidivism; the program would

target CTC clients with no or unsuitable housing; the program design should target criminogenic needs and specifically address housing; services should be provided off-site as a cost effective option; the residential program would allow clients to stabilize, earn money and save for appropriate housing. The findings contained in this report may very well be applicable to other populations as well.

- In 1998 and 2008, the CJC undertook studies on the youthful population. There are significant mental health and substance abuse issues. On a positive note, it was found that there had been a 28% reduction in the number of incarcerated youth over this time period. This may be attributable to the number and array of evidence-based programming developed during that ten year period.
- In 2011, a study was done of female inmates at the jail. The study concluded that there was a high rate of mental health and substance abuse issues along with past school failure and a high rate of unemployment. Any programming developed would need to take these findings into consideration.

The CJC and Dutchess County have responded to these studies in a number of ways. The NIC has developed gender specific programming and we currently have three probation staff trained in gender issues through the NIC. Furthermore, there is a CJC committee on Women's Issues that could assist with future planning regarding women in the criminal justice system.

In the absence of housing for youth, it should be noted that the Transitional Housing facility has been used in a limited number of cases to help achieve the above goal of stabilization. River Haven has also provided some housing for this population.

The CJC has a Juvenile Justice Committee that could provide assistance with planning for juveniles and youth. As the juvenile justice system is currently undergoing reform, it is incumbent that the CJC stay abreast with any changes that may occur. For example, there is a proposed change at the state level that would remove 16 and 17 year olds from the criminal justice to the juvenile justice system.

Victims' issues must also be considered. The Council has a Victims' Committee that has been very active in promoting awareness of this issue. A victims' summit has been held, bookmarks listing victims' services have been distributed and a non-DWI victim impact panel was established. While focusing on issues related to offenders, it will be important to keep victims' needs in mind.

The county has planned and implemented a number of pretrial service programs and ATIs. The approach was designed to reduce recidivism while containing costs. To that end, individuals are assessed for both risk level (to recidivate) and criminogenic needs with a hierarchy of options available from least to most restrictive. Individualized assessments match defendants to appropriate programs.

This integrated model is the result of a thoughtful, planned approach based on research grounded in evidence-based practices.

The follow chart shows pretrial and sentencing options, from least restrictive to most restrictive. This is the heart of any community corrections program. The Office of Probation and Community Corrections offers alternatives at both the pretrial and post-conviction level. Each can be used separately, some can be used simultaneously and all can be used in tandem.

**Hierarchy of Alternative to Incarceration Options**

**SENTENCED**



**UNSENTENCED**



## **Purpose & Approach**

The primary purpose of this study is to provide a better understanding of the entire Dutchess County criminal justice system, including facility-related needs for the jail over the next 20 years and the impact and role of ATIs and other community based interventions. The study will help focus on broadening the use of alternatives to incarceration, and making changes in the criminal justice system while providing a clear plan to address jail bed needs.

For safety and security reasons, it is important that Dutchess County has enough beds to incarcerate everyone who has been remanded to jail by the courts. The CJC recognizes that it is advantageous to taxpayers and citizens not to build too many beds and incarcerate people who would be better, and less expensively, served by non-custody or other supervision alternatives. Making use of the best alternatives to incarceration at acceptable levels protects society and helps defendants as well as convicted offenders to make the positive changes which benefit themselves, their families, and the community as a whole.

In order to obtain an understanding of the Dutchess County Jail, Alternatives to Incarceration, and the Criminal Justice System, the three sub-committees performed the following tasks.

- Collected and analyzed data from the Dutchess County Jail, District Attorney, Probation, Public Defender, NYS Division of Criminal Justice Services and Budget Offices
- Gathered information on existing Alternatives to Incarceration in Dutchess County
- Profiled the inmate population to consider opportunities for Alternatives to Incarceration
- Gathered and analyzed information and historical data provided by the Dutchess County Jail, such as average daily population trends and jail admittances
- Examined other counties Alternatives to Incarceration
- Studied “best practices” in Alternatives to Incarceration in order to foster rehabilitation and reduce beds and decrease cost
- Evaluated expansion vs. new facility options using data from industry experts and other recently constructed facilities
- Estimated staffing and construction costs
- Researched and collected information on, and conducted site visits to other NYS jail facilities
- Reviewed and applied the four core Evidence Based Decision Making Principles from the recent Dutchess County specific National Institute of Corrections study

## **BUILDING ON PAST CJC EFFORTS AND ACHIEVEMENTS**

The first section of this report discusses pretrial programs and Alternatives to Incarceration from a systems' perspective as recommended by the National Institute of Corrections. The section contains potential strategies and opportunities for each of the decision points in the criminal justice system as well as action steps to realize those strategies. Some of the strategies may be undertaken immediately at little or no cost while others are long term endeavors.

### ***System Intervention Strategies and Opportunities***

*“Our underlying belief is that we can improve outcomes if criminal justice decisions are informed by research. We called for the construction of a ‘framework’ for evidence-based decision making at the system level. Because it does not attempt to answer all questions, provide all details, or call for implementation in precisely the same way in every community, it is not a model. It is instead intended to frame a purpose and a process for decision making that can be applied to the system as a whole...”*

From *A Framework for Evidence-Based Decision Making in Local Criminal Justice Systems*, an Initiative of the National Institute of Corrections

### **Evidence-based practices**

The Criminal Justice Council is committed to implementing and maintaining evidence-based practices. Evidence-based practices are grounded in research and supported by outcome studies. All the recommendations contained in this section of the report rely on the following seven practices: use of an actuarial assessment instrument to determine risk, direct programming and interventions to medium and higher risk offenders, focus interventions on criminogenic needs, respond to misconduct with swiftness, certainty and proportionality, use more incentives (carrots) than sanctions (sticks), deliver services in natural environments whenever possible and pair sanctions with interventions that address criminogenic needs.

Risk assessment is not the sole determining factor in decision making. The nature of the offense, consideration of victim/s issues, public safety and other considerations must also be taken into account. However, relying on actuarial risk assessments is the foundation and a key element to an informed criminal justice system.

As suggested by the National Institute of Corrections, the goal of the following action steps and recommendations is to translate evidence based research into profoundly simple strategies. Therefore, there are strategies and action steps for each decision point in the system. These may

not be the only potential options, but will serve as a basis for further discussion and exploration as we consider a full range of opportunities.

KEY DECISION POINTS as identified by the National Institute of Corrections:

- Arrest Decisions
- Pretrial Status Decisions
- Charging Decisions
- Plea Decisions
- Sentencing Decisions
- Institutional Decisions
- Community Intervention Decisions
- Violation Response Decisions
- Discharge from Criminal Justice System Decisions

In reviewing the major decision points, the following question needs to be answered: What are the major issues regarding criminal justice processing and what can we affect both short and long term?

## **Arrest Decisions**

### Strategies

1. Use of the Proxy (A pre-screen instrument used to determine an individual's risk to reoffend prior to conducting a full screen assessment) at time of arrest and throughout the system
2. Build a 24 hour "no refusal" crisis center for individuals with severe mental illness/substance abuse and other diversion programs
3. Training for criminal justice agencies in dealing with mental health/substance abuse issues

### Actions

1. Probation and the Jail have adopted the use of the Proxy to determine risk level. Data will be analyzed with the assistance of the data analysis consultant hired by the CJC. As the use of the Proxy becomes more widespread throughout the system, it can be used to help make decisions at various points in the system and to analyze the risk levels of all individuals in the system. As for higher risk individuals as determined by the results of the Proxy, the COMPAS (Correctional Offender Management Profiling for Alternative Sanctions) instrument, then provides a full assessment and identification of specific criminogenic needs. Individuals are subsequently matched to an appropriate program.
2. A crisis center and other diversion programs could be considered when there are some cost savings as a result of a reduction in housing out or when other funding opportunities

become available. As more data becomes available we will perform cost/benefit analysis. While some preliminary work has already been done, a designated workgroup comprised of mental health and criminal justice representatives will be formed to explore this issue.

The workgroup will collaborate with community agencies to expand or modify existing services to meet the need for a 24 hour emergency crisis center for the mentally ill and/or chemically dependent. Such centers can possibly share space and other services. In conjunction with the Department of Social Services, the workgroup could explore ways to expedite case processing and possible linkages to medical providers for this population.

The introduction of the Mobile Crisis Intervention Team in 2012 will also open up new potential ways for collaboration. The team assists law enforcement in assessing individuals in the field and diverting appropriate persons to community resources. A 24 hour crisis center would add another important resource to this initiative.

3. Training could be accomplished within a reasonable period of time. Training similar to the Probation/Mental Hygiene cross training project could be developed at minimal or no cost if county and agency certified trainers are used. Law enforcement and mental health agencies, along with other appropriate CJC members or organizations, may be able to coordinate this effort.

## **Pretrial Status Decisions**

### Strategies

1. Centralized Arraignment Court
2. Development of additional pretrial release option—curfew monitoring
3. Accelerated Release and Re-Entry (ARRP) Program (see attached program description and flow chart)
4. Expand 'Pretrial Interim Program' and encourage more pre-pleas when appropriate
5. Videoconferencing

### Actions

1. The concept of centralized arraignment may take various forms depending on the existing court structure and needs of a jurisdiction. Each year there are a substantial number of non violent offenders who, after commitment to the Dutchess County Jail, are placed in various pretrial release programs under the supervision of the Office of Probation and Community Corrections. It is possible that a sizeable number of these individuals could have been released at arraignment prior to their admission to the jail if the necessary screening process had already taken place.

A Centralized Arraignment Court would enable all of the agencies that provide necessary information to the court to be present so that the court can, if feasible and appropriate, make a decision that results in the release of the defendant to a designated pretrial release program. The defendant's admission into the program could happen at arraignment or within a few days thereafter, depending on the contingencies, if any, that are imposed by the court. Information could be provided to the arraigning court or, with the remanding court's permission, a second review could occur either at the jail or a designated court. Having a 'second stage' screening process available at the jail would enable a judge, with the remanding court's approval, to review information provided by probation, DA's office and defense.

In 2009, 2010 and 2011 there were a total of 4302 defendants committed to the Dutchess County Jail from various town, village and city courts between the hours of 5 p.m. and 8 a.m. the following day; who were unable to post bail after arraignment. Of this total, 2468 defendants were released within ten days of commitment. It is significant that 1592 posted bail and almost all of the remaining defendants were released on a pretrial release program under the supervision of the Office of Probation. This data reflects, from 2009 to 2011, a 63% increase of defendants committed after arraignment during these time periods and a 49% increase of defendants committed and released within ten days. The statistics thus far for 2012 suggest that the commitments will, at the very least, continue at the 2011 level.

If the figures are revised to include defendants admitted to the jail from 8 a.m. to 5 p.m. during these same three years who were released within ten days of admission, the total would increase from 2468 (after hours) to 5334. Out of these, 3142 defendants posted bail and almost all of the remaining defendants were released on a pretrial program.

Centralized arraignments could occur at the jail or possibly at the City of Poughkeepsie Court with the judges designated as acting county court judges.

The Office of Court Administration (OCA) would need to approve and fund this program. This project could potentially be instituted within several months. OCA has indicated that they may provide funding for the judges; the only other costs might be in agency overtime and the cost of renting pods to provide a holding cell area for this initiative.

This option should be explored further with input from criminal justice agencies, judges and the Office of court Administration.

2. Curfew monitoring has proven very successful in the juvenile justice system and could provide an additional pretrial release option. Providing this alternative in the adult system would offer additional structure and monitoring combined with programming that would target criminogenic factors. No additional probation staff would be needed, but overtime would be required to fund the additional hours. This program could be closely aligned with centralized arraignment which would make it both efficient and cost effective. Another component of this program would be requiring attendance at cognitive behavioral groups (a

primary intervention with criminal justice involved individuals) at either Probation or Community Transition Center. Reinstating the Failure to Appear project (reminders to appear in court) could further reduce those two to five day jail stays. These projects could be instituted in a short period of time.

3. The ARRP (Accelerated Release and Re-Entry) is designed for defendants who are not released from jail either through bail or on a pretrial program within a short period of time. Those who are eligible and agree to participate could be evaluated on a periodic basis and those with positive reports may be reconsidered for pretrial release, continuing their programming at the Community Transition Center (CTC). This project could be instituted in a short period of time as the basic structure is already in place.
4. Pretrial Interim Program, piloted in the Town of Poughkeepsie Court, is an innovative approach that uses concepts from pretrial and formal probation supervision. It is agreed upon by all parties in appropriate cases and allows for monitoring to ensure community safety while providing the defendant with a “carrot” for compliance with court orders and remaining arrest free. Pending disposition of a case, pretrial monitoring is ordered by the court. A report is provided to the judge by probation at the end of the designated time period. Types of cases may include: low risk, non-violent, minimal or no criminal history and youthful offenders. Those receiving positive reports at the end of the designated time period may be permitted to plea to a violation or receive an ACD (Adjournment in Contemplation of Dismissal) or Conditional Discharge. The pre-sentence report is also waived, saving both time and unnecessary expense. In the event that a defendant fails to follow the terms of pretrial release, the court is immediately notified. This project could be expanded in a short period of time at no additional cost.
5. While inmates continue to be housed out, videoconferencing could reduce needless delays and the resulting length of stay in the jail. The technology is available, but needs to be obtained and set up. Whether it can be done at all the jails used for housing out is uncertain.

## **Charging and Plea Decisions**

### Strategies

1. Use more pre-plea in lieu of pre-sentence investigations so that risk level can be considered during plea negotiations and decisions
2. Consider using more interim probation dispositions as judges believe appropriate
3. Set time frames for review of jail cases (such as 30 day intervals)
4. Sentence Mitigation Program
5. Reestablish Jail/Community Transition link when number of housed out inmates are reduced

## Actions

1. Pre-plea reports, completed earlier in the criminal justice process, would provide information to judges, defense attorneys and the District Attorney's Office. This would enable the court, prosecution and defense attorneys to consider risk level in their consideration of an appropriate plea/sentence. As the pre-plea would basically substitute for pre-sentence reports, it would not incur any additional work on the part of the Office of Probation which prepares the documents.
2. Interim dispositions of one year allow defendants to demonstrate compliance with court orders and may avoid unnecessary incarceration while providing for community safety. A recent change in legislation created interim probation supervision as a sentencing option and courts are using this disposition more frequently. With new legislation that became effective in August 2012 that permits transfers of these cases, it will most likely be used even more frequently.
3. Periodic review of all jail pretrial jail cases would ensure proper scrutiny of every case as 80% of the jail population is unsentenced. An inter-agency group that currently exists could include this review as part of their regular process.
4. The Sentence Mitigation Program, as part of the proposed ARRP project, would occur at a later processing stage. However, suitable defendants could be identified at the pretrial stage. Defendants sentenced to jail or jail/probation could volunteer to participate in structured programming designed to address criminogenic needs. Inmates would be required to serve a minimum sentence, but by their participation in said program, could ultimately reduce, but not eliminate, their jail stay. Essentially, they could "work their way out of jail." This would motivate inmates and be an incentive to both prosecution and defense attorneys to resolve these cases expeditiously. Probation would need to provide timely assessments and reports. This could be done immediately at no additional cost.
5. Collaborative Intervention Continuum Model (see ARRP) reestablishes the link between Jail programming and Community Transition Center. It would provide a smooth and seamless re-entry process for inmates. This was a successful program in the past for sentenced inmates, but was severely curtailed as more inmates were housed out. As this community based programming already exists, there would be no additional cost. The process could begin immediately and expand as more inmates return to our facility. Both the Jail Transitions Program and Community Transitions focus on criminogenic needs.

## Sentencing Decisions

### Strategies

1. Judges must have the information necessary for informed decision making. One of the primary sources of this information is the pre-sentence or pre-plea report prepared by Probation. As stated earlier, increased use of pre-plea reports when appropriate will provide the entire system with vital information earlier in the criminal justice process
2. Match offender risk/needs with appropriate interventions, a critical component in reducing recidivism
3. Specialized courts
4. The number and type of programs/interventions available limit or expand judicial options
5. Alternative Housing Options
6. Jail Housing Options
7. Treatment Options

### Actions

1. As indicated in #1 of Charging and Plea Decisions, pre-pleas may be ordered by the courts in lieu of pre-sentence reports
2. Pre-pleas would provide risk/need information earlier in the criminal justice process.
3. Specialized courts can be very effective. At the present time, however, the OCA has indicated they are not going to introduce new specialty courts. In fact, they have reduced the number of specialized courts. This policy is not likely to be reversed in the near future. Therefore, it is suggested the strategies used by these courts be implemented, to the degree possible. Special populations could be served by these strategies, but there may be costs involved to this approach. A workgroup could be formed to study this issue and make recommendations for the development of suitable strategies based on our past and current successes. A Diversion/Drug Court exists in the County Court, there is an integrated. Domestic Violence Court, a Family Treatment Court and the City of Beacon Court has a Drug Court. An example of a successful strategy for people with mental health issues exists in the City of Poughkeepsie. The possibility of expanding these strategies to other courts, depending on resources available, or that may become available, should be explored.
4. Dutchess County has an array of alternatives and programs available. They are continually monitored to ensure they are meeting current needs. As with all CJC sponsored programs we are adhering to an evidence-based approach, as such we will conduct a cost/benefit analysis of the ARRP.
5. Alternative Housing Options such as residential programs are desirable for youth, women and re-entry. These options have been recommended in conjunction with an earlier resolution to the case, perhaps with a pretrial "trial" period. Evaluating whether these

housing options might be located on jail grounds as part of a “campus” type approach should be undertaken as possible jail models are analyzed and alternative sites considered.

6. A new jail design will provide the opportunity to designate defined units within the jail for various populations. They can be designed with a community-based component in mind for the majority of inmates who will eventually return to the community. Incentivizing participation in programs is essential, while addressing criminogenic needs and monitoring collaboration among agencies. This is a longer term project, but consideration will be given to the type of model that would fit this approach and the jail design elements that would allow for its implementation. The outcomes of the ARRP project can be closely monitored to look for further opportunities based on this approach.
7. Appropriate treatment, especially for individuals with mental health and substance abuse issues, is critical. Unfortunately, this need is growing while services are dwindling. In addition, the use of heroin and prescription drugs is having devastating effects and taxing the resources of the treatment and the criminal justice system alike. Continuing research into best practice models should be maintained along with integration of these best practices into our treatment programs. This is a long term effort that should be pursued. Mental health, treatment agencies and criminal justice agencies all need to be involved in planning and implementation.

## **Institutional Decisions**

### Strategies

1. These strategies involve programming, placement of inmates and other decisions made by the jail.

### Actions

1. The design of the jail should include how rehabilitation programs can be best delivered. Consideration will be given to special needs populations, whether ATIs and other housing programs will be located on-site and how inmates will move between the various programs. Efficiencies in food preparation, laundry, etc. will also need to be considered. (Further discussion on this topic is found in the Jail Models section).

## **Community Intervention Decisions**

### Strategies

1. These decisions involve the probation (or parole) supervision level, supervision conditions and treatment interventions. Parole is a state agency, subject to state rules and regulations, and although Probation is a county agency, it is governed by state rules and regulations.

### Actions

1. In Dutchess County, probation supervision levels are determined by risk level, with units being divided into low/administrative, medium and high risk. By successfully targeting criminogenic needs as determined by an actuarial assessment, the COMPAS, (Correctional Offender Management Profiling for Alternative Sanctions), probationers may move from a higher to lower level of supervision, ultimately being released from probation by achieving their goals and abiding by the orders of the court. Supervision conditions are determined by the risk/needs assessment with a focus on highest criminogenic needs. Supervision conditions are recommended by the probation officer and ordered by the court. Treatment conditions are determined by the assessment. Evidence-based approaches are deemed essential. Parole also uses the COMPAS, is governed by state rules and regulations and is involved in a county re-entry project. The Criminal Justice Council provides programmatic oversight of the re-entry project.

## **Violation Response Decisions**

### Strategies

1. Both Parole and Probation may file violations for misconduct or commission of a new offense and both are governed by state rules and regulations. Probation, however, is a county agency and may develop local guidelines as long as they do not conflict with state regulations.

### Actions

1. Both Probation and Parole address violations of individuals under their supervision.
  - a. Probation has implemented a violation response model based on research conducted in Travis County, Texas. All potential violations must go through a department review process before being filed (except in the case of emergencies where an imminent threat exists). This encourages consistency, ensures the use of appropriate graduated sanctions and permits the collection of data for analysis. The review committee is composed of staff members from all levels. The department is also reviewing data from Project Hope in Hawaii and may engage in a pilot project in the near future. Staffing and other considerations are being evaluated. The department is also

collaborating with the jail to identify suitable probation violators who may benefit from participation in ARRP.

- b. Parole has increased interaction with CJC and we are continuing to work collaboratively in pursuit of mutually beneficial evidence based programs.

## **Discharge from Criminal Justice System Decisions**

### Strategies

1. In appropriate cases probation will apply to the sentencing court for an early discharge from probation supervision. For most felony cases, length of sentence is five years; misdemeanor cases generally carry a three year sentence

### Actions

1. Probation recommendations for early discharge will continue to be based on progress toward goals and compliance with court orders. Since only a judge may grant an early discharge, we will continue to provide judges with fact based documentation so they may make informed decisions.

## **Summary of Recommendations**

### **For Immediate Implementation**

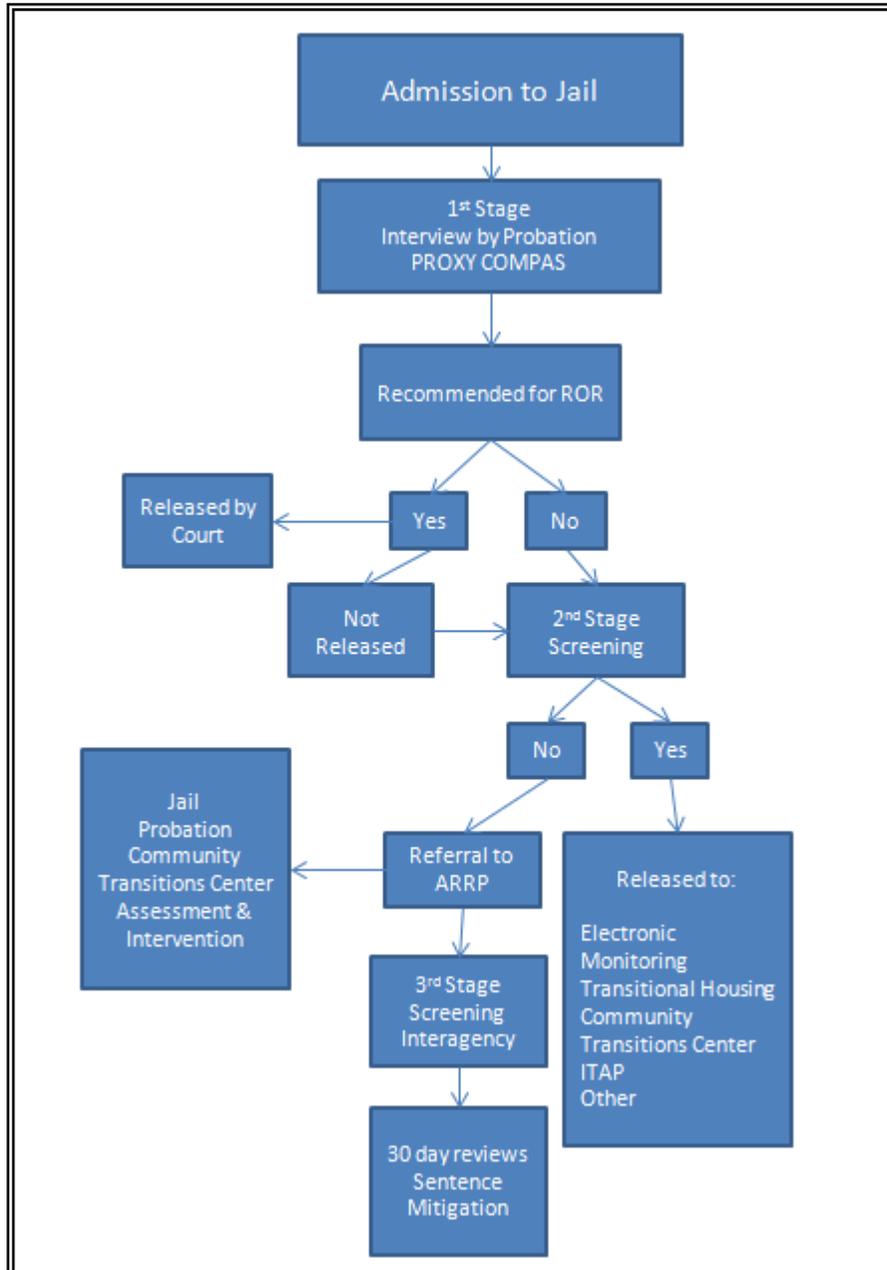
- Use videoconferencing, when possible, as soon as possible, until housing out is substantially reduced or terminated.
- Use pre-pleas, when appropriate, so that information about risk level and criminogenic needs becomes available earlier in the criminal justice process to inform decision making by prosecutors, defense attorneys and judges. Pre-plea and Pre-sentence reports are ordered by courts and produced by the Office of Probation and Community Corrections.
- Working with the courts, we will encourage and support the increased use of interim probation sentences where appropriate.
- The **Accelerated Release and Re-Entry Program is currently being implemented.** This collaborative approach between the Jail, Probation and the Community Transition Center is designed to provide a continuum of programming, reduce the length of incarceration, expedite case processing and reduce recidivism. It is built on an existing pretrial structure with existing staff and is being implemented without any additional expense. It will address

key issues noted in this report such as length of processing from admission to jail until disposition of the case, programmatic needs of defendants, jail length of stay and reduction of recidivism by targeting criminogenic needs and bringing both jail and ATI initiatives together. The success of this program may encourage increasing participation. Additional resource expense will require review if major expansion occurs.

ARRP will provide a comprehensive pretrial assessment and intervention continuum that will facilitate pretrial releases when appropriate, provide intervention according to risk level and criminogenic need and expedite case processing from arrest through disposition of a case. ARRP will also link jail and community programming to provide for a seamless transition and coordination of services and facilitate pre plea case processing.

The program will be built on an existing structure and will not interfere with pretrial case processing as it currently exists. It will be available for those ineligible or unsuitable for immediate release, providing them an opportunity to address their programmatic needs while in jail and an opportunity to continue their progress in the community. The components of the ARRP are illustrated in the following diagram.

## Accelerated Release and Re-entry Program



### Short Term Recommendations

- Training is needed for criminal justice agencies concerning mental health/substance abuse issues. A curriculum, similar to the one established and run by the Office of Probation and the Department of Mental Hygiene, could be implemented by credentialed trainers in various county and local departments.

- Begin to analyze data provided by the Proxy instrument to determine risk level of probationers and inmates. This effort would be facilitated by the data analysis consultant to the CJC. (The use and analysis of the Proxy was recommended by the National Institute of Corrections.)
- Acquire temporary pods through a rental process in order to bring back housed out inmates.

### **Long Term Recommendation**

We should consider a 24 hour mental health crisis center as an alternative to jail and a possible expansion of beds for the chemically dependent; and alternative housing options for special populations including youth, women, individuals with mental health issues and other special needs groups as the need arises.

The vast majority of the inmate population in the Dutchess County jail falls into one or another special population category. Recent surveys indicate that more than 80% of inmates had a history of treatment for a substance abuse disorder, a mental health disorder, or both prior to incarceration. At any given time, more than 20% of the inmates at the jail are receiving psychiatric care. The under 21 year old population at the jail can be as high as 15% of the total inmate population. Women, on average, represent 10% of the inmate population. Taken in the aggregate, nearly all inmates who fall into the category of having a history of mental illness or substance abuse are young or female.

Any meaningful response to the special needs of each identified population will require a much more integrated and collaborative approach among criminal justice, human services and social services agencies. There will need to be both structural and processing reform. A review of currently available community resources revealed both minimal available additional capacity and/or a complete absence of needed resources. Further, we found that coordination between the jail and community treatment agencies could be strengthened. Finally, our current system is not structured to maximize the use of available resources to address the criminogenic needs of those who are incarcerated.

Too often our system's incentives and sanctions are poorly aligned to obtain optimal results for both the criminal defendant and the community. Cases may languish for months awaiting disposition while the inmate's special needs remain unaddressed. Other inmates wait for weeks, if not months, for treatment beds to become available. Because of the delays in the system, inmates often choose to "just do their time," resulting in increased incarceration and recidivism since the inmate's criminogenic needs remain unaddressed. The jail has limited resources to meet the programmatic special needs of its inmates. The criminal justice system in Dutchess County does not provide sufficient incentives for recalcitrant criminal defendants to address the very reasons that they find themselves running repeatedly afoul of the law. However, ARRP has been identified as a first step in achieving the goal of an integrated jail/community intervention system.

A substantial restructuring of our local criminal justice system based on the following foundational principles is required: pre-arrest diversion programs be used wherever possible; that all incarcerated individuals receive an early assessment of risk and identification of criminogenic needs; that the level and nature of pretrial supervision be based on an objective instrument; that there be built-in incentives for expeditious resolution of cases; that targeted interventions be developed and incentivized to address the criminogenic needs that have been identified; and increased utilization of specialty courts, or at least implementation of strategies associated with these courts, to address the specific needs of each special needs population.

*Youth* - Dutchess County is fortunate to have both the 12 bed River Haven youth facility and the 10 bed independent living transitional housing program, both operated by Hudson River Housing. Both of these programs are utilized by the criminal justice system at present. However, River Haven the emergency shelter facility, is not adequately staffed to handle youth with significant behavioral needs. The independent living program rarely has openings and is also not structured to provide the level of intervention a youth with significant needs requires.

Two possible recommendations include: (1) developing a separate 12 bed facility for criminal justice involved youth that could be used both as a crisis residence and as an alternative to incarceration; and (2) monitoring state legislation removing 16 and 17 year olds from criminal system to specialized courts and make appropriate recommendations for programming. As noted, a prior study conducted for the Criminal Justice Council supported the need for additional beds for youth, particularly those attending the Community Transition Center.

*Women* - Both women and individuals with psychiatric disabilities need adequate special housing while incarcerated. At present, our current jail facilities do not have sufficient space for all the women incarcerated in Dutchess County. Over the years, the jail has developed gender specific programming for women. The women who are housed out cannot participate in these programs. Further, women with children are often not able to visit with their children if they are housed at great distances from Dutchess County. Efforts should be made to create a new unit, so that women would no longer be housed out and so that they can participate in the programs available only at the Dutchess County Jail.

A potential future recommendation is the creation of a 12 bed facility for women. The current Transitional House could then become an all male facility.

*Mental Health* - The special needs of the mentally ill need to be taken into consideration while they remain in jail.

Discussions need to take place between state mental health officials, community mental health providers and the jail medical staff regarding pharmacological formulary issues. Too often, as an individual transitions from the community to jail to state hospital and then back to the jail, psychiatric medication prescribed is changed simply because the various facilities have different

permitted formularies. Unnecessary change in medication can create severe problems both for the inmate and the jail.

### **Summary of CJC ATI Activities**

Focusing on opportunities and strategies from a system perspective provides unique opportunities to view the criminal justice system in a different way. Rather than simply relying on individual non-integrated programs, a system oriented solution-focused approach will continue to be enhanced by evidence-based practices. This approach will ensure that program activity is documented and is meeting identified needs.

In this way, individuals can be matched to an appropriate intervention based on their risk level and criminogenic needs. It also promotes accountability as programs are required to have both performance and outcomes measures based on the risk level of the participants. This not only benefits the individuals in the system, but enhances community safety as well.

Many of the recommendations made for immediate or short term implementation can be done at little or no cost. This is due to either enabling legislation, finding opportunities that will enhance earlier decision making without increasing workload or using the latest research to promote best practices. Having a data analysis consultant to the Council will enhance the ability to plan, research and evaluate results.

The strategies and recommendations outlined in this section are meant to be used simultaneously and in conjunction with the jail recommendations contained in the latter part of the report. They were separated to facilitate understanding of the information and data contained herein.

## **BUILDING A BETTER JAIL- Jail Model Analysis**

### ***Existing Jail Assessment***

The existing Dutchess County Jail consists of two connected facilities; a facility constructed in 1984 with an original capacity of 175 beds, and an addition and renovation which increased the facility's capacity to 292 beds in 1995. The original 1984 facility was configured with eleven housing units with the largest able to house 30 inmates. A number of the housing units are only rated from 4 to 15 beds. These units are highly staff-intensive. The 1995 renovation combined four of these units into two units and expanded them to create two 28 bed units. The 1995 expansion included two 50-bed units, one 10-bed pre-classification unit and one 8-bed medical unit.

The jail currently faces increasing levels of inmates and a severe shortage of space for housing, support services, programs, and administrative functions. Even with an increasing use of alternatives to incarceration, Dutchess County's jail population continues to rise. While the jail met the building codes in place at the time of construction, changes in code over time, create a need to address more stringent code requirements. There are serious shortcomings in the 1984 portion of the jail which lack sprinklers in certain areas. Exposed steel structural elements are not adequately protected against fire as required by new code and would need to be addressed in a rehabilitation project.

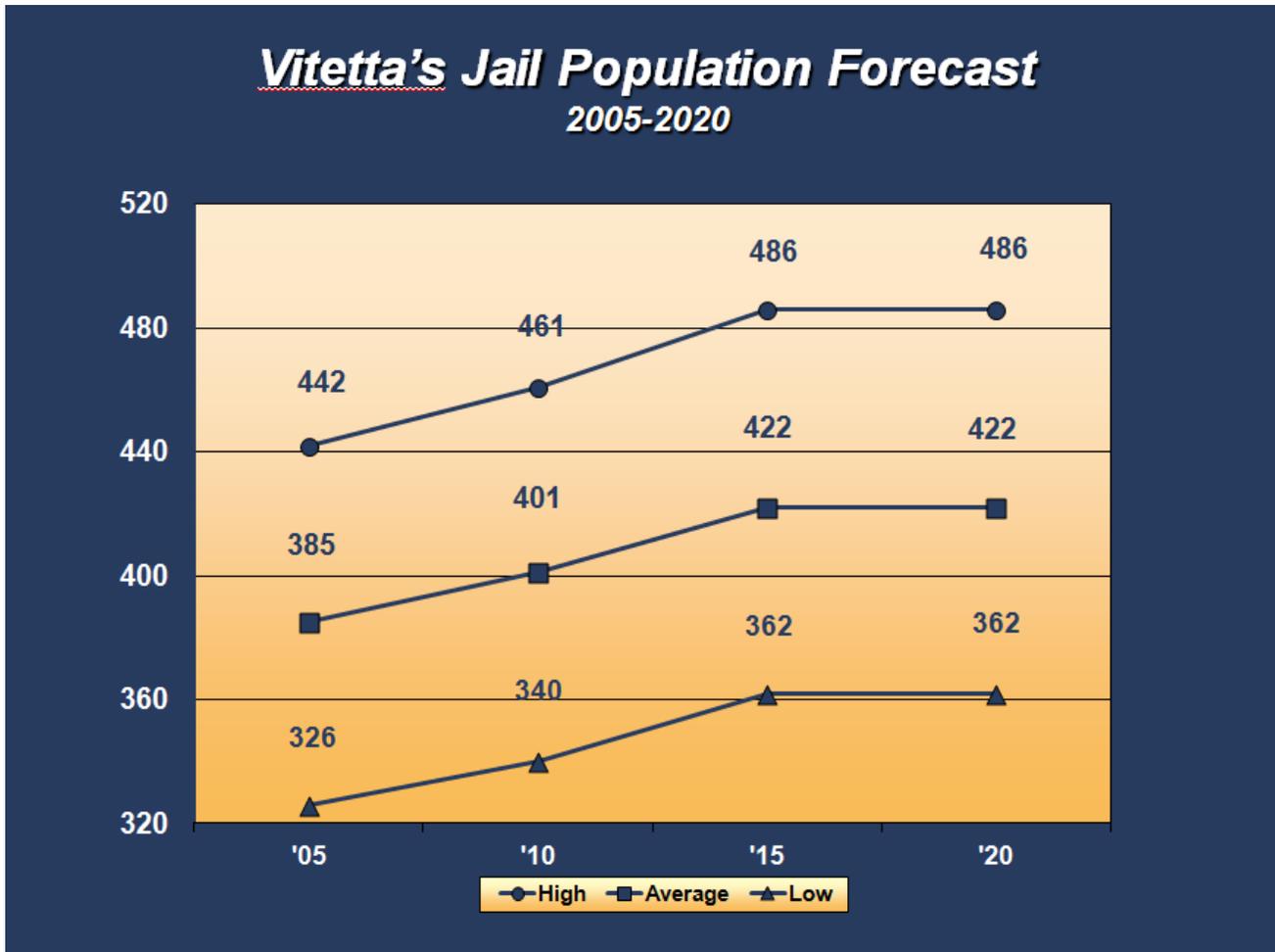
The doors, locks, door frames, plumbing fixtures, showers, and other equipment in the jail are worn due to heavy use over the years. Although the maintenance staff works diligently to keep things in repair, the items will need to be replaced more frequently in the future due to age and use. Thus a greater amount of maintenance dollars will be needed to address these problems.

Other identified building related problems and limitations that may negatively impact operations are:

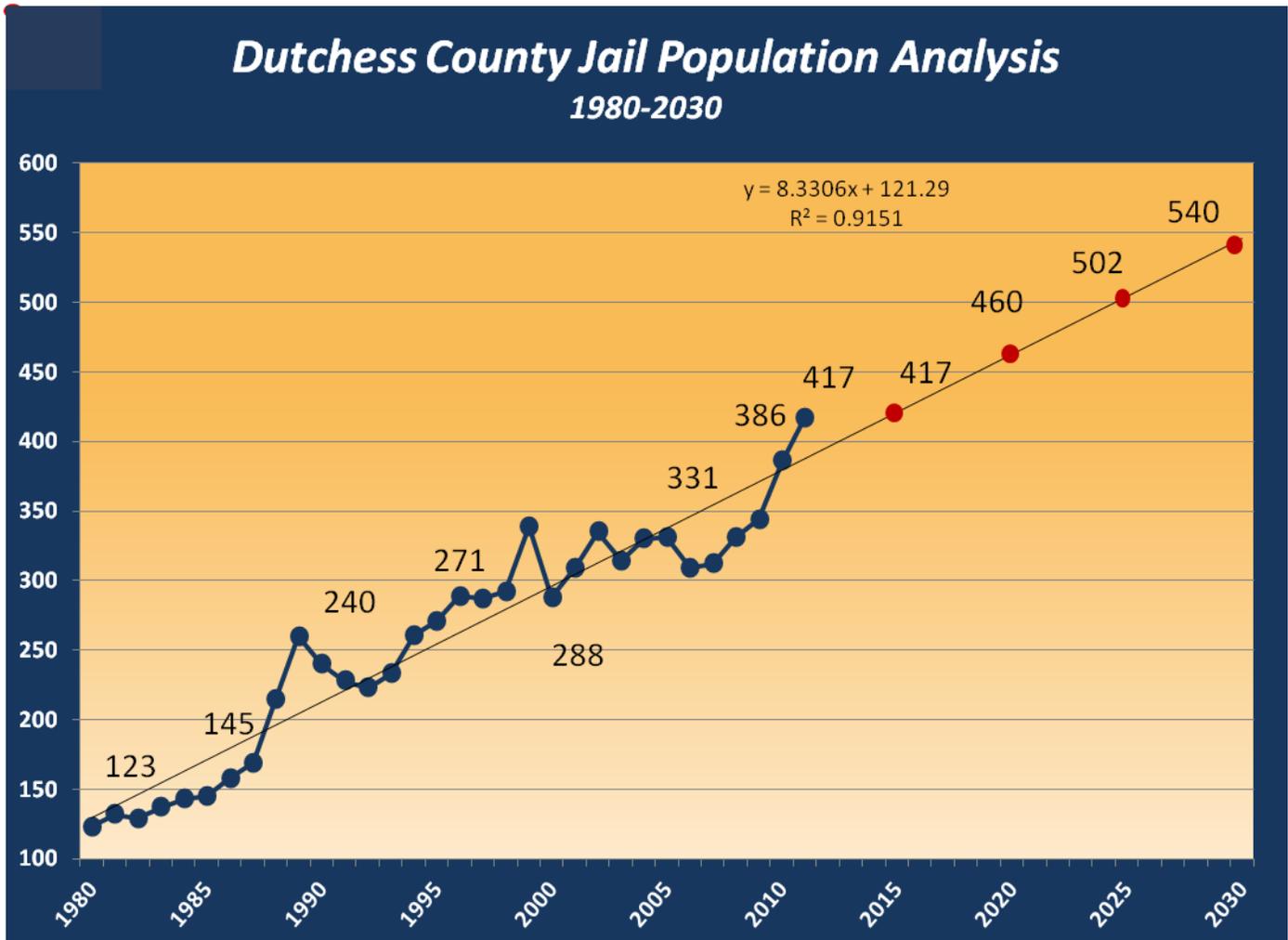
- Inadequate space in the Kitchen, Laundry Area, Medical Area, and Intake/Booking Area
- Little space for Visiting with only one non-contact booth
- Limited Program space
- Insufficient room for inmate property
- Limited space for support staff

### ***Analysis of Current Jail Population and Projected Growth***

We have endeavored to provide a fresh analysis of the expected growth in the number of inmates at the Dutchess County Jail. This population analysis was updated by the Jail Administrator. Using the 2004 Vitetta report as a baseline, we have updated a population analysis which shows the inmate population very likely to increase over the next 20 years to over 500 inmates.



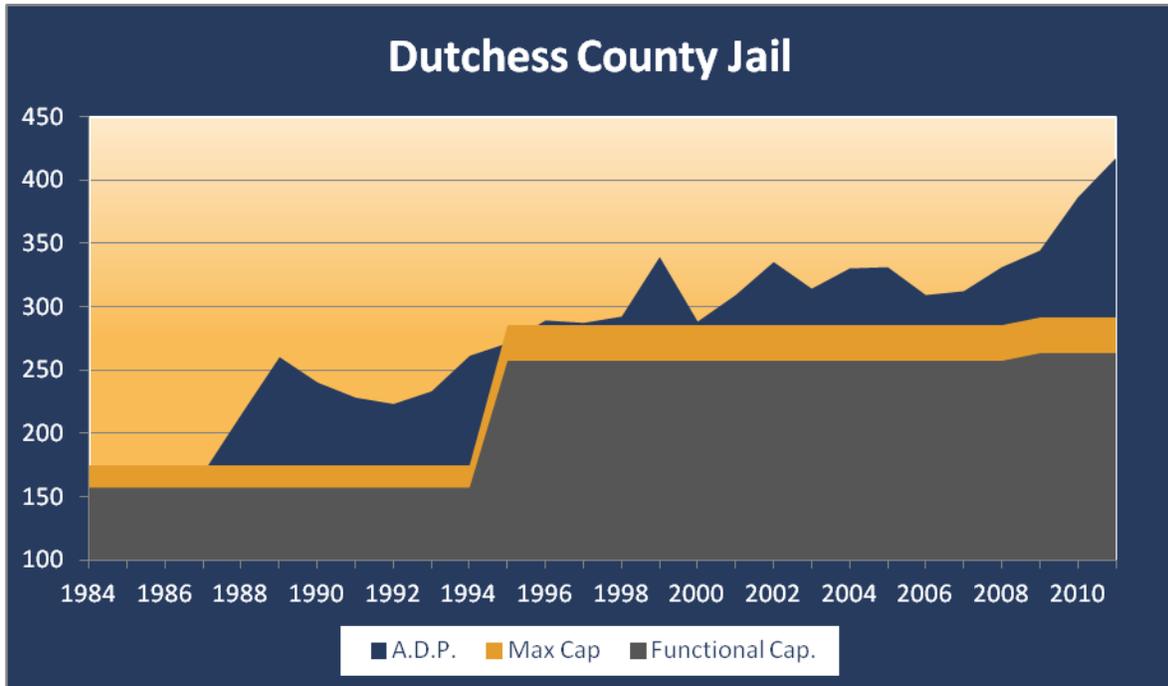
The updated population analysis prepared by Jail administration shows a projected increase in total inmate population from the 2010 annual average of 386 inmates up to 540 inmates by 2030. This analysis shows the number of inmates housed out increasing to nearly 300 over the next 20 years, raising concern whether there will be sufficient beds statewide to house our inmates in the future.



Currently, the New York State Commission of Corrections authorizes Dutchess County to have 292 inmates housed in the current jail facility. However, given the classification process and other various restrictions, only 257 inmates can be housed in the jail on an average day. In 2011, on average, 158 inmates were housed in other institutions on a daily basis. In 2012 the average will grow to over 200.

The dynamics of the classification of inmates must be considered when calculating the total number of beds for the jail. This dynamic takes into account the flexibility needed to separate populations by characteristics such as gender, age, physical and mental health, disciplinary segregation and the need to separate non-violent inmates from the more predatory. It provides for those times when

the number of inmates in a classification group exceeds the number of beds available for that classification. It also allows for the jail’s need to have a few open beds within each classification group available at all times for new inmates. Currently the jail operates with a 6 to 10% vacancy depending on the inmate population needs.



### Current Costs

The 2011 Jail budget was approximately \$35 million. As the chart below shows, the 2011 costs for housing out were \$6.5 million and are projected to increase to more than \$6.7 million in 2012, almost 20% of the total Jail budget.

	2011 Actual	2012 Projected	2013 Projected
Jail Budget:	\$34,872,943	\$35,096,960	\$36,435,981
Housing Out:	\$6,532,004	\$6,727,947	\$6,929,768
Housing Out % of Budget:	<b>18.7%</b>	<b>19.2%</b>	<b>19.0%</b>

Over the past five years, Jail overtime costs have increased by nearly 46% from \$2 million in 2006 to more than \$3.7 million in 2011 due primarily to overtime incurred for housing inmates in other jails. The increase in overtime also drives up pension costs which are calculated as a percentage of total salary.

## ***New Jail Models***

We have reviewed several suggestions concerning potential facility solutions for the jail overcrowding/housing out problem. A study by CRREO (Center for Research, Regional Education and Outreach) discussed a regional approach to providing jail cells, but there has been little interest in pursuing this option. Ulster County recently built a new jail and they as well as other surrounding counties are using vacant space to generate revenue by taking in inmates from other counties such as Dutchess.

There have also been suggestions to use state prison facilities in Dutchess County that have been closed. However, this is not feasible either. Dutchess County Jail administrators have explained that this would be a more expensive approach than current housing out expenses because Dutchess County would need to provide the required staffing, pay for the utilities and provide the maintenance for aging facilities that the state has effectively abandoned.

Other properties such as the Poughkeepsie Armory, the Ross Pavilion on the Hudson Psychiatric Center grounds and the downtown Poughkeepsie YMCA have been considered but all present economic and logistical obstacles in the necessary effort to refurbish them as jail space. This would negate the ability to use a new design needed to meet desired staffing reductions. Additionally, these facilities would lack the proper environment for the implementation of expanded rehabilitation programs for inmates.

Based on the population analysis projecting the growth in the number of inmates, it appears an expansion is needed to accommodate between 500 and 650 total inmates. Using a range of 630-690 square feet per inmate and a cost per square foot in the range of \$250-450 per square foot, the costs for jail expansion could run between \$78 million dollars and \$184 million dollars. This construction cost analysis is provided in the following charts. Jail construction consultants have advised that the higher end of the cost per square foot relates to the rehabilitation of an existing facility rather than constructing a new facility.

## Construction Cost Analysis

<b>690/sq ft per Inmate</b>	<b>500 Beds</b>				
# of beds required:	500	500	500	500	500
Cost per square foot:	250	300	350	400	450
<b>SQUARE FOOTAGE CALCULATION:</b>					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	690	690	690	690	690
Sq footage based on Warren County's scenario: (# inmates x 690 sq ft per inmate)	345,159	345,159	345,159	345,159	345,159
<b>Total Estimated Cost:</b>	<b>86,289,651</b>	<b>103,547,581</b>	<b>120,805,511</b>	<b>138,063,441</b>	<b>155,321,371</b>

<b>660/sq ft per Inmate</b>	<b>500 Beds</b>				
# of beds required:	500	500	500	500	500
Cost per square foot:	250	300	350	400	450
<b>SQUARE FOOTAGE CALCULATION:</b>					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	660	660	660	660	660
Sq footage based on scaled back scenario: (# inmates x 660 sq ft per inmate)	330,000	330,000	330,000	330,000	330,000
<b>Total Estimated Cost:</b>	<b>82,500,000</b>	<b>99,000,000</b>	<b>115,500,000</b>	<b>132,000,000</b>	<b>148,500,000</b>

<b>630/sq ft per Inmate</b>	<b>500 Beds</b>				
# of beds required:	500	500	500	500	500
Cost per square foot:	250	300	350	400	450
<b>SQUARE FOOTAGE CALCULATION:</b>					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	630	630	630	630	630
Sq footage based on scaled back scenario: (# inmates x 630 sq ft per inmate)	315,000	315,000	315,000	315,000	315,000
<b>Total Estimated Cost:</b>	<b>78,750,000</b>	<b>94,500,000</b>	<b>110,250,000</b>	<b>126,000,000</b>	<b>141,750,000</b>

## Construction Cost Analysis Cont'd

<b>690/sq ft per Inmate</b>	<b>550 Beds</b>				
# of beds required:	550	550	550	550	550
Cost per square foot:	250	300	350	400	450
SQUARE FOOTAGE CALCULATION:					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	690	690	690	690	690
Sq footage based on Warren County's scenario: (# inmates x 690 sq ft per inmate)	379,674	379,674	379,674	379,674	379,674
Total Estimated Cost:	<b>94,918,616</b>	<b>113,902,339</b>	<b>132,886,062</b>	<b>151,869,785</b>	<b>170,853,508</b>

<b>660/sq ft per Inmate</b>	<b>550 Beds</b>				
# of beds required:	550	550	550	550	550
Cost per square foot:	250	300	350	400	450
SQUARE FOOTAGE CALCULATION:					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	660	660	660	660	660
Sq footage based on scaled back scenario: (# inmates x 660 sq ft per inmate)	363,000	363,000	363,000	363,000	363,000
Total Estimated Cost:	<b>90,750,000</b>	<b>108,900,000</b>	<b>127,050,000</b>	<b>145,200,000</b>	<b>163,350,000</b>

<b>630/sq ft per Inmate</b>	<b>550 Beds</b>				
# of beds required:	550	550	550	550	550
Cost per square foot:	250	300	350	400	450
SQUARE FOOTAGE CALCULATION:					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	630	630	630	630	630
Sq footage based on scaled back scenario: (# inmates x 630 sq ft per inmate)	346,500	346,500	346,500	346,500	346,500
Total Estimated Cost:	<b>86,625,000</b>	<b>103,950,000</b>	<b>121,275,000</b>	<b>138,600,000</b>	<b>155,925,000</b>

## Construction Cost Analysis Cont'd

<b>690/sq ft per Inmate</b>	<b>600 Beds</b>				
# of beds required:	600	600	600	600	600
Cost per square foot:	250	300	350	400	450
<b>SQUARE FOOTAGE CALCULATION:</b>					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	690	690	690	690	690
Sq footage based on Warren County's scenario: (# inmates x 690 sq ft per inmate)	414,190	414,190	414,190	414,190	414,190
Total Estimated Cost:	<b>103,547,581</b>	<b>124,257,097</b>	<b>144,966,613</b>	<b>165,676,129</b>	<b>186,385,645</b>

<b>660/sq ft per Inmate</b>	<b>600 Beds</b>				
# of beds required:	600	600	600	600	600
Cost per square foot:	250	300	350	400	450
<b>SQUARE FOOTAGE CALCULATION:</b>					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	660	660	660	660	660
Sq footage based on scaled back scenario: (# inmates x 660 sq ft per inmate)	396,000	396,000	396,000	396,000	396,000
Total Estimated Cost:	<b>99,000,000</b>	<b>118,800,000</b>	<b>138,600,000</b>	<b>158,400,000</b>	<b>178,200,000</b>

<b>630/sq ft per Inmate</b>	<b>600 Beds</b>				
# of beds required:	600	600	600	600	600
Cost per square foot:	250	300	350	400	450
<b>SQUARE FOOTAGE CALCULATION:</b>					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	630	630	630	630	630
Sq footage based on scaled back scenario: (# inmates x 630 sq ft per inmate)	378,000	378,000	378,000	378,000	378,000
Total Estimated Cost:	<b>94,500,000</b>	<b>113,400,000</b>	<b>132,300,000</b>	<b>151,200,000</b>	<b>170,100,000</b>

## Construction Cost Analysis Cont'd

<b>690/sq ft per Inmate</b>	<b>650 Beds</b>				
# of beds required:	650	650	650	650	650
Cost per square foot:	250	300	350	400	450
SQUARE FOOTAGE CALCULATION:					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	690	690	690	690	690
Sq footage based on Warren County's scenario: (# inmates x 690 sq ft per inmate)	448,706	448,706	448,706	448,706	448,706
Total Estimated Cost:	<b>112,176,546</b>	<b>134,611,855</b>	<b>157,047,164</b>	<b>179,482,473</b>	<b>201,917,782</b>

<b>660/sq ft per Inmate</b>	<b>650 Beds</b>				
# of beds required:	650	650	650	650	650
Cost per square foot:	250	300	350	400	450
SQUARE FOOTAGE CALCULATION:					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	660	660	660	660	660
Sq footage based on scaled back scenario: (# inmates x 660 sq ft per inmate)	429,000	429,000	429,000	429,000	429,000
Total Estimated Cost:	<b>107,250,000</b>	<b>128,700,000</b>	<b>150,150,000</b>	<b>171,600,000</b>	<b>193,050,000</b>

<b>630/sq ft per Inmate</b>	<b>650 Beds</b>				
# of beds required:	650	650	650	650	650
Cost per square foot:	250	300	350	400	450
SQUARE FOOTAGE CALCULATION:					
# of Warren County Inmates	186	186	186	186	186
Warren County Jail sq footage	128,399	128,399	128,399	128,399	128,399
Sq footage per Inmate	630	630	630	630	630
Sq footage based on scaled back scenario: (# inmates x 630 sq ft per inmate)	409,500	409,500	409,500	409,500	409,500
Total Estimated Cost:	<b>102,375,000</b>	<b>122,850,000</b>	<b>143,325,000</b>	<b>163,800,000</b>	<b>184,275,000</b>

These are very general and very preliminary numbers. Also included are amortization schedules showing annual debt service for bonds at \$75 million, \$100 million and \$125 million (with a one percent bonding cost added to the principal). The amortization schedule for a \$125 million facility

shows an average annual principal and interest cost of approximately \$6.7 million. If current projections continue as estimated, within a few years the housing out costs will exceed the initial bond costs, and the average principal and interest cost over the life of the bond will be less than the current annual cost for housing out. Furthermore, housing out costs continue to increase while the annual principal and interest cost for the bond decrease each year. This increasing gap provides continuing justification for the plan to build a new facility.

### Jail Bond

**\$ 75,750,000      30 Years      at 3.75%**

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$ 75,750,000	\$ 2,525,000	\$ 2,840,625	\$ 5,365,625
2	\$ 73,225,000	\$ 2,525,000	\$ 2,745,938	\$ 5,270,938
3	\$ 70,700,000	\$ 2,525,000	\$ 2,651,250	\$ 5,176,250
4	\$ 68,175,000	\$ 2,525,000	\$ 2,556,563	\$ 5,081,563
5	\$ 65,650,000	\$ 2,525,000	\$ 2,461,875	\$ 4,986,875
6	\$ 63,125,000	\$ 2,525,000	\$ 2,367,188	\$ 4,892,188
7	\$ 60,600,000	\$ 2,525,000	\$ 2,272,500	\$ 4,797,500
8	\$ 58,075,000	\$ 2,525,000	\$ 2,177,813	\$ 4,702,813
9	\$ 55,550,000	\$ 2,525,000	\$ 2,083,125	\$ 4,608,125
10	\$ 53,025,000	\$ 2,525,000	\$ 1,988,438	\$ 4,513,438
11	\$ 50,500,000	\$ 2,525,000	\$ 1,893,750	\$ 4,418,750
12	\$ 47,975,000	\$ 2,525,000	\$ 1,799,063	\$ 4,324,063
13	\$ 45,450,000	\$ 2,525,000	\$ 1,704,375	\$ 4,229,375
14	\$ 42,925,000	\$ 2,525,000	\$ 1,609,688	\$ 4,134,688
15	\$ 40,400,000	\$ 2,525,000	\$ 1,515,000	\$ 4,040,000
16	\$ 37,875,000	\$ 2,525,000	\$ 1,420,313	\$ 3,945,313
17	\$ 35,350,000	\$ 2,525,000	\$ 1,325,625	\$ 3,850,625
18	\$ 32,825,000	\$ 2,525,000	\$ 1,230,938	\$ 3,755,938
19	\$ 30,300,000	\$ 2,525,000	\$ 1,136,250	\$ 3,661,250
20	\$ 27,775,000	\$ 2,525,000	\$ 1,041,563	\$ 3,566,563
21	\$ 25,250,000	\$ 2,525,000	\$ 946,875	\$ 3,471,875
22	\$ 22,725,000	\$ 2,525,000	\$ 852,188	\$ 3,377,188
23	\$ 20,200,000	\$ 2,525,000	\$ 757,500	\$ 3,282,500
24	\$ 17,675,000	\$ 2,525,000	\$ 662,813	\$ 3,187,813
25	\$ 15,150,000	\$ 2,525,000	\$ 568,125	\$ 3,093,125
26	\$ 12,625,000	\$ 2,525,000	\$ 473,438	\$ 2,998,438
27	\$ 10,100,000	\$ 2,525,000	\$ 378,750	\$ 2,903,750
28	\$ 7,575,000	\$ 2,525,000	\$ 284,063	\$ 2,809,063
29	\$ 5,050,000	\$ 2,525,000	\$ 189,375	\$ 2,714,375
30	\$ 2,525,000	\$ 2,525,000	\$ 94,688	\$ 2,619,688
<b>TOTAL</b>		<u>\$ 75,750,000</u>	<u>\$ 44,029,688</u>	<u>\$ 119,779,688</u>
<b>AVG. PER YEAR</b>		<b>\$ 2,525,000</b>	<b>\$ 1,467,656</b>	<b>\$ 3,992,656</b>

### Jail Bond

	\$ 101,000,000	30 Years	at 3.75%		
Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL	
1	\$ 101,000,000	\$ 3,366,667	\$ 3,787,500	\$ 7,154,167	
2	\$ 97,633,333	\$ 3,366,667	\$ 3,661,250	\$ 7,027,917	
3	\$ 94,266,667	\$ 3,366,667	\$ 3,535,000	\$ 6,901,667	
4	\$ 90,900,000	\$ 3,366,667	\$ 3,408,750	\$ 6,775,417	
5	\$ 87,533,333	\$ 3,366,667	\$ 3,282,500	\$ 6,649,167	
6	\$ 84,166,667	\$ 3,366,667	\$ 3,156,250	\$ 6,522,917	
7	\$ 80,800,000	\$ 3,366,667	\$ 3,030,000	\$ 6,396,667	
8	\$ 77,433,333	\$ 3,366,667	\$ 2,903,750	\$ 6,270,417	
9	\$ 74,066,667	\$ 3,366,667	\$ 2,777,500	\$ 6,144,167	
10	\$ 70,700,000	\$ 3,366,667	\$ 2,651,250	\$ 6,017,917	
11	\$ 67,333,333	\$ 3,366,667	\$ 2,525,000	\$ 5,891,667	
12	\$ 63,966,667	\$ 3,366,667	\$ 2,398,750	\$ 5,765,417	
13	\$ 60,600,000	\$ 3,366,667	\$ 2,272,500	\$ 5,639,167	
14	\$ 57,233,333	\$ 3,366,667	\$ 2,146,250	\$ 5,512,917	
15	\$ 53,866,667	\$ 3,366,667	\$ 2,020,000	\$ 5,386,667	
16	\$ 50,500,000	\$ 3,366,667	\$ 1,893,750	\$ 5,260,417	
17	\$ 47,133,333	\$ 3,366,667	\$ 1,767,500	\$ 5,134,167	
18	\$ 43,766,667	\$ 3,366,667	\$ 1,641,250	\$ 5,007,917	
19	\$ 40,400,000	\$ 3,366,667	\$ 1,515,000	\$ 4,881,667	
20	\$ 37,033,333	\$ 3,366,667	\$ 1,388,750	\$ 4,755,417	
21	\$ 33,666,667	\$ 3,366,667	\$ 1,262,500	\$ 4,629,167	
22	\$ 30,300,000	\$ 3,366,667	\$ 1,136,250	\$ 4,502,917	
23	\$ 26,933,333	\$ 3,366,667	\$ 1,010,000	\$ 4,376,667	
24	\$ 23,566,667	\$ 3,366,667	\$ 883,750	\$ 4,250,417	
25	\$ 20,200,000	\$ 3,366,667	\$ 757,500	\$ 4,124,167	
26	\$ 16,833,333	\$ 3,366,667	\$ 631,250	\$ 3,997,917	
27	\$ 13,466,667	\$ 3,366,667	\$ 505,000	\$ 3,871,667	
28	\$ 10,100,000	\$ 3,366,667	\$ 378,750	\$ 3,745,417	
29	\$ 6,733,333	\$ 3,366,667	\$ 252,500	\$ 3,619,167	
30	\$ 3,366,667	\$ 3,366,657	\$ 126,250	\$ 3,492,917	
TOTAL		\$ 101,000,000	\$ 58,706,250	\$ 159,706,250	
<b>AVG. PER YEAR</b>		<b>\$ 3,366,667</b>	<b>\$ 1,956,875</b>	<b>\$ 5,323,542</b>	

### Jail Bond

\$            **126,250,000**            **30 Years**            **at 3.75%**

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	\$ 126,250,000	\$ 4,208,333	\$ 4,734,375	\$ 8,942,708
2	\$ 122,041,667	\$ 4,208,333	\$ 4,576,563	\$ 8,784,896
3	\$ 117,833,333	\$ 4,208,333	\$ 4,418,750	\$ 8,627,083
4	\$ 113,625,000	\$ 4,208,333	\$ 4,260,938	\$ 8,469,271
5	\$ 109,416,667	\$ 4,208,333	\$ 4,103,125	\$ 8,311,458
6	\$ 105,208,333	\$ 4,208,333	\$ 3,945,313	\$ 8,153,646
7	\$ 101,000,000	\$ 4,208,333	\$ 3,787,500	\$ 7,995,833
8	\$ 96,791,667	\$ 4,208,333	\$ 3,629,688	\$ 7,838,021
9	\$ 92,583,333	\$ 4,208,333	\$ 3,471,875	\$ 7,680,208
10	\$ 88,375,000	\$ 4,208,333	\$ 3,314,063	\$ 7,522,396
11	\$ 84,166,667	\$ 4,208,333	\$ 3,156,250	\$ 7,364,583
12	\$ 79,958,333	\$ 4,208,333	\$ 2,998,438	\$ 7,206,771
13	\$ 75,750,000	\$ 4,208,333	\$ 2,840,625	\$ 7,048,958
14	\$ 71,541,667	\$ 4,208,333	\$ 2,682,813	\$ 6,891,146
15	\$ 67,333,333	\$ 4,208,333	\$ 2,525,000	\$ 6,733,333
16	\$ 63,125,000	\$ 4,208,333	\$ 2,367,188	\$ 6,575,521
17	\$ 58,916,667	\$ 4,208,333	\$ 2,209,375	\$ 6,417,708
18	\$ 54,708,333	\$ 4,208,333	\$ 2,051,563	\$ 6,259,896
19	\$ 50,500,000	\$ 4,208,333	\$ 1,893,750	\$ 6,102,083
20	\$ 46,291,667	\$ 4,208,333	\$ 1,735,938	\$ 5,944,271
21	\$ 42,083,333	\$ 4,208,333	\$ 1,578,125	\$ 5,786,458
22	\$ 37,875,000	\$ 4,208,333	\$ 1,420,313	\$ 5,628,646
23	\$ 33,666,667	\$ 4,208,333	\$ 1,262,500	\$ 5,470,833
24	\$ 29,458,333	\$ 4,208,333	\$ 1,104,688	\$ 5,313,021
25	\$ 25,250,000	\$ 4,208,333	\$ 946,875	\$ 5,155,208
26	\$ 21,041,667	\$ 4,208,333	\$ 789,063	\$ 4,997,396
27	\$ 16,833,333	\$ 4,208,333	\$ 631,250	\$ 4,839,583
28	\$ 12,625,000	\$ 4,208,333	\$ 473,438	\$ 4,681,771
29	\$ 8,416,667	\$ 4,208,333	\$ 315,625	\$ 4,523,958
30	\$ 4,208,333	\$ 4,208,343	\$ 157,813	\$ 4,366,146
<b>TOTAL</b>		<u>\$ 126,250,000</u>	<u>\$ 73,382,813</u>	<u>\$ 199,632,813</u>
<b>AVG. PER YEAR</b>		<b>\$ 4,208,333</b>	<b>\$ 2,446,094</b>	<b>\$ 6,654,427</b>

The Jail Modeling Committee made a site visit to Warren County Jail (a recently constructed facility incorporating state of the art design elements) and has reviewed the designs of the Ulster County and Broome County jails (also new design facilities). It is quite evident from the table below that with a new design, staffing levels can be significantly reduced, and considerable staff savings can be generated with this modern jail design.

	<u>Inmate Capacity</u>	<u>Correction Staff</u>	<u>Inmate/Staff Ratio</u>
Broome	536	160	3.4
Ulster	426	157	2.7
Warren	186	75	2.5
Dutchess	292	233	1.3
<b>Staff Reduction - 2012: 110</b>			
Dutchess	417	123	3.4
<b>Staff Reduction - 2030: 71</b>			
Dutchess	550	162	3.4

As the above table shows, if the Dutchess County Jail was originally designed to house 417 inmates (the 2012 ADP as of July) at the 3.4 staff-to-inmate ratio that exists at the Broome County Jail, Dutchess County would currently need only 123 Correction Officers, **110** less than the current requirement of **233**. Even with the population growth projected over the next 20 years, staffing for a 550 bed facility would be **71** less than the current **233** staff requirement.

The table below outlines projected salary and fringe savings of more than \$170 million through 2030, assuming the new Jail facility would come online January 1, 2016.

**Projected 15 Year Savings Salary & Fringe  
2016-2030**

<b>Year</b>	<b>Total Inmates Housed In (Annual Avg.)</b>	<b>Staff/Inmate Ratio</b>	<b>Required Staff</b>	<b>Current Staff Cost 233 COs (Salary &amp; Fringe)</b>	<b>New Jail Staff Cost (Salary &amp; Fringe)</b>	<b>Savings</b>
2016	426	3.4	125	23,878,594	12,828,490	11,050,104
2017	434	3.4	128	24,594,951	13,480,343	11,114,608
2018	443	3.4	130	25,332,800	14,159,762	11,173,037
2019	451	3.4	133	26,092,784	14,867,815	11,224,969
2020	460	3.4	135	26,875,567	15,605,606	11,269,962
2021	468	3.4	138	27,681,834	16,367,295	11,314,539
2022	477	3.4	140	28,512,290	17,160,641	11,351,649
2023	485	3.4	143	29,367,658	17,986,857	11,380,802
2024	494	3.4	145	30,248,688	18,847,201	11,401,487
2025	502	3.4	148	31,156,149	19,742,977	11,413,171
2026	510	3.4	150	32,090,833	20,643,131	11,447,702
2027	517	3.4	152	33,053,558	21,579,526	11,474,032
2028	525	3.4	154	34,045,165	22,553,525	11,491,640
2029	532	3.4	157	35,066,520	23,566,543	11,499,977
2030	540	3.4	159	36,118,515	24,620,043	11,498,472
				<b>444,115,906</b>	<b>274,009,754</b>	<b>170,106,152</b>

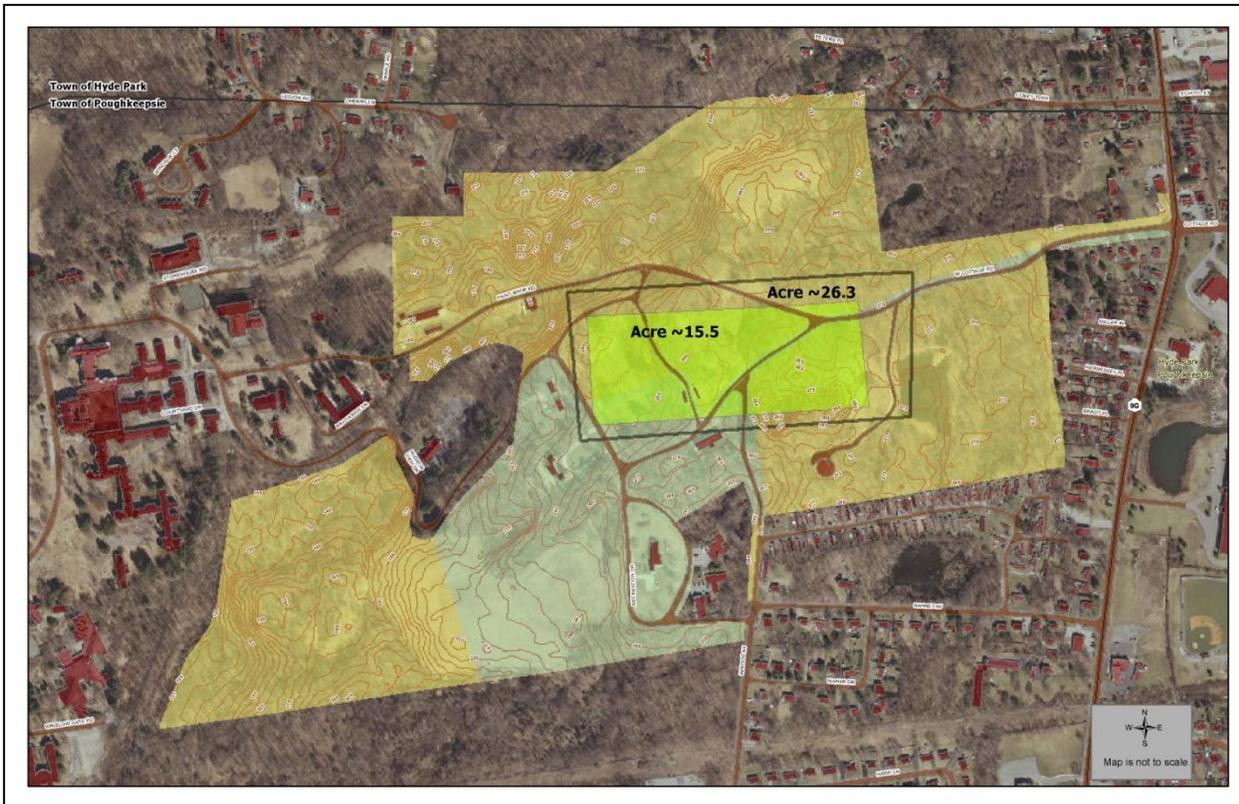
***Jail Sites***

The staff savings can only be obtained by building a new jail. Redesigning the current facility would be cost prohibitive. Therefore the decision to build on an alternate location is critical. Building new will allow for the most modern design and the best staffing models. This will allow for sensible infrastructure and utility housing and the inclusion of green energy designs which will help reduce utility costs.

Possible alternative site locations were reviewed, but it is important to remain fairly close to Downtown Poughkeepsie and the county and city courts. Given this limitation there are few plots of land that can accommodate the necessary space requirements. We also were hesitant to consider locations that would result in the property being removed from the tax rolls. Additionally, prime property could result in significant opposition from neighbors not wanting a jail to be constructed near them.

We have looked at a site that can provide a 15 acre tract for the building of a new facility. This will need to be pursued further to determine if the property can be used, costs to prepare the site and securing of all the necessary approvals and permits. The alternate site is New York State property and previously was part of the Hudson River Psychiatric Center. We believe our State representative will help us to make the property available. We also intend to seek support from the New York State Commission of Corrections.

*Alternate Jail Site:*



If an alternate site is selected for building the new jail, the existing site on North Hamilton Street could be returned to the tax rolls through a re-use or redevelopment project that could include affordable housing, senior housing or possibly some facilities to assist with our housing needs related to ATIs.

*Existing Jail Site:*



The existing Jail property is currently assessed at \$12 million with the land portion assessed at \$961,000. Any estimate of future use will be dependent on what a potential developer is interested in doing and how much they have to spend to get the site ready for another use.

The current site includes 7.84 acres with a very small piece on the west side of the CSX ROW. The property is currently zoned I-1 (Light Industrial) which is intended to provide a range of industrial activity that can be located close to residential and commercial areas. Residential uses are not currently permitted, but zoning changes can be pursued.

Adjacent zoning across Hamilton Street is zoned R-3A (Medium Density Residential) which permits one-, two- and three-family dwellings. Special permitted uses include agency group homes. Cluster development may be applied to properties in this zone.

In terms of historic status, there is no evidence that the site is included on either the Federal or State Register of Historic Places. The City of Poughkeepsie does not list the property as historic. The County Planning Department's 1986 Historic Survey did not include any mention of the Jail property.

The current facility sits in a neighborhood in the City of Poughkeepsie. The available State property provides the opportunity to relocate the Jail and Sheriff's facilities to an area geographically close to the city with public transportation available, but in a campus like setting outside of any existing neighborhoods.

### ***Interim Costs***

Building on the current site will provide numerous challenges if we attempt to demolish and remodel while continuing to operate the existing facility. At a minimum, additional inmates will need to be housed out as the transition process occurs thereby increasing the annual operating cost during the construction period.

However, if an alternate site is chosen, there will be little disruption to the ongoing operations. Jail administration has reviewed the potential for renting temporary housing pods which could bring back housed out inmates to Dutchess County. This would mean some staffing and logistical increases, but at the same time, as the chart below illustrates, create an annual operational savings of \$2 to \$2.5 million.



*Illustrates placement of PODS on Existing Site*

<b>Short Term Saving Using Temporary Pods</b>	
Projected 2012 Cost of Housing Out	\$6.7 M
Estimated Cost of Pods	-\$2.0 M
	\$4.7 M
Estimated Infrastructure Costs	-\$1.0 M
Estimated Additional Staffing Costs	-\$1.5 M
<b>Potential Annual Operational Savings</b>	<b>\$2.2 M</b>

### ***Intangible Benefits***

A Jail expansion/building project which allows Dutchess County to deal with our own inmates without the massive housing out requirements will have several additional positives:

*Families:* Jail administration receives regular complaints from inmates and their families about conditions, treatment and the inconvenience for visitation. Visits are important for the general well being of a person incarcerated and there is a link between suicide and the lack of visitation.

*Legal Process Issues:* Attorneys for inmates housed in other institutions are not as readily able to see their clients as when inmates are housed locally. Large numbers of pretrial inmates are housed in distant facilities creating productivity issues and additional costs for our Public Defender, District Attorney and Office of Probation.

*Programming:* Perhaps the biggest deficit with the current situation is the lack of effective programs available to those inmates housed in other facilities. Almost all of those individuals in the custody of the Dutchess County Jail will return to life in Dutchess County. We need to help rehabilitate these inmates, doing everything we can to address the substance abuse and behavioral issues which often times are the real cause of their criminogenic issues.

*Liability:* The extensive transportation requirements are dangerous and risky. The risk of escape increases exponentially during transports. Correction officers must handle inmate disturbances and medical emergencies without readily available back-up, and there is always the possibility for accidents or breakdowns. There is also the liability we incur by entrusting our Dutchess County inmates to other municipalities.

## CONCLUSION

As this analysis indicates, the CJC has been properly and effectively pursuing the correct path in analyzing how to limit the number of jail bed days and making options available to low risk offenders by diverting inmates to evidence based ATIs whenever possible.

Continuation of these effective programs will require additional data analysis surrounding risk levels, which we are pursuing with the contracting of a consultant to assist CJC committees in this area. As results become available, programs can be piloted, initiated, monitored and modified to improve outcomes.

Success in advancing our ATIs, and in making changes within the overall criminal justice system that will have a positive impact on jail population volumes, requires the collaboration and cooperation of many entities. The CJC is the place these entities can meet, discuss and come to agreement on making such changes work.

This will take time to see the fruits of our labor. As in the past we will see short term gains, but this is a long term initiative and we must stay the course with patience and determination. The CJC success will continue and our criminal justice system in Dutchess County will improve our efficiency and effectiveness as a result.

All of these positives, however, do not eliminate the overwhelming fact that in Dutchess County, we have a “housing out” problem. The number of inmates housed in other county facilities creates an economic and logistical burden for Dutchess County law enforcement officials, and unfortunately all of the good work by the CJC is not going to solve this problem.

We have reached the tipping point and additional jail cells are needed. However, expanding the current Dutchess County Jail will simply transfer dollars now spent on the housing out fees, staff overtime expenses and transportation costs to the rehabilitation of an outdated, maintenance heavy building.

As this report indicates, a new jail should be built on an alternate site. This will allow for a new jail design which will save millions of dollars with reduced staffing requirements.

Additionally, building on an alternate site will provide the opportunity for an interim solution whereby temporary housing units on the existing jail site will eliminate the need for extensive housing out of inmates and save millions of dollars annually during the construction phase of the new jail.

A new design will also provide the ability to initiate rehabilitative programs both in the new jail and in the temporary facility. The massive savings realized by the county will allow funds to be diverted into the programs discussed in this report concerning special populations. The alternate site will also provide a campus setting where residences might be established to develop a “continuum of

Incarceration” which will better prepare inmates for return to the community and help decrease the potential for their recidivism.

The CJC will work with the Mediation Center to conduct a Public Hearing to review this report with the community after which the final report with public comments will be presented to the County Executive, the County Legislature and the Sheriff.

It is our hope that the report will then be provided to an industry consultant for validation and recommendations on next steps.

## **Appendix 1: Public Comment**

**Speaker 1:** My name is Odel Winfeld and I am a member of a group called ENJAN, End the New Jim Crow Action Network and I would like to read this statement. ENJAN, the New Jim Crow Action Network fundamentally opposes Dutchess County Plan for an expansion of a 500-650 bed jail at the cost of \$150-200M not including interest to the bonds. Our opposition stems from the study of the system of mass incarceration in this country, which over the last 30 years has used the criminal justice system to re-establish a racial cast system along the lines of the notorious old Jim Crow laws. In a county where African Americans make up 12% of the population, we take issue with the fact that we are over 50% of the incarceration rate. The failed war on drugs has caused a disproportionate increase of poor people and people of color in its jails and prisons. Moreover we oppose county priorities that devote more resources to incarceration, incarcerating its residents than providing them with decent education, affordable healthcare and safe housing. Many other people in jails or prisons are individuals with high needs who suffer from drugs and alcohol addictions or mental health issues, lack of education and also face a cycle of homelessness and poverty. We thus oppose policies that value incarcerating people over healing them.

**Speaker 2:** My name is Earl Brown and I'm also a member of ENJAN. To continue this statement a recent report Dutchess County Criminal Justice Council Criminal Justice Needs Assessment to be presented at a public hearing states the following: a substantial restructuring of our local criminal justice system is required, we must use more incentives, carrots, than sanctions, the sticks. And we must deliver services in natural environments whenever possible. Unfortunately the report makes no attempt to estimate how a substantial restructuring will reduce the need for jail cells. Even more regrettably, the lawmakers in our county have shown no willingness to seriously address an evidence-based restructuring initiatives that tackles larger issues of injustice such as putting an end to the racial disparities in arrest, arraignment, and sentencing. Policies that criminalize behavior all of which treat our neighbors as disposable human beings. Thank you.

**Speaker 3:** My name is Skyler Kempton, and I'm going to continue reading the statement. Lawmakers in our county have failed to address the fundamental flaw in our criminal justice system in our county and in our country. The few wealthy white individuals profit off the incarceration of the working black masses, we the End the New Jim Crow Action Network have agreed upon a ten point program to dismantle the racist criminal justice system as does currently constituted and replace it with a system built upon the philosophy of healing rather than punishing so that the imprisoned may one day be free. Alternative housing for women, youth, and those with mental illness. Alternative housing for the 80 percent of inmates who

have not gone to trial. The immediate hiring of additional workers to handle processing. Effective rehabilitation for all non-violent substance abusers. Treat substance abuse as an illness not a crime. Alternative housing for all individuals charged with a drug charges connected to a violent offense to insure their drug addiction is dealt with. The immediate creation of a 24-hour mental health center, and increased funding for existing mental health clinics and programs. The elimination of all charges resulting from the legal process to insure that all of those accused of crimes are able to defend themselves in court, rather than simply serving their sentence in jail. Ending the racist war on drugs, the system which has resulted in the mass incarceration of black, Latino, and low income people. Finally, we call on the county to fully fund all existing social programs and introduce new programs to enable our community to grow and break the cycle of poverty, drug addiction, and incarceration. Introduce a housing first strategy for the chronically mentally ill, homeless, alcoholics, and drug addicts to prevent recidivism. Implement a comprehensive system of re-entry programs for men and women to prevent recidivism, similar to the Brooklyn com alert program. Jobs, job training, counseling and housing for individuals returning to the community who want to work. Implement programs similar to Father Young's program in Albany to cut recidivism to introduce and reintroduce programs for youth.

**Speaker 4:** My name is Pam Krinsky, and I'm also from End the New Jim Crow. I'm going to pick up where Skyler left off. Embrace Fight Crime, Investing in Kids Coalition, restore BOCES GED program in the Dutchess County Jail. Restore youth with families, restore Mediation Center programs for juvenile delinquency prevention for troubled teens. Restore Cornell 4-H and Green Teens programs. Restore youth mentoring, job training, placement at the Dutchess County Regional Chamber of Commerce, youth programs at the Dutchess County Arts Council, Mill Street Loft, Literacy Connections. Implement all the recommendations from the Justice Policy Institute. End the New Jim Crow Action Network represents the emergence of a new militant movement in our area to confront mass incarceration head on. We are a coalition with a diverse representation in our community that is prepared to fight for the demands we have presented tonight. We will no longer tolerate lies and misinformation. We will no longer be silenced as people make profit off of the imprisonment of their fellow humans. We are not afraid to enter the struggle and we more certainly not afraid to win it. Our people are rising, we are awake.

**Speaker 5:** Hi my name is Derek Gideon, I'm also here with ENJAN. My friend has already finished reading the statement, so I guess I will say a little bit about why I'm here individually. I recently moved back to Rhinebeck where I grew up and with a lot dinner table conversations with my younger brother who is still in the high school there. You know it has often stuck me how common drug use and drug crime is among white middle class high schoolers in Rhinebeck. And yet it doesn't seem to cause nearly as much of a problem in Rhinebeck or similar locations or on Bard College's campus or on Vassar College's campus as it does for

anyone here living in Poughkeepsie especially black and working people and so maybe I'm just hallucinating this and we really do live in a country and a county where when we say liberty and justice for all we really do mean all. But if anything that I'm saying sounds familiar to you I think we should be deeply reconsidering expanding our ability to put people behind bars, when there are issues with whether we are putting this many people behind bars to begin with.

**Speaker 6:** Hello my name is Tom Alman and I'm also a member of ENJAN, End the New Jim Crow Action Network, and I support what my colleagues have just said but I would like to give a slightly different take on these issues. So first of all, in the presentation we just saw, we saw some interesting statistics and what no doubt was a lot of the result of hard work by people who are doing their very best as they understand it. What we didn't see was any of the human faces behind these numbers. We saw that there are between 500 and 600 inmates imprisoned at the present time in the Dutchess County system but we didn't see them as human beings. We heard that public safety is the only objective of the criminal justice system and certainly that is extremely important to all of us, but another part of it is the actual lives, the human beings that are actually in jail, because those matter too. Those are men and women who are most of them young, many of them people of color, many more than should be if our system were race blind, people in jail whose lives are being slowly destroyed by incarceration. What we haven't heard in tonight's discussion is anything that will actually deal with the underlying problems of crime. Why is it that so many young people in our communities are turning to crimes and crime and drugs? And what will it take, to stop, to stop that? How can we turn off the faucet that is feeding our young people into this system? That's what we need to be talking about. We shouldn't think of this jail as a jail. We should call this a dinosaur, cause that what we are building here, it's a dinosaur. If we do this in 20 years we are going to be back here, we are going to be asking for a bigger jail. There will be more people in prison and we will have this same discussion all over again, and I hope then that some of us, if we do this, there will be people looking back and saying 'why did we do that back in 2012?' Please don't do this. Thank you.

**Speaker 7:** I am Jeffery Shnyder. So I do want to applaud you for the effort to use evidence based practices and principles and I have a better understanding of what that means right now thanks to the presentation. But I am also concerned about other principles and practices that should inform any discussion about the criminal justice system. So, one set of issues that I didn't see in your careful report is anything about racial disparities in the system. There is a lot of information about jail population forecasts and analysis but very little or almost nothing about racial, social, and economic disparities. And these disparities raise questions about the very concept of criminal justice. It doesn't sound very just to me if more poor people, people of color are being put behind bars for crimes that are being committed in equal number by white middle class kids or adults or people of color, but it does most certainly sound very criminal to me. Now I'm not saying that we don't need a jail or that no one belongs in jail after they

commit particular crimes but before I could support a new and more efficient jail I would need to know more about how Dutchess County is going to address racial disparities in the sentencing of people brought before the court. Thank you.

**Speaker 8:** Good evening, my name is Mary Spriggs, and I too am a member of ENJAN. If one reads the New Jim Crow Mass Incarceration by Michelle Alexander, and Our People are Prisoners Obsolete by Angela Davis, one would become aware that the imprisonment of people has produced a multi-billion dollar industry on the backs of poor and people of color. Though I have heard some brilliant reports this evening by people of good will, I must question the need to expand jail beds or build a new prison or new jail rather than to figure out a way to reduce the number of people who are being held in jail. And Dutchess County has brilliant folks in this county so I know they are able to come up with something else than we need a new jail. Certainly people who cannot post bail of \$50, \$100, \$500 or less should not have to spend time in jail. I don't believe the jail has concerns about family visitation. I don't even believe, I become alarmed when I hear we need a better jail. Does that mean we need a better jail like Ulster County, who built a better jail? Does that mean we need a better jail like Orange County that built a new jail? Does this mean we need to arrest and jail more people to justify building a better jail? What happens if we work towards reducing the number of people coming in jail? What happens if the reduction of folks in jail, what happens if those folks are not in jail? Do we have to continue to bring folks in jail, to justify the need? I also am concerned about where the money is going to come from. I submit to you we need to follow the money. Where is the money coming from? Is it coming from private industry? Would this jail become a private industry 10, 15 years from now? In summary, I am opposed to building or expansion of jail beds in Dutchess County. Thank you.

**Speaker 9:** Good evening, my name is Tyler Jones. I am the pastor of Saint Paul's Episcopal Church at the corner of Mansion and Hamilton and as I was standing I think I calculated that I'm the pastor of the church closest to the Dutchess County Jail. For what advantage that gives me, I'm not sure. But I stand here, primarily as an advocate for aggressive re-entry programs. I have as a pastor had the opportunity to visit parishioners, friends of parishioners, relatives of parishioners in Dutchess County Jail. I've dealt with them when they have been in the jail and when they've been housed-out to distant facilities and I feel strongly that the difficulty that the distance presents to both families and the list of concerns that Mary Ellen Still went through, really speaks in favor of keeping the locally convicted, locally incarcerated. And that would certainly help the families who are trying to get folks home, and help their friends and neighbors who are trying to be attentive to the needs of people who are in jail. But on the subject of re-entry in concert with another Episcopal, Christ Episcopal Church, St. Paul's applied for a grant four years ago from the Episcopal Charities, a one hundred thousand dollar grant to start a re-entry program for men and women re-entering society after incarceration and we are now applying for funds for our fifth year, we estimate that we are going up approximately 25%

in terms of the number of people that we are dealing with who are released from incarceration, looking for ways to resume or achieve civil life and find remarkable impediments. And I won't numerate those impediments, but what we have found is just an immense energy that the ex-offenders are willing to commit if there is a path to social re-integration, if there is help on housing, help on social services, help on resumes, and job applications. And the most interesting thing to us is that they want to help each other, the people who have been inside want to help the people that have just gotten out. This was one of our big discoveries when we got started, so I would really encourage the Criminal Justice Council to focus heavily on the re-entry portion of this report on the alternatives that it might suggest which we could infer from re-entry programs that exist here and elsewhere so that those who have been incarcerated have their prospects of recidivism reduced and I think that is where my time runs out. Thank you.

**Speaker 10:** My name is Russell Bimbo, I am a student at Dutchess Community College and community activist and I work with Occupy Poughkeepsie also. We imprison more people in our country than the rest of the world. Here in Dutchess County we have shut down elementary schools and cut school budgets. All around New York this is happening. It doesn't make sense to me that schools are losing funding or being shut down and the result is build a new jail. The community doesn't need a new jail, with the amount of racial profiling and stopping first site occurs, I'm not surprised why Dutchess County wants a new jail. There are so many empty buildings all around Poughkeepsie the amount of houseless individuals has grown. The shelter now charges the houseless. Instead of building a jail the community needs help. Community centers, centers, shelters, centers for kids and education. The more community centers and positive influence within the community there would be no need for a new jail. We are in an economic crisis and the amount of money being paid by the taxpayers to build this jail I would rather my taxes go towards something that will help the community and not just put them behind bars.

**Speaker 11:** Good Evening, I am Sam Busselle. And I have been involved with the CJC and the system for a number of years. And I had a chance just today to look at a document from 1989 which I think is useful to know when we talked about coming back and talking about some of these things in the future and I quote from a jail utilization study that year. "Responses to jail overcrowding should be multi faceted if they are to produce genuine long standing lasting change and relief, new construction seems to be temporary solution because as the population grows the same dynamic will cause the new jail to be filled to overcrowding." Or problems in 1989 are due in part to our failure to take a holistic approach when we build our current jail facility. Fast forward 23 years and we are overcrowded to say the least. And have finally come up with an assessment and a proposed solution. Build a 500-650 cell jail and at the same time initiate and I can't reference this more a substantial restructuring of our local criminal justice system. A holistic approach as they pointed out in 89. A by the number analysis provides the

rationale for building a new facility to accommodate 2 to almost 3 times the number of inmates in our current jail and based on the business plan that reports to save millions of dollars with more efficient use of staff. But before we jump at the temporary solution, build it and they will come, let's look at the means by which we can restructure the whole system. Let's look at a business plan that would actually reduce the number of people we lock up and envision a social and criminal justice system that will ensure public safety and peace of mind. According to the section of the report that documents past achievements, we now as compared to '89 we have a much greater capacity to collect data, assess risk, and use tools to restructure the system using the National Institute of Corrections evidence-based decision making. They are documented strategies, programs and practices, in countless jurisdictions throughout the country that address this multi faceted dynamic of a true system. The strategies and opportunities section of the assessment makes vague assurances that admissions to the jail could be reduced, unfortunately there are no by the numbers data that could be aggregated to estimate a specific reduction in individuals who are incarcerated. This must be done before we commit to a costly building solutions. And finally if there is great urgency to end our housing out crisis, and I believe there is, and to do that we must come up with a plan to address jail overcrowding, let's commit to construction of beds not jail cells. In a campus plan where a continuum of residential options amass the special needs or each individual, youth, women, the mentally ill, ect. and those struggling with substance abuse. Thank you.

**Speaker 12:** My name is Diane Jablonski and I thank the CJC for holding this hearing and in the work they have done. I recognize the effort that has gone into assessing the situation from a systemic perspective and including pre and post incarceration programs. I also acknowledge that the use of data in decision making is a positive step, however data must be used in conjunction with judgment and analysis of the specific situation. My major concern is the financial impact on the county in these times when the county is projecting a \$40 million deficit and the fund balance has almost been eliminated. The bond cost for the middle option of \$101 million in the initial years is an additional \$7 million slightly more than the projected housing out costs. I hadn't seen your graph of the \$8.2 but you know. This is coupled with the concern that the report only provides construction cost estimates not cost for the implantation of the systemic solutions being considered, including the cost of data collection and analysis. Without understanding the solutions to handle special needs populations it is difficult to determine what size traditional jail facility is actually required especially providing solutions facility for youth, women, and individuals with psychiatric disabilities or mental health needs. Possible using a regional approach could reduce the actual number of traditional beds, and I use the term beds, required. In addition there is no assessment in the report for the impact of the pre-incarceration actions proposed on the actual jail population. The report is vague on transitional continuum of incarceration facilities and the impact of proposed programs on recidivism. I fully acknowledge the limitations of the current jail facility and the associated costs and logistical problems with housing out prisoners, however I believe that additional in-depth analysis is

required before the taxpayers of DC should be asked to embark on funding a new facility of the scope envisioned by the report. Thank you.

**Speaker 13:** Good evening, Jim Doxsey, Dutchess County Legislator District One. Good evening Mary Ellen Still, Gary Christensen and Jody Miller, thank you for mediating tonight. Tonight I'm going to have a different perspective about what I'm going to talk about tonight, the proposed jail is going to be on the potential Hudson River Psychiatric Center currently the town of Poughkeepsie is looking at and has been looking at proposals to utilize that 157 acres for community and commercial business and to try to help offset the costs to the Fairview Fire District and the concerns that we have in the Fairview Fire District. The county currently has approximately 16% of property in the Fairview Fire District with a 70M cost that it has in assessed value and if the county was to pay toward taxes on that Fairview Fire District it would equate out to a little over \$4,011,000 which would certainly help the Fairview Fire District with its under staffed, over burdened, and highest taxed Fire District in New York State. The estimated cost of the facility is going to be what it is going to be, it ranged from \$142 million to \$200 million for this new proposal. It's only going to utilize about 15 acres on the Hudson River Psychiatric Center. Again our concerns are that the property that is going to be removed from the tax rolls that is currently still off the tax rolls, we would be able to gain revenue from the Hudson River Psychiatric Center by putting forward this plan from the Town of Poughkeepsie. The Fairview Fire District only encompasses a little less than five square miles. We are looking about the concerns for the depreciation of property values in the immediate area this facility if built will be amongst a rather large trailer park to the west of it as well as minimizing traffic in and out getting in and out of this complex from 9 to 9 G. The tax payers of the Fairview Fire District can no longer fund currently what is going on. We all know we need to sustain public safety and example of what recently happened in January of 2012 is something we have been trying to prevent for a long time. The inadequate staffing that we currently have, the New York State Association of Firefighters we recommend that we have 8 men per shift where we currently only have 4 men per shift. If we were to come up to standards, that would cost the Fairview Fire District to adequately staff what we currently have now. We are looking anywhere from 800 to 900 people on this new facility on the Hudson River Psychiatric Center with the amount of people that are going to be inmates that are going to be in this facility plus our sheriffs we are concerned again for the public safety impact to the Fairview Fire District. Thank you.

**Speaker 14:** Good evening, Dale Best. Fairview resident, whether you know it or not we are being hit with an almost 16% tax hike this year in fire taxes. As a dual property owner, both residential do the math. That's 32% the other fine thing is the Hyde Park line runs right down the middle of my property. So I don't only get it from one end, I get it from the end in Hyde Park which is looking at 11% now I'm looking at a 50% tax hike here people. You want to put more tax exempt property in our area? You are out of your minds. You are out of your minds.

We cannot support this at all. You are giving us no help. We have 47% tax exempt property in the district. And then you want to spend more money. You aren't getting any more money out of me. I can tell you that right now. I'm going to go out and tell the wife to get bologna skins and we will be drinking Kool-Aid for dinner. You laugh, you think it's funny. Let's put it in your neighborhood. What about Pawling, they've got money, what about Millbrook. We've had enough over here, really. It has gotten to the point there's a quiet storm brewing in Fairview. A quiet storm. And it's going to get nasty, cause people have had enough, they really have. You want to push things to the limit; well we are going to push back, because we aren't going to take it anymore. We've got dorms here, dorms there. Fire guys running all over the place. You know, everybody thinks this is a joke, because you aren't paying for it. You have a good one; we will be seeing you around.

**Speaker 15:** I'm Nan Fogel and I'm representing the League of Women Voters. We have read the CJC report and believe it to be comprehensive in addressing both pre-incarceration and post release activities as well as the actual jail. The League's concern is with the huge cost of a new jail. As part of the county's efforts to realize economies through shared services we believe the council should consider regional approaches specifically in regard to sharing the cost of housing special populations with other counties, as was proposed in the report. Thank you for taking our comments.

**Speaker 16:** Mark Maranoff. Dutchess County officials are poised to spend between \$100 and \$200 million of our taxpayer dollars to build a new jail with greater capacity in hopes its use will reclaim its cost in 15 years. Meanwhile elementary schools have been closed. Funding has ended for the one-on-one mentorship program Big Brothers Big Sisters, as well as the Youth Bureau's Project Return which offered anti-bullying, anger management and conflict resolution training to thousands of young county residents. And these are the very types of services that keep people out of the criminal justice system. I understand that the current jail is overcrowded to the point where approximately 300 inmates are being housed outside the county at great expense. And I might add with undue hardship for their families. However, as cited in the council's own assessment, there are evidence based alternatives not only to incarceration but to reduce jail time and recidivism. Some of these alternatives could be implemented quickly and with few additional funds, certainly much quicker and cheaper than constructing a new jail. Furthermore, this larger new jail will demand a rather perverse incentive for officials to keep it filled. For surely the re-election possibilities are dim for any official that signs a massive taxpayer spending bill for a state-of-the-art facility that is underutilized. If our officials continue to refuse to implement their own cited strategies to end mass incarceration now, the need for ever more jail space and calls for the taxpayer to bear the monetary burden will continue without end. I would like to conclude by encouraging the council, the audience and members of Mediation to look into any of the growing number of investigations taking place throughout our

nation and to the perverse business of profiting from mass incarceration. Anyone with internet access just Google for profit prisons.

**Speaker 17:** Hi my name is Janet Bassco and I'm a member of ENJAN. I am a concerned citizen also of the Hudson Valley and would like to express my thoughts and feelings regarding the building of a jail in Poughkeepsie. I am appalled that schools are being closed, Big Brother Big Sister programs are being eliminated and the homeless shelter will be charging \$10 a night after 60 days at the same time officials are planning to build a prison in Dutchess County. Two questions burn in my soul. First, the jail will then be filled with at risk youth who could have benefited from Big Brothers Big Sisters programs, homeless people in need of shelter as well as students who have dropped out of school due to needs not being met in an overcrowded and underfunded school system. And second, where is the money coming from to build this jail? I strongly oppose this jail and prefer to see money invested in vital social programs where people are treated with dignity and helped to reach their potential. I believe a proactive focus rather than a punitive one has proven to be more beneficial in creating productive members in our society. Thank you.

**Speaker 18:** Good evening, Dennis Pavalock, City of Beacon resident. I actually thought this meeting was going to be about jobs, because that's what the county should be focusing on, jobs. However, I heard building a better jail more than once. I'd like to say that the county's reasons or explanations for a new county jail is holding the tax payers of the county at hostage. And it is the residents of the county who are at fault for the jail overcrowding. Don't blame the people in the audience folks. That's, no. That's not us. Who will pay the cost overruns of this project. Don't tell me I already know. And I know there is going to be cost overruns. Every project has cost over runs. Let's not mention the closing of the City of Poughkeepsie YMCA. Let's not mention all the youth have been cut out across the municipalities across Dutchess County. I also believe that this is the wrong time to be asking the resident to pay for another financial, fiscal mismanagement burden, the residents cannot afford. Thank you for your time folks.

**Speaker 19:** Hi I'm Sandy Zerby. And please, please look at what happened in Ulster County, your neighbors. That jail cost so much more than they anticipated. It took so much longer, and guess what? While they were spending all that money they had a model program for drug rehabilitation for the state. Guess what happened to that program? The funds got cut. It's no longer a model program and yes, more people are going to jail because they don't get the drug rehabilitation they need. And we are the only country, free, supposedly free, advanced country in this world who sends our drug, people with drug additions and people with alcohol additions to jail instead of rehabilitation. Spend the money on rehabilitation. At an Ulster County meeting just a couple of days ago, there was a drug counselor in tears because her program had been so

guttled when this jail was built. Talk to those people. People in Dutchess County, talk to Ulster County. You will get your answers.

**Speaker 20:** Virginia Beekly, Town of Poughkeepsie. My comments tonight are mine and mine alone. Please don't misconstrue them as coming from anybody else. As an overburdened Fairview tax payer and from personal knowledge, I can say that the Fairview Fire District is operating on a shoestring. Even though the district has been financially prudent it has the highest fire district tax in Dutchess County, if not the state. The district protects several pieces of critical infrastructure with fire and emergency medical services including the states busiest level 2 trauma center, the Dutchess Community College, the Dutchess County 911 center, the Dutchess County mental health facility and now if this jail is built and located as proposed, you want Fairview to protect this too. With limited manpower no less. As a resident of the town of Poughkeepsie I can say the CJC report was highly deficient in outlining the residential property owners who will be impacted and devalued by the proposed new jail if it is to be located as proposed. I live off of Route 9 even though the map of the report is not to scale; it is easy to see that my home is a stone's throw from the proposed new jail. I do not live in a land fill or a trailer park. It is easy to see why the following wording was used in the report on page 41. "Additionally prime property could result in significant opposition from neighbors not wanting a jail to be constructed near them." Jail sites page 41. The real meaning behind the sentence is by utilizing the alternative state owned site the seeker process can be circumvented thereby avoiding NIMBY opposition. Well, guess what, here I am. First the DCC dorms with the DCC fox guarding its own hen house with still no available recognition of their impact on community services and now this? Those of us who live and pay property taxes here just don't seem to be recognized or matter one iota to the majority in the ruling class, more and more resemble an oligarchy every day. I would request that if and when the county approves moving forward with the new jail as proposed on the proposed site the county commits to conducting a full seeker environmental review, with someone other than the county acting as lead agency. This project must not be deemed to have no negative impact on the community in which it is located. Such review to include public comment and review regarding scoping DEIS and FEIS. The citizens and taxpayers of Dutchess County deserve a full review from all aspects and nothing less. Thank you for your time.

**Speaker 21:** Fred Nogville, I'm also part of the End the New Jim Crow, I was sitting in the audience thinking to myself. How like a vacuum this presentation is and then I started to write down the things that really aren't going to impede on this vacuum so here's a list. It is sort of a last minute list but we have the largest income disparity in the industrial world. We are pretending that that's I guess not true. We have widespread hunger for poor children and lack of health care in this country, the lowest in the industrial world, the worst in the industrial world. There's a lack of access to higher education. Cutting all sorts of grants and funding there's inequality in primary and secondary education. Visit Rhinebeck High School and then go

to the high school in Poughkeepsie and just see what the disparity actually does look like. The very rich used to pay 90% and now they just pay the average is 15% that's when they are running for president by the way. It is probably a lot lower when they are not. We have corporations; many of our largest corporations pay nothing at all, like GE. Local corporations like GE. We have the highest incarceration rate not in the industrial world, but in the entire world. There is not a country that has a higher incarceration rate and is disproportionately people of color. We have incredible cuts in social services across the county, education, housing, rehabilitation services, welfare, disability aid. And finally the biggest blindness we have to all adhere to. We live in this empire, we invade countries all over the world, we spend trillions of dollars invading other countries, and we have nothing left for anything else. And now we are sitting here pretending that building a new jail makes sense. You are using your power points and your scientific points to try to show that it makes sense. It only makes sense if you live in a vacuum. And now I'm going to go to Martin Luther King. I wish I had written it down because it is so apropos. "A nation that spends more on war than social uplift is approaching spiritual death." And that's what we are doing today by building a new jail and cutting all of the social services. Thank you.

**Speaker 22:** Hello my name is Jared Kasbee and I'm a member of Occupy Poughkeepsie and a student at Dutchess Community College. Our current jail system in Dutchess County is overflowing with incarcerating persons, but the solution to this problem is not a jail expansion. It relies on the preventive measures such as the after school programs that were listed before, and expediting the stagnant judicial system. People spend way too much time involved in the court system before getting to any kind of sentencing. It needs to be faster and done more efficiently, the process leading up to it. The jail its self housing all these problems isn't a solution. Thank you.

**Speaker 23:** Joel Tyner. Member of ENJAN, Jobs not Jails, County Legislator for Rhinebeck and Clinton. There was a lot of talk tonight about evidence based practices and principles. Evidence based practices and principles. For seven years now ever since I read an article in Mother Jones magazine by Douglas Magreg called Life on the Inside. For seven years now I have been asking for this county and the county leg to get behind a housing first approach for the chronically mentally ill, drug addicts, and alcoholics that have been cycling in and out of the system, the sheltered. And I'm just going to leave some material here because I'm hoping that after seven years maybe somebody will take it seriously. I know Jacki Brownstein just retired as Executive Director of Mental Health America of Dutchess County. For a long time Jackie Brownstein has been pushing for housing first. We still don't have it, it's not matter how bad or screwed up you are. Boom you get your own apartment. You get your wrap around support services that set you up for success instead of failure and it works. In Westchester, in NYC, in Chattanooga and San Francisco. You know, its 57 dollars a day, it saves 20-30 a year per person. Evidence based practices and principles but we don't have that here in Dutchess County. Time magazine and

CNN have reported on Newark the mayor there, Cory Booker has started a fraternity for fathers behind bars that cut the recidivism rate from 65% to 3%. But I guess Time magazine and CNN are lying of course. I've tried to get my colleagues in the County Legislature to make this happen in Dutchess County. It's not happening. Evidence based practices and principals. New York Times magazine three or four years ago, New York Times did an editorial about the com alert system re-entry in Brooklyn slashed the recidivism rate in half. We don't have anything like that in Dutchess County. That's evidence. That's evidence. In Albany for decades, father Peter Young, PYHIT.com Peter Young has been trying to come into DC for decades and decades, and the power structure in DC has refused to allow Peter Young. They are saving \$14 million a year in Albany County by making sure the people get jobs and they don't recidivate. I heard something on NPR just a month or so ago about the youth empowerment project in New Orleans, cut the recidivism rate to 7% for those kids there. You know, the Project Return program at Youth Bureau which we don't have any money for, served 120 kids here in Dutchess County for a five year period only 8 of those kids were closed out due to out of home placements. It's sad sick and twisted what's going on. Its insanity what's going on. Tompkins County has a population one third ours they saved 400K a year with the bail loan fund for people that are accused of non-violent misdemeanors. The Dutchess County Mediation Center used to have program that helped juvenile delinquents, we don't have any money for that. Jody I believe you might recall that program. Stop the madness, stop the insanity.

**Speaker 25:** Hello my name is Joshua Simons, I'm from the Regional Research Educational and Outreach at SUNY New Paltz. I prepared a statement, it is doubtful that I will actually get through it. But I would like to leave it with the council. I'd like to thank you for the opportunity to comment. Some of you may be familiar with our work with regards to the potential for collaboration amongst county jails in our region. It has gained statewide recognition and it can be found on our website. We appreciate the effort invested in this report and find much of it compelling. DC deserves a great deal of credit for both its innovation and for providing a robust system of Alternatives to Incarceration and for the professional and efficiency of the administration of the County Jail. Furthermore it is our opinion that the county is past the tipping point where avoid the direct and indirect costs of boarding out inmates potentially makes available to build a new facility, and therefore building a new jail makes sense. Some aspects of the report under discussion this evening bring up questions for us. Most importantly, we are concerned that the two elements of the report are not integrated. One major section is focused on Alternatives to Incarceration the other on new jail constructions, though in the real world these, as you mentioned these are integrated matters. To put simply, the projections of the study and the future demands of incarceration are made without consideration for the proposed initiatives to mitigate these demands. To summarize the regression analysis is not actually a regression analysis, it is a linear projection which takes under account that (A) the jail population is always going to increase (B) it is always going to increase at the same rate and (C) that is it is never going to decrease, which directly conflicts with the first portion of the study, the first 26 pages. Now I'm sympathetic that in the past jail expansions in Dutchess County have

typically been scaled back to the point that as soon as the expansion has opened or the new facility has opened it was quickly at capacity and this could be seen as an attempt or an effort to make sure that doesn't happen again, but in projected demand, a multivariate analysis that actually takes into account these sorts of things is necessary. With regards to the staffing analysis utilizing Broome County as a basis for the staffing analysis doesn't take into account the fact that the Broome County Jail opened in 1996 and achieves their staffing ratio through double bunking. A word of caution in regards to Dutchess County and Ulster County, that jail was sold as a zero staffing increase but the projections didn't play out and actually ended up being a staffing increase. Now this is just a word of caution. I mean we can learn from the problems in the past. And the short term savings to be achieved through the temporary pods is a really compelling argument to move soon. The real question should be how much and what kind. In sum, avoiding the current costs of boarding out inmates over time cost associated with boarding out and the potential costs of rehabbing the current facility to bring it up to code are compelling arguments for construction of a new jail. A more compelling argument for the expansion of the jail facility is the campus concept, and couching it in terms of a "Community Corrections Center" or "Transitions Center", rather than a jail. If the number of beds included in the projection for incarceration capacity included some of the expansion and creation of the supervised alternatives highlighted in the first portion of the study, or more effort was made to integrate the two portions of the study in a substantive way, the study would be a much stronger document, and likely a more compelling argument to the taxpayers. Basically we would like to see a right sized solution for this long lived and very real problem.

**Speaker 26:** My names in Hayes Koneki, I'm a fitness trainer in the county here, Poughkeepsie resident. Not going to take up too much time. I didn't really read the full report as I walked in here but I just wanted to say that we can all agree that we don't want to see people go to jail at the end of the day. I also understand that once a crime is committed the system has to respond. It is in place for that reason. We don't necessarily want to come up here and put the burden on the criminal justice system because obviously they have a job to do so that's understandable. I want to talk about a balance that can be created though. A balance that can be created because if you can raise capital to build a new jail to respond to let's say the crime increase I think that the same initiatives can be taken to raise the same amount of capital to establish programs in the community here. I work with students at the Poughkeepsie high school and middle school. When I'm done with those kids, and they go back out in the community they have nothing to do. They have nothing to do they get into trouble because there is nothing in place for these kids. So then that's where you get the crimes being committed. Maybe a parent in the household is not there, maybe a parent is incarcerated, maybe someone is dealing with mental health issues but if something can be put in place, I think that would somehow minimize the things that are taking place in this community. I'm just asking the council here to somehow look at a balance. I think the ship has sailed, there isn't much we can do about building a new jail at this point. I think the ship has sailed. But the question is, now what? Even if a new jail is not being built, the issues still exist in this

community. People are still dealing with mental health issues, crimes are still being committed. But what can be done to prevent that from happening. Programs are good. People here that came and are represented, the incarcerated and the people in the community and also an initiative can be taken place among them to educate. To educate the individuals in this community, about what happens once they step into that court room how they turn over their rights. That's a whole other story I won't introduce that here and now. But something can be taken place to educate them and so that the more they know, I think it would, allow them not to go out there a commit and crime. And not allow their lives to be controlled by a system. That's all I have to say thank you.

**Speaker 27:** Bob Kepheart. I'm a fire commissioner at Fairview, however tonight I only speak as a 45 year resident of the Fairview district and I am neither for nor against the jail, only its impact on the area that I live in and have loved all these years. If you build the jail in Fairview, you are taking potential revenue away from the Fairview Fire District and that must be considered in your decision. Also, the Fairview Fire District is already over billed and over burdened and underfunded. And lack of staff. And the system is already stressed, and you are trying to put an additional burden on that. And I don't know what is going to happen if you do. Expect the fact that the safety and quality of service in this district has got to go down. The district is already in a financial difficulties to explain that, we have 52% of the property off the tax rolls, non-taxable, a few of the non-profits have stepped up and they pay \$125,000 into a \$3 million budget or putting it more distinctly a 3.8% in what they pay in. The rest is paid by the taxpaying residents of the district. And the approximately taxes that an average resident pays in property tax is about \$1000, just in fire taxes. This year 15.8% will be the tax increase for that Town of Poughkeepsie 11.7% will be for the town of Hyde Park. If you consider the last years 13%... In other words, in two years, the taxes for Fairview Fire District were raised 30%. The county has \$71 million in property and we only see \$5,000 in assistance into the fire district. We hear about the non profits bringing in all the revenue, sales tax. And what's ironic is that the City of Poughkeepsie actual gets to spend the sales tax money for their emergency services, the Fairview Fire District doesn't even get one cent. We have only property tax as our revenue. I will wrap it up. Much needs to be discussed, we need relief, relief is necessary for the safety of all in this district. Thank you.

**Speaker 28:** Good evening, my name is Ernest Henry. And I'm the executive director of Exodus Transitional Services. To answer one of the questions, what concerns you about the report or the plan. One of the things that concerns me is what happens to the men and women whether they build a jail or not. What happens to them once they are released? My primary concern for the past five years that I have been in the re-entry field is what happens to the men and women once they are release from the state prison and the county jails. In my experience these men

and women are basically marginalized by the county. There are almost no employment opportunities. The social services are almost impossible for them to obtain. And a lot of them are homeless, and this creates, this perpetuates the recidivism. So one of the things that concerns me, is when you talk about building a jail, what's being done about the after effects of what happens to these people once they get in jail, once they do their time and once they are released. That is one of the things that concern me. Specifically for employment, housing and social services. People who come out and they have absolutely no family support and of course no social support. They become desperate and they do desperate things and that's what adds to the count of these jails, and that's what makes the people in our community scared and that's what perpetuates crime. And I think that whatever is done, cause I'm not going to take a position on whether I'm for or against the jail, because like one of the other gentlemen said, that's a ship that has already sailed as far as I'm concerned. But I think there is some emphasis that needs to be put on what happens to these people when they come out. The organization that I represent, Exodus Transitional Services, we have plans to bring the first re-entry residential program to the Poughkeepsie area. And when I mean re-entry residential program, we will have places for men, who are displaced and they don't have a place to live, to live and to be nurtured in a drug free environment that is going to support their particular needs. As well as, programs for re-entry so that I hope that when you, Ms. Still and Mr. Christensen, when you guys incorporate your plan, I hope that you will also give some credence to what we are doing in Exodus Transitional Services, and help us to help you in this process with the other side of what happens when people leave your jails.

**Speaker 29:** Robert Balkind, I live in Pleasant Valley New York. First I would like to thank you for the opportunity to speak here at your hearing and commend the council for doing a great job at putting a draft report together. I think the report talks about the alternatives to incarceration programs, the reentry programs, and the jail program. And although, I know the report separated them, I know there is a commitment on the council's part to create an integrated solution and you should all be commended for that. And to take all the input you have heard here tonight, lots of different viewpoints and everybody's opinion is valid, so I think it is commendable that you are approaching that. A few comments from myself, I think the report is well presented and offers a clear picture of the future of Dutchess County's criminal justice system. I strongly support the alternatives to incarceration programs outlined in the report. As they are generally low cost and highly effective. With performance requirements combined with outcome based metrics, the taxpayers will served by the effective ATI programs with demonstrated success rates, the report clearly outlines the economics of a new jail, built on a new location. The time to stop burdening DC taxpayers with housing out costs is now. A new jail will allow the county to contain short term and long term jail costs, while developing new and improved ATI programs. A new and modern jail facility will reduce staffing costs dramatically over the next 20 years and allow those in the criminal justice system to have better access to their families, legal counsel, alternative programs, substance abuse treatment, and medical and psychological care. All of these elements serve to reduce incarceration and recidivism rates. We

as responsible citizen owe this to both our taxpayers and those under the county's care in the criminal justice system. I urge all of you to embrace and endorse the Criminal Justice Council's report and all of its findings and recommendations.

**Speaker 30:** Hi, my name is Tim Cook, I work with ENJAN, the End the New Jim Crow Action Network, and I will keep my comments brief. I strongly oppose the building of this new jail for reasons that I don't really think I need to repeat. I think they were stated really eloquently here tonight, both from a place in the heart, but also from analysis. Analysis of the actual evidence, not just beyond a tiny measurement within the county here but looking at evidence from around the country and the fact of the matter is that the evidence is in. we, as has been stated before, this country incarcerates more people than any other county in the world. You want to talk about the people's republic of China, we've got them beat, by a three to one factor. And I will say that this local jail expansion in the midst of an economic crisis while local social safety net budgets are being slashed is actually part of larger picture that we are seeing throughout the country, and I will say that I find it very interesting listening to the comments tonight. That essentially the problems brought about by the economic crisis through the lack of jobs in this community. The solution coming from the top is basically to tax one part of our community to death in order to incarcerate and control an underserved, an already underserved portion of our community. And I would say that this is emblematic of problems in this society as a whole, and it is finding its expression locally in the form of this jail expansion. So I will wrap up my comments on that. Thank you.

**Speaker 31:** Rich Perkins. Good evening and thank you. I got to sit in on the Criminal Justice Council for the past few months and I have learned a tremendous amount. You folks have done a really phenomenal job in bringing information forward and putting it in a form that people can digest and I think you should consider giving Obama a call and seeing if you can do the next moderation. I was here at Dutchess in 1970 and that walk was a lot shorter from that D lot, but anyway. The reason I'm here is that I would like to echo my colleague, Jim, Legislator from the Town of POK that this is going to have a pretty substantial impact on the neighborhoods, and I know that people don't believe that but you need to make sure that that is looked at very very carefully. I know that the housing out costs are up to \$8 million which is about, I guess one quarter of the current budget, so that says you could house out 4 times as many people for the same amount of money, but I realize that's illegal and we can't do that. I think that we probably do need to get some more beds available and the special populations are an important part and I had no idea. I grew up in this town spent my 60 years here. My grandparents spent about that long on North Hamilton across from the jail. I spent a considerable amount of time on the front porch listening to the, well maybe some of the songs that came from the cells. And my grandfather would occasionally go out and suggest that they quiet down. But neighborhood is an important thing. We need to consider that, we need to consider the fact that we do need to bring these people back and I have a physical solution. A lot of people have been talking, but I

like pictures and I know we haven't talked about the sheriff's. I'm sure that that building is in horrible state and I think that probably we should take this as an elephant and bite off a small piece and maybe that is to take the sheriff's department and find them a new and a good location and tear those buildings down, and put an addition on. Thank you.

### **Other Comments Received Online:**

**Comment 1:** I am sorry that I could not attend the Public Hearing on Monday night. I would like to offer some comments. I had the opportunity of participating on the committee that Chairman Rolison put together last fall to make recommendations on the direction Dutchess County should take as regards the criminal justice system and the overcrowding at the Jail. I was encouraged by the work and the direction the committee took.

I do think that there is a real need for additional beds. The housing out is no longer a good solution. I also do not have a problem with the proposed location. I think that could work out well.

HOWEVER, my concern is how the RFP will be written. The report does incorporate the full criminal justice system as the committee last fall had recommended and I very much support that approach. I initially was excited and encouraged at what came out of that committee last fall which said we need more beds, but the question is what type of beds and what type of services were needed. The report does talk about addressing the various populations, but I am concerned about the dual approach; I am afraid that the jail construction will go forward, and somehow the other issues and programs will lag far behind and am not sure they truly will be addressed.

Originally the thought was that the RFP for the jail would incorporate these various special needs and components, and the company that won the design bid would incorporate that into the full picture. I know that there are firms out there that do just that. I cannot support this project without the RFP including the full program.

Sandra Goldberg

Former Minority Leader, Dutchess County Legislature

**Comment 2:** Sam Busselle's

Response to specific elements of the Report:

*Implement the NIC Evidence-Based Decision Making model to prepare comprehensive recommendations for a 'substantial restructuring of the criminal justice system'*

- Restructure the Criminal Justice system to reflect the evidence-based practices that have proved successful in other jurisdictions
  - Set targets to reduce jail admissions, length of stay and recidivism based on implementing evidence-based practices
  - Design incentives for stakeholders to reach these targets
  - Since 80% of jail inmates are awaiting trial provide alternative housing for a percentage of those individuals
  - Hire additional staff for processing and to ensure the timely completion of the risk to re-offend evaluation instrument
  - Determine the cost and timeline for implementing the Strategies and Opportunities components listed as “Actions” in the DC Criminal Justice Needs Assessment
  - Determine the potential savings in jail-bed-days if these Actions are implemented
  - Provide extensive training to involved stakeholders in the Evidence-Based Decision Making process
  - Address Key Decision Points to determine successful actions that can restructure the entire system
- Since another 80% of jail inmates have either a mental illness or are drug/alcohol dependant:
  - Provide a 23 hour mental health crisis center to ‘cool down’ individuals with a mental illness who are acting out and determine appropriate next steps for treatment and safe housing
  - Provide supervised residential alternatives to those who are not ‘at risk of flight’ but need the comfort and safety of a secure environment
  - Provide adequate support/counseling services to reduce recidivism for this vulnerable population
  - Provide specialized alternative housing for substance abusers who have broken the law but need to have their addiction issues treated.
  - Treat substance abuse as an illness not a crime and provide adequate and appropriate treatment options and residential alternatives
- Address the need for housing women in a “natural environment” with different incentives, treatment and sanctions than the male population
  - Embrace the ‘evidence-based’ methods for treating women many of whom have infants & children, have been sexually abused and are abusing substances including safe and sober supportive housing
- Provide alternative treatment and housing for youth.
  - Divert youth from jail to remove them from negative influences.
  - Provide youth with shelter, education, job training and behavior/anger management skills to prevent crime and reduce recidivism
- Determine the effectiveness and the shortcomings of the “War on Drugs” to determine its impact on the disproportionate number of minorities in the DC Jail.

- ❑ Introduce a 'housing-first' strategy for the chronically mentally ill, homeless, alcoholics and drug addicts to prevent recidivism (Ref: [www.PathwaystoHousing.org](http://www.PathwaystoHousing.org))
- ❑ Implement a comprehensive system of re-entry programs for men and women to prevent recidivism (Ref: Brooklyn 'Com Alert program')
  - Provide jobs, job training, employment counseling and housing for individuals returning to the community and willing/eager to work
  - Implement programs similar to Father Young's program in Albany to cut recidivism. (Ref. <http://www.PYIT.com>)
- ❑ Introduce and reintroduce prevention programs for youth
  - Embrace "Fight Crime: Invest in Kids Coalition" (Ref: [www.AECF.org](http://www.AECF.org))
  - Restore BOCES GED program in DC Jail
  - Restore Project Return to keep youth with families
  - Restore Mediation center programs for juvenile delinquency prevention for troubled teens
  - Restore Cornell 4H & Green Teen programs
  - Restore Youth Mentoring/Job Training/Placement at DC Regional Chamber of Commerce
  - Youth programs at DC Arts Council, Mill Street Loft, Literacy Connections

#### A Different Way Forward

I have been involved as a member and a citizen advocate with the Criminal Justice Council since its inception in the early 1990's.

Let's go back to November, 1989 when a report entitled a Jail Utilization Study: Problems and Opportunities was submitted to the legislature. I quote from its Conclusions:

RESPONSES TO JAIL OVERCROWDING SHOULD BE MULTI-FACETED IF THEY ARE TO PRODUCE GENUINE, LONG LASTING CHANGE AND RELIEF. NEW CONSTRUCTION SEEMS TO BE A TEMPORARY SOLUTION BECAUSE AS THE POPULATION GROWS, THE SAME DYNAMIC WILL CAUSE THE NEW JAIL TO BE FILLED TO OVERFLOWING; OUR PROBLEMS IN 1989 ARE DUE IN PART TO OUR FAILURE TO TAKE A HOLISTIC APPROACH WHEN WE BUILT OUR CURRENT FACILITY.

Fast forward 23 years and we are overcrowded (to say the least). The Criminal Justice Council has produced a Draft "Assessment" and a proposed a two-pronged solution: Build a new 500 to 650 cell jail; and initiate a SUBSTANTIAL RESTRUCTURING OF OUR LOCAL CRIMINAL JUSTICE SYSTEM. (A Holistic approach!!!)

The Assessment contains a by-the-numbers analysis for building a new facility to accommodate two-to-almost-three times the number of inmates in our current jail and is based on a 'Business Plan' that purports to save millions of dollars with more efficient use of staff.

But before we jump at the temporary solution, - "build it and they will come" - let's look at the second recommendation – a means by which we can restructure the whole system. Let's look at a 'Business Plan' that would save money by actually reducing the number of people we lock

up and envision a social and criminal justice system that will ensure public safety and peace of mind.

According to the section of the Assessment that documents past achievements, we now – as compared to 1989 - have a much greater capacity to collect data, assess risk and utilize tools to restructure the system. One tool -The National Institute of Correction's "Evidence-Based Decision Making" (EBDM) model ([nicic.gov/ebdm](http://nicic.gov/ebdm)) - describes successful strategies, programs and practices in countless jurisdictions throughout the country that have addressed the multi-faceted dynamic of a true system.

The Strategies and Opportunities section of the Assessment makes vague assurances that admissions to the jail could be reduced. Unfortunately, there are no by-the-numbers data that can be aggregated to estimate a specific reduction in individuals incarcerated. This must be done before we commit to a costly building solution. We must make every effort to be as thorough in estimating the reduction in needed cells by restructuring as we are when we use a regression analysis to tell us how many cells we need.

There is great urgency to end our housing out crisis. To do that, we must come up with a Plan to address jail overcrowding. Let's commit to the construction of 500 "beds" not "cells" in a campus plan and begin to plan for a continuum of residential options to match the special needs of each individual – our youth, women, people with mental illness and those struggling with substance abuse – that has been recommended in the Report.

The Draft of the CJ Needs Assessment and the subsequent remarks by the County Executive and Chair of the Legislature portrays an ominous bias for locking up our citizens at our current rate before we even set in motion the second recommendation to undertake 'substantial restructuring of the entire system'. In spite of the fact, according to the Report, Dutchess County and jurisdictions throughout the country are introducing myriad evidence-based practices to divert individuals from incarceration, reduce length of stay and address risk to re-offend,

We owe it to our taxpayers and our community to pay attention to these innovative and life-changing components. We must find the time and the resources: to continue to identify and implement innovative, evidence-based practices that redirect and revitalize our entire system; to define our values and our goals; to determine gaps in services, incentives and sanctions; and, to determine the programs as well as the number and type of beds we need for a continuum of incentives and sanctions - to improve public safety, reduce crime and reduce recidivism.

The Report has come up with a proposal that will save \$170 million in staffing costs in 15 years by building a more efficient, 550 cell jail for \$126 million – or \$199 million with interest over a 30 year period. That sounds compelling – we save money and have a new, double-size jail! But what about the savings we can identify through restructuring? Oh, but "you can't borrow

money to fund alternatives to incarceration according to the Chair of the Legislature”. So it’s about the money..... buy our way out of this embarrassing predicament.

Dutchess County has been enormously successful – a model for the State of New York – in implementing alternatives and using county resources to support community service organizations for promote social and criminal justice. We can do better than dismissing the challenge to restructure and going for the money solution.

Let’s try some variation to the following scenario:

- Make the assumption that a significant number of people in jail could be placed in more appropriate alternatives if those alternatives exist.
- Make a commitment that over the period of 6 years we can accomplish substantial restructuring and reduce the need for jail beds in 2030 to 450 instead of 540.
- Design a “Transition Center” for 450 with enough flexibility to accommodate different populations and different levels of security.

Rationale for transfer of operating expenses to Restructuring:

The cost of the jail will be reduced by \$21 million to \$105 million. The projected staffing will be reduced from 162 to 132, so staffing would cost \$14 million, not \$26 million – for a savings over the 15 year period of \$10 million, and \$20 million over the term of the bonds. That savings would start in earnest once the Transitions Center is occupied, but could begin to accrue immediately, if the strategies and opportunities described in the Report are implemented. (There are separate calculations on accrued savings for relocating the housed-out in ‘pods’ on the existing jail site.)

Use the savings to employ an “Industry expert” to assist with restructuring and implementing the programmatic recommendations in the Report. Use funds to implement a comprehensive training in evidence-based decision making for all stakeholders, non-profits and county and municipal agencies. Provide incentives for these stakeholders to restructure according to the successful programs being implemented countrywide.

The Transition Center’s ‘campus plan’ should include buildings (not in the initial phase) that address the need for a full range of housing alternatives that could be operated by the county or community based organizations.

We will then have confidence that the county’s criminal justice system continues to be pro-active in providing the most appropriate options for the diverse needs of our community to ensure our public safety.

Sam Busselle, October 18, 2012

**Comment 3:** Comment by Rev. Gail A. Burger, 40 South Creek Road, Staatsburg NY 12580:

Several years ago I was on the Criminal Justice Council. During that time I gained respect for Mary Ellen Still and for Mr. Christianson. I attended the public hearing at DCC on 10/15/12. If I had spoken, I would have asked Ms. Still what it is in her experience with people on parole that has caused her to favor new jail cells above increased investment in alternatives to incarceration. I'd like to hear Mr. Gary speak to that also because I know they are both intelligent and caring people.

However, I myself can't make the leap to supporting a new jail. I am part of a jail ministry at Beacon Correctional and have met hundreds of women incarcerated there during my over ten years of visiting there. The repeat offenders I have met are high unto 100 percent in the category of people suffering drug addiction. Many claim, to the credit of corrections, that they would be dead today if they had not been taken off the streets. However, would that they had been taken into well funded programs with follow up housing and job support - programs cognizant of the latest research into the neuro-science of addiction.

And, if there ever was a wrong time to spend \$200. million on a new jail, it is during this current recession. A fear I have is that an expensive new jail will be funded by us middle class taxpayers and, in a few years, turned over to the private corrections sector.

**Comment 4:** Name: RAYMOND NICHOLS

Municipality: Hyde Park Town

Comments: I would like the jail committee to look at obtaining the Ross building on the HRPS property for use as a jail. the building and property has just been recently renovated. since NYS has left the property, they should be willing to give us a good deal on it. Use the money for building a new jail to make this building in compliance, at least to house the lesser cri me people. It is already there with a great inferstrucuter. would like to disscuss this with someone on the committee. Ray

**Comment 5:** Name: Aileen Rohr

Municipality: Hyde Park Town

Comments: HISTORIC TOWN OF HYDE PARK 4383 Albany Post Road, Hyde Park, N.Y. 12538 if- (845) 229-5111if- Fax (845) 229-0831 Aileen Rohr, Town Supervisor â?oWorking with you for a better Hyde Park County Executive Marc Molinaro 27 High St 3 rd Floor Poughkeepsie, NY 12601 October 16, 2012 Dear County Executive Molinaro: As the Town of Hyde Park continues to strategize on ways to address the reduced revenues that both our town and school district are currently experiencing, it has become clear that we must be proactive as a community to safeguard all potential income for our community as well as finding ways to reduce expenses.

The study presented tonight regarding the Dutchess County Jail overcrowding issue, proposes a solution whereby the jail would be relocated to the former Hudson River Psychiatric Center. While certain advantages to this relocation are discussed in the study, it is paramount that the loss of potential revenue to Hyde Park Central School District if this property remains off the tax rolls should be considered as well. Although the property is located in the Town of Poughkeepsie, it is part of the tax base for the Hyde Park school district. In addition, as a Supervisor who believes in the concept of right-sizing government through consolidation and service sharing, I am expressing my concern that the construction of a larger jail conflicts with these concepts. I believe the County should examine the option of sharing this service with adjoining Counties as well as examining the possibilities of redeveloping the building at the current location. I, therefore, respectfully request that all options be carefully considered and that Hyde Park's need to preserve its potential tax base be a significant part of this consideration. Sincerely, Aileen Rohr Hyde Park Town Supervisor

**Comment 6:** Members of the Criminal Justice Council,

My name is Joe Lombardi. (I had to miss Monday's meeting at DCC due to a conflict with another meeting or I would have been there and commented at that time.) I served on the Dutchess County Legislature for six terms between the years 1974 and 1989. The County Jail was one of the two main issues facing the legislature in 1974, the other being garbage disposal. It seems that some things never change.

It is my firm belief that money spent on a new county jail would be a gross misappropriation of public funds. It is my understanding that about 60 percent of the current jail population is non violent. (I would like to see a breakdown on jail population, violent offenders vs non-violent offenders) I know that the jail houses both those who have been sentenced and those awaiting trial and disposition of their cases. I also know that the jail houses individuals who have committed some of the most violent crimes in the book and those individuals belong in a maximum security facility until their cases are adjudicated. I do not question the need for a secure facility but I do seriously question the proposal to build a new jail.

The current jail has been expanded any number of times since the mid 70's and at each instance, the Legislature was told by the architects and consultants that the new additions would be more cost effective in terms of staffing. I'm hearing that again and it rings hollow. I do not believe that throwing hundreds of millions of dollars at this problem is going to solve it.

I also understand that the county jails that house our overflow population will not accept any of our 'difficult' inmate population. We are thus paying millions of dollars a year to transport and house these inmates in other facilities when many of them may more appropriately be electronic monitored in an 'Alternatives To Incarceration' program at a lower cost to the

county. Until all the ATI programs are fully exhausted we should not be looking at a bricks and mortar solution.

With a declining crime rate in our nation coupled with the fact that we in the United States have the highest rate of incarceration of any industrialized country in the world makes it imperative that we act prudently in this matter. We also need to take a close look at our criminal justice system to see why so many are remanded to the county jail. I believe there is much more that needs to be done before any recommendation is made as to the need for a new jail.

**Comment 7:** Name: Vincent Freni

Municipality: Hyde Park Town

Comments: In regards to the expansion of the Dutchess County Jail, I, am a retired Correction Sergeant from Green Haven Correctional Facility in Stormville, N.Y. Approx. 15-17 years ago, in New York State, a "Double Bunk" system was implemented throughout the state. If the Sheriff ever toured a State Prison, he would see that state cells are way smaller than the county cells. I have toured the County Jail, and the size of a cell, is probably twice the size. Yes, not every cell would be double bunked, but at this point, anything would help. Is it the Correction Commission, Sheriff or the union. This is only a small part, but every little helps. I have spoken to numerous Officers, and they do not see a problem. Wake up, and stop playing politics. There are many ways to solve this problem, that was advised in the past to build bigger. Visit the real prisons and see how they are OPERATED. Building a new facility, is not an answer except for political reasons.

**Comment 8:** Name: Rich Perkins

Municipality: Hyde Park Town

Comments: We NEED an alternative to the expensive plan being offered. We should NOT abandon any more property. We need to tighten our belts, do some planning. We should not take the easy "turnkey" plan with taxpayer's dollars. We need to keep this facility close to services and transportation that the many inmates and their families depend on. I believe we can make our jail a better place, one that meets the needs of the county and is less of a burden on taxpayers. I offer a few suggestions : 1) We should bring in PODs ASAP and reduce our housing out. 2) We should BUILD a new sheriff facility at south end of current campus. That would allow us to clear old buildings at north end. 3) BUILD new jail expansion for about 300 beds at latest tech level at North end of campus. 4) We would continue using all of 1995 expansion, over 100 beds. ( 118 beds of which 10 are classification beds and 8 medical beds not to be counted in daily requirement). 5) Begin decommissioning less efficient units in 1985 addition, suggesting approximately 54 beds and reclaim space. Reuse space for one or more of

the following: additional laundry, program/education areas, Central Arraignment (needs NYS approval), attorney visits, family visits, etc. Allows for 100(118) + 220 +300 = 520(538) beds. 6) Additional capacity 100 (118) + could be built west of 1995 addition as previously planned anytime after PODs are removed. Bringing site capacity to about 620(638) beds. 7) Additional parking is available East across Hamilton St (formerly Ulster Electric) on parcel ID 131300-6162-63-271325-0000. Or West behind campus on parcel ID 131300-6162-62-205331-0000

**Comment 9:** Name: Betsy Brown

Municipality: Poughkeepsie Town

Comments: There is absolutely no reason this County should continue to send our inmates to other counties and spend huge amounts of \$\$ and manpower to get them there, bring them back to court, take them back again. ridiculous. I trust this CE to do the right thing and make sure there are not overruns etc. as there were in Ulster County. Come on people, do you really want some of them to be released back into our society just because we ran out of room and money?

**Comment 10:** Name: Carney Rhinevault

Municipality: Hyde Park Town

Comments: Please look at other options for a new jail. We can not afford 200 million dollars added to our tax bills.

**Comment 11:** Name: Hannah Black

Municipality: Hyde Park Town

Comments: As a resident of Hyde Park, I strongly believe the County Legislature needs to do its due diligence by providing at least one other option to the Dutchess County Jail issue other than building a new facility. As a voter and a long time resident of Hyde Park, I feel as though this plan is being rushed and jammed down the throats of Hyde Park residents. Please offer other options before voting on this. Sincerely, Hannah Black

**Comment 12:** Name: Women's Writing Group, DCJ (M. Shanley facilitator)

Municipality: Poughkeepsie City

Comments: To the Criminal Justice Council: We are women currently incarcerated in the Dutchess County Jail and write in response to your call for comments on the "Criminal Justice System Needs Assessment" Report. Pretty much everyone agrees that "housing out" is disruptive, and CJC suggests expansion of the jail as a way to end housing out. We want to say that any consideration of a new facility must take account not just of the number of beds, but also of the programming available to inmates. In particular, there needs to be more attention

to the needs of women. We are a minority at the DCJ, but our individual needs are just as great as those of the men. We would benefit so much from programs like: a) work?"kitchen work and food prep, cleaning, laundry, yard work. This would build self-esteem, earn us money for commissary, and give us job experience; b) recreational space and equipment?"we get an hour a day in the blacktop area outside, and need both more time and some indoor space and exercise equipment; c) a library other than the law library?"we have no access to other books unless someone mails them directly to us, and some of us have no one on the outside with money to do this. We want a library both to help us pass the time and to acquire skills; d) programming directed to our needs?"we would like parenting classes to help us maintain good relations with our children and move toward family reunification, vocational training, and drug rehab programs. Because of housing out, many of us have suffered the kid of disruption you are trying to end, and we sincerely thank you for your efforts. But it won't be enough to add more beds or reduce the number of inmates through alternatives to incarceration if there isn't better programming. Thank you for your work to improve conditions at DCJ, and for the opportunity to add our perspective to the record. Sincerely yours, The Women's Writing Group Dutchess County Jail

**Comment 13:** Name: Barbara Sweet

Municipality: Hyde Park Town

Comments: Representatives were elected to make decisions, not just rubber stamp legislation. Move the sheriff's facilities to another vacant building in the county and build an addition onto the present jail. This will reduce the duplicate staff which will be needed when you have separate facilities. It will also make it easier to sell the old State Hospital. (Who would buy land next to a jail/prison?)

**Comment 14:** Name: Mark & Melissa Schneider

Municipality: Hyde Park Town

Comments: We do not understand how the 2% tax cap was broken in most counties, but yet we can still afford to spend millions of dollars on a prison. On another note, this jail will be 5 miles from our home and just as close to many other families. How uncomfortable for families to feel with a prison so close to the town of Hyde Park community.

**Comment 15:** Name: Misty Decker

Municipality: Rhinebeck Town

Comments: The jail situation certainly needs addressing but in these tough economic times I think it's prudent to look at a variety of options and search for one that addresses the issues for the lowest cost.

**Comment 16:** Name: Eileen Black

Municipality: Hyde Park Town

Comments: This is a terrible idea! Hyde Park & the northern section of the T/Pok do not need another tax exempt property. The idea of placing this facility at the gateway of a struggling HP is irresponsible planning. Before the economic decline, this property was slated for a multi-use development that would have met the housing and functional needs of various economic groups. Why are we throwing this opportunity away? This beautiful property has some gorgeous views and historic value and should be developed in such a way that it can enhance the economy of its surrounding townships w/o destroying their identities. There has to be other solutions and other expansion possibilities that should also include rehabilitative programs and job creation for citizens. The solution lies in rehabilitation. The problem is the slashing of those programs.

**Comment 17:** Name: John Scileppi

Municipality: Hyde Park Town

Comments: I hope we can study creative options such as alternatives to incarceration, prevention and more effective post-incarceration programs. Some years ago Gary Christensen had some really great ideas for tertiary prevention/re-entry of ex-offenders after completing their prison terms that would reduce the need for more jail spaces.

**Comment 18:** Name: Jamie Lewis

Municipality: Wappingers Town

Comments: Dear Member of the Legislature, Our State's prison system is internationally renowned; for a variety of reasons. An investment of this size will do little to shift that perception or significantly add to the prison system's considerable size. Meanwhile, our public schools are falling apart and our classrooms are becoming more crowded and less productive with every passing week. A half million dollars to each and every district in this state would make a significant difference. Would you consider building one new school instead of more jails? Thank you for your time. Jamie Lewis Wappingers Falls, NY

**Comment 19:** Name: Chris Tibeio

Municipality: Hyde Park Town

Comments: I urge the legislature to look into other solutions for the residents about the Dutchess County jail issue. As you are already aware, there are too many tax exempt properties already. We do not need to increase the tax burden on residents by building a new facility. Please look into other options such as expanding the current facility and putting money towards more preventive social programs. Thank you, Chris Tiberio

**Comment 20:** Name: Joshua Simons

Municipality: Poughkeepsie City

Comments: Statement of Joshua Simons CRREO ?" SUNY New Paltz Dutchess County Criminal Justice Council Public Meeting of October 1,5 2012 Good evening and thank you for the opportunity to comment. My name is Joshua Simons, and I am from the Center for Research, Regional Education and Outreach (CRREO) at SUNY New Paltz. Some of you may be familiar with our work regarding the potential for collaboration amongst County Jails in our region. It has gained statewide attention, and may be found at [http://www.newpaltz.edu/crreo/jail\\_study\\_final\\_report.pdf](http://www.newpaltz.edu/crreo/jail_study_final_report.pdf) We appreciate the effort invested in this report, and find much of it compelling. Dutchess County deserves a great deal of credit both for its innovation in providing a robust system of Alternatives to Incarceration, and for the professionalism and efficiency of the administration of the County Jail. Furthermore, it is our opinion that the County has passed the tipping point where avoiding the current direct and indirect costs of boarding out inmates potentially makes available the resources needed to build a new facility, and therefore building a new jail makes sense. Some aspects of the report under discussion this evening, however, bring up questions for us. Most importantly, we are concerned that the two elements of the report are not integrated. One major section is focused on alternatives to incarceration, the other on new jail construction. Though in the real world these are integrated matters ?" all part of a criminal justice system ?" in this study they are treated separately, without consideration of the implication of actions taken in one area for needed or proposed actions in the other. Put simply, the projections in this study of future demands for incarceration capacity are made without consideration of proposed initiatives to mitigate these demands. More specifically: ? The second portion of the study graphs the projected need for capacity in the new Dutchess County Jail, based upon a ?oregression analysis?. In the parlance of statisticians and public policy researchers, use of this term commonly indicates a multi-variable regression analysis. The report?Ts projection is a single variable linear projection, based upon past jail occupancy. It gives no consideration to demographic, economic, social or other changes that are commonly understood to drive demand for jail space. Some of these are quite predicable; others, of course, are not (e.g. drug law changes). There are several problems with using a univariate analysis to make projections. The most obvious is that this type of projection operates under the assumption that the jail capacity needs of the county will never decrease, will increase every year, and will always increase at the same rate. This clearly contradicts, or at very least ignores, both history and the first 26 pages of the report. It is certainly true that in Dutchess in the past, budgetary concerns led county government to ignore reasonably projected needs for incarceration capacity, resulting in the construction first of a smaller jail and then smaller expansions than needed. We are not insensitive to the fact that past expansions of the jail have effectively been at capacity the moment they came online, and there is a desire to avoid repeating this error. But at this moment, when there is real opportunity to approach the incarceration issue in a systemic way, ?oBuilding a Better Jail? requires a better projection of demand, linked to other program initiatives that may have a direct effort on demand going forward. ? The staffing analysis used in this report operates under the assumption that the new jail will be able to reach the same staff to inmate ratio that Broome County achieved. That ratio is then applied to the projected inmate population and the costs of the estimated staffing levels are projected. At first glance, this seems to indicate that in 2016, when the new jail is projected to come online, the county

will lay off 108 corrections officers. This is not likely to be feasible even if the proposed staffing levels can be achieved. This report proposes that Dutchess County intends to increase its capacity to incarcerate by a minimum of 208 additional beds, while simultaneously decreasing its staffing levels by 46% through the efficiencies that can be achieved using "state of the art design elements". Broome County (which is used as the model for the staffing ration in this report) has a jail that came online in 1996. It achieves its staffing ratio not only through its direct supervision model (the model also used in the newer portions of the Dutchess County Jail), but also through the practice of double bunking inmates, which the jail has been doing since 1999 to alleviate overcrowding. We would also like to caution that with regards to projected staffing levels, Dutchess County could find itself in the same position Ulster County was in when its new facility opened in 2007. In 2007, Ulster County added 185 beds to its capacity by building the new facility. This was sold as staffing neutral because of its use of Direct Supervision, but in the end the county was required to hire 12 additional COs. The staff analysis conducted by the SCoC for Ulster County that underlay savings projections was based upon the premise of using part time COs as Full Time Equivalents. Due to the requirements of the union contract there, these projections proved unrealistic. This being said, the short term savings achievable by using temporary pods is a compelling argument, and highlights the urgency of acting on the issue sooner than later. In sum, avoiding the current costs of boarding out inmates, the overtime costs associated with boarding out, and the potential costs of rehabbing the current facility to bring it up to code are compelling arguments for the construction of a new jail. We simply note that a sufficient in-depth analysis of the systemic factors that are driving the jail population increases with an eye towards creating evidenced based systemic solutions is still needed, one that links the proposed expansion of alternatives to incarceration to the projected demand for incarceration. It is our expectation that the careful planning process now under way will bring Dutchess County a right-sized solution to this long lived, very real problem. I am leaving a printed copy of these remarks with the Council. I may be reached at CRREO at [simonsj@newpaltz.edu](mailto:simonsj@newpaltz.edu) or 845 257 2901. Thank You

**Comment 21:** Dear members of the Dutchess Criminal Justice Council and Dutchess County Legislators,

My name is Mary Ellen Iatropoulos, and as part of my job I teach media literacy to middle-school age students at Poughkeepsie Day School. On Tuesday, October 16th, we inspected the front page of the Poughkeepsie Journal to analyze the state of our community based on what constituted front page news. Recall the front page stories that day regarded: dissent about the proposed jail expansion, Mayor Tkazik's proposed privatization of city sanitation services, and the MTA's proposed fair hike.

What follows are typed versions of written responses from impassioned and engaged young minds. Scans of their original comments are attached as jpegs. They may not be old enough to vote, but they are old enough to be affected by decisions their governments make, and they are

old enough to have strong opinion about what they read in the paper. I know they felt empowered by the idea that the Council and county legislators would read what they have to say. Thank you for being open to receiving their comments.

Here are the typed versions of the youth comments:

Instead of building a new prison that will cost more then 100 million dollars in taxpayer money, I believe you should lower the recidivism by instituting a "parent behind bars" to discourage people from going back to jail and costing more money. The crime rate will not change because of a new jail. Don't build something when you are cutting sanitation programs. – Milo

They should save up for the jail and make the jail like in 2014 when they balanced their budget. They should pay for the trash and open up good things like the YMCA that would probably put down crime rates -- Xavier

I think that to make jail be 2 million dollars is a bad idea because that'll make the people in Poughkeepsie broke. Making people become broke isn't going to help Poughkeepsie in any way. Making jail bigger is like saying there are a lot of people – Maddie

Why would you buy a big new jail when you can't pay for garbage pickup? Spend your money wisely. Spend it on important stuff – Hannah

I think that we should spend money on preventing crime instead of building a new building full of criminals -- Anonymous

Why do you really want a jail? Why do you want to put these people in jail here? A jail is unnecessary. Are you sure you want all of our trash piling up on our streets. The criminals can go somewhere else for now. You don't have that much money. Think! Think about the environment. Some people can't afford it and you can't either. If you build it, your going to arrest more people, then your going to want another. So no jail please. We don't like our trash. From Adrienne

Dear Marc Molinaro,

I think that it is not right to spend money on jail when we can't even pay for the trash. The jail we may need to have but we can still have one but not that much money. The trash for the people who don't have enough money for paying for it will have to just let it sit there which that will be just gross. So please take some consideration to my opinion. – Claire

I think it is stupid because if we can't afford trash pickup. -- Anonymous

Dear Marc Molinaro,



Hello Mark,

I don't think it's a good idea to make a jail. Mainly because it costs 200 million \$\$\$\$\$. Also we have to pay for our trash? What's up with that? I say we spend 200 million dollars on something else. – Anonymous

You should pick up all the trash before you make anything. They should buy a \$200 million robot that can pick up trash AND scan to see if the guy is the person they need. – Anonymous

Why do we use our money to build a jail when it could go towards our trash? – Anonymous

Don't build the jail. It's really bad idea. Clean up the trash. Don't build a bigger jail. You don't need it. I thought we were poor. – Anonymous

If we are so poor that we can't afford trash pickup, we couldn't afford a jail! Jails are useful only when we arrest the right people; we arrest innocent people and waste taxpayer money. – Anonymous

Don't build the jail. The state has no money to do this. – Anonymous

**Comment 22:** To the Criminal Justice Council,

I have been facilitating the Women's Writing Group (WWG) at the Dutchess County Jail for several years, and discussed with the women the articles in the *Poughkeepsie Journal* reporting on the work of the Criminal Justice Council and the report, "Criminal Justice System Needs Assessment." I took notes on their ideas, drafted a letter containing their thoughts, and have submitted it on their behalf since I have access to the internet.

I want to add my voice to theirs with regard to how crucial program development must be in any long-range planning. "Housing out" has made leading the WWG much more difficult and much less productive than it would be if there were a stable population. The "revolving door" created by housing out means a different group every week, and stress and anxiety among the women produced by the uncertainty of where they will be housed any given day or week. Whether it is achieved by a new facility or by expanding alternatives to incarcerations, ending housing out will be a tremendous benefit to inmates, correctional personnel, and the citizens whose taxes support the criminal justice system.

While a stable population is a crucial goal, stability without more programming isn't sufficient. I endorse the areas the women identified as important to them: work opportunity, recreational facility, a library, and gender-specific programming. (I'd move the library up the list and add a cafeteria to provide movement and socialization beyond the four-person pod, but these reflect my preferences, not the women's own assessment of their needs.)

Thank you so much for all you have done and are continuing to do to improve the criminal justice system in Dutchess County.

Sincerely yours,

Molly Shanley  
87 Raymond Avenue  
Poughkeepsie, NY 12603  
(845) 452-5973

**Comment 23:** Gentlemen:

I live across from the current jail. I think that a new jail is not necessary. You have ruined this neighborhood by taking our neighbors homes to enlarge the jail years ago. Now you want to move and build a new jail out in the county. This is what should have occurred in the first place. I am definitely against this new plan.

There are prisoners in jail who should not be there. Place some of these prisoners on house arrest. Try to rehab many of your prisoners. Send the mentally ill to mental hospitals in the state. You continually make one mistake after the other. Hudson River Hospital should still be active.

I also thought that the idea of changing the abandoned jail into affordable housing was ridiculous. You do not care how you damage the lives of the people who make up this neighborhood.

Marlene Green

**Comment 24:** Name: Sandy Lerbe

Municipality: Glenford

Comments: How do you determine the risk of these offenders reoffending?

Was this public hearing held after the decision to build the jail was already made?

**Comment 25:** Name: Janet Bosco

Municipality: Highland

Comments: Is this jail a "done" deal?