

**Dutchess County
Criminal Justice Council
Meeting Minutes**

March 24, 2015

Present: Mary Ellen Still, Chair, Director of Probation
Shirley Adams, CIC Chair
Thomas Angell, Public Defender, Re-Entry Chair
Onaje Benjamin, DCJ, Citizen Appt.
Bill Carlos, Citizen Appt.
Gary Christensen, CJC Consultant
John Crodelle, Judge, T/O Northeast
Karen DeSimone, Probation, Juv. Justice Chair
Sharon Doane, Family Services, Victims Comm. Chair
Angela Flesland, County Legislator
Greg Gale, DCJ
John Gildard, Citizen Appt.
William Grady, DA
Stephen Greller, Judge, County Court
Margaret Hirst, DMH
Ronald Knapp, C/Pok. Police Chief, Special Pop. Comm. Chair
Steve Miccio, PEOPLE Inc., Diversion Comm. Chair
William O'Neil, DC Exec Office
Julia Pagones, DC Planning
Ken Roman, DC Legislator
Frederick Romig, Judge, T/O East Fishkill Court
Marjorie Smith, Citizen Appt.

Guests:

Fred Bunnell, Citizen
Bill Rubin, ENJAN

Mary Ellen Still called the meeting to order at 8:10 a.m.

1. Approval of Minutes

The minutes of the January 13, 2015 meeting were approved on a motion by Angela Flesland and Ken Roman.

2. Jail/ATI Report—Greg Gale and Mary Ellen Still

Jail and ATI reports were emailed. Greg reported that the count was 475. Mary Ellen reported that the ATI numbers were up slightly at just over 600. There were no questions.

3. Presentation by Gary Christensen

Gary started by stating this presentation is about evidence-based practices, and how they apply to what we are doing in Dutchess County. We also want to show how data that has been collected here relates to foundational research.

"Smart on crime" is a decision making model based on evidence-based practices. It is focused on efficiency, the effective use of existing resources, the thoughtful allocation of new resources, and demonstrated return on investment (ROI). With evidence-based practice and policy, we are essentially doing a market analysis of our system. Regardless of where the offenders are placed, we want to find the most efficient and cost-effective way for the best long-term outcomes. We are looking at the risk a person poses to the community and responding accordingly. We want the best return on investment possible. This is not a program, but a whole-system approach.

This is not a soft on crime initiative. This is directed to high-risk offenders and holding them accountable while directing resources and programs aimed at reducing their criminogenic risk. We do this by targeting those needs that are scientifically shown to be related to risk reduction.

There is no quick fix to achieve lower recidivism rates. In looking at other programs that claim a huge reduction in recidivism rates, we should first determine the risk level of the participants and measure this against outcomes. Determining risk levels using an actuarial assessment is the foundation for evidence-based practices. You cannot do an outcome analysis without first doing a risk assessment. We want to keep lower risk individuals out of the system and back to what made them low risk to begin with, not put them in intensive programming with higher risk offenders and spend funds unnecessarily. This is not an anecdotal or philosophical approach. We intend to evaluate each and every part of the system in terms of process and efficiencies.

Different groups and jurisdictions have different average lengths of stay (ALOS). Those that are housed out have longer ALOS. Approximately 15% of our local offender population commits nearly 50% of our crime and consumes over 60% of our jail bed days. We also know that recidivism rates vary based on risk scores.

Looking at our research data, our sample includes 7,866 inmates who were incarcerated from December 15, 2011 to June 27, 2014. 1,233 inmates were incarcerated 100+ days, which is 15.7% of the total population. The ALOS for this group is 181.1 days. This accounts for 64.7% of all jail days.

The City and Town of Poughkeepsie, which are very busy courts, are the largest contributors to 100+ day population. Those that are sentenced, and those that

are transferred to the Department of Correctional Services (prison) account for the largest ALOS. Based on statistics from the 2013 group, there were 3,287 releases. The ALOS was 51.2 days. For those released to the community the ALOS is 39.7. For those released to DOCS/Fed or other agencies, the ALOS was 123.3. There may be a significant period of time served pretrial prior to sentencing.

Looking at this inmate population, based on race and gender, the lowest ALOS are black females. The longest ALOS are Hispanic males.

The Risk-Needs-Responsivity Model is the foundation used. Risk refers to predicting the propensity to reoffend, Need refers to the criminogenic factors that need to be addressed in order to reduce risk and Responsivity refers to recognizing an offender's characteristics, based on risk and need, and matching them to the correct program or intervention.

Risk control strategies are necessary. These provide short-term control, and are used for high-risk offenders. These include incapacitation or incarceration, direct contacts, supervision of conditions, electronic monitoring, drug testing or screening, and restraints.

Risk reduction strategies serve as an intervention and focus on long-term change. These include treatment and programming, cooperation and collaboration, challenging choice, ownership and responsibility, and communicating/upholding limits clearly. It is the balance between these two strategies that ensures long-term public safety.

In establishing an evidence-based practice (EBP), the first task is to determine risk to reoffend based on an actuarial assessment. Next is targeted decision making and assignment to interventions based on this risk. This is broken into three groups. Those with lowest risk receive the least treatment. Medium risk receives more intensive treatment and dollars. Those that are highest risk receive the most intensive treatment and dollars. We have to evaluate our outcomes. All of these strategies must be employed. We cannot leave out one part of the process or it all falls apart.

Dutchess County uses the Proxy tool. The Proxy tool is an easily administered, validated assessment instrument used to pre-screen an individual's risk to reoffend. For this tool, the three factors are: current age, age of first offense, and number of prior offenses. Zero is lowest risk, and six is highest risk. We have been collecting data since December 2011, and as we continue, we will have more data to evaluate. Generally, lower risk 0-3s are being targeted to go back to the community. Levels 3 and 4 are generally targeted for standard probation. Levels 5 and 6 are responsible for most of the crime and have the highest number of jail days. Gary added that most of these numbers are already on the Dutchess County Criminal Justice Council's website. Marjorie

Smith asked if there is any documentation looking at the severity of the offense and recidivism? Gary said that this is an area for future study. The current data includes those incarcerated for any reason.

What should we expect?

Gary stated that we should not focus on those with lower risk scores. With lower risk individuals, we need to get them back to what made them lower risk initially. We want to aim for a 5-10% reduction with higher risk populations. We want to make sure monies and resources are spent wisely for the best long term public safety outcomes.

Questions and Answers

Judge Crodelle asked whether risk is taken into consideration when making housing out decisions. Greg said that there are many considerations that must be taken into account, including medical, that determine who gets housed out. Gary added that it is often a challenge just to get the right number of people housed out to meet COC regulations.

What can we do to prevent adverse influences on those who may be lower risk in the jail? Should it be a priority to move those individuals out? Gary said that lower risk individuals are considered for pretrial release and this issue continues to be reviewed. Tom Angell said that they have looked at many ways to move them through system faster and have better results. They are working on a process to increase efficiency between the DA and Public Defenders office by setting time lines.

Onaje added that we should also look at the population that has a lack of incentives. Gary said that the Special Populations committee is looking at this now. Onaje suggested that one way to look at this is a medical model.

Gary added that it requires the system to look at itself and look at providers. Marjorie Smith asked what can be done with individuals convicted of domestic violence and sexual assault. We do know that we can provide interventions and have effective results within the triage system. There is a good history of dealing with sexual offenses. Sharon added that there are effective programs for sex offenders in Dutchess County and the sex offender management grant had been instrumental in their development. There are no validated risk assessments for domestic violence offenders. Onaje said that there is more research being done. Gary said that we are also developing trauma based treatment for higher risk individuals. The curriculum being put together by the Special Populations Committee includes interventions for trauma.

Mary Ellen said that we need to make sure that we communicate effectively with the courts. Judge Crodelle said that the magistrates meet once a month (except July and August) and the President would welcome ideas. The

Magistrates' Association is a very active organization in Dutchess County. Judge Crodelle suggested that that someone could make a presentation. The judges are interested in the progress of the new Justice and Transition Center. Judge Frederick Romig added that the CJC would be welcome to provide ideas and recommendations. Regarding the average length of stay in the jail, there are multiple reasons. Gary added that there is a lower ALOS for those represented by the Public Defender's Office than those represented by private attorneys. Judge Romig said that cases with multiple defendants tend to be more complicated and move slower. The judges may have certain perspectives on how to eliminate the backlog.

The power point presentation will be available on the county's website.

4. Committee Reports:

CIC—Shirley Adams

Shirley said that the March 26th meeting is being rescheduled. They will have a presentation about how negative influences during childhood can affect adult behavior adversely. The next meeting of the CIC will be April 7th at 4:00 p.m. This will precede the EAG meeting at Catharine Street.

Diversion - Steve Miccio

Steve reported that they met on Friday. They are working on the layout of the Restoration Center, which is located at 230 North Road. They will meet with Noelle Knille, Commissioner of DPW, on the formal design and plans of the building. There has been lots of community interest from providers, and they have been meeting with them.

Going forward, they are reaching out to THINK, which is a data collection regional health information organization that will help us with data collection. They will also help with electronic medical records.

There is a new sub-group of the committee called the Assessment group, which is working on the different types of assessments needed for those entering the facility. Another sub-group is involved with creating marketing materials.

They are also working on the CIT Training for police officers. They are looking to train 25% of police officers within the next 18-24 months. They are also working with DMH on training for police officers on "mental health first aid" which is a one-day training. The CIT training is 40 hours. Angela Flesland asked how training for 100% of the officers in the county is to be achieved within the two year goal. Steve answered that we are planning to "Train the Trainer" so that we can provide more classes. This would occur after the initial class. Ron mentioned that the 25% is achievable based on actual people who will be dealing with these populations as first responders. We will focus on this group first. The first two officers with CIT training just graduated from Orange County. There are five more scheduled for the CIT Training in Ulster. Ron

added that this type of diversion already takes place on a smaller scale, but the training will be very helpful.

Juvenile Justice—Karen DeSimone

Karen reported that the committee continues to be busy. On the forefront is the issue of "Raise the (criminal) Age." Their next meeting is March 26th. Karen recently attended a meeting sponsored by Westchester County on the "Raise the Age" issue. To date the legislation has not passed the Senate. Most people attending their meetings have concerns on this topic. Mary Ellen added that this proposal was based on recommendations made by the Governor's Commission to move 16 and 17 year olds from the adult system into the Family Court system. The Assembly passed it largely as recommended by the Commission, but the Senate did not. There are negotiations going on daily in order to come to an agreement. The main areas of concern are funding, timing, resource allocation and potential scope of the changes. If there is a resolution before our next meeting, there will be presentation at the May meeting.

Re-Entry—Tom Angell

Tom said they met in February. Rochelle McDonough, NYSP crime victims' advocate, made a presentation. The next meeting will be April 16th and Mike Hill will be the speaker. DCJS funding has been made available for next year with Exodus to remain our provider.

Special Populations—Ron Knapp

Ron reported that we are poised to begin implementation of the jail-based program. The materials for the programming have been ordered, training is set to begin, and the PODS will soon be occupied. The programming is expected to begin in May or June. The community-based provider will be selected. They will be part of a team based in the jail. The consultant, Kevin Warwick, has been meeting with both the Special Populations Committee and other committees on program design and function. We plan to continue the programming started in the jail once an inmate has been released to the community.

Women in CJ System—Susie Balutis

Susie was not available, but Mary Ellen reported that both the Women's Center and the gender-responsive pretrial technical assistance project are functioning smoothly.

Victims—Sharon Doane

Sharon reported that their January meeting was canceled, though they did meet in February and March. They are planning a marketing campaign to get the message out about what services are available for victims. They are creating written materials as part of that campaign. They also want to initiate trainings in order to provide consistency throughout the system.

4. Old Business

None

5. New Business

The date for the May meeting was moved from May 12th to May 19th.

Sharon added that Family Services received a grant for a part-time sexual response team coordinator. There will be a training on April 8th: "A Multi-Disciplinary Systems Approach to Addressing Sexual Violence: Implementation of a Sexual Assault Response Team in Dutchess County."

6. Adjourn

The meeting was adjourned at 9:35 a.m.

NEXT MEETING: TUESDAY, MAY 19, 2015 at 8:00 a.m.

Catharine Street Community Center

Poughkeepsie, New York (Entrance at 152 Mansion Street)