

Dutchess County Criminal Justice Council

Meeting Minutes

January 10, 2017

Mary Ellen Still, Chair, Director of Probation
John Alessi, D.C. Jail
Thomas Angell, D.C. Public Defender, Re-Entry Committee Chair
Kelly Bunt, Family Services, Victims Committee Chair
Dr. Gary Christensen, CJC Consultant
Karen DeSimone, D.C. Probation, Juvenile Justice Committee Chair
Honorable Peter Forman, Dutchess County Court
Bridget Goddard, DCFS
Matt Weishaupt for William Grady, D.C. District Attorney
Mary Haight, Women's Center, Women's Committee Chair
Austin "Brad" Hodgkins, Citizen Appointment
Barbara Jeter-Jackson, D.C. Legislator
Tom Pape, Acting Chief, City of Poughkeepsie
Jerry Landisi, Legislator
Steve Miccio, PEOPLE Inc., Diversion Committee Chair
Honorable Frank Mora, Poughkeepsie City Court
William O'Neil, D.C. Executive's Office
Julia Pagones, D.C. Executive's Office
Honorable Frederick Romig, East Fishkill Town Justice
Margaret Hirst, DBCH
Gregg Pulver, Dutchess County Legislator
Jon Heller, D.C Probation, Special Populations Chair
Shirley Adams, CIC Chair
Mike Young, City of Poughkeepsie
Dawn Hawley, Acting Coordinator

Guests: Martin Lynch, Project M.O.R.E.
Kari Rieser, D.C. Legislator
Thomas Morris, D.C. Probation & Community Corrections
Joanne Nellis, D.C. Probation & Community Corrections
Shannon Wong, NYCLV
Bill Rubin, ENJAN
Sam Busselle, Special Pop. Committee member
Scott Mendelson, CHI
Sara Walenta
Erica Gallagher, CHI

The meeting was called to order by Mary Ellen Still at 8:06 a.m.

Mary Ellen thanked Shirley for making the meeting room available and for the refreshments. Mary Ellen indicated there were copies of the agenda available. Mary Ellen reminded everyone that during the meeting questions and comments will be limited to members. After the meeting is adjourned, guests may ask questions.

1. Approval of November 22, 2016 Minutes – Judge Mora made a motion to approve, seconded by Bill O’Neil.

2. Jail/ATI Report—John Alessi and Mary Ellen Still

Mary Ellen stated that the statistics were sent out electronically. Mary Ellen pointed out that the year-end total on the ATI chart contained an error. The correct ATI admissions number is 3,273. It will be adjusted and we will send out the corrected copy. John added that the average daily population count is down. It decreased in 2016. As of today, the count is 385. The average daily ATI population for the year is 646 and the total admissions are 1,572. There were no questions.

3. Report and Discussion – Dr. Gary Christensen - Average Length of Stay

Gary reported that we were able to more fully evaluate average length of stay once housing out had virtually ended and the system had an opportunity to stabilize. Everyone was e-mailed a chart that shows the total releases and average length of stay. Between 90 and 95 percent of those released return to the community. Computer trend lines show reductions in the average length of stay consistent with what was predicted when the full effect of housing out had ended. Our goal is to make the best public safety decisions and to reduce recidivism. We began to focus on case processing with the District Attorney’s office and the Office of the Public Defender. Gary added that criminal case processing is very important because we know that time spent in jail without intervention has the worst outcomes. Just spending time in jail does not lead to better outcomes.

Gary reported we identified specific groups of people who take up a significant amount of jail days; 100 days or more. That population is just shy of 18% of the total population, but they represent about 70% of our jail bed days. They are a significant group to look at for quality assurance and case processing. Gary added that we produced a report in September that outlined processing issues and called for a quality assurance committee which has been established. As a result of this report, a new position has been created in the District Attorney’s Office to assist in this effort. The first meeting of the Quality Assurance Team is today. Specifically, we know that the vast majority of 100 plus day people come from the City of Poughkeepsie so we will start there. We plan to meet with the judges in the City of Poughkeepsie after we have additional data.

We have established a research protocol to measure the impact of RESTART to make sure that the resources devoted to the program produce better outcomes. Probation’s Pretrial Services program facilitates the release of lower risk individuals, and higher risk individuals, as identified by the Proxy, may be eligible for the in-jail RESTART program.

Gregg Pulver asked Gary when we may expect to see outcome measures for RESTART. Gary replied that we have developed a data base that will track everyone who has been released from our jail from December of 2011 to the present—over 15,000 releases. Gary added that we have tagged RESTART participants in the data base so we can begin to evaluate the outcomes. Gary added that we have to allow enough time to pass following completion of RESTART to get meaningful data. We will look at one

year recidivism rates, but we will be able to see trends before that. Gary also added that OCIS (Office of Computer Information Services) has been very helpful in establishing data bases. They are creating a data base to help us determine where individuals are in the criminal justice process.

4. Introduction of New Members – Mary Ellen introduced our newest members, Tom Pape, City of Poughkeepsie Acting Chief, who will also be a member of the Special Populations Committee and Jonathan Heller, Office of Probation, who will assume the chairmanship of Special Populations, replacing Ron Knapp.

5. Committee Reports:

Diversion – Steve Miccio – Steve reported that in 2016 we trained over 200 officers on the 40-hour CIT and 68 on the 8-hour course we developed. Steve added that we developed an internal curriculum within the county so it was only necessary to bring in one consultant. In 2017, there will be at least three internal trainings and, in addition, the NYS Office of Mental Health is going to offer another free 40-hour CIT training. This will result in about 130 officers trained by June and 150 trained by the end of the year for a total of approximately 280-300 trained officers. Going forward, we will have a part time coordinator from the Town of Poughkeepsie. This officer will coordinate collection of outcome data from all the departments to determine the effectiveness of CIT training. The officer will also work on the newsletter that will be published.

The committee has also been working with the Stabilization Center which is opening next month. Steve added that integration work will continue in 2017. Mary Ellen asked if the staff had all been hired for the Stabilization Center and Steve replied that about 80% of the positions have been filled. Tours will be available and can be arranged with Margaret.

Juvenile Justice – Karen DeSimone

Karen reported that the committee meets bi-monthly. In 2016, membership additions included: new Astor representatives, NAMI, City of Poughkeepsie School District, Taconic Resources for Independence and PEOPLE Inc.

Karen reported that one of the standard agenda items is monitoring the Juvenile Justice Reform initiatives. Several committee members also participate on the Mid-Hudson Regional Youth Justice Team. Karen stated that this group received a grant to provide training opportunities for the counties of the Mid-Hudson region. Dutchess County hosted the RYJT in September. It was well attended and there was a lively discussion about youth re-entry, synthetic drugs, heroin and prescription drug abuse.

Karen continued that the committee monitors the “Raise the Age” (of criminal responsibility) issue which has been under consideration for several years. There was no significant movement during 2016. The committee talked about the use of the DRAI tool (Detention Risk Assessment Instrument) following statewide complaints and concerns. In 2016, a statewide committee was formed to redesign the tool but we are currently still required to use it. Karen added that Disproportionate Minority Representation (DMR) is discussed at every one of the committee’s meetings. DCFS provides updates on Foster Care DMR and the first of two meetings was hosted by the Court Improvement Project’s DMR subcommittee project. They held a Community Roundtable discussion in November with another planned for January.

At the September and December meetings, the entire agenda was devoted to a discussion on mentally ill youth in the Juvenile Justice System. Several agencies and private citizens joined the discussion. Both meetings focused on the challenges and needs:

- Resources needed for youth becoming violent at home – need a way to meet the needs in lieu of arrest and detention;
- Youth end up hospitalized then released too soon with an unrealistic recommendation for residential treatment;
- Increase availability of Spanish-speaking treatment;
- Youth released from residential treatment lacking aftercare plan and support;
- Schools not sending youth to needed Day Treatment programs;
- No in-patient psychiatric beds for adolescents in the county;
- No respite for mentally ill youth in the county;
- Youth getting long-term suspensions from school thus further isolating them from services/support;
- Many youth have mentally ill parents compounding the needs of the household and the ability to address them;
- Mentally ill youth at extremely high risk for substance abuse.

The discussion will continue January 26th with brainstorming of solutions. It was suggested mapping the Juvenile Justice System which is being planned for 2017.

The 8th Annual Building Bridges Conference was held on 10/20/16. It was a full day conference at Locust Grove presented by the DBCH. This year there were 150 attendees and 30 agency representatives with nearly all county school districts and BOCES in attendance. Training topics included: Narcan training, meeting the needs of the transgender student, Family Court panel and PINS (Persons in Need of Supervision) discussion and a panel of parents of mentally ill youth.

The Juvenile Fire Setters Intervention Program began in January 2016. This is a multi-disciplinary team approach to provide assessment and support to juvenile fire starters. In 2016, there were 13 referrals.

The Curfew Monitoring Program continued in 2016 and for the first time ran year- round. This program is utilized frequently by Family Court and is often a successful alternative to detention.

Karen added that in addition to the mapping exercise, the committee plans to further explore next steps in the DMR discussion. The DMR coordinator for DCJS is willing to attend a committee meeting. The committee wants to continue the discussion about youth violence in the City of Poughkeepsie and perhaps host a meeting dedicated to that topic.

Mary Ellen added that the CJC had conducted a mapping exercise for the adult system, looking at strategic decision points, several years ago and it is a good idea to replicate that effort in the juvenile system. It helps to focus on critical decision points where you may have the most impact.

Victims –Kelly Bunt – Kelly reported that 2016 was a year of transition. Kelly shared that her goal was to have a diverse committee. The first few meetings were spent solidifying the membership and selecting goals and projects. They wanted to identify gaps in the system and reinforce the need to have a victim centered approach. One idea was to establish focus groups where victims could share their experiences. The committee talked about having a uniform assessment protocol. Kelly added that the committee talked about funding for trauma informed training for law enforcement. The group decided

unanimously to develop a system to track sexual assault cases that enter the criminal justice system. Kelly added this is a big undertaking. October and November meetings were spent brainstorming how and where to start. Kelly noted that it was interesting that this has been an identified need since the Center for Sex Offender Management provided technical assistance in 2003. The committee will start with law enforcement and come up with a tracking form that is user friendly similar to the DIR (Domestic Incident Report). The committee will continue work on the development and implementation of the tracking form.

Special Populations – Jon Heller- Jon reported that most of the committee’s work for 2016 centered on our RESTART program. RESTART is a program for the higher criminogenic risk/needs individual. We worked with our consultant, Kevin Warwick, on the design of the program. In order to create this evidence-based program, space and logistical issues at the current jail had to be addressed. The RESTART program became fully staffed and trained in 2016 and a case management system is now operational. With the assistance of Gary Christensen, performance and outcome measures were developed. Informational presentations were made to the CJC, the Public Defender’s office, the District Attorney’s office and the Magistrates Association. Jon acknowledged the partners in RESTART: the Dutchess County Jail, the Dept. of Behavioral and Community Health, Project M.O.R.E, Office of Probation and Hudson Valley Mental Health. The committee had significant discussions on the opiate addiction issue with a focus on medication assisted treatment (MAT). The committee noted the introduction of the Vivitrol program at the jail by the Dept. of Behavioral and Community Health. The group was kept apprised of the progress of the Stabilization Center and applied for a 2016 Second Chance Act grant to address the needs of people with co-occurring disorders.

In 2017, the goal of the committee is to evaluate, create and implement programming for special populations. They plan to continue to monitor and guide the process of RESTART including working through barriers presented by the design of the current jail facility and to inform the design of the program units in the new facility. They will continue to monitor RESTART process measures through the work of the RESTART quality assurance group. They will focus on the community-based aspect of RESTART to ensure a smooth transition into treatment programs. In addition to RESTART, the committee will review and support initiatives to combat opioid addiction and have further discussions on medication assisted treatment. The committee will support progress at the Stabilization Center. The committee plans to identify other special populations within the jail facility whose needs may drive design. Jon added that they will apply again for a Second Chance Act grant.

Gary stated that he feels that Special Populations has had a major impact and among other achievements has made treatment consistent throughout the community. Mary Ellen added that Margaret has had meetings with community providers to encourage them to provide the same programs as are available in RESTART. Margaret stated that the providers in the county were very open to adding that type of curriculum to what they were already doing. Patients have responded very positively and this has been an important initiative.

Re –Entry- Tom Angell - Tom stated that re-entry serves those coming back into community from incarceration. 2016 saw a tremendous amount of growth in services in Dutchess County. Tom added that Exodus provides re-entry services for individuals returning from prison through a grant from DCJS. We also received grants from the county Planning Department, Work Force Investment Board and the Department of Community and Family Services, mostly focused on providing employment services. Tom

added that we also sponsored “Coming Home” which is a mentorship program done in connection with Fordham University. In 2016, the Public Defender’s office began providing legal representation for individuals charged with parole violations. The number of people served is in the 600-800 range.

One of the committee’s principal goals was to expand employment opportunities. Tom continued that we were fortunate to have Frank Pepe, who is a retired superintendent of Arlington School District, work with us as a consultant. Before we can achieve much more with employment, we need to work on housing. Tom added that often people coming out of state prison have no place to go when they are released.

The state just released re-arrest statistics (after one year release) for 2014. New York City had a recidivism rate of 46%, upstate New York (everything but New York City) was 34 %. The overall total throughout New York State was 36%. Dutchess County’s recidivism rate was 27%. We are doing well in terms of comparison with the rest of the state. Tom continued that the committee has three goals for 2017: Housing, Housing and Housing!

Women in Criminal Justice System –Mary Haight – Mary reported that this committee is focusing on the specific needs of women and gender-responsive strategies that are most effective in reducing recidivism. Mary added that last spring the Dutchess County Office of Probation in collaboration with Project M.O.R.E.’s Women Center was featured in a national article by the National Resource Center on Justice Involved Women entitled *Building Gender Informed Practices at the Pretrial Stage: Lessons Learned about Implementing the Inventory of Needs in Dutchess County, NY*. It shows the county has taken the initiative to address the needs of women in the criminal justice system.

The committee has reviewed statistics on the number of women in the jail, RESTART, ATIs and under community supervision. Information presented by Dr. Gary Christensen at the Criminal Justice Council has also been disseminated. Mary spoke of a report by the Vera institute entitled “Overlooked: Women and Jails in an Era of Reform” and had local expert -led discussions about the factors that contribute to incarceration at four points in the system– arrest, charge, bail/pretrial and sentencing. They continue to look at average length of stay.

Mary added that employment is a key focus of the group. Early in the year, committee members and staff were able to visit The Indoor Organic Gardens. Another issue the committee focused on throughout the year was opioids and heroin. Information on Medication Assisted Treatment was shared.

Probation Officer Karmen Smallwood facilitated a non-DWI Victim Impact Panel in October. Committee members were able to meet with presenters after the panel for continuing conversations about the impact of victimization. Mary reported the forum was very informative. In 2017, the committee will explore barriers and challenges faced by justice involved women and advocate for gender- responsive design elements in the new Justice and Transition Center. They will also seek further information about issues confronted by transgender people in the justice system.

CIC –Shirley Adams – Shirley reported that the Community Involvement Committee is tasked with raising awareness in the community and giving residents access and information to topics of interest. Shirley added that last year the committee decided to concentrate on increasing participation at community forums and meetings. As such, they targeted areas of concern such as education, youth

violence, safety, hunger and re-entry. Shirley was pleased at the large number of participants that came out to attend meetings. Shirley added that they mainly used social media and e-mail blasts to raise awareness and encourage residents to come out to meetings. Shirley continued that the committee plans to focus on ways to have even broader representation. Shirley thanked Jon Heller for the presentation he gave to the CIC on the RESTART program.

6. Old Business – Mary Ellen stated that the “Raise the Age” initiative, a topic that has been discussed for several years, has once again been proposed by the governor. The purpose of the initiative is to move 16 and 17 year olds out of the adult criminal justice system and into the juvenile justice system. One of the challenges in trying to prepare for “Raise the Age” has been the various models proposed. The latest proposal does not include full funding for the change which will impact Probation, DCFS, the County Attorney’s Office and Family Court among others. The Juvenile Justice Committee has been closely monitoring developments.

Mary Ellen mentioned that Project M.O.R.E. will begin work on the employment grant. Marty Lynch added that there had been a slight delay getting the grant signed in Albany, but he believes it will be finalized shortly. He added that he has been reaching out to the community and has identified prospective employers. Participants will receive a variety of evidence-based services and job support. The goal is to place people in long-term employment. Marty added that is a very exciting concept and they are delighted to be a part of this initiative.

7. New Business - Mary Ellen stated that centralized arraignment will be a topic of discussion this year. There are various ways this could be done and we are going to discuss this with the Magistrates Association, the District Attorney and the Public Defender. We are already providing defense attorneys at arraignment through the Office of the Public Defender.

8. Adjournment – Tom Angell made a motion to adjourn seconded by Steve Miccio at 9:30 a.m.