

Dutchess County
Criminal Justice Council
Meeting Minutes
July 12, 2022

Present: Mary Ellen Still, Chair, Director of Probation
William O'Neil, County Executive's Office
Rachel Kashimer, County Executive's Office
Dr. Gary Christensen, CJC Consultant
Jon Heller, D.C Probation, Special Populations Chair
Tom Angell, Office of the Public Defender, Re-Entry Co-Chair
Matthew Weishaupt, D.C. District Attorney's Office
John T. Gildard, Citizen Appt
Ken Roman - Police Reform & Reinvention Collaborative
Pastor John Perez, Citizen Appointment, Faith Temple Church
Martin Lynch, Project M.O.R.E.
Kelly Bunt, KB Forensics, Victims Committee
Livia Santiago-Rosado, MD, FACEP, Commissioner of Behavioral & Comm. Health
Jean-Marie Niebuhr, Deputy Commissioner, DBCH
Sandy Carroll, D.C. Probation, Juvenile Justice Chair
Zoe Berko, DBCH, Juvenile Justice Chair
Robin Peritz, DBCH
Irma Machado, DOCCS
Hon. Gerald Hayes, Citizen Appt
Hon. Frank Mora, Poughkeepsie City Court
Alisyn Gaffney, D.C Probation, Justice-Involved Women's Co-Chair
Bridget Goddard, DCFS
John Penney, Community Engagement Director City of Poughkeepsie
Anthony Pica, Deputy Superintendent D.C. Jail
Michele Romano, Coordinator

Guests: Tom Morris, Dutchess County Office of Probation
Kathy McQuade, Dutchess County Office of Probation
Molly Shanley

1. **Introduction:** of Zoe Berko, psychologist for Dutchess County Department of Behavioral & Community Health and Sandy Carroll, supervisor for Office of Probation & Community Corrections--the new Juvenile Justice Committee Co-Chairs.
2. **Approval of May 10, 2022 Minutes**-The minutes of May 10, 2022 were approved on a motion by Judge Frank Mora, seconded by Tom Angell.

3. **Jail/ATI/Safe Act Report -Therese Lee, Mary Ellen Still, Jean-Marie Niebuhr** – The June Jail/ATI/Safe Act reports were sent out electronically. There were no comments or questions.
4. **Planning and Research Update—Dr. Gary Christensen**
Gary analyzed arrest data to answer the question posed by the County Executive regarding how many individuals are re-arrested after release due to bail reform. He found 711 individuals were arrested multiple times. Gary is also working on analyzing arrest data to determine arrest charge and race. There were no questions or comments.
5. **Update on Bail Reform —Jon Heller and Kathy McQuade**
Jon Heller did a review of prior bail reform initiatives. He then presented the changes that went into effect on May 9, 2022. This third set of changes, while few, are complex.

In summary:

- the legislature added a few more bail-eligible offenses
- added new factors that judges must consider when setting bail
- added a mental health assessment as a non-monetary condition of release
- added three circumstances in which a desk appearance ticket can be denied
- Made some changes to discovery

Jon then gave details about the new statute, including clarification of when a judge may detain an individual with mental health issues.

Matt Weishaupt then detailed changes to discovery. Kathy gave details about the changes impacting those presenting with mental health issues and an example of a case. There was further discussion regarding mental health and bail.

6. **Committee Reports:**

Quality Assurance—Gary Christensen, Tom Angell, Bill Grady

Gary reported that a random sample of 75 records was created from the 711 on the master list for those arrested multiple times. Out of those 75 sample records, there are 31,032 charges and 16,438 arrests to be evaluated. Gary thanked Jon Heller, Kathy McQuade, and Mary Ellen from Probation for their efforts in evaluating the records to determine whether there was victimization to community, persons, or property. Their next step is to work with the District Attorney's Office, Office of the Public Defender and the Victims Committee. Kelly Bunt asked if we are capturing victimization for Aggravated Family Offenses and Kathy McQuade indicated that we are.

RTA Update—Hon. Joseph Egitto

Judge Egitto was unable to attend.

Centralized Arraignment— Hon. Susan Sullivan-Bisceglia

Judge Sullivan-Bisceglia notified Mary Ellen that she was unable to attend the meeting. Mary Ellen reported that they are still in the process of working on a location for Centralized Arraignment. They are working with a special counsel for the Office of Court

Administration. It is the Office of Court Administration that approves the plan written by the special counsel. There were no comments or questions.

Diversion— Steve Miccio

Steve was not able to attend. Mary Ellen reported that they will be hosting CIT classes soon. There were no comments or questions.

Police Reform & Reinvention—Ken Roman

Ken reported that the committee met on June 28th both in-person and virtually. They are continuing to work on the body-worn cameras project.

They discussed the (TAG) Threat Assessment Group program. The goal of the TAG is to increase communications across prevention, treatment, and response agencies and to serve as a central point of information and coordination about potential risks of violence. They plan to invite Jean-Marie Niebuhr to do a presentation at a future meeting.

Ken was happy to report that Procedural Justice and Implicit Bias training was up to 90% complete. They also discussed the positive increase in diversity in law enforcement.

Ken asked John Gildard to discuss the agility part of the recruitment process for candidates. John reported how difficult the agility can be; he suggested a few changes to the agility test would open the door for more candidates. Anthony Pica commented that they switched from the Coopers Standard to the NYS Corrections agility test, and they have more candidates that pass the agility now. There was further discussion regarding agility. Pastor John Perez commented on the need for increased diversity in all our agencies, councils and committees and there followed a discussion on the topic. The CJC has designated standing memberships as well as citizen appointments along with citizen participation on the various committees. The Community Involvement Committee is an opportunity for community members to participate and voice their opinions. Encouraging and finding practical ways to support diversity in all the above is an important goal. There were no more comments or questions.

Victims—Kelly Bunt

Kelly reported that the committee discussed educating jurors and the public on victimization and how trauma presents in victims. The committee, in collaboration with (SART) Sexual Assault Response Team Coordinator Kathy Peluso, have discussed hosting a public meeting on sexual assault and violence and how trauma presents in victims. They are currently looking at the Town Hall in Amenia as a possible location. Dr. Santiago-Rosado asked if creating a video for social media would be helpful. Kelly said she would bring her suggestion back to the committee.

Kelly further discussed that a committee member suggested showing jurors a video about trauma. Matt Weishaupt commented that there was a new video put out by the Office of Court Administration that talks about implicit bias, but it is very general in nature. Tom commented that it would be difficult to educate jurors with a general video on

victimization because of the rules of evidence. There was further discussion regarding trauma and educating jurors. There were no other comments or questions.

CIC—Shirley Adams

Shirley was unable to attend.

Re-Entry—Tom Angell and Irma Machado

Tom reported that the committee met on the 16th of June. They had an informative presentation from DBCH on their outpatient services. Their next meeting is on the 18th of August. They will have a presentation by RSS Supported Housing in Dutchess County.

In 2021, there were 147 people released from state prison to Dutchess County. This number has gone down significantly. In the past, there was an average of 300 to 400 people released. He reported that an average caseload of a parole officer has gone down because of “Less is More.” Irma added that the parole numbers are very low, every day about 17 to 20 people are getting off parole. Irma also announced that she is retiring and will therefore leave CJC. Everyone expressed their best wishes to Irma. Mary Ellen thanked her for her participation on CJC and the Re-Entry Committee.

Justice-Involved Women — Alisyn Gaffney

Alisyn reported they are still working in collaboration with Dr. Mary Stone, Associate Professor of Psychology at Marist College. They are serving food with Hope on a Mission on the 23rd of August. Their next meeting will be held on the 2nd of August. There were no comments or questions.

Special Populations—Jon Heller

Jon report that the committee met on the 20th of June. They had a report on RESTART staffing; groups and classes are all going well. Trauma training for the Jail staff is going well. Kelly gave a report on sex offender treatment; it is fully in-person now. As of July 1st, treatment will be open to youth 12 and up. The Incarcerated People with Special Needs group met on the 19th of May and 30th of June. The Mental Health Community Challenges group had a presentation from Cheryl Roberts of the Greenburger Center for Social and Criminal Justice in New York City. Also, the ITAP Mental Health track will begin in September. The MAT group met on June 24th at the DCJ; Medication Assisted Treatment is going well. There was continued discussion on housing with another focus group being planned. The next Special Populations meeting is scheduled for the 25th of July. Tom discussed the delay in court orders for people being placed in psychiatric hospitals and the ongoing bed shortage. There was further discussion on the issue.

Juvenile Justice—Mary Ellen Still

Sandy reported their next meeting will be on the 28th of July. They are going to resume where the committee left off as well as look at new directions. Both Sandy and Zoe look forward to meeting with the committee. There were no comments or questions.

7. **New Business**—None

8. **Old Business**--None

9. **Announcements**—None

10. **Adjourn** – A motion to adjourn was made by John Gildard, seconded by Jean-Marie Niebuhr.

Next Meeting--September 20, 2022 at 8:00 a.m. The meeting will be in-person at 230 North Road's Training Room.