

Dutchess County
Criminal Justice Council
Meeting Minutes
January 12, 2021

Present: Mary Ellen Still, Chair, Director of Probation
William O'Neil, County Executive's Office
Dr. Gary Christensen, CJC Consultant
Jon Heller, D.C Probation, Special Populations Chair
Tom Angell, Public Defender, Re-Entry Co-Chair
Bill Eckert, DBCH
Nancy Kelly, DBCH
Shirley Adams, CIC Chair
John T. Gildard, Citizen Appt.
Karen DeSimone, D.C. Probation, Juvenile Justice Chair
Steve Miccio, PEOPLE USA, Diversion Committee Chair
William Grady, D.C. District Attorney
Jacqueline Johnson, DBCH
Honorable Gerald Hayes, Citizen Appt
Kelly Bunt, KB Forensics, Victims Chair
Irma Machado, DOCCS, Re-Entry Co-Chair
Bridget Goddard, DCFS
Honorable Frank Mora, Poughkeepsie City Court
Rebecca Edwards, D.C. Legislator
Barrington R. Atkins, DC Legislator
Hon. Joseph A. Egitto, Dutchess County Family Court
Austin "Brud" Hodgkins, Citizen Appointment
Kari Rieser, Citizen Appointment
Debra Long, Family Services
Dr. A.K. Vaidian, Commissioner of Behavioral & Comm. Health
Ken Roman - Police Reform & Reinvention Collaborative
Martin Lynch, Project M.O.R.E.
Will Moore, Dutchess County Jail

Guests: Tom Morris
Molly Shanley
Shannon Wong
Sam Busselle
Jeffrey Schneider
Isis Benitez
Karen Holloway

1. Approval of November 2020 minutes

The minutes of November 24, 2020 were approved on a motion by William O'Neil, seconded by John T. Gildard.

2. Jail / ATI report – Lt. John Alessi and Mary Ellen Still

The Jail/ATI reports were sent electronically. There were no questions or comments.

3. Planning and Research Update–Dr. Gary Christensen

Gary presented a power point with an overview of the current jail population trends. He displayed the daily jail population by month and crime type. As predicted, the data illustrated there was an increase in violent felonies. Parole violations increased as well. The impact of bail reform on jail admissions was presented. The CJC Quality Assurance committee had predicted that the reform to bail reform would place the average daily population at around 176. At the close of 2020, that number stood at 136. The overall ADP was between 170 and 175 by the end of the year. Gary presented a slide on overall admissions by court. He noted that there has been a 68 percent decrease in jail admissions in 2020. Other notable indicators was an increase in admissions of defendants with high Proxy scores. There has been a sharp decline in jail releases and these releases were also higher risk. The reform to bail reform and the pandemic have also driven the average length of stay up. Gary shared data illustrating recidivism for RESTART vs. non-RESTART groups. This study was completed in November 2020. The data demonstrated a strong validation for using the Proxy tool. Recidivism rates were consistent with both the male and female populations. The main finding indicates that the dosage amount received in the jail RESTART program is a significant factor in reducing recidivism. A dosage of 60+ days in the program leads to more positive outcomes. Gary noted that many of the suggested enhancements to RESTART have already taken place and would be covered by Jon in the Special Populations report. Gary also noted that we needed to capture the impact of community treatment as the current data does not extend far enough post-release. The study showed strong validation for RESTART as a whole and comparable to some of the best programs in the country. Analysis of RESTART and recidivism will continue. Going forward, the Quality Assurance group will continue to study case processing and continue to study the impacts of bail reform.

4. Committee reports:

Raise the Age – Judge Egitto

The new County Court judge has received training and is now assigned as a Youth Part judge. There is a continued shortage of specialized secure detention beds. Available non-secure beds have also been reduced as Berkshire Farms is no longer taking non-secure detention. Children's Village in Westchester is now the only resource for non-secure detention in a 10-county area. The RTA committee will hold a meeting soon.

Police Reform and Reinvention – Ken Roman

The police reform plan has been completed and was sent to the committee. Ken thanked the members of the CJC who assisted with the police modernization collaborative group. Ken has received many calls complimenting the report. The collaborative was the result of the Governor's Executive order 203 as well as the President's order. There were two groups working concurrently and sharing information: the community stakeholders' group and the municipal leaders/police chiefs' group. Ken said it was remarkable that they were able to accomplish this work during a pandemic. He thanked Kyle Ketcham for his work in producing the report. The recommendations that came from the public forums included the following:

- Social Workers to replace/accompany police in addressing mental health or overdose calls
- Creation of a civilian review board
- Make information about police interactions with the public available
- Make the presence of police in school buildings optional by community
- Provide additional information on how to file a complaint
- Create a more diverse police force
- Clearly communicate to the community
- Have more implicit bias training and provide resources for more body cams

Continued discussions revealed the following concerns:

- Diversity in staffing for police
- Reconnecting the police to the community
- Better mechanisms for dealing with substance abuse and mental health
- Create a better alliance between police and community

Reform priorities include:

- Increase the use of body cams and create policies on footage
- Increase positive police contacts
- Increase transparency particularly involving use of force
- Require procedural justice as guiding principal
- Adopt community engagement in policy making process
- Diversity in law enforcement hiring
- Increase law enforcement connection to the community by requiring/incentivizing residency
- Evaluate training
- Create alternative or co-responder programs to augment responses for mental health calls

Ken said many reforms have occurred with the involvement of the CJC over the years. Different reforms will be appropriate for different agencies. For example, the City of Poughkeepsie may have different needs than the Village of Millbrook. Departments can adopt recommendations appropriate for them. Some will require funding, others will not. Departments are preparing for public hearings and ratification by their local municipalities.

John Gildard noted that there were many different opinions on the committee and the discussions fostered a greater understanding of all the issues. He complimented the report.

Ken thanked Legislator Atkins for his work in the group and indicated they would reconvene in February. Ken appreciated the commitment of the committee members. Tom Angell complimented the report and Ken's work. Ken acknowledged the contributions of the staff from the County Executive's office, especially Kyle Ketcham. Mary Ellen thanked Ken for coordinating this initiative.

Victims Committee—Kelly Bunt

Kelly stated that the mission of the Victims Committee is to ensure a victim-centered approach in the criminal justice system. The committee works to identify gaps in the system for victims. The committee has members from a number of agencies who are extremely dedicated. Kelly reflected that 2020 was marked by resiliency. 2020 began with a plan to hold focus groups consisting of victims of all types of crimes, primarily to identify gaps in the system, but then covid occurred. The committee began meeting virtually in May. As focus groups were no longer feasible, the group decided to learn more about how services were functioning in a covid environment. The committee determined that the best way to begin was to develop a survey, and they reached out to the social work department of Marist College. Marist agreed to participate and the Marist IRB approved the project in December 2020. The first survey was for the providers and was released on January 6th with the return due in a month. The survey for service recipients is being reviewed and will be disseminated soon. Kelly reported that the committee is also collaborating with the Juvenile Justice Committee to provide an intern to identify gender-responsive programs for the juvenile population. Karen DeSimone will provide further details in her report.

Juvenile Justice- Karen DeSimone

When Juvenile Justice met in January 2020, it was thought that 2020 would represent the first typical full year for both Raise the Age and PINS reforms. Due to covid, this was anything but a typical year. A review of the year included a presentation by Karmen Smallwood on the Path to Promise initiative. There was also a presentation given by Probation Supervisor Tim Meester on the following: In mid-2019, the Office of Probation applied for and was awarded a three-year technical assistance grant. Dutchess County was one of six sites chosen nationally to work with the RFK National Resource Center. The project kicked off in February 2020. It involves a systemic review of local policies and procedures. The goal is to facilitate the identification of strengths, challenges and opportunities, and develop a detailed plan. Because of the pandemic, in-person meetings could not be held.

Prior to starting virtual meetings in May 2020, Karen conducted a review of youth and family service providers to assess their functional status during the pandemic. The committee discussed the status of youth in detention during the pandemic. While juvenile appearance tickets and arrests continued during the pandemic, new PINS filings declined. Parents/caregivers wanted assistance, but were concerned about exposure to the virus. Additionally, parents commonly raised concerns that kids were staying up all night and this was an issue for remote school. Karen reported that available detention beds continue to be an issue. Specialized secure pods at Woodfield had to be closed because of damage inflicted by the residents. In September, the committee discussed procedural problems with felony appearance tickets. Additionally, there was a lengthy discussion on the impact of isolation due to the pandemic on at-risk youth. Remote learning also makes the definition of truancy elusive. School behavioral issues have also been redefined due to remote learning. Racial and ethnic disparities within the juvenile justice system were also discussed. The committee last met on the 19th of November. The 11th annual Building Bridges conference was held in October and was attended remotely by over 100 people. The committee also had a presentation from the City of Poughkeepsie Police on Procedural Justice.

Karen noted that several members of the committee have retired or moved on to new positions, so they will work to get new members.

The goals for the committee in 2021 include:

- Utilizing the shared intern with the Victims Committee to study and survey gender-specific programs for possible applications to adolescent females. This information will then be shared with the NYS Partnership for Youth Justice Gender-Responsive workgroup. Karen represents Dutchess County on this workgroup. The intern will first conduct a survey of the Dutchess County system and prepare a report of her findings. She will also conduct a study to determine what evidence-based practices already exist and are successful. She will begin when Marist starts the Spring 2021 semester.
- The committee will continue to monitor JD and PINS reforms including RTA.
- The committee will monitor the impacts of the pandemic on the at-risk youth population and the increased mental health needs specific to that population.
- They will continue to receive updates from both Path to Promise and RFK.
- They will continue to participate in the NYS Partnership for Youth Justice and the Mid-Hudson Regional Youth Justice team.
- They will work to increase committee membership to include more community representation and school representation.

Centralized Arraignment – Hon. Jerry Hayes

The committee last met in December. For many reasons, the idea of a centralized arraignment part has to be put on hold. The committee has some ideas on how to proceed in the future. By the end of the month, they will have a report for the Executive Committee.

Re-Entry – Tom Angell and Irma Machado

In 2020, 268 individuals were helped, many by Exodus, and 120 were able to gain employment. At the task force meetings, presentations were given by SUNY, the Parole Preparation Project, Legal Services of the Hudson Valley, Greenberger Center for Social and Community Justice and Molly Shanley. They continue to monitor the CSC transitional house. Gary studied the population at the facility and it has shown a reduction in recidivism. The committee will work with consultants Gary Christensen and Kevin Warwick to help streamline the services at the jail for parolees. Parolees are now eligible for RESTART and the continued use of MRT with parolees will be encouraged.

CIC – Shirley Adams

The committee works to create opportunities to engage and encourage residents to become more involved in community activities and discussions. The goal is to facilitate access to information so that the residents will become more informed about the criminal justice system. In 2020, the committee continued to monitor the average daily population at the jail. There were concerns about bail reform and its impact on the design of the new jail facility. Additional concerns were noted about the facility design in light of the pandemic, specifically with the plans for multi-zone ventilation and the availability of upgraded technology to facilitate inmates access to programming. Additionally, the committee raised concerns about opioid overdose deaths in the era of covid. The committee was pleased to learn about MAT availability at the jail this year. They were also pleased with the decision to convert the pods into supportive housing for the

homeless. The committee was pleased to learn about the Comprehensive Opioid, Stimulant, and Substance Abuse Program (COSSAP) with a presentation by Bill Eckert. CIC has participated in Opioid Task Force meetings and will continue to support and work with these groups. In 2021, the committee will continue to strengthen the collaboration with COSSAP. Bill Eckert added that the Community Empowerment Subcommittee of the Opioid Task Force, in collaboration with the Lexington Center for Recovery, has conducted focus groups with patients. There seemed to be a lot of crossover with these activities and the CIC so the collaboration was formalized to avoid duplication. Bill also mentioned the Opioid Task Force's connection to Albany's LEAD program and efforts to replicate it in Dutchess County. Bill will present preliminary data from a study done of incarcerated women at the Task Force's meeting.

Diversion – Steve Miccio

Steve was present, but his audio was not working.

5. **Old Business** –John Gildard inquired about the status of bail reform and requested a report at a future meeting.
6. Mary Ellen said this would be timely and she would try to arrange a report for the next meeting.
7. **New Business** –None

8. Announcements

Marty Lynch reported that Project MORE received an award from the Mother Cabrini Health Foundation to fund a residence for women released from DCJ. They identified a property in the city of Poughkeepsie. They are currently working with the city and landlord to advance this project. The residence fills an identified need. Marty thanked everyone for their assistance.

Committee Reports (continued)

Justice involved Women's Committee—Mary Ellen Still for Joanne Nellis

The committee met virtually throughout the year and worked on several projects including a resource manual for re-entry from incarceration. They also participated in a research project with Marist. In November, they had a presentation on an early intervention childhood project.

Special Populations – Jon Heller

Special Populations meets monthly with our consultant Kevin Warwick. Our last "in-person" meeting was on February 10, 2020. The new bail reform legislation was a frequent topic of the committee's meetings. Because of the high level of cooperation among the courts, the District Attorney's Office, the Office of the Public Defender and Probation's Pretrial Release Program, a significant amount of planning went into the preparation for release of individuals impacted by bail reform. This proved to be quite fortunate, as the jail population was reduced before the pandemic. The RESTART program continued to be a major focus for the committee. Gary covered much of the activity of the RESTART Quality Assurance workgroup in his report. MRT (Moral Reconciliation Therapy) quality assurance meetings were held in January and in June. These meetings continue to be an important component for continuity of services and maintaining a collaborative approach. The June meeting was attended by 36 facilitators representing six agencies. This year, the meetings moved beyond a singular focus on MRT and

included other interventions such as Helping Men/Women Recover and Interactive Journaling. Work began to add data elements to the Northpointe Case Management System in order to include greater detail for outcome and recidivism studies.

Midway through the year, RESTART staff was trained on Interactive Journaling which was added to the RESTART curriculum. RESTART program highlights included admitting a greater number of appropriate Parole participants and enhancing discharge planning, particularly considering bail reform. The pandemic suspended in-person operations for RESTART on three occasions this past year. RESTART staff, with a tremendous amount of help and support from the jail staff, was able to keep in contact with the RESTART participants utilizing phone calls and Zoom meetings. One of the positive outcomes of the pandemic was the establishment of aftercare meetings in the community using Zoom. In November, Kevin presented a power point overview of the program and the JTC. An additional workgroup was established to focus on gender-specific issues in transitioning from jail to community. This workgroup, working closely with the CJC Women's Committee, began work on a resource manual listing all services available by county. A link to this information will be provided in the services section of the Jail's website. Additionally, the Women's Center agreed to provide space for a RESTART women's aftercare group in the community. There continued to be a significant focus on Medication Assisted Treatment for our incarcerated and re-entry populations. Despite the pandemic, thanks to the hard work of many, including the correctional staff and Prime Care employees, the jail began inductions of buprenorphine on the 1st of October. In December, Project M.O.R.E. hired a post-release case manager with funding secured through an OASAS grant secured by DBCH. This individual works closely with jail-based services and outside resources to help support those receiving MAT in the jail with successful re-entry.

In October, Special Populations was given a presentation by Jean-Marie Niebuhr, the Director of Coordinated Services at the Dutchess County Department of Behavioral and Community Health, on continued services for criminal justice clients in the community. Since bail reform and the pandemic, many are no longer receiving treatment in jail. Additionally, the number and type of services available has increased just over the past year. The committee pledged to foster collaboration and coordination of these efforts. The Intimate Partner Violence Initiative (IPVI), the pilot focused deterrence model for domestic violence, continued to make progress. At the beginning of the pandemic, they noted an increase in DV calls and they increased their outreach efforts to victims. Unfortunately, in September the Office of Violence Against Women indicated that they could no longer fund this national program. Yesterday, we received word that IPVI received a STOP grant from DCJS, so the program will be continuing, perhaps in a different form. Kevin and Jon assisted the Jail Transition Team with planning for the RESTART units in the JTC. Kevin demonstrated a utilization plan for the proposed group space on the units. We were able to advise on the functional areas of the RESTART units as well as the infirmary area. The plans and goals for 2021 include the overall goal to evaluate, create, and implement programming for special populations and examine how these programs will work within the framework of the Justice and Transitions Center. In 2021, the committee will continue to focus on opioid disorders and will support the use of MAT. The committee plans to continue to monitor and guide the progress of the RESTART program, including providing training for corrections officers and working toward consistent officer assignment on the units. The committee plans to target appropriate RESTART candidates based upon duration of dosage

indicated by research, continue to focus on enhancing community-based aspects of RESTART to ensure a smooth transition, continue the work of the RESTART Quality Assurance Group, ensure fidelity to the curriculum and review recidivism data to improve outcomes.

8. **Adjourn** – A motion to adjourn was made by Jon Heller, seconded by Karen DeSimone.

Next Meeting—March 9, 2021 at 8:00 a.m. (virtual)