

**Dutchess County  
Criminal Justice Council**

Meeting Minutes

July 14, 2020

Present: Mary Ellen Still, Chair, Director of Probation  
William O’Neil, County Executive’s Office  
Dr. Gary Christensen, CJC Consultant  
Honorable Frank Mora, Poughkeepsie City Court  
Jon Heller, D.C Probation, Special Populations Chair  
John T. Gildard, Citizen Appt.  
Tom Angell, Public Defender, Re-Entry Chair  
Bill Eckert, DBCH  
Shirley Adams, CIC Chair  
Rebecca Edwards, D.C. Legislator  
Karen DeSimone, D.C. Probation, Juvenile Justice Chair  
Kelly Bunt, KB Forensics, Victims Chair  
Steve Miccio, PEOPLE Inc., Diversion Committee Chair  
William Grady, D.C. District Attorney  
Austin “Brud” Hodgkins, Citizen Appointment  
Jacqueline Johnson, DBCH  
Kari Rieser, Citizen Appointment  
Hon. Denise Watson, Dutchess County Family Court  
Irma Machado, DOCCS  
Chief Tom Pape, City of Poughkeepsie Police Dept.  
Ken Roman - Police Reform & Reinvention Collaborative  
Dr. A.K. Vaidian, Commissioner of Behavioral & Comm. Health  
Bridget Goddard, DCFS  
Barrington R. Atkins, DC Legislator  
Hon. Joseph A. Egitto, Dutchess County Family Court  
Honorable Gerald Hayes, Citizen Appt  
Honorable Frederick Romig, East Fishkill Town Justice  
Dawn Hawley, Coordinator

Guests: Martin Lynch, Project M.O.R.E.  
Tom Morris, Dutchess County Probation  
Sam Busselle  
Molly Shanley

1. **Approval of May 19, 2020 Minutes** – The minutes of May 19, 2020 were approved on a motion by Karen DeSimone, seconded by Jon Heller.
2. **Jail/ATI Report**—Lt. John Alessi and Mary Ellen Still - The jail and ATI stats were sent out electronically. There were no questions.

**3. Planning and Research Update—Dr. Gary Christensen**

Gary gave an update on planning and research. The main research related to the impact of bail reform and the subsequent reform to bail reform. Gary sends a snapshot of the jail population every Monday morning to the Quality Assurance Committee for research and review.

During the first quarter, our daily pre-covid average population was 188 people. Since covid, that number has declined considerably to around 140. To make predictions post-covid and post-bail reforms, we used the first quarter population of 188 and compared it to the first quarter of the previous four years: 2016, 2017, 2018 and 2019. If reform to bail reform had been in effect, there would have been an additional 37 admissions, or a 14% increase in admissions for the first quarter of 2020. Gary continued that we projected a 14% increase using the crimes that are covered under the reform to bail reform. There are additional factors to consider. People who commit a non-qualifying felony while on probation or parole, or are considered persistent felony offenders may have bail set. With the assistance of the QA Committee, Gary projected approximately a 15 to 20% increase in the jail due to reform to bail reform. Gary then took the 188 population in the first quarter and came up with a projection, post covid, in the range of 215 to 225 for the jail population. In summary, the admissions will increase somewhere between 15 and 20% resulting in an average daily population of 215-225 in the jail. There were no questions. Mary Ellen thanked Gary and the QA members for their work.

**4. New Committee—Police Reform & Reinvention Collaborative—Ken Roman**

Mary Ellen introduced Ken Roman who will be chairing the new committee that has been formed and will be under the auspices of CJC. Ken was formerly with the Town of Poughkeepsie Police Department, a legislator and a former member of CJC.

Ken said that he was happy to be on the CJC again. Ken stated it is clear that the overwhelming consensus of the population supports review and reform of police practices. We need to undertake this review in Dutchess County. The governor has issued an executive order to do so and has tied this to state funding. The County Executive felt it was best for all police agencies to work in collaboration toward a policy template and asked Ken to coordinate this initiative. They felt it was appropriate for the CJC to have an active role in the process. The CJC will have a subcommittee assigned to this task with Ken as the chair. There will also be a stakeholders committee of community members that will have a separate role. Ken said they are working very closely with the Chiefs Association and the Dutchess County Sheriff's Office. The Sheriff's Office is taking the lead because of their many years of experience with accreditation and compliance with standards, policies and procedures. The goal for this subcommittee is to work closely with the stakeholders group and the Chiefs Association. Ken said he has already reached out to some CJC committee members to serve as subcommittee members.

Some members are required by the governor's executive order. A small work group, many required by the order, includes District Attorney Bill Grady, Public Defender Tom Angell, Probation Director Mary Ellen Still, Chief of Police Tom Pape, Honorable Denise Watson, Steve Miccio and Dr. Gary Christensen. Ken said they plan to meet virtually for the time being. The smaller group will be a sounding board for the Chiefs Association and the community stakeholders group. Ken said that the community stakeholders group that he is assembling has about 14 people right now but will be expanding.

The County Executive has asked that we try to have the policy and procedures reviewed by the end of October. Training that needs to occur is bias training and procedural justice training. Some agencies have already undertaken this. Ken added that many of the policies that the governor is speaking about are already in place in many departments in Dutchess County. Dutchess County is unique because the mental health community and the law enforcement community have been communicating and interacting for many years. We have the Mobile Crisis Team and the Stabilization Center. Crisis Intervention Training has been available to every law enforcement agency in the county and a good portion of personnel have been trained.

Legislator Edwards asked Ken how he envisions the two groups working together and how they will get public input. Ken replied that the stakeholders committee will bring concerns from the community to the forefront. The CJC subcommittee is primarily comprised of professionals who have a criminal justice background. By executive order we must have public forums. We can have these forums throughout the county. Shirley Adams noted the subcommittee currently has no minorities and there are minorities on the CJC who could be included. Shirley said that she is a member of CJC and has a criminal justice background. Ken said he was unaware of Shirley's background and would welcome her. Shirley said she would volunteer for a position temporarily until a permanent person is appointed. Bill Grady added that he cannot imagine anyone more well respected than Shirley and recommended that she be appointed to the committee in a permanent position. Shirley said she would volunteer and accept a permanent position. Bill added that he has an individual in his office who might be interested in serving as well. Brud said that Lance Hardy would be excellent for this Committee. He used to be on the CJC and knows what is happening in the community. Bill O'Neil said we will take all the comments made into consideration. Mary Ellen thanked Shirley and everyone who shared their perspectives.

Rebecca Edwards commented that the structure of having two subcommittees might work well in some ways, but it could also create division. Legislator Edwards asked if we have any front-line police officers who are people of color who might be willing to serve. This would bring a different perspective to the committee. Sam recommended that Karmen Smallwood be on the committee. Ken said that Karmen has already agreed to be on the stakeholders group. Mary Ellen said that we will take everyone's suggestions under consideration as this is an evolving work in progress.

## **5. Committee Reports:**

### **Quality Assurance—Dr. Gary Christensen, Tom Angell, Bill Grady**

Gary reported that Quality Assurance has been working to evaluate the impact of reform to bail reform. Probation is going to look at the outcomes of their violation review process to estimate the number of cases that might have been revoked or remanded if reform to bail reform was in effect. This will give us an idea how that might affect us moving forward post-covid and post-bail reform. Probation supervisor Kathy McQuade, who is on Quality Assurance, noticed that the number of Criminal Contempt cases have increased. When Gary sent out this morning's jail snapshot, 11 of 15 misdemeanors were related to domestic violence or obstructing breath. It is a significant population of those in the jail. Gary added that he is charting felonies and misdemeanors involving harm to a person or property that were committed by people who were released on a felony or misdemeanor involving harm to a person or property. Gary thinks the impact of that population will be low. Gary said they are also working with RESTART Quality Assurance. They are looking at about 500 people who went through RESTART for various periods of time during 2018 & 2019 for a recidivism analysis. They are reviewing the number of hours spent in community programs as well as the time spent in RESTART at the jail for a recidivism analysis that considers both. They are doing a one and two year analysis. Gary provides the QA Committee with a spreadsheet for the analysis.

### **RTA—Hon. Joseph Egitto**

Judge Egitto was unable to attend, but there was nothing new to report.

### **Juvenile Justice—Karen DeSimone**

Karen reported that the committee has not yet resumed meeting. Karen plans to survey the service providers who are part of the committee to see how they are currently operating. Karen feels it will be helpful for members of the committee to know what is available currently. Karen plans to hold a meeting in August. Karen reported an uptick in arrests and said that the number of PINS cases is down. Many of the arrests are RTA cases. Rebecca Edwards asked about the nature of the charges. Karen does not have that information at the moment, but believes it is the normal variety of cases. Mary Ellen said we can get that info and break it down into categories.

### **Centralized Arraignment—Hon. Jerry Hayes**

Judge Hayes reported that there has not been a meeting recently. They will be waiting until the court system gets back to normal. A precondition of going forward from the administrative judge's office is that we convene a meeting of town supervisors and many other public officials. This would not be practical now. The CJC Executive Committee believes we need more information and preparation before convening a meeting. In the meantime, Judge Hayes sent out a questionnaire to stakeholders. He will send out a reminder to return the questionnaire. Tom Angell added that during these last several months, we have been operating closer to a centralized arraignment

model anyway. He thinks that a lot of judges appreciated the process and hopefully there will be more buy-in.

### **Re-Entry—Tom Angell and Irma Machado**

Tom reported that the Re-Entry committee has continued to meet over the last several months. On June 18 they had a presenter from the Parole Preparation Project. The program helps those who are currently in prison prepare to see the Parole Board. Tom said it has been very effective.

At the next meeting on August 20, Mr. Goldwire from SUNY Albany will be the guest. He has an education program for people in the criminal justice system.

Tom reported that both the parole Re-Entry house and Exodus have been active and are continuing to work with people coming out of prison. Parole has had to adjust their procedures for supervision in the current environment. Tom thinks there is still a lot of work that can be done to help people coming out of prison to successfully integrate into the community. Gary asked if the population at the Re-Entry house is at or near capacity and Tom indicated they were. They had success at the beginning of the year finding permanent housing for people. We were working on better integrating the parole Re-Entry house with Exodus and were making progress on that as well. Exodus had a problem running MRT remotely as many people have limited access to technology. That is still being worked on. Exodus is running anger management and Ready, Set, Work. Kari Reiser said they have two beds open at 213 North Hamilton because they have been able to find permanent housing for some clients. Those two beds remain open and there are about nine people at the pods consistently. Irma said that Parole is only seeing sex offenders at this time. They are limiting warrants being issued to serious crimes, sex crimes and DV. Gary said this is reflected in the decrease in the jail population. There are currently 13 people in the jail on parole warrants which is extremely low.

### **CIC--Shirley Adams**

Shirley reported that the committee is compiling comments and recommendations regarding the criminal justice system from county residents. They will be doing this through July and August and Shirley plans to present some of the comments and recommendations to the CJC in September.

### **Diversion—Steve Miccio**

Steve reported that a CIT class is being held this week at the academy. There are 11 students. The Stabilization Center policy & procedures are being reviewed. They are working on re-opening plans. Steve said they have been accepting clients brought in by law enforcement. Steve said they plan to open to the general public in a few weeks.

Tom Angell asked if there is any discussion about restructuring or reevaluating how the Stabilization Center is interacting with community partners and county agencies. Steve said that there are ongoing discussions. Steve said we are looking at workflow and organizational structure. Jackie added that the county will be reducing its role with

the Stabilization Center. On or about August 1, the county supervisor will be removed from the direct operations of the Stabilization Center and will be handing it over to our contracted partners who staff the Stabilization Center. Steve Miccio will be taking the lead on the transition. This is purely an administrative decision and won't change the operations of the Stabilization Center.

### **Victims—Kelly Bunt**

Kelly reported that the committee has been focusing on trends that providers have been seeing since covid. They have decided to explore developing a survey to send to providers, as well as individuals receiving services, to learn what services or resources have been impacted since covid-19. At the July meeting, Dr. Daria Hansen from Marist College, the director of the social work program, discussed a collaboration with Marist to develop the survey. Kelly said they are hoping to start the process in September.

### **Justice-Involved Women—Joanne Nellis**

Joanne reported that the committee met in July and discussed how agencies coped during the covid-19 pandemic. The Women's Center provided services remotely and will begin in-person intakes on July 27. They will also continue to provide services remotely. Family Services reported that DAAC and the Peace program will be resuming this week. We informed the group that the Marist project is on hold, but we hope to continue in the future. They discussed how Special Populations is looking at services for women both in the jail and in the community. They also discussed the findings from the Special Populations focus group for women. Women felt there is a lack of support services in the community once they are released. They talked about the loss of connections that are established in jail when they get out. They also talked about the resource guides they are given when they leave. Women who are involved with the RESTART program are given a packet of information about community resources when they leave jail. Joanne said they discussed giving this same packet to all women leaving the jail. The next meeting is scheduled for August 12.

### **Special Populations—Jon Heller**

**Quality Assurance**—Jon reported there was a facilitators MRT zoom meeting on June 11. There were 36 facilitators from six provider agencies. There was discussion on how each agency was providing services during covid. CCI, the MRT developer, provided guidance. Zoom is a popular platform for doing MRT remotely. Each agency discussed reconstitution plans for resuming in-person services. RESTART staff were trained in Interactive Journaling. Jon appreciated the assistance of Nicole Willoughby from CTC and the jail staff.

**RESTART Quality Assurance** met on June 16 and reviewed the June 11 fidelity meeting and discussed the women's focus group that was recently held. It was noted that the jail staff have been invaluable in providing support for the RESTART participants and interface for RESTART staff. RESTART reopened on June 29 but had to briefly pause due to a covid positive test on unit 23. They will reopen on July

20. There is a MAT subcommittee meeting later today. Special Populations will look at women's services in the jail. With covid and the current limits of the jail facility, it has been particularly hard for the female participants of RESTART. There is a new work group that will begin to address the issue and report back to Special Populations. The next meeting is August 24.

**6. Old Business**—Update on JTC—Bill O'Neil

Bill reported that requests for bids were sent out on July 10 with responses due back by August 14. The construction documents contained information regarding the project labor agreement that has been signed with the local trade unions. Bill said they plan to evaluate the bids immediately and begin work in the September time frame. This would put us on track for occupying the new facility by 2023 and realizing the full year operational savings by 2024.

- 7. New Business** - Tom Angell asked about a covid positive test at the jail. Bill O'Neil said that there was a covid positive from a state-ready individual. There is a requirement to test all those being transferred to a state facility. This was one of eight state-ready individuals and all were put in isolation. This same individual had some involvement in the kitchen, so all individuals in the kitchen work group were tested and isolated. Jon added that the jail acted very quickly following all protocols. Tom Angell said he has been receiving some complaints the last few weeks about the temperature at the jail. Bill replied that the HVAC system is old and has issues. There are people working to moderate the temperatures. Bill said it is a problem and one of the reasons we are trying to build a new facility.

**8. Announcements** – none

- 9. Adjourn** – A motion to adjourn was made by the Honorable Frank Mora, seconded by Legislator Rebecca Edwards.

**Next meeting: Tuesday, September 8, 2020**