Appendix

I. Task Force Members

II. Charge to the Task Force

III. White Paper—Long-term Approach to Addressing Conditions Contributing to Recidivism and Incarceration

IV. Meeting Agendas and Materials (including comments from the public input session)

V. Meeting Notes

I. Task Force Members

Task Force Members

Suzi Cook, Co-Chair, County Attorney's Office and Chair, CJATI

Deb Dietrich, Co-Chair, Opportunities, Alternatives, Resources (OAR)

Hon. John Rowley, County Court Judge

Hon. Mark Dresser, Magistrate, Town of Ulysses

Patricia Buechel, County Probation Department

Linda Riley, County Mental Health Department

Davi Mozie, Human Services Coalition

Susan Begg, Community Representative

Eric Lerner, Community and Organizational Development

Angela Sullivan, Alcohol and Drug Council

Jason Leifer, Attorney

Paula Ioanide, Ithaca College

II. Charge to the Task Force

Motion of the Public Safety Committee Requesting the Criminal Justice/Alternatives to Incarceration Committee (CJATI) to establish a task force that will consider and may recommend County initiatives, in addition to the array of programs already in place, that may safely and prudently reduce the population of the Tompkins County Jail.

The Public Safety Committee hereby requests CJATI form a task force, including at least 2 individuals who are not a County employee or criminal justice professional, to complete the following charge:

The Charge: The task force will engage the public, criminal justice professionals, County department and agency heads, and other knowledgeable individuals to solicit ideas for further reducing the number of individuals incarcerated at the County jail. Based on the ideas presented, the task force will undertake a review of the options that it finds to offer the greatest possibility of safely and prudently reducing the jail population.

All task force meetings shall be open to the public. At least one of the meetings must be devoted to accepting public input, and at least half of the meetings must occur after 5:00 p.m.

The task force's review, which will be assisted by County Administration and other County staff as needed, should include consideration of the cost of the initiative, the extent to which the initiative is within the County's control and can be implemented by the County, an assessment of the impact of the initiative on the safety of the community and the well-being of individuals in the system, and the expected impact on number of individuals housed at the Jail. The task force may expand this list of considerations as it finds warranted.

During the course of its review, the task force will report its status and progress to the Public Safety Committee on a monthly basis.

Within six months following the commencement of its work, the task force will present a report containing its findings and recommendations to CJATI. CJATI will vote to attach or withhold its endorsement of the report, and will then transmit the report to the Public Safety Committee.

III. White Paper – Long Term Responses to Address Incarceration and Recidivism

Future Work to Create an Effective Transition Program

Deb Dietrich, Co-Chair Jail Alternatives Task Force

Over the course of the last few months, and during numerous discussions at the Criminal Justice and Alternatives to Incarceration (CJATI) Board over the past several years, key elements of an integrated and effective transition/re-entry program have emerged. Many in the community are calling for the creation of a model for a continuum of reentry services, fundamentally based in the community, which could reduce the number of individuals cycling through the revolving doors of local jail and state prisons.

Reentry programming is in its infancy here in Tompkins County. A variety of missing or inadequate components need to be addressed, particularly in light of recent state policy changes which will increase the numbers of individuals transitioning back into the community over the next several years.

Background

The United States has the highest incarceration rate in the world. In 2013, Tompkins County held an average of 90 inmates per day in our jail, with an average of 8 boarded out. The cost of board outs has led to increased interest in alternatives to incarceration and more efficient use of tax dollars.

A large number of individuals released from incarceration generally return home, which has led to an emphasis on reducing recidivism and the proliferation of comprehensive transition/re-entry programs nationwide.

Transitioning Back into the Community

The most commonly accepted definition of reentry is the process and experience of leaving prison or jail after serving a sentence and returning to the community and includes the activities and programs conducted to help prepare inmates to return safely to the community as law-abiding citizens. Transitioning is the process by which reentering inmates adjust and reconnect to employment, families and communities.

Most current reentry models focus on providing reentry services immediately upon release of the inmate who has completed at least the incarceration portion of the sentence. Tompkins

County's model recognizes the need to prepare for the transition back into the community *prior to release* by identifying immediate barriers. However, we need to envision the reentry process to begin even earlier when the individual is admitted to the county jail rather than sixty or ninety days prior to release. It is during intake that the inmate should be administered a thorough evaluation process that identifies major issues such as mental illness and/or substance abuse. (Proposed Black Creek ACTS software would assist with this). Under this model the correctional staff, members of a Reentry Team and the inmate together develop a reentry plan that includes using the time spent in incarceration to gain the tools needed for successful reentry. It is recommended that the County design an effective Re-Entry Program with a Team created by and regularly reporting to CJATI to coordinate transition plans and services.

Truly effective reentry planning would begin at pretrial release and plea negotiations where defense counsel could submit to the judge an individualized plan for reentry. This provides the judge with the opportunity to construct an individualized sentence that begins to plan for reentry. For mentally ill defendants it serves to make the judge aware of the role that serious mental illness may have played in their behavior and the need to consider treatment options including comprehensive treatment and intensive community reentry support. (DBA will do this for a small number of inmates and should be explored and evaluated for possible future expansion.) This information compiled by the defense and submitted as part of the sentencing stage may also be useful for corrections staff during the comprehensive intake evaluation to identify mental health needs and support services that are needed during incarceration.

To better utilize time spent in Jail, and in preparation for return to the community, programming in the jail needs to happen – substance abuse education (regularly scheduled AA and NA meetings), counseling, parenting classes, anger management skills training, on-line learning, employment preparation (SWAP, RICKS, Finger Lakes Reuse), spiritual supports if desired, computer skills, vocational exploration and training. ***Tompkins County needs to explore ways in which programming space can be made available for this.***

Other supports Needed for a Successful Transition

Housing

Generally, those returning to Tompkins County from incarceration or in-patient rehabilitation, have been faced with limited and inadequate housing choices. Safe and secure housing is a fundamental need of all individuals and families including those returning from incarceration. The housing options here in Tompkins County, other than the Rescue Mission, are limited to a handful of landlords with housing that frequently does not meet federal housing choice voucher requirements and are frequently unsanitary and decrepit. Individuals returning to the

community from jail or prison desperately need a place of refuge in order to stabilize their position in the community and with their families.

Suggestions for an increased range of housing options have emerged from public discussions and meetings of the county's Continuum of Care Committee and CJATI. These include: a "wet"shelter—also known as a harm reduction shelter; Halfway House; and more permanent supportive housing units such as those provided by Chartwell House and Magnolia House. (The County should partner with non-profit housing providers (assign County staff) to explore federal and state funding for transitional housing/wet shelter, and submit proposals for funding.

Improved Access to Integrated Mental Health and Substance Abuse Treatment

The County should explore expansion of ACT to cover the entire county, and expand assisted living opportunities for those returning to the community with a diagnosed but untreated mental health disorder.

Mentoring

Mentoring was frequently mentioned in public discussions of alternatives to incarceration. The Federal Government has funded numerous mentoring pilots through its Second Chance legislation. Various mentoring models suggested included: a Veteran's Track in County or City Court (with a strong mentoring component; Circle of Recovery which provides a support network for individuals in recovery from alcoholism and substance abuse; a mentoring program based on the Mentor Student Program; and an employment mentoring model.

Employment

The employment picture for those returning from incarceration is bleak. While it has always been a struggle to place former offenders in meaningful employment that pays a living wage, the national economic meltdown has made it nearly impossible. As those more qualified and trained lose jobs, they are moving down the employment scale in substantial numbers thereby closing doors to those seeking entry-level employment. This has occurred periodically in our nation's history but appears to be occurring more on the scale of the Great Depression of the 1930s than it has in the past fifty years. To begin with, there are a limited number of employers willing to extend opportunities to former inmates of jails and prison in Tompkins County. Former inmates highly value the opportunity to prove themselves and frequently make reliable and loyal employees. However, declaring a conviction for a crime on an employment application stigmatizes these individuals and raises employers' concerns about risk often resulting in the denial of an employment request. To counteract these risks, the federal

government offers the Work Opportunity Tax Credit, which allows employers to claim up to $2,500 per year on its tax return for every ex-convict an employer hires. In addition, the New York State Department of Labor offers employers a bonding program, which is insurance against fraud, theft or wrongdoing on the part of an employee. The federal government will pay for this bonding for the first year and then the employer picks up the cost. New York considers it an unlawful discriminatory practice to have a blanket policy against hiring people with a criminal record and under New York State Law, an employer can only refuse to hire an otherwise qualified applicant based on the applicant's criminal conviction history if the conviction is related to the specific job duties or if the applicant would pose risk to people or property. Finally, a 2008 amendment to the state's Human Rights Law also protects employers from claims of negligent hiring if they hire an ex-convict and the individual does something illegal on the job. In spite of these extensive legal protections, the formerly incarcerated continue to climb a steep hill in obtaining employment.

Several suggestions were made at the public hearing held by the JATF to address employment issues including attendance at the Hammerstone School of Carpentry for Women; job readiness training through the Finger Lakes Reuse Center; a possible Employer Clearing House to coordinate services for firms hiring those released from jail and/or prison; and creating employment opportunities in the construction trades.

IV. Meeting Agendas and Materials

AGENDA

Criminal Justice Advisory/Alternatives-to-Incarceration Advisory Board

Jail Alternatives Task Force

Friday, March 14, 2014 - 3:00 PM

Scott Heyman Conference Room, 125 East Court Street, Ithaca, NY

I. Introductions

II. Our Charge

III. Crafting our Approach

IV. Adjournment

Questions or information: Contact Suzi Cook, Chair, 274-5478 scook@tompkins-co.org

Agenda
Jail Alternatives Task Force
Friday, March 14, 2014

I. Introductions

II. Our Charge

III. Crafting our Approach

IV. Adjournment

Inclusion through Diversity
2

Welcome to the Tompkins County Legislature meeting portal. Please submit comments to: Legislature@tompkins-co.org.

AGENDA

Criminal Justice Advisory/Alternatives-to-Incarceration Advisory Board

Jail Alternatives Task Force

Monday, March 31, 2014 - 5:30 PM

Scott Heyman Conference Room, 125 East Court Street, Ithaca, NY

I. Call to Order

II. Minutes Approval

a. Friday, March 14, 2014

III. Look at Existing ATI Programs and Resources

IV. Discuss Next Steps

V. Adjournment

Questions or information: Contact Suzi Cook, Chair, 274-5478 scook@tompkins-co.org

Jail Alternatives Task Force
Regular Meeting Minutes - DRAFT
Friday, March 14, 2014 3:00 PM
Scott Heyman Conference Room

Attendee Name	Status
Susan Begg	Present
Patricia Buechel	Present
Suzi Cook	Present
Deb Dietrich	Present
Paula Ionidi	Excused
Jason Leifer	Present
Eric Lerner	Present
Davi Mozie	Present
Hon. Mark Dresser	Present
Angela Sullivan	Excused
Linda Riley	Present
Hon. John C. Rowley	Present

Staff: Andrea C. Gibbs, Marcia Lynch, Paula E.F. Younger

Call to Order
The meeting was called to order at 3:00 PM.

Review of Charge
The Charge to the Task Force was read. Regarding the statement in the Charge that "The task force's review, which will be assisted by County Administration and other County staff as needed…," Ms. Dietrich will contact the County Administrator to find out how to access either County personnel or an intern to help with research if needed.

Crafting Our Approach

- Public Meetings – All meetings are open to the public. Suzi suggested the second Task Group meeting focus on gathering public comments to have it early on in the process; another such meeting may be scheduled.
- Task Group Meetings
  - Anticipated there will be two meetings per month, one in the day and one in the evening, and as needed; schedule two meetings at a time and as needed.
  - June-July: research for draft of suggestions
  - July-August: rough draft of suggestions in time for County budget preparation.
  - The work of the Group is to be completed within six months—September 2014 or earlier.
- Approach
  - Start by identifying existing alternatives to determine what works; what needs to be tweaked to work better; what is not working.
  - What is done elsewhere and works well?
  - What is not labeled an alternative but may be a resource?
  - What can the Legislature address/influence?
  - What is within the Court's jurisdiction?
  - What alternatives could be added?
  - Compile a list of existing alternatives with synopsis.

It was agreed that Suzi Cook, Deb Dietrich, Pat Buechel, and Davi Mozie will begin compiling a draft of existing alternatives to be available for the Task Force to review at the next Task Force meeting. It is expected that the meeting thereafter will be to gather public comments and suggestions on how Tompkins County can safely and prudently decrease our jail population.

Adjournment
Meeting was adjourned at 4:27 PM.

TOMPKINS COUNTY DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE

ALTERNATIVE TO INCARCERATION PROGRAMS

The following is a description of available Alternative to Incarceration Programs offered by this department. Please keep in mind that several of the alternatives can be used on a pretrial basis as well as part of a court imposed sentence. It is this department's policy that all cases where a recommendation of incarceration is being considered at the investigation or violation of probation stage be screened before our Alternatives to Incarceration Committee for possible sentencing options in these ATI programs.

PRE-TRIAL RELEASE PROGRAM (PTR)

The Pre-Trial Release program is operated in an attempt to facilitate release for incarcerated individuals who meet certain criteria. All defendants in custody at the Tompkins County Public Safety Building who have bail set by a court are given the opportunity to be interviewed for this program. A Probation Assistant reports to the jail Monday through Friday and conducts an initial screening and personal interview with the defendant. A cursory investigation is then conducted into the defendant's legal, social and employment history with emphasis placed on past cooperation with court orders, prior warrants for failing to appear in court and personal references to determine the defendant's potential for appearing for future court dates. An assessment, via a validated instrument combined with professional judgment, is then made as to the defendant's ties to the community and potential flight risk from their legal charges. A recommendation is forwarded to the court as to the best release option, which can include the following:

- *Release on Recognizance*
- *Release Under Supervision (to Probation)*
- *Release Under Supervision to Day Reporting*
- *Reduce Bail*
- *Continue Bail*

If RUS to either Probation or Day Reporting is recommended, specific conditions of release are submitted along with the report to the court. The Probation Department then supervises the defendant's adherence to those conditions to help ensure appearance to subsequent court proceedings. Non compliance with the conditions of release results in a notification to the court with possible return to jail. If the recommendation is for reduced or continued bail, this department can prepare a subsequent pre-trial report upon the court's request to update the court with possible new information which could affect bail status.

SERVICE WORK ALTERNATIVE PROGRAM (SWAP)

SWAP is a supervised alternative to incarceration program for adults (age 16 and above) who have been convicted of a nonviolent crime and have been ordered to complete community service as a condition of a court imposed sentence. To be eligible for this program, a participant cannot have a history of generalized violence in the community, cannot have a sexual offense history and cannot have a violent felony in their background.

Attachment: Agenda attachments (4748 : Agenda Materials)

The number of community service hours ordered to complete depend on the level of the offense as follows: 50-75 B Misdemeanor, 75-100 A Misdemeanor, 100-200 E Felony and 200-300 D Felony. The SWAP program has two full time Work Project Supervisors who operate scheduled shifts throughout the week, including evenings and weekends. The program provides transportation for participants to and from various not-for-profit work sites throughout the county. Participants gain work skills and self esteem while performing their community service and the experience allows them to repay the community for their criminal behavior.

INTENSIVE SUPERVISION for GREATEST RISK OFFENDERS

This caseload is comprised of Greatest Risk offenders who require intensive monitoring and more extensive case management. Greatest Risk offenders are defined as individuals who have previous convictions, individuals for whom there is a plea agreement for incarceration after conviction/trial or individuals currently serving a probation term and have been convicted of another offense. Greatest risk offenders are also determined by classification on a validated risk and needs instrument utilized by the department. Participants on this caseload are expected to meet with their Probation Officer a minimum of twice weekly and are subjected to home visits twice monthly. As the Greatest Risk caseload is smaller than a regular caseload, the supervising probation officer is able to spend more time with the probationer and his/her family as well as maintain close contact with service providers. Problems are able to be addressed quickly to improve probation outcomes. Probationers remain on the Greatest Risk caseload until the risk and needs assessment case review demonstrates a reduction in their risk level, at which time they are transferred to a core caseload. This caseload can be used as an alternative to a split sentence of jail/probation or in lieu of a longer period of incarceration. Being placed on this caseload can also be used as a sanction for a Violation of Probation.

INTERIM PROBATION SUPERVISION (IPS)

Interim Probation Supervision is a trial period of probation which can last for up to one year but can be extended for up to one additional year by court directive. It is used in cases where the defendant has a past history of failed community based supervision and is viewed to possess low motivation in the instant offense. It is generally used at the felony level but can be used at the misdemeanor level as well. The defendant is placed on Interim Probation Supervision with conditions that are normally used in all supervision cases. If the defendant is successful and demonstrates good compliance, then the court can sentence the defendant to probation. Due to a change in the law, it should be noted that the Interim time period of supervision is now applied to the Maximum Expiration Date of the sentence. If the defendant is not successful on the Interim period, the court can sentence the defendant to incarceration without the formality of a Violation of Probation hearing. The benefit of Interim supervision is that incarceration can be avoided if the defendant can prove himself/herself to the court by demonstrating compliance.

ELECTRONIC MONITORING (EM)

The Electronic Monitoring Program provides 24-hour home monitoring of an offender through the combined technology of Global Positioning Satellite and cell tower via an electronic ankle bracelet. This technology offers real time tracking as well as the ability to

Attachment: Agenda attachments (4748 : Agenda Materials)

communicate with the offender should the Probation Officer discover or be notified of violations of the EM by the monitoring center. GPS allows this department to review the activities of a participant in any given day by showing exactly where the participant traveled, the route taken and how long the travel took. The system also allows this department to designate areas of the city or county that are available to the offender (inclusion zones) and from which the offender is forbidden to visit (exclusion zones). The offender must adhere to a prearranged schedule of time in and time out. If the offender does not adhere to this schedule, the probation department is alerted.

To be eligible for the EM program, the offender must have a willingness to cooperate with the program, have stable housing, and have access to electricity on a daily basis to recharge the battery. This department must screen cases to ensure the offender meets eligibility criteria.

EM may be used on either a pretrial basis or as part of a court imposed sentence. Pretrial participants may be those that are found ineligible for Release on Recognizance or Release Under Supervision and are ineligible for Opportunities, Alternatives and Resources (OAR) bail. In these cases, EM provides an alternative to bail. These individuals may be monitored for up to a 90 day period or longer if ordered by the court. It may also be used as a condition of probation or as a disposition on a Violation of Probation in lieu of incarceration.

DAY REPORTING PROGRAM

The Day Reporting program is a structured, secure environment intended to provide stability, accountability, education and personal advancement for individuals who would be facing a period of incarceration. Participation in the program is mandated by the criminal courts as either a condition of Pre-Trial Release Under Supervision, a condition of probation or conditional discharge, or a drug court sanction. The NY State Division of Parole is also mandating the Day Reporting Program for some parolees upon their release from state prison to assist them with reintegration into the community. The courts decide on the length of stay in the program, which for PTR can be until a defendant returns to his or her next court date or it can be a set number of days as specified in their sentence.

Participants attend the program located in the Community Justice Center (old Tompkins County Library building) Monday through Friday, where they remain on site for the duration of the day (8:50 AM to 1:30 PM) unless they have verifiable outside treatment appointments. The program is made up of classroom instruction on various topics, including substance abuse education, impact of criminal behavior on victims, GED and employment related issues. Participants also perform several hours of supervised community service each week at various locations. They are encouraged by staff to take personal responsibility for their actions, repair the harm caused to their victims and the community and to develop skills to enable them to become productive members of society. The key to the program is accountability and courts are notified when a defendant is out of compliance with program rules.

Attachment: Agenda attachments (4748 : Agenda Materials)

TREATMENT COURT PROGRAMS

The Ithaca Community Treatment Court (ICTC) program for misdemeanor level offenses and the Felony Drug Court (FDC) program for felony level offenses provide defendants with a highly structured environment that combines judicial oversight, intense probation supervision and a system of rewards and sanctions for compliant and noncompliant behavior. These programs are designed for incarceration bound high risk offenders who have a history of past failed probation terms and substance abuse treatment outcomes. In addition to being screened by this department's ATI committee, potential candidates for Treatment Courts are also reviewed by the respective drug court teams for appropriateness. Please note that magistrates in the town and village courts in Tompkins County can transfer jurisdiction of a case to ICTC. A transfer order must be completed by the transferring court for this to occur. In certain cases, a defendant may be allowed to participate in ICTC on a contract basis, which allows the defendant to later withdraw their plea upon successful completion of the program to a lesser charge. For these individuals, they are no longer under the supervision of probation. For other cases, a defendant is ordered to complete ICTC as a condition of a probation sentence and generally continue to be supervised after completion of the program. In FDC, many defendants are sentenced to probation and are ordered to complete the program. Upon successful completion, they remain on probation supervision for further monitoring. Other cases in FDC fall under Judicial Diversion involving contracts for participation with specified outcomes for successful completion.

The rules of each program are rigorous with participants expected to initially report to their probation officer a minimum of twice weekly, attend court appearances on a weekly basis for compliance reviews, and be subjected to mandatory drug testing. Participation in a substance abuse treatment program is the priority and education and employment issues are addressed when the participant is well grounded in recovery. Graduated sanctions are used by the court to address noncompliance with program rules, which could include but are not limited to increased reporting, SWAP, EM, Day Reporting and short periods of incarceration.

Revised 11/06/2013 PB

Attachment: Agenda attachments (4748 : Agenda Materials)

We broke it down into two categories-Presentence and Post Sentence Alternatives.

Pre-Sentence
Regular Bail
Pre-Trial **Release Under Supervision** (RUS) to Probation
Pre-Trial Release to Probation at **Day Reporting**
Pre-Trial Release to Probation with **Electronic Monitoring**
Opportunities, Alternatives and Resources (**OAR**)
Jail Substance Abuse Evaluations (Article 13-A Money)

Post Sentence
Jail Substance Abuse Evaluations (Article 13-A Money)
Probation sentence (core caseload)
Greatest Risk Supervision caseload - Probation
Felony and Misdemeanor **Drug Court**
Day Reporting
Electronic Monitoring
Service Work Alternative Program (**SWAP**)

Work Force Development – helping people find jobs, employment skills, crafting resumes

We also had a general conversation about housing opportunities in the community as we agreed this is a piece of the puzzle when it comes to recidivism. We came up with the following list:

Magnolia House (opening soon along Meadow Street for women, operated by Tompkins Community Action)
Chartwell House (for men, at 322 N. Meadow Str, operated by Tompkins Community Action)
Corn St. Apartments (supportive housing for women, operated by Tomp. Comm. Action)
Lakeview Supportive Housing (mental health issues)
Unity House (408 E. State Street, Ithaca, nonprofit, provides health care services for those with developmental disabilities and mental illnesses, assisted and independent living services)
Supportive Living program operated by Cayuga Addiction Recovery Services (CARS)
Residential Services Unit operated by **CARS**
Rescue Mission – 717 Court Street, Ithaca, where homeless men can obtain housing – 10 permanent supportive housing units, outreach services, life skills training, case management, employment services
Rescue Mission – now operating the **Red Cross Shelter**

Attachment: Agenda attachments (4748 : Agenda Materials)

AGENDA

Criminal Justice Advisory/Alternatives-to-Incarceration Advisory Board

Jail Alternatives Task Force

Wednesday, April 9, 2014 - 5:15 PM

Scott Heyman Conference Room, 125 East Court Street, Ithaca, NY

I. Call to Order

II. Look at Final Listing of existing ATI Programs and Resources

III. System Mapping

IV. Start "walking" thru the system from first contact

a. Arrest to Pre-trial Incarceration

V. Discuss Next Steps

VI. Adjournment

Questions or information: Contact Suzi Cook, Chair, 274-5478 scook@tompkins-co.org

We broke it down into two categories-Pre-sentence and Post Sentence Alternatives.

Pre-Sentence

Regular Bail
Pre-Trial **Release Under Supervision** (RUS) to Probation
Pre-Trial Release to Probation at **Day Reporting**
Pre-Trial Release to Probation with **Electronic Monitoring**
Opportunities, Alternatives and Resources (**OAR**) Bail Fund
Jail Substance Abuse Evaluations (Article 13-A Money)
Defender Based Advocacy Program , 3 yr grant - via Assigned Counsel

Post Sentence

Probation sentence (core caseload)
Greatest Risk Supervision caseload - Probation
Felony and Misdemeanor **Drug Court**
Day Reporting - Probation
Electronic Monitoring - Probation
Service Work Alternative Program (**SWAP**) - Probation
OAR Drop In Center
Tompkins County Re-Entry Project at the Public Safety Building
Tompkins Work Force helping people find jobs, employment skills, crafting resumes

We also had a general conversation about housing opportunities in the community as we agreed this is a piece of the puzzle when it comes to recidivism. We came up with the following list:

Magnolia House (opening soon along Meadow Street for women in recovery (with up to one child), operated by Tompkins Community Action)
Chartwell House (for men in recovery, at 322 N. Meadow St., operated by Tompkins Community Action)
Corn St. Apartments (supportive housing for women, operated by TCA)
Lakeview Supportive Housing (mental health issues; accessed through Single Point of Access-SPOA)
Unity House (408 E. State Street, Ithaca, nonprofit, provides health care services for those with developmental disabilities and mental illnesses, assisted and independent living services)
CARS Supportive Living
CARS Residential Services Unit
Rescue Mission – 717 Court Street, Ithaca, where homeless men can obtain housing – 10 permanent supportive housing units, outreach services, life skills training, case management, employment services.
Rescue Mission Shelter (formerly run by the Red Cross), the Friendship Center and the Single Room Occupancy (SRO) units housed in the same building on W. State Street)

Attachment: Comm ATIs and resources 43 (4772 : Jail Task Force Agenda Items)

Description of Programs

Opportunities, Alternatives & Resources (OAR)
OAR provides interest-free bail loans up to $2,500 for qualifying pre-trial detainees; facilitating inmate contact with their families, loved ones, employers and schools; increasing clients' awareness of and access to appropriate community services and criminal justice resources; providing a community presence at Tompkins County Jail to promote humane and legally required treatment of incarcerated persons;

Jail Substance Abuse Evaluations (Article 13A funds thru CJATI)
Substance abuse evaluations done at the Tompkins County Jail, conducted by a Certified Alcohol and Substance Abuse Counselor (CASAC) to expedite getting appropriate clients into treatment; enables door to door treatment;

Defender Based Advocacy (3 yr grant $105,000 via Assigned Counsel Program @ $2,500 per case)
DBA programs assist the courts, public officers, and others in identifying and avoiding the unnecessary use of incarceration by developing and submitting plans specific to each individual defendant and providing relevant information to defense attorneys, courts, other releasing authorities, and district attorneys which is critical to plea, sentencing, and release decisions. Can help identify appropriate defendants for alternatives to detention or incarceration, and provide information about referrals to specific treatment programs, employment, vocational or educational programs, housing and other relevant support services.

Felony Drug Court
Provide services to felony defendants that were facing definite incarceration as a result of their alcohol/drug use and the serious criminal charges associated with this use. Each potential participant must be screened by the Court, the Probation Department, and the District Attorney's office prior to admission into the program. During the screening process a defendant may receive a release under supervision of a drug court probation officer or be placed on interim probation supervision that may include a period of electronic monitoring. If accepted into the program by the FDTC team, the defendant will then enter a guilty plea and be sentenced. This will occur after consultation with a defense attorney where they will receive a detailed explanation of the program requirements. All defendants are sentenced to a 5 year term of probation and must agree to comply with all of the mandates of the FDTC program.
3 Phases include reporting to probation officer, drug screenings, reporting to Drug Treatment Court, maintain 90 days of continued abstinence, mandatory attendance at sober support activities with verification, completion of education/employment class or job skill training of unemployed, dental and physical exam. Participants who remain drug/alcohol free for one year, complete a community service project and are currently in a course of study or who have obtained meaningful employment are eligible for graduation from Felony Drug Court.

Ithaca Drug Treatment Court
The mission of the Ithaca Drug Court is to establish coordinated mechanisms for identifying defendants at the earliest stages of the judicial process whose crimes are either directly or indirectly related to alcohol and drug addiction; insuring that these defendants receive appropriate substance abuse treatment; and

Attachment: Comm ATIs and resources 43 (4772 : Jail Task Force Agenda Items)

provide education, vocational training, and employment to those who enter and successfully complete the rehabilitation process associated with the Ithaca Drug Treatment Court.
The program combines close judicial supervision, probation case management, intensive drug treatment, regular drug testing, and graduated responses to provide a highly structured environment for appropriate defendants. Through the use of judicial authority, defendants are thus both supported and held accountable for their performance in treatment. In addition, in the Ithaca program, participants complete an educational and vocational assessment early on so that long-term educational and employment goals can be established. Participants' family members are also encouraged to participate in the program and are provided services free of charge. As participants progress in treatment, the program emphasis expands to include life skills and job training. Defendants who successfully complete this treatment and rehabilitation program are provided with a reduction of their charges or mitigation of their sentences, including early discharge from probation.

Work Force Development – thru Probation Department
Provides in jail GED classwork and assists with an inmate's reentry into the community through assistance with job search, resume creation and other employment skills.

Tompkins Community Action
Tompkins Community Action administers a variety of programs to benefit low-income families such as Head Start, Primary School Family Support Program, Housing Choice Voucher Program, Supportive and Transitional Housing, Family Self-Sufficiency/Home Ownership Option Program, and Energy Services (Weatherization and Home Energy Assistance (HEAP) Programs. TCAction, as a multi-purpose anti-poverty agency, tailors its programs to meet the needs of a changing community.
TCA provides housing – See attached

Alcohol & Drug Council of Tompkins County , 201 E. Green Street, Ithaca
The Alcohol & Drug Council of Tompkins County is a private, non-profit agency that provides information, education, counseling and referral services for area residents and organizations. ADC views alcoholism as a progressive, treatable disease with recognizable symptoms. By providing prevention, education and counseling services to individuals and families, the Council strives to provide people with the support necessary for sobriety and good health.

Lakeview Supportive Housing
Lakeview's Supported Housing program helps individuals select a home from a range of affordable area housing, and maintain the residence on a long-term basis.
The Supported Housing Program is available to those who have demonstrated ties to the community, and who have the ability to sustain themselves in an independent living situation.
In addition to recovering from a severe and persistent mental illness, qualified individuals include but are not limited to those who:

- Have graduated from a certified residential program
- Have been referred by their service providers, internal referrals, or self-referrals
- Are homeless
- Are residents moving from Adult Homes

Qualified individuals must meet the guidelines issued by OMH and HUD Section 8 Housing.
In addition to locating and securing suitable housing, Lakeview's Supported Housing staff may assist individuals with:

- Locating and securing safe and affordable housing

Attachment: Comm ATIs and resources 43 (4772 : Jail Task Force Agenda Items)

- Accessing start-up funds for security deposits, furnishings, and utilities
- Securing on-going rental assistance
- Financial planning, management and assistance
- Negotiating with landlords
- Maintenance and upkeep of apartment
- Linkage to services for funding, medical care, psychiatric care, substance abuse recovery services or to any other services as identified by the individual or service providers

The Supported Housing Program is accessed through the Single Point of Access (SPOA) referral process.

Unity House, 408 East State Street, Ithaca
Nonprofit, provides health care services for those with developmental disabilities and mental illnesses, assisted and independent living services

Cayuga Addiction Recovery Services (CARS)
334 W. State Street, City of Ithaca
CARS primary addiction services include: chemical dependency evaluation, groups, individual sessions, medical assessment, Suboxone, Buprenorphine and Naltrexone medication management, and case management services including referrals to vocational, educational, psychological and medical supports.
The CARS outpatient program offers: Screening, Brief Intervention and Referral to Treatment (S.B.I.R.T.) ; Treatment on Demand –
CARS Residential Services Unit is an intensive residential chemical dependency treatment program just north of Ithaca, NY. CARS RSU is a 60-bed, co-ed program of six to nine months in range for successful completion. Clients attend treatment for over 50 hours each week, including weekly individual counseling. RSU clients participate in seven Matrix groups each week, Early Recovery, Relapse Prevention, Social Supports and Family Education.
CARS Supportive Living Program is a 6 month program for single adults (men and women) who are in need of a structured living environment to enhance their substance abuse treatment. The program is designed to prepare the individual for successful independent living while maintaining or establishing long-term recovery.

Rescue Mission
717 Court Street, Ithaca
Runs the Court Street House, provides housing for homeless men, 10 permanent supportive housing units (SROs), outreach services, life skills training, case management, employment services;
Recently took over operation of the **Shelter** (formerly Red Cross) and the **Friendship Center.**

Second Wind Cottages
A project of the Community Faith Partners; cottages are located along Route 13 on the way to Newfield, provides housing for men who are homeless. Many previously listed in the 'jungle.' Services provided to help access social services; project offers the opportunity for building construction and painting as the cottages are being built.

Attachment: Comm ATIs and resources 43 (4772 : Jail Task Force Agenda Items)

TOMPKINS COUNTY DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE

ALTERNATIVE TO INCARCERATION PROGRAMS

The following is a description of available Alternative to Incarceration Programs offered by this department. Please keep in mind that several of the alternatives can be used on a pretrial basis as well as part of a court imposed sentence. It is this department's policy that all cases where a recommendation of incarceration is being considered at the investigation or violation of probation stage be screened before our Alternatives to Incarceration Committee for possible sentencing options in these ATI programs.

PRE-TRIAL RELEASE PROGRAM (PTR)

The Pre-Trial Release program is operated in an attempt to facilitate release for incarcerated individuals who meet certain criteria. All defendants in custody at the Tompkins County Public Safety Building who have bail set by a court are given the opportunity to be interviewed for this program. A Probation Assistant reports to the jail Monday through Friday and conducts an initial screening and personal interview with the defendant. A cursory investigation is then conducted into the defendant's legal, social and employment history with emphasis placed on past cooperation with court orders, prior warrants for failing to appear in court and personal references to determine the defendant's potential for appearing for future court dates. An assessment, via a validated instrument combined with professional judgment, is then made as to the defendant's ties to the community and potential flight risk from their legal charges. A recommendation is forwarded to the court as to the best release option, which can include the following:

- *Release on Recognizance*
- *Release Under Supervision (to Probation)*
- *Release Under Supervision to Day Reporting*
- *Reduce Bail*
- *Continue Bail*

If RUS to either Probation or Day Reporting is recommended, specific conditions of release are submitted along with the report to the court. The Probation Department then supervises the defendant's adherence to those conditions to help ensure appearance to subsequent court proceedings. Non compliance with the conditions of release results in a notification to the court with possible return to jail. If the recommendation is for reduced or continued bail, this department can prepare a subsequent pre-trial report upon the court's request to update the court with possible new information which could affect bail status.

SERVICE WORK ALTERNATIVE PROGRAM (SWAP)

SWAP is a supervised alternative to incarceration program for adults (age 16 and above) who have been convicted of a nonviolent crime and have been ordered to complete community service as a condition of a court imposed sentence. To be eligible for this program, a participant cannot have a history of generalized violence in the community, cannot have a sexual offense history and cannot have a violent felony in their background.

Attachment: Probation ATIs (4772 : Jail Task Force Agenda Items)

The number of community service hours ordered to complete depend on the level of the offense as follows: 50-75 B Misdemeanor, 75-100 A Misdemeanor, 100-200 E Felony and 200-300 D Felony. The SWAP program has two full time Work Project Supervisors who operate scheduled shifts throughout the week, including evenings and weekends. The program provides transportation for participants to and from various not-for-profit work sites throughout the county. Participants gain work skills and self esteem while performing their community service and the experience allows them to repay the community for their criminal behavior.

INTENSIVE SUPERVISION for GREATEST RISK OFFENDERS

This caseload is comprised of Greatest Risk offenders who require intensive monitoring and more extensive case management. Greatest Risk offenders are defined as individuals who have previous convictions, individuals for whom there is a plea agreement for incarceration after conviction/trial or individuals currently serving a probation term and have been convicted of another offense. Greatest risk offenders are also determined by classification on a validated risk and needs instrument utilized by the department. Participants on this caseload are expected to meet with their Probation Officer a minimum of twice weekly and are subjected to home visits twice monthly. As the Greatest Risk caseload is smaller than a regular caseload, the supervising probation officer is able to spend more time with the probationer and his/her family as well as maintain close contact with service providers. Problems are able to be addressed quickly to improve probation outcomes. Probationers remain on the Greatest Risk caseload until the risk and needs assessment case review demonstrates a reduction in their risk level, at which time they are transferred to a core caseload. This caseload can be used as an alternative to a split sentence of jail/probation or in lieu of a longer period of incarceration. Being placed on this caseload can also be used as a sanction for a Violation of Probation.

INTERIM PROBATION SUPERVISION (IPS)

Interim Probation Supervision is a trial period of probation which can last for up to one year but can be extended for up to one additional year by court directive. It is used in cases where the defendant has a past history of failed community based supervision and is viewed to possess low motivation in the instant offense. It is generally used at the felony level but can be used at the misdemeanor level as well. The defendant is placed on Interim Probation Supervision with conditions that are normally used in all supervision cases. If the defendant is successful and demonstrates good compliance, then the court can sentence the defendant to probation. Due to a change in the law, it should be noted that the Interim time period of supervision is now applied to the Maximum Expiration Date of the sentence. If the defendant is not successful on the Interim period, the court can sentence the defendant to incarceration without the formality of a Violation of Probation hearing. The benefit of Interim supervision is that incarceration can be avoided if the defendant can prove himself/herself to the court by demonstrating compliance.

ELECTRONIC MONITORING (EM)

The Electronic Monitoring Program provides 24-hour home monitoring of an offender through the combined technology of Global Positioning Satellite and cell tower via an electronic ankle bracelet. This technology offers real time tracking as well as the ability to

Attachment: Probation ATIs (4772 : Jail Task Force Agenda Items)

communicate with the offender should the Probation Officer discover or be notified of violations of the EM by the monitoring center. GPS allows this department to review the activities of a participant in any given day by showing exactly where the participant traveled, the route taken and how long the travel took. The system also allows this department to designate areas of the city or county that are available to the offender (inclusion zones) and from which the offender is forbidden to visit (exclusion zones). The offender must adhere to a prearranged schedule of time in and time out. If the offender does not adhere to this schedule, the probation department is alerted.

To be eligible for the EM program, the offender must have a willingness to cooperate with the program, have stable housing, and have access to electricity on a daily basis to recharge the battery. This department must screen cases to ensure the offender meets eligibility criteria.

EM may be used on either a pretrial basis or as part of a court imposed sentence. Pretrial participants may be those that are found ineligible for Release on Recognizance or Release Under Supervision and are ineligible for Opportunities, Alternatives and Resources (OAR) bail. In these cases, EM provides an alternative to bail. These individuals may be monitored for up to a 90 day period or longer if ordered by the court. It may also be used as a condition of probation or as a disposition on a Violation of Probation in lieu of incarceration.

DAY REPORTING PROGRAM

The Day Reporting program is a structured, secure environment intended to provide stability, accountability, education and personal advancement for individuals who would be facing a period of incarceration. Participation in the program is mandated by the criminal courts as either a condition of Pre-Trial Release Under Supervision, a condition of probation or conditional discharge, or a drug court sanction. The NY State Division of Parole is also mandating the Day Reporting Program for some parolees upon their release from state prison to assist them with reintegration into the community. The courts decide on the length of stay in the program, which for PTR can be until a defendant returns to his or her next court date or it can be a set number of days as specified in their sentence.

Participants attend the program located in the Community Justice Center (old Tompkins County Library building) Monday through Friday, where they remain on site for the duration of the day (8:50 AM to 1:30 PM) unless they have verifiable outside treatment appointments. The program is made up of classroom instruction on various topics, including substance abuse education, impact of criminal behavior on victims, GED and employment related issues. Participants also perform several hours of supervised community service each week at various locations. They are encouraged by staff to take personal responsibility for their actions, repair the harm caused to their victims and the community and to develop skills to enable them to become productive members of society. The key to the program is accountability and courts are notified when a defendant is out of compliance with program rules.

Attachment: Probation ATIs (4772 : Jail Task Force Agenda Items)

TREATMENT COURT PROGRAMS

The Ithaca Community Treatment Court (ICTC) program for misdemeanor level offenses and the Felony Drug Court (FDC) program for felony level offenses provide defendants with a highly structured environment that combines judicial oversight, intense probation supervision and a system of rewards and sanctions for compliant and noncompliant behavior. These programs are designed for incarceration bound high risk offenders who have a history of past failed probation terms and substance abuse treatment outcomes. In addition to being screened by this department's ATI committee, potential candidates for Treatment Courts are also reviewed by the respective drug court teams for appropriateness. Please note that magistrates in the town and village courts in Tompkins County can transfer jurisdiction of a case to ICTC. A transfer order must be completed by the transferring court for this to occur. In certain cases, a defendant may be allowed to participate in ICTC on a contract basis, which allows the defendant to later withdraw their plea upon successful completion of the program to a lesser charge. For these individuals, they are no longer under the supervision of probation. For other cases, a defendant is ordered to complete ICTC as a condition of a probation sentence and generally continue to be supervised after completion of the program. In FDC, many defendants are sentenced to probation and are ordered to complete the program. Upon successful completion, they remain on probation supervision for further monitoring. Other cases in FDC fall under Judicial Diversion involving contracts for participation with specified outcomes for successful completion.

The rules of each program are rigorous with participants expected to initially report to their probation officer a minimum of twice weekly, attend court appearances on a weekly basis for compliance reviews, and be subjected to mandatory drug testing. Participation in a substance abuse treatment program is the priority and education and employment issues are addressed when the participant is well grounded in recovery. Graduated sanctions are used by the court to address noncompliance with program rules, which could include but are not limited to increased reporting, SWAP, EM, Day Reporting and short periods of incarceration.

Revised 11/06/2013 PB

Attachment: Probation ATIs (4772 : Jail Task Force Agenda Items)

Tompkins Community Action

Housing Services

Rental Assistance Programs

Housing Choice Voucher Program- HCVP (formally Section 8) provides rental subsidies to income-eligible individuals and households. Participants generally pay between 30-40% of their monthly adjusted income towards their housing cost and the remainder is directly paid to the landlord. Housing staff collect information, process rental subsidy calculations and perform health and safety inspections on each housing unit before rental assistance can begin and at least once per year thereafter. There are currently 830 applicants on our waiting list. This number grows daily as we are not permitted to issue any new vouchers until further notice. Our funder NYS Homes and Community Renewal has placed restrictions on this as a result of sequestration.

Family Unification Program-Housing Choice Vouchers are provided to families whose children may be placed in foster care due to lack of adequate housing, or if children may be prevented from returning to a family due to lack of safe, affordable housing. Referrals are made through Tompkins County Department of Social Services. Once a voucher is issued to the family they are encouraged to enroll in the Family Self Sufficiency Program. The program follows the same regulations regarding voucher size and rent calculations as the Housing Choice Voucher Program.

Family Self Sufficiency Program- FSS- FSS is a voluntary, five-year program employment focused open to Housing Choice Voucher participants. The program provides support, resources and networking opportunities for families to reach their goal of self-sufficiency and provides a savings escrow as an incentive to paying more rent as their household income increases. Support and trainings includes; job-readiness skills and employment opportunities, building goal plans and identifying barriers and solutions for success, creating a personal savings plan for the five year period, gaining access to community resources, financial education and establishing good credit.

Home Ownership Program- provides an opportunity for Housing Choice Voucher Program participants to purchase a home. Through improving credit, creating and following individual saving plans, maintaining employment and securing a mortgage; participants are able to use their share of housing costs toward mortgage payments. Staff provides participant support and resources in obtaining a mortgage; repairing poor credit and creating a savings plan to meet ownership goals.

Nursing Home Transition & Diversion Medicaid Waiver Program- NHTD- provides housing subsidy that provides rental assistance to Medicaid waiver participants in New York State. The goal of this program is to provide alternatives to nursing home placement for people with disabilities ages eighteen (18) or over and seniors by assisting them with safe, decent, accessible & affordable housing and at home services appropriate to their needs. We administer this program in 6 counties in New York State (Tompkins, Broome, Cortland, Cayuga, Seneca and Tioga).

Housing First- Solutions to End Homelessness Program-(STEHP)- provides short (3 months) and medium term (6 months) rental assistance for families or individuals who are experiencing homelessness or are facing homelessness secure and/or maintain housing. Rental subsidies are partnered with supportive services to promote stability quickly. This program is a partnership with TC Department of Social Services, Catholic Charities and the Human Service Coalition.

Attachment: Tompkins Comm Action (4772 : Jail Task Force Agenda Items)

Tompkins Community Action

Housing Services

Supportive Housing Programs

TCAction implements Supportive Housing Programs for previously homeless families and individuals through permanent housing sites and a transitional scattered site approach throughout Tompkins County. Supportive Housing partners rental subsidy with supportive services to promote self sufficiency and prevent the reoccurrence of homelessness. Supportive services focus on; building life skills and identifying community resources, GED attainment and secondary education, fiscal literacy and budgeting, maintaining employment (if appropriate), parenting and family community support networks, what it means to be a good tenant and neighbor and dispute resolution skills.

Chartwell House- permanent supportive housing located on North Meadow Street for disabled, homeless men in recovery. The building houses 12 single room occupancy (dormitory like rooms) with a common kitchen area, common living rooms and bathrooms. We have four computers set up for tenant use. The tenants care for the vegetable gardens and outdoor space. Chartwell House maintains an occupancy rate of 100%.

Magnolia House- permanent supportive housing located on North Meadow Street for disabled, homeless women in recovery and their children if appropriate. This building is currently under construction and is expected to open in the spring 2014. This building will have 14 enhanced studio apartments, common living rooms on each floor, a commercial training kitchen, meeting rooms and outdoor space.

The Corn Street Apartments- part of the Supportive Housing for Families Program that offers permanent supportive housing located on South Corn Street for homeless, parenting or pregnant young adults. There are 6 apartments (5 two bedrooms and 1 three bedroom unit), laundry facilities, a resource room that includes child safe play areas and two computers for tenant use, and back yard space. The occupancy rate at these apartments remains at 100%.

TCAction Transitional Supportive Housing Program- part of the Supportive Housing for Families Program that offers transitional supportive housing (maximum of 24 months) located throughout the City and Town of Ithaca for homeless, parenting or pregnant young adults. These families are encouraged to use the Resource Room at The Corn Street Apartments. We have maintained 100% occupancy for this program as well.

Attachment: Tompkins Comm Action (4772 : Jail Task Force Agenda Items)

SYSTEM MAPPING

One of the most effective ways to develop an understanding of current practices and processes is to develop a system map. A thorough system map will allow you to clearly define the current processes in chart form, identify problem areas such as information flow, capacity issues, delays, or resource gaps. Once identified, this knowledge provides a solid basis from which to develop a responsive plan.

System mapping involves diagramming all of the steps of the court processes, beginning with either a filing or police contact and ending with the case being disposed. In addition to detailing the processing of a case, a system map should include the following pieces of important information:

- The major steps and key decision points in the system.
- The key decision makers at each point in the system.
- The amount of time it takes a case to move from one point to the next.
- The volume of cases moving through (or leaving) the system at each point.

CREATING YOUR MAP

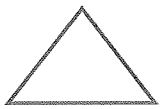
1. Identify the first step in the case-flow process from the time of the criminal incident. Place this at the beginning of the map inside the appropriate shape (see key and shape definitions below).
2. Continue discussing and drawing each subsequent step (and placing them in the appropriate shape) until the entire process is diagrammed.
3. Draw arrows from one step to the next.
4. Review each decision point on the system map. Identify and list the decision makers involved at each point on the map. This step will help you identify additional stakeholders who may not currently be part of your planning team.
5. Number each step in the process to ensure clarity. This will allow you to refer to specific steps in the process at a later point.
6. Go back through your map and add quantitative information, such as case volume, average time from step to step, or agency capacity information.
7. Work with your team to ensure the charts accurately represent the process from start to finish, but keep these documents as simple as you possibly can. The primary objective is to make the chart clear so the process under review can be readily understood and improvements easily identified.
8. Use this map as a planning tool to help guide decisions regarding staffing, resources, protocols, and policies.

SHAPE KEY AND DEFINITIONS

INPUT
The initial step in the process

PROCESS
Each step in the process that is not a decision point.

DECISION POINT
Steps in the process where more than one outcome is possible.



TERMINUS
The final step in a stream of activity that terminates all other actions (e.g., "case closed").

Jail Renovation Plan

Public Safety Committee
December 9, 2013

Jail Renovation Plan

The decision-making context

Public Safety Committee

- Brian Robison, Chair
- Peter Stein, Vice Chair
- Jim Dennis
- Leslyn McBean-Clairborne
- David McKenna

Presenters

- Brian Robison, County Legislature, Public Safety Chair
- Joe Mareane, County Administrator
- Gwen Wilkinson, District Attorney
- Judge John Rowley, County Court Judge
- Deb Dietrich, Executive Director, OAR
- Pat Buechel, Director, Probation and Community Justice Dept.
- Suzi Cook, Chair, CJATI
- Ken Lansing, Sheriff

The Plan

1. Reduce board-outs by using little-used indoor recreation space within Jail to add 7 beds
2. Replace indoor recreation space with sheltered outdoor facility

History

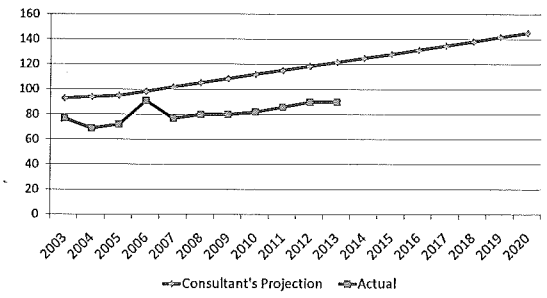
Rejection of "Big Jail" proposals

Investment in Alternatives to Incarceration

Case Study: 2002 Jail Study

- Triggered by State pressure to add beds
- Expert projection: linear growth
  - Experts proposed adding 120 beds (to 75 existing)
  - $19 million project ($25 million in 2013 dollars)
- Then, and in several subsequent studies, County consistently rejected brick-and-mortar solution
- Increased its investment in Alternatives
- Accepted risk of more "board-outs" if NYS refused to grant variance

Consultant's Population Projection vs. Actual Experience



Sources: LaBella Associates, Tompkins County PSB Program Needs Assessment, 2002; NYSDCJS, Analysis of 10-Year Trends, Non-New York City Jail Population, 2003-2012; Internal tracking data for 2013

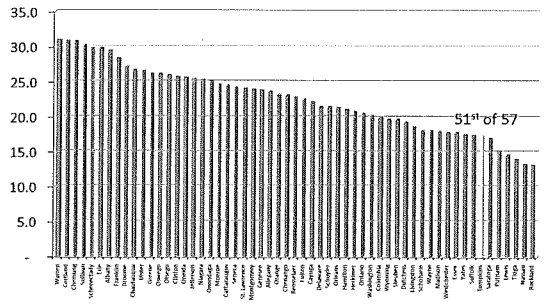
Avoiding the linear growth of jail population

Arrest

Low Arrest Rates

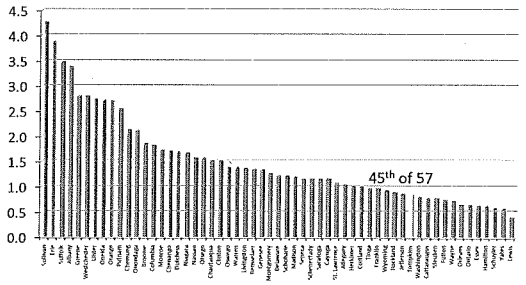
Arrest rates near bottom of NYS counties

Total Arrests per 1,000 Population, 2012



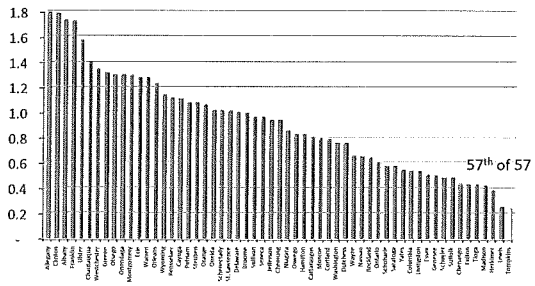
Sources: NYSDCJS, Computerized Criminal History System (as of 3/20/13), http://www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm. Tompkins County arrest rate of 17.4 per 1,000 population.

Misdemeanor Drug Arrests, Per 1,000 Population, 2012



Source: NYSDCJS, Computerized Criminal History System (as of 3/20/13), http://www.criminaljustice.ny.gov/crimnet/ojis/stats.htm. Tompkins County misdemeanor drug arrest rate of 0.8 per 1,000 population.

Felony Drug Arrests, Per 1,000 Population, 2012



Source: NYSDCJS, Computerized Criminal History System (as of 3/20/13), http://www.criminaljustice.ny.gov/crimnet/ojis/stats.htm. Tompkins County felony drug arrest rate of 0.2 per 1,000 population.

Drug Arrests

- In NYS counties outside NYC, drug charges represent 15% of all arrests
- In Tompkins County, drug charges represent 6% of all arrests (111 of 1,766)

Source: NYSDCJS, Computerized Criminal History System (as of 3/20/13), http://www.criminaljustice.ny.gov/crimnet/ojis/stats.htm.

Arraignment and Bail

At Arraignment

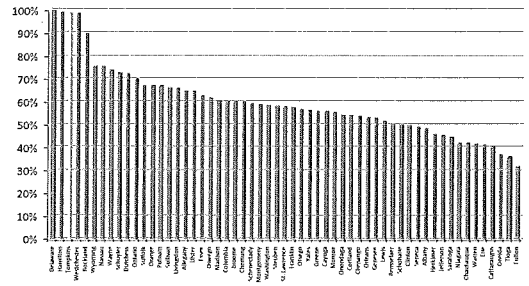
- Establishment of bail
  - Parameters and Considerations
- (Bail levels are outside Legislature's control)

Rapid Assignment of Competent Legal Counsel

Assignment of an Attorney

- Assigned Counsel Program
  - Different than Public Defender's Office
  - Private attorneys assigned to all who can't afford private counsel
  - Manageable caseload levels
- County spends 20% more for defense than prosecution
  - Comparison: Onondaga spends 27% more for DA than defense
- Benchmarks
  - 6th highest – spending per arrest
  - 3rd lowest caseload/attorney level in NYS

Estimated Attainment of ABA Caseload Standards for Indigent Defense, 2012



Source: NYS Office of Indigent Legal Services, November 2013

Bail Assistance

OAR Bail Fund

- County contributes $200,000 for on-going administration
- County replenishes bail funds as needed
- Statutory $2,000 limit on size of bail
- Bail criteria include co-signer on bails over $1,000
- In 2012, OAR bailed out 68 individuals
  - Estimated savings: $459,000

OAR – Other Assistance

- Other inmate assistance:
  - Assigned Counsel applications
  - Applications for public assistance
  - Applications for alcohol and substance abuse programs
  - Direct phone line from jail to OAR, for assistance and arrangement of free calls to loved ones
- Drop In Center for clients to locate housing, jobs, other services

Alternatives to Incarceration

Probation and Community Justice

- Probation is largest alternative to incarceration sentence used by criminal courts
- ATI Committee screens all probation-eligible cases being considered for sentence or plea involving incarceration

Pre-Trial Release Program

- All detainees with set bail are interviewed
- Probation gathers social information and assesses risk of failure to appear for court
  - Process includes actuarial assessment of risk
- Probation makes recommendation to court:
  - Released on Own Recognizance
  - Released Under Supervision to Probation
  - Reduced Bail
  - Continue Bail

Service Work Alternative Program (SWAP)

- Supervised community service program for non-violent offenders
- Number of hours of service vary according to severity of offense
- Can be used as an ATI at sentencing and as a graduated sanction for noncompliant behavior during supervision

Greatest Risk Caseload

- Reserved for offenders who have lengthy legal histories, past failed probation sentences and/or substance abuse treatment and score greatest risk of recidivism and violent recidivism on actuarial risk and needs instrument
- Caseloads are smaller to allow PO to provide intensive monitoring and address errant behavior early

Day Reporting Program

- Structured program operating from 9 a.m. to 1:30 p.m. daily
- Classes focused on substance abuse education, life skills, GED instruction, and employment services.
- Participants are mandated to attend by the criminal and family courts as a:
  - Pre-trial supervised release
  - Condition of probation or conditional discharge
  - Drug court sanction.

Day Reporting Program

- Referral to Day Reporting can be used as a graduated sanction for noncompliance in lieu of incarceration
- Length of participation varies from 10 to 90 program days

New $1.5 million Day Reporting Center in the Human Services Building

Construction slated for 2014

Modern facility

Close to support services

Electronic Monitoring

- Ankle bracelet that uses cell tower and GPS to restrict and track an offender's movements
- Can be used as an ATI at Pre-Trial Release stage, at sentencing, and as a graduated sanction during supervision
- Requires adherence to program rules and a set schedule of in/out times

Drug Treatment Courts

- Misdemeanor and Felony level Drug courts
- Designed to break the cycle of addiction and criminal activity for high/greatest risk offenders
- Swift and consistent response to errant behavior and encouragement of positive behavior with goal to reduce recidivism

Drug Treatment Courts

- Drug Court program provides:
  - Judicial oversight
  - Probation supervision
  - Substance abuse treatment
  - Drug testing
  - Employment and education services
  - Graduated incentives/sanctions
  - Team approach

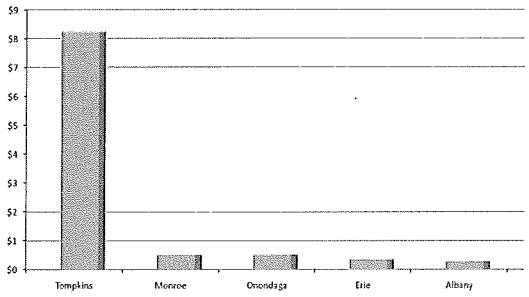
CJATI

- Criminal Justice Advisory Board created in 1975
- Advisory Board on Alternatives to Incarceration created in 1984
- Combined the two Boards into the CJ/ATI Board in 1986
- Members include reps from all segments of criminal justice system, human service providers, ex-offender community, victims
- Mission to monitor jail population and review ATIs

Related Support Services

- Youth programs
  - Tompkins spends more local dollars for youth development programs than the three largest Upstate counties combined
- Mental Health programs
  - Longstanding County commitment to adequately fund Mental Health programs
- Broad range of other human services

County Spending Per Capita for Youth Services, 2012

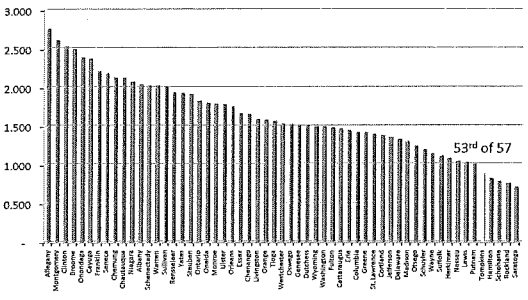


Source: NYS Office of State Comptroller, Open Book

The Result

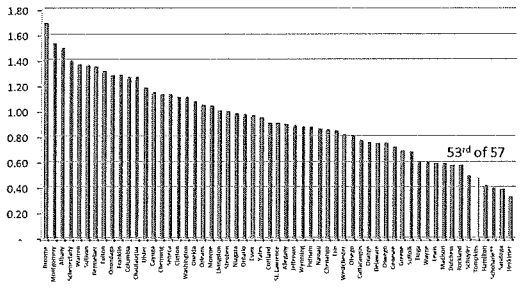
Incarceration Rate in Tompkins County is Among the Lowest in NYS

Incarcerated Population per 1,000 Residents, By County, 2012



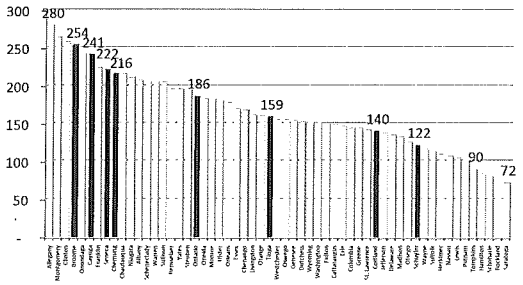
Source: NYS DCJS, Analysis of 10-Year Trends, Non-NYC Jail Population, 2003-2012

Unsentenced Incarcerated Population per 1,000 Residents, by County, 2012



Source: NYS DCJS, Analysis of 10-Year Trends, Non-NYC Jail Population, 2003-2012

Incarcerated Population If Tompkins County Had Same Incarceration Rate as Other NYS Counties

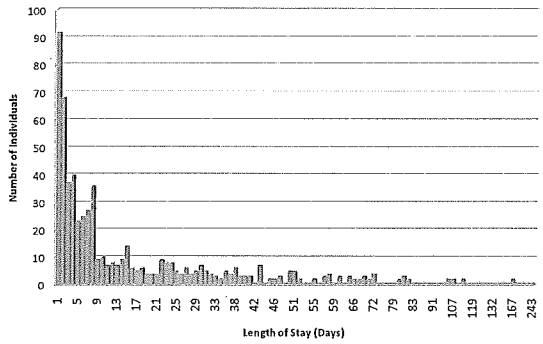


Average Length of Stay Unsentenced Individuals, Tompkins County Jail, 2013

Measure	Days
Median	8
Average	21
Mode	1

Lengths of stay for 637 unsentenced individuals who were released during the period January 1, 2013-November 20, 2013. ***This population includes those who have been convicted and are awaiting sentencing—a process that can take 4-6 weeks.***

Lengths of Stay, Un-sentenced Individuals, 2013



Today

Current Jail Capacity and Population

- Licensed capacity of 75-beds
- State variance allows 93
  - Classification restrictions and State guidance lowers practical capacity to 85
- Average population (past year) of 90
  - Average of 82 housed in jail
  - Average of 8 boarded out

The Proposal

1. Reduce board-outs by using little-used recreation space within Jail to add 7 beds
2. Replace indoor recreation space with sheltered outdoor facility

Costs

- Design and Estimated Construction Cost: $900,000
- Method of Payment: County Bond
- Annual debt service cost:
  - If borrowed over 20 years at 4.0% interest
    - Estimated annual cost of $65,000/year

Potential Net Savings

Board-Outs Avoided	Board-Out Savings	Debt Service, if 20-Year Bond	Annual Net (Cost)/Savings if 20-Year Bond
1	$29,000	$65,000	($36,000)
2	$58,000	$65,000	($7,000)
3	$87,000	$65,000	$22,000
4	$116,000	$65,000	$51,000
5	$145,000	$65,000	$80,000
6	$174,000	$65,000	$109,000
7	$203,000	$65,000	$138,000

Summary of Public Discussions/Actions

- September, 2012 – Report by Undersheriff to Public Safety Committee regarding discussion with NYS regarding concept to convert interior space to housing and expand outdoor rec space
- September, 2012 – Report by County Administrator to Capital Plan Review Committee (CPR) regarding the renovation concept
- January, 2013 – Discussion at Public Safety and CPR regarding status of renovation planning
- February, 2013 – Update to CPR on status of renovation planning
- March, 2013 – Update to CPR
- April 2013 – Report to CPR regarding status of renovation planning, including specific design concepts

Summary of Legislative Discussions/Actions

- May, 2013 – Update to CPR, including description of phasing approach
- June, 2013 – Presentation of Plan to CPR Committee
- July, 2013 – Presentation of Plan to Public Safety Committee
- August 12, 2013 – Approval of Plan by Public Safety Committee
- August 20, 2013 – Presentation of Plan to full Legislature
- August 26, 2013 – Approval of Plan by Budget Committee
- September 3, 2013 - Authorization to proceed to full design of Plan by Legislature

Next Steps – Renovation Plan

- Review of Final Design by Public Safety Committee
- Authorization of Bond to finance the project by full Legislature

Questions and Comments

AGENDA

Criminal Justice Advisory/Alternatives-to-Incarceration Advisory Board

Jail Alternatives Task Force

TUESDAY, MAY 6TH, 2014 – 2:00 to 4:00 p.m.

Scott Heyman Conference Room, 125 East Court Street, Ithaca, NY

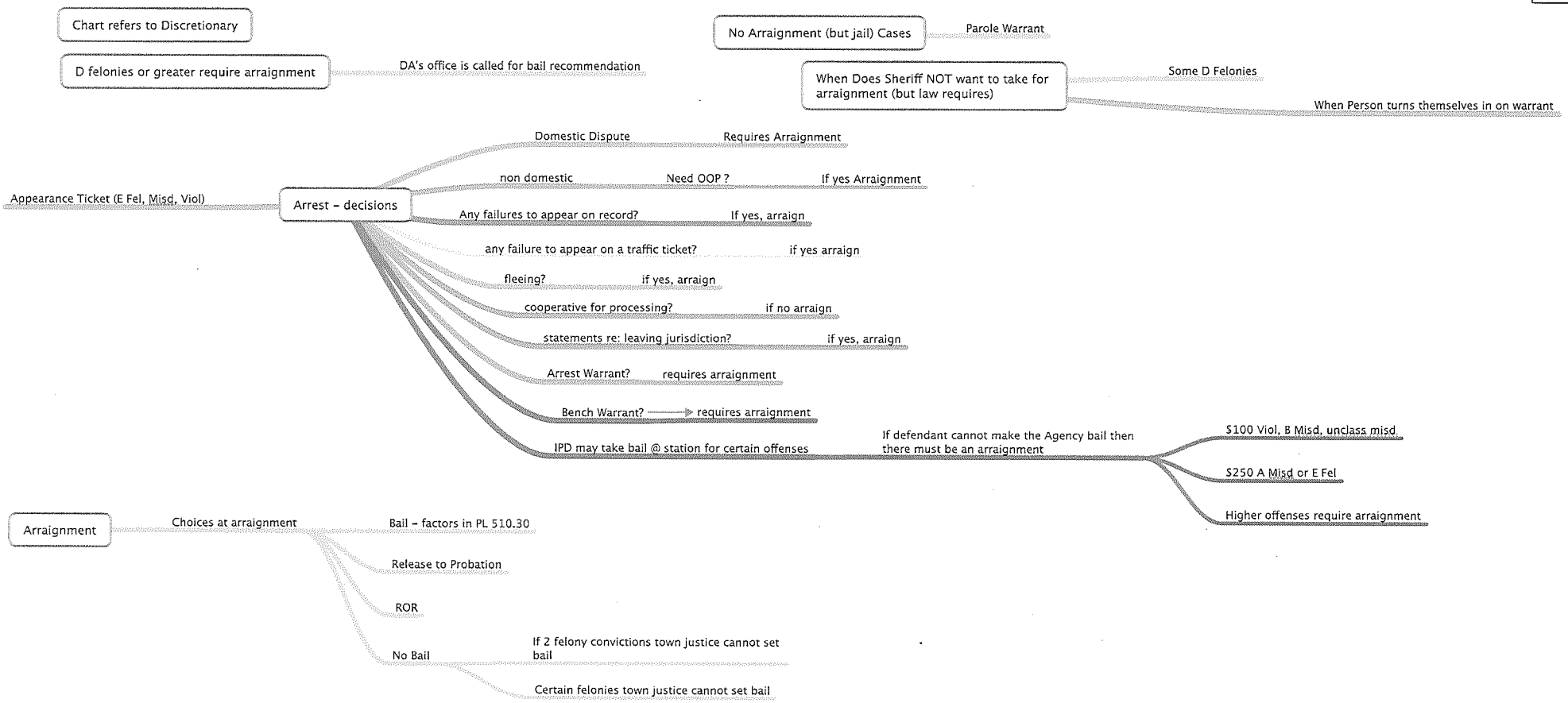
I. Call to Order

II. Continue "walking" thru the system from first contact – Arrest to Pre-trial Incarceration - City process

III. Discuss Next Steps
Set Public Hearing Date?

VI. Adjournment

Questions or information: Contact Suzi Cook, Chair, 274-5478 scook@tompkins-co.org



Attachment: Agenda material (4832 : Jail Task Force Agenda Materials)

3.a.a

530 (10) Crim. Procedure Law
CPL - bail
Arraignment D Felony ↑
E Felony - Bail Jumping
Arraignment Req. → Grant of Protection (Judge)

Arrest

Consistent as Crim. History For Juvenile Appear

Arraignment

ROA ticket
95% ot

DWI
Refusal to take Chem. test → Judge - tales to hearing of DMV
Grant of Protection Domestic
O of P
Judge needs to arraign

① Resisting Arrest
② Unlawful Fleeing
③ Behavior + Admissions

Arrest Warrant

petite larceny
disorderly conduct
trespass
Crim. mischief (...)

Bench Warrant
Fails to appear
Violates court requ...

Police Departments
IPD - set + collect bail

$100 Violations Village police state police
Br A mis 200
E Felonies $500

Attachment: Agenda material (4832 : Jail Task Force Agenda Materials)

Decision: Which court?

Start where warrant issued
township
adjoining town
other town justices
Dispatch center

① Initial Arraignment
② Arraigned w/ Counsel

Judge on dismiss
"Fix It ticket"
M V - traffic vhl. vehicle

Dismissed by Prosecution

Release

Bail + Remand

(no bail for 2 felony convictions) - Town Justice

Probation Report

R&R
Reduced Bail
Rel. under Supervision of Probation

Preliminary Hearing

Defense can waive

Determination - Grand Jury

① Defense Attorney @ initial arraignment
② Probation - Sat/Sun.

A. Can't make bail
B. Repeat Offenders
C. Violators of Probation
D. Flight Risk

Statistical Profile of Tompkins County Jail

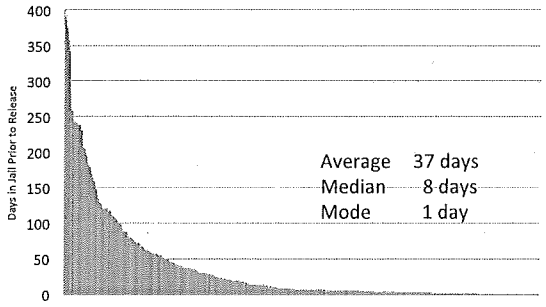
1

All of the statistics that follow are based on the release date of inmates incarcerated in the Tompkins County jail.

For example, references to the year 2013 are related to the number and length of stay of individuals who were released in 2013. This approach has allowed a review of the full term of an individual's incarceration.

2

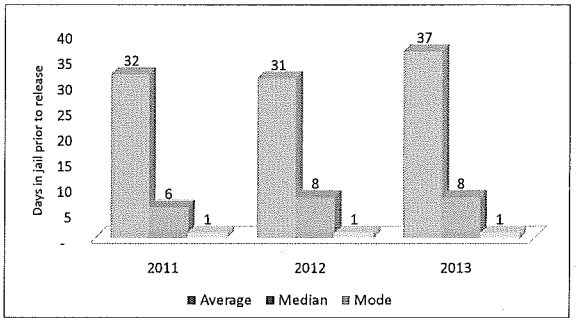
Days in Jail Prior to Release in 2013, All Unsentenced Inmates



Exclude 1 inmate charged with Murder; in for 798 days

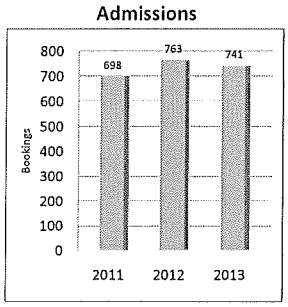
3

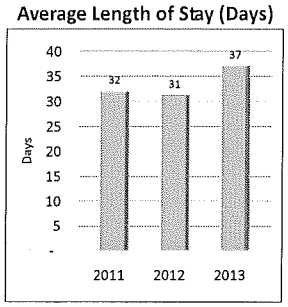
Length of Stay, All Unsentenced Inmates, 2011-2013: Average, Median, and Mode



4

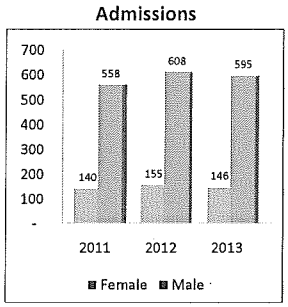
All Unsentenced Inmates, 2011-2013

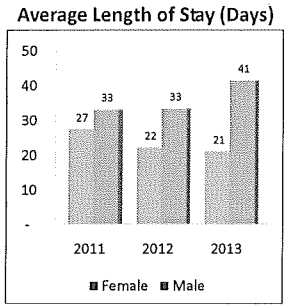




5

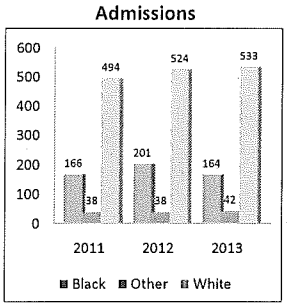
All Unsentenced Inmates, by Gender, 2011-2013

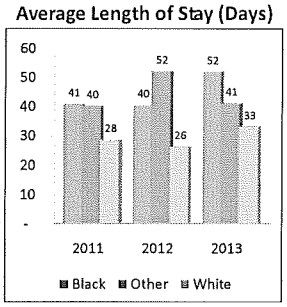




6

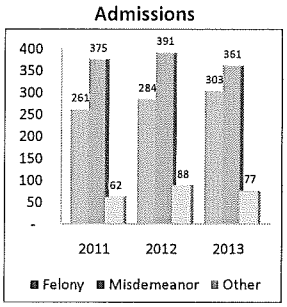
All Unsentenced Inmates, by Race, 2011-2013

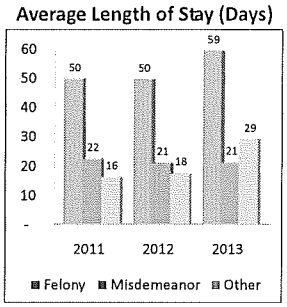




7

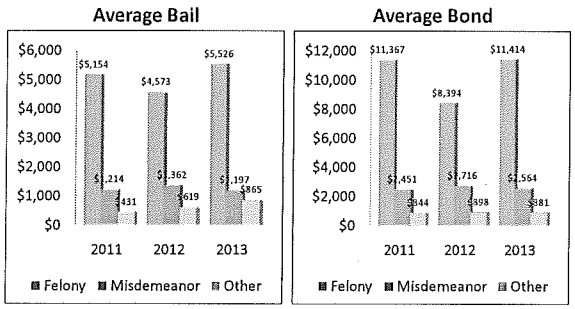
All Unsentenced Inmates, by Severity of Charge, 2011-2013





8

All Unsentenced Inmates, Average Bail and Bond, by Severity of Charge, 2011-2013



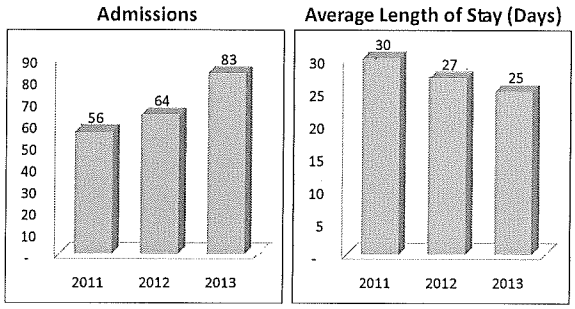
9

Charges associated with highest volume of admissions

- Petit Larceny
- CPCS-3rd
- Burglary-3rd
- CPSP-4th
- Burglary-2nd
- Criminal Contempt-2nd
- DWI: Alcohol or Drugs 2nd Offense

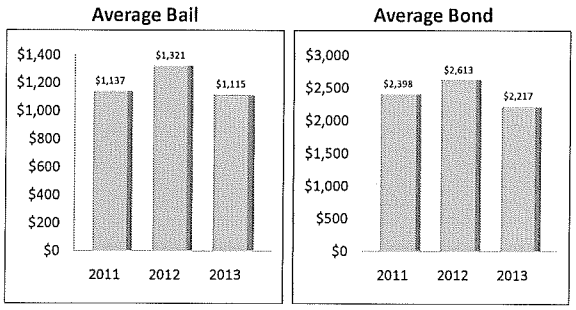
10

Unsentenced Inmates, Highest Charge of Petit Larceny, 2011-2013



11

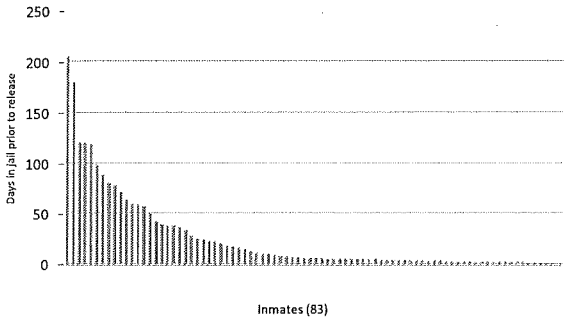
Average Bail and Bond, Petit Larceny, 2011-2013



Bail/Bond associated with Petit Larceny Charge. Other, lesser, charges may have also carried bail that, in some cases, is higher than that for Petit Larceny.

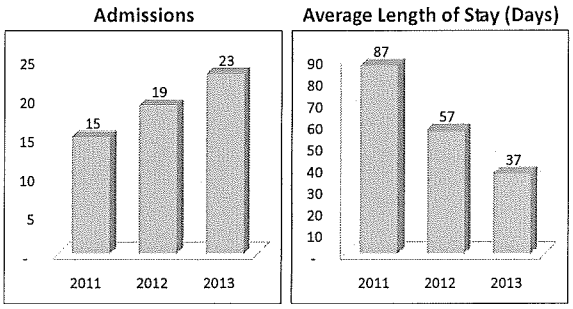
12

Actual Length of Stay, by Unsentenced Inmate, Highest Charge of Petit Larceny, 2013



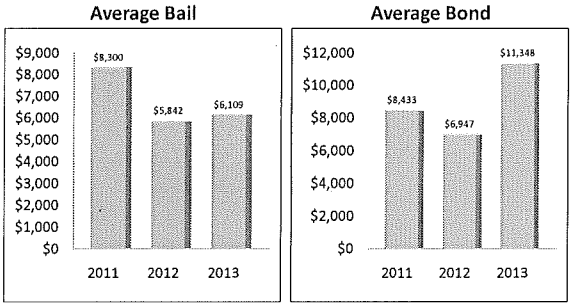
13

Unsentenced Inmates, Highest Charge of CPCS-3rd, 2011-2013



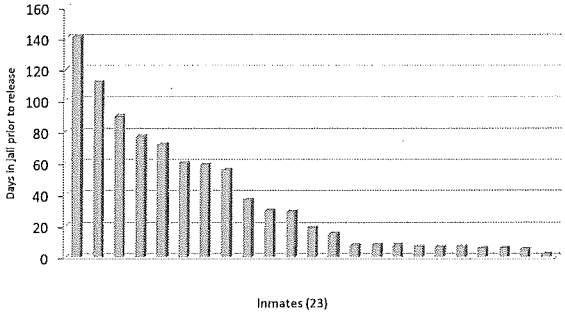
14

Average Bail and Bond, CPCS-3rd, 2011-2013



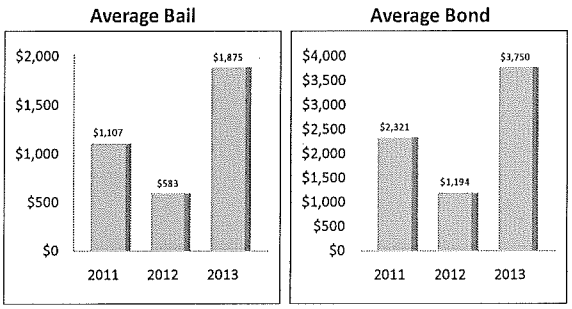
15

Actual Length of Stay, By Inmate, Highest Charge of CPCS-3rd, 2013



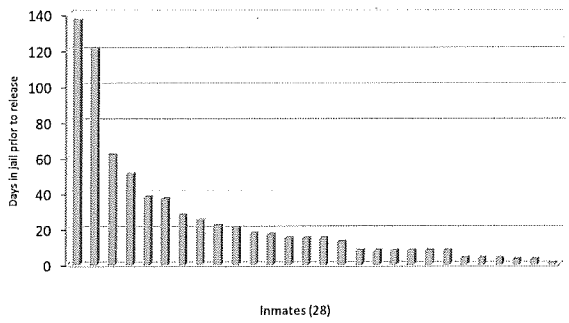
16

Average Bail and Bond, CPSP-4th, 2011-2013



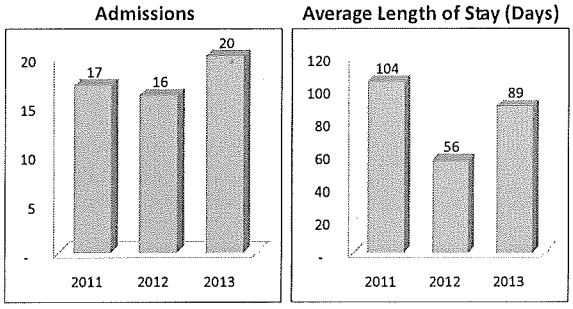
21

Actual Length of Stay, By Inmate, Highest Charge of CPSP-4th, 2013



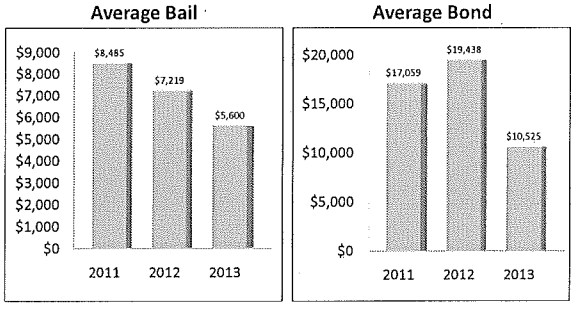
22

Unsentenced Inmates, Highest Charge of Burglary-2nd, 2011-2013



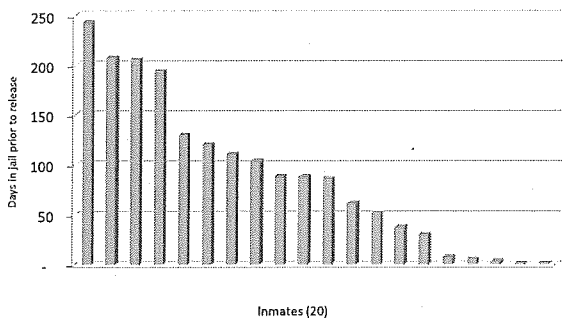
23

Average Bail and Bond, Burglary-2nd, 2011-2013



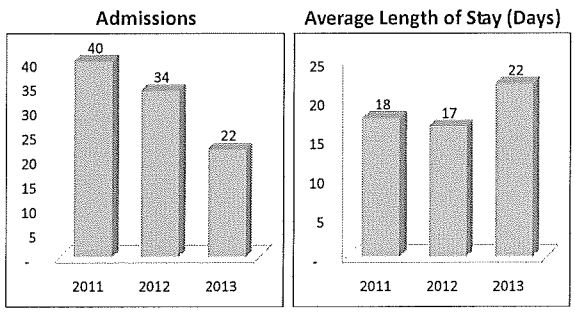
24

Actual Length of Stay, By Inmate, Highest Charge of Burglary 2nd, 2013



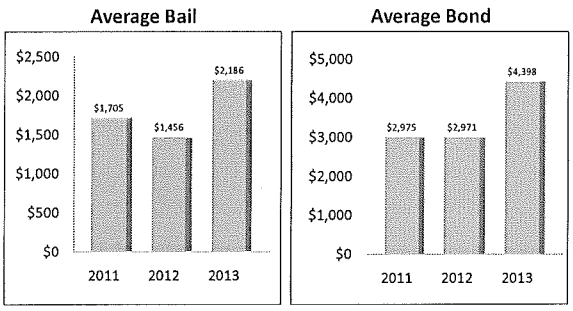
25

Unsentenced Inmates, Highest Charge of Criminal Contempt-2nd, 2011-2013



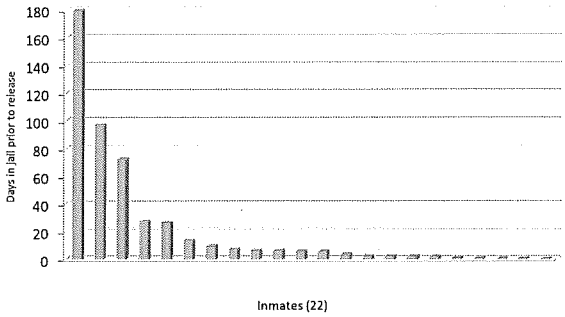
26

Average Bail and Bond, Criminal Contempt 2nd, 2011-2013



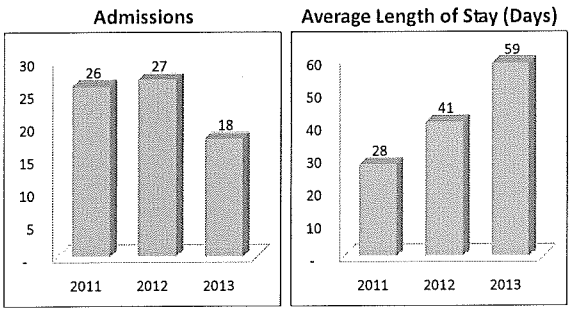
27

Actual Length of Stay, By Inmate, Highest Charge of Criminal Contempt 2nd, 2013



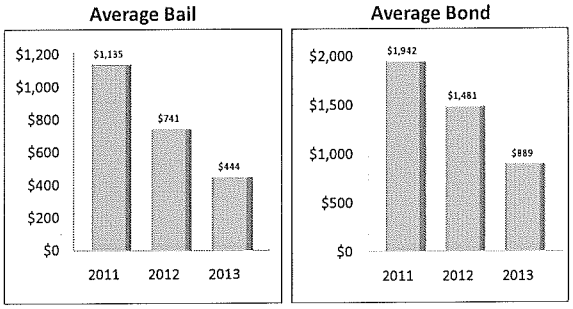
28

Unsentenced Inmates, Highest Charge of DWI: Alcohol or Drugs-2nd Offense



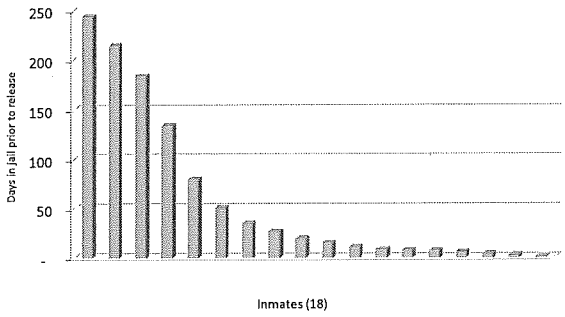
29

Average Bail and Bond, DWI-2nd Offense



30

Actual Length of Stay, By Inmate, Highest Charge of DWI-2nd Offense, 2013



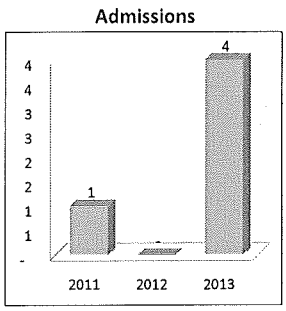
31

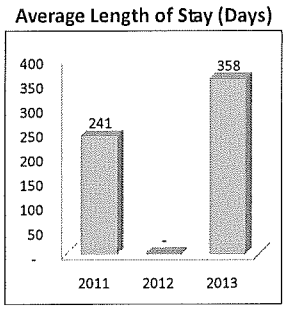
Charges associated with greatest number of "Person Nights" in 2013

Petit Larceny
Burglary-2nd
Burglary-3rd
Murder-2nd
DWI: Alcohol or Drugs 2nd Offense

32

Unsentenced Inmates, Highest Charge of Murder-2nd





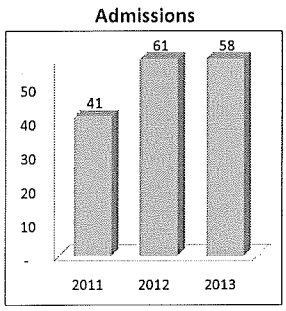
33

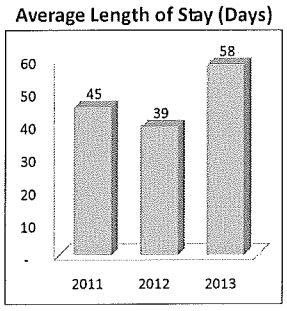
Parole Violators

(Not considered unsentenced)

34

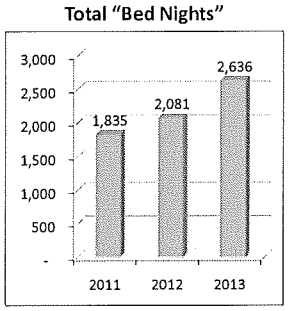
Parole Violators Housed in the Jail, 2011-2013

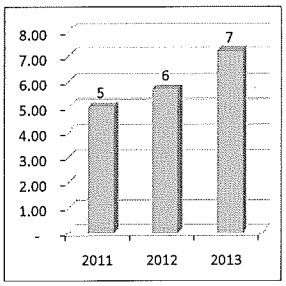




35

Parole Violators Housed in the Jail, 2011-2013



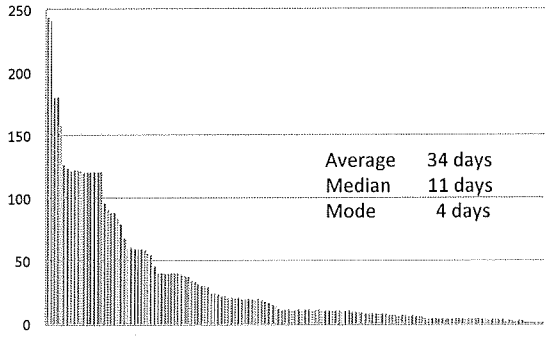


36

Sentenced

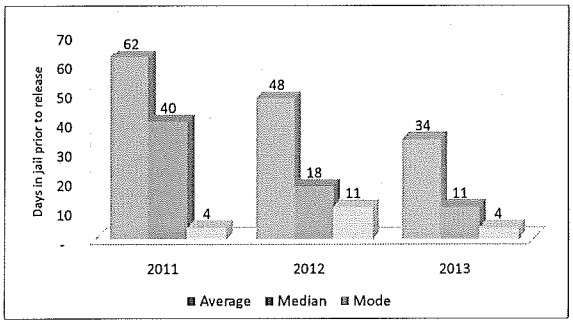
37

Days in Jail Prior to Release in 2013, All Sentenced Inmates



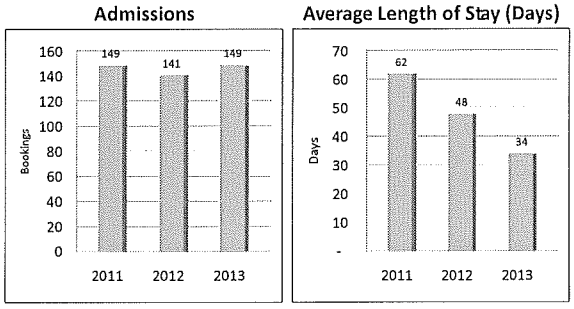
38

Length of Stay, All Sentenced Inmates, 2011-2013: Average, Median, and Mode



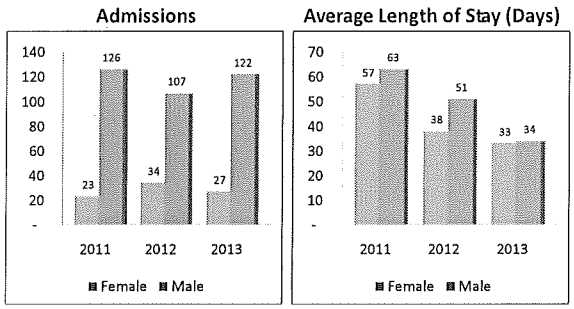
39

All Sentenced Inmates, 2011-2013



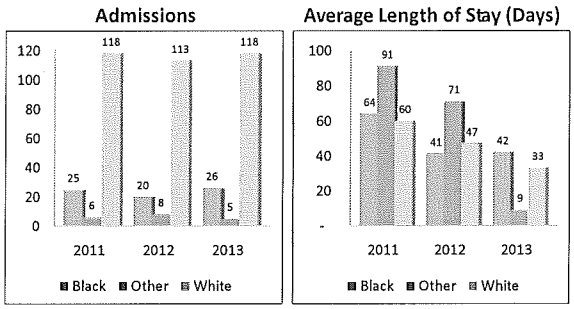
40

All Sentenced Inmates, by Gender, 2011-2013



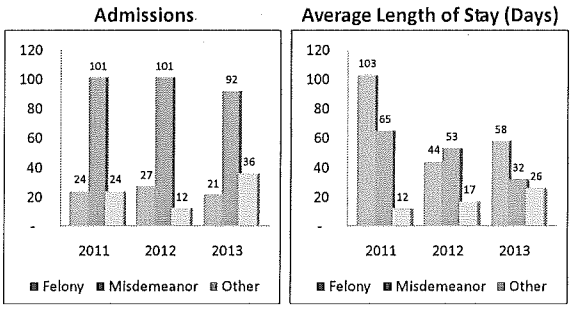
41

All Sentenced Inmates, by Race, 2011-2013



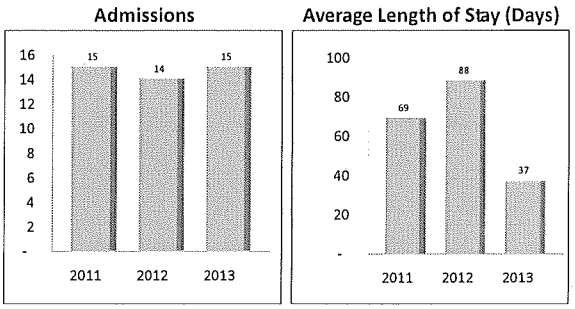
42

All Sentenced Inmates, by Severity of Charge, 2011-2013



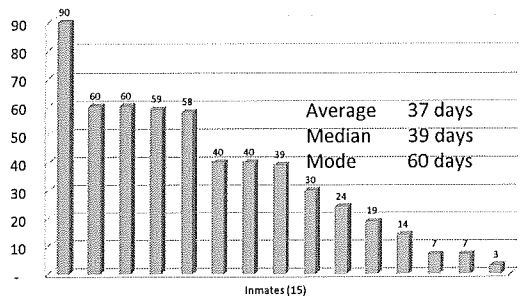
43

Sentenced Inmates, Highest Charge of Petit Larceny



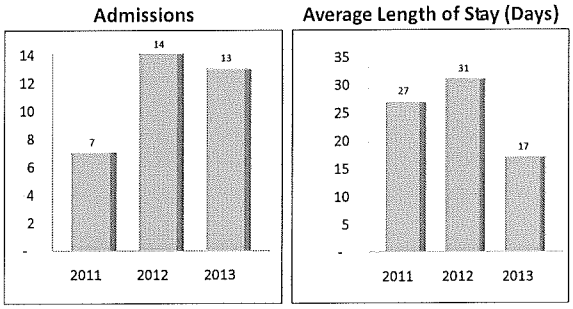
44

Days in Jail Prior to Release in 2013, Inmates Sentenced for Petit Larceny



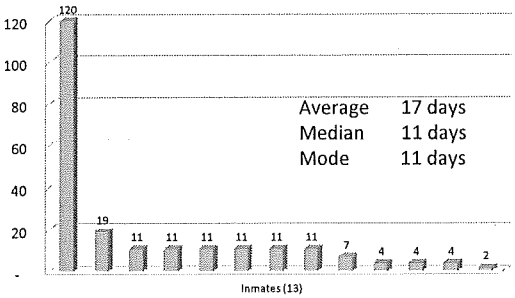
45

Sentenced Inmates, Highest Charge of DWI: 1st Offense



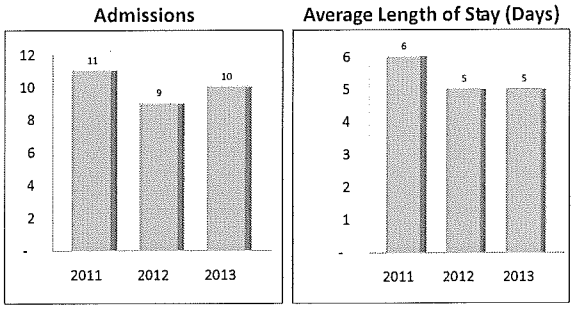
46

Days in Jail Prior to Release in 2013, Inmates Sentenced for DWI: 1st Offense



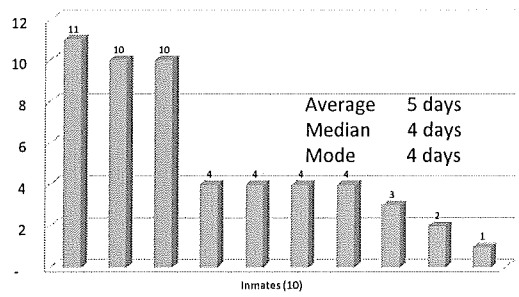
47

Sentenced Inmates, Highest Charge of Disorderly Conduct



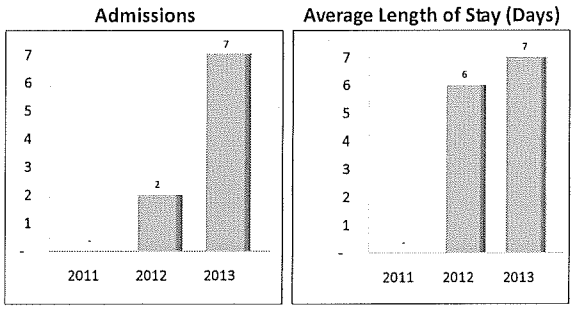
48

Days in Jail Prior to Release in 2013, Inmates Sentenced for Disorderly Conduct



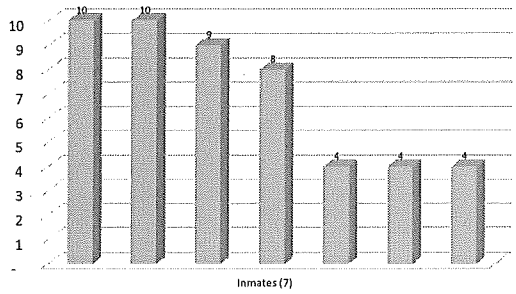
49

Sentenced Inmates, Highest Charge of DWAI Alcohol



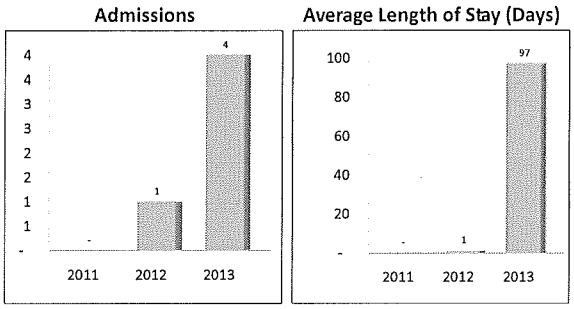
50

Days in Jail Prior to Release in 2013, Inmates Sentenced for DWAI Alcohol



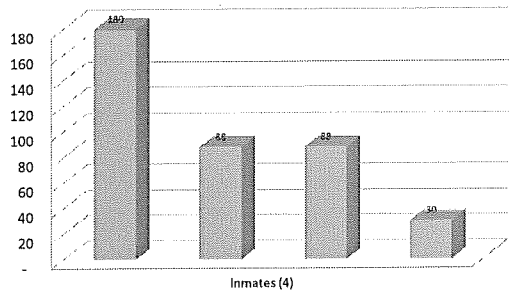
51

Sentenced Inmates, Highest Charge of Violation of Family Court Act



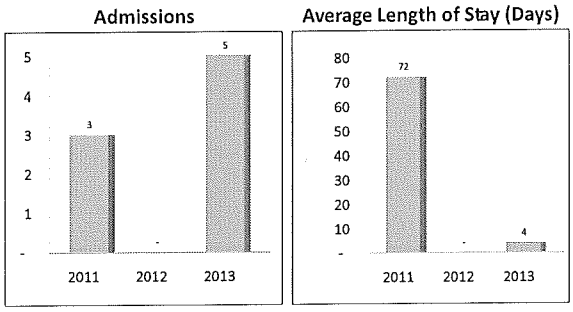
52

Days in Jail Prior to Release in 2013, Inmates Sentenced for Violation of Family Court Act



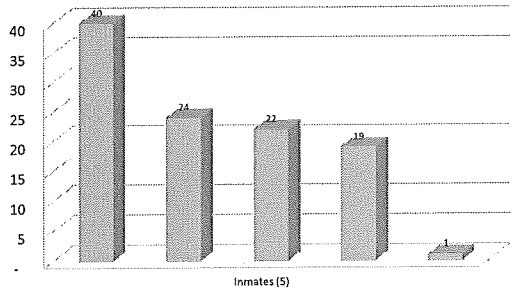
53

Sentenced Inmates, Highest Charge of CPCS-7th



54

Days in Jail Prior to Release in 2013, Inmates Sentenced for CPCS-7th



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Statistical Profile of Tompkins County Jail

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Tompkins County New York
Inclusion through Diversity
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Agenda
Jail Alternatives Task Force
Tuesday, June 10, 2014

TOMPKINS COUNTY

CRIMINAL JUSTICE/ALTERNATIVES TO INCARCERATION ADVISORY BOARD
125 East Court Street
Ithaca NY 14850

AGENDA –

JAIL ALTERNATIVES TASK FORCE

TUESDAY, JUNE 10TH, 2014 5:30 p.m. to 7:15 p.m.

LOCATION:
Governor Daniel D. Tompkins Building, 121 E. Court Street, Ithaca, NY 14850
(LEGISLATURE CHAMBERS, RIGHT BEHIND OLD JAIL)

1. Call to Order
   Review of notes of last Meeting /Public Input Night 5/6/14
   (we need to start making a list of programs, ideas, suggestions thus far)

2. Continue "walking" thru the system from Plea or Trial to Sentencing

3. Adjournment

Questions or information: Contact Suzi Cook, Chair, 274-5478 scook@tompkins-co.org

Welcome to the Tompkins County Legislature meeting portal. Please submit comments to: Legislature@tompkins-co.org.

TOMPKINS COUNTY

CRIMINAL JUSTICE/ALTERNATIVES TO INCARCERATION ADVISORY BOARD
125 East Court Street
Ithaca NY 14850

AGENDA –

JAIL ALTERNATIVES TASK FORCE

MONDAY, JUNE 16TH , 2014 6:30 p.m. to 8:00 p.m.

LOCATION:
OLD JAIL, 1ST FLOOR CONF. ROOM, 125 E. COURT STREET, ITHACA

1. Call to Order

2. Start Compiling and Discussing ATI's Up to this Point

3. Adjournment

TASC
of the capital district, inc.

Treatment Alternatives for Safer Communities

87 Columbia Street
Albany, New York 12210

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Our Mission

TASC's goal is to provide alternatives to incarceration (ATI) for persons in the Capital District who face serious criminal charges, probation or parole violations and who are in need of drug, alcohol or mental health treatment. TASC balances and incorporates the philosophies of both the criminal justice and social service systems into its operating principles and does so to achieve maximum benefits for its clients.

RSVP TASC Gathering

TASC
of the capital district, inc.

How TASC Works

By using a designated referral form (see Forms section of the website), referrals to the program can be made by attorneys, probation and parole officers, courts, and other criminal justice personnel. The form should be filled out and faxed or e-mailed back to TASC with any supporting documentation or helpful information. Others wishing to refer themselves, their friends or family members should call the program to get further instructions.

Once the referral is received, the case is assigned to a case manager who makes plans to evaluate the client at the office, the local jail, or by phone at a State correctional facility. Following the evaluation, the case is conferenced at a TASC team meeting and a service plan is developed to meet the client's specific needs. Before moving forward, the service plan is discussed with the client so that he or she understands the recommended level of care and the approximate length and breadth of the proposed plan.

After the client has agreed to the plan, specific releases of information are signed by the client and the case manager begins to work with all involved parties including the defense attorney, the prosecutor, the court, probation or parole to make the plan happen.

Once all parties have agreed to the plan, case managers make all arrangements for the client's release, transportation, acquisition of benefits and anything else that is necessary for the plan to begin.

Over the course of the client's involvement with TASC, staff closely monitor the client's participation in treatment. Concerns over non-compliance or relapse are reported as they occur. Otherwise, case managers submit progress reports to the courts or supervising agencies as required.

SERVICES

ELIGIBILITY

COSTS

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TASC
of the capital district, inc.

SERVICES

The TASC program incorporates "core" services set by National TASC and ancillary services in an effort to simultaneously carry out the agency's mission and meet the clients' individual needs.

Core Services

- **Evaluation** – TASC case managers conduct comprehensive evaluations at the office or at the cocorrectional facilities to determine clients' history, risks, and needs
- **Advocacy** – Staff submit reports to the courts presenting the findings of the evaluation and recommended service plan
- **Referral** – Using the information gathered in the evaluation, case managers refer clients to the recommended treatment program and make arrangements for their admission
- **Case Management** – Case managers help clients apply for benefits and do whatever is necessary to facilitate the service plan
- **Monitoring** – TASC staff monitor clients in treatment and submit progress reports to the criminal justice entity throughout the duration of the service plan

Ancillary Services

- **Housing** – TASC owns and operates two supervised residences on Columbia Street for transitional and structured housing as needed
- **Employment program** – Employing two employment specialists, TASC has a designated employment lab, offers an employment skills workshop, and develops work sites in the community to help clients get into the work force
- **Cognitive Behavioral Therapy** – Trained staff deliver a 6-week curriculum designed to lower clients' risks and maximize their potential by focusing on understanding and changing past behaviors
- **Parenting program** – A weekly parenting group run by a trained consultant helps clients assume responsibility for and better connect with their children.

ELIGIBILITY

COSTS

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TASC
of the capital district, inc.

ELIGIBILITY

Who is eligible for TASC services?

- Persons charged with new offenses in the Capital District criminal courts
- Persons charged with Violations of Parole
- Persons charged with Violations of Probation or threatened with impending Violations of Probation
- Persons returning from incarceration in DOCCS facilities
- Persons at risk of incarceration through Capital District Family Courts

Who is not eligible for TASC services?

- Those persons deemed inappropriate for alternative to incarceration services by the courts
- Persons with a serious or persistent mental disorder

Who is eligible for TASC services but not for TASC housing?

- Level 2 and 3 sex offenders
- Most clients with a history of violent behavior
- Most clients with a local history of gang involvement
- Most clients with a history of arson
- Clients who feel compelled to use Suboxone as part of their treatment plan
- Any clients who could cause a disruption to the safety and wellness of the residential programs

SERVICES

COSTS

TASC
of the capital district, inc.

COSTS

Clients' ability to pay is one of the factors taken into consideration when formulating their service plans.

Most TASC services including evaluation, advocacy, referral, case management and monitoring are free. Clients are responsible for the cost of alcohol, drug and mental health treatment through Medicaid, private insurance or self-pay. The clients are also responsible for the cost of TASC housing. TASC case managers assist all clients who are eligible to apply for Medicaid to cover treatment and Temporary Assistance which pays for housing while they are living in the TASC Residences.

Additionally, eligible clients who live at TASC are also required to apply for Food Stamps which are used to help finance the cost of groceries for the entire population.

SERVICES

ELIGIBILITY

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TASC
of the capital district, inc.

HISTORY

The first TASC programs (originally Treatment Alternatives to Street Crime) were organized in the early 1970's after passage of the federal Drug Abuse and Treatment Act of 1972 and with funding through the U.S. Law Enforcement Assistance Administration. Early on these programs held themselves out as the "bridge" between the criminal justice system on one hand and the drug/alcohol treatment community on the other. By the mid-eighties, there were some 150 TASC programs across the country and several in New York State.

TASC of the Capital District was begun in 1984 by its first and current Executive Director Joanne Schlang. Having worked in the criminal courts and in a residential drug treatment program, Ms. Schlang recognized the local need for a program which would match offenders with the right level of care and program to suit their individual treatment needs. Her recognition of this gap in service fortuitously coincided with the State's development of a network of Alternative to Incarceration (ATI) programs and her request for initial funding was granted.

From 1984 to1997 TASC developed a reputation of professionalism and excellence in the legal community by working collaboratively with the rest of the criminal justice system community to avoid or minimize incarceration for those offenders who could be better served by rehabilitation. During those years, it became apparent that in order to expand the number of felony offenders and parole violators who were deemed eligible for TASC services, the program needed to add transitional housing to its list of services. Accordingly, in 1997 TASC applied for and received funding to purchase 87 Columbia Street in the City of Albany and renovate it for offices and transitional housing for 14 male clients. Three years later, the agency was able to purchase a second building on Columbia Street strictly for use as transitional housing for 8 female offenders. After a delay in operations funding caused by 9/11, both housing programs were open in the beginning of 2005 and have remained funded since that time.

Because of its wide array of services, TASC has been funded at various times through the NYS Office of Substance and Alcoholism Services (OASAS), the NYS Division of Probation and Correctional Services, the NYS Division of Parole, the NYS Division of Criminal Justice Services (DCJS), and Albany and Rensselaer Counties. Serving offenders throughout the Capital District as well as reentry clients returning from prison to the community, TASC currently operates its ATI program, a PVRC (Probation Violator Residential Center) program and a separate program through the NYS Office of Probation and Correctional Alternatives for TANF (Temporary Assistance for Needy Family) eligible persons in the local criminal justice system.

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TASC
of the capital district, inc.

87 columbia street
albany, ny 12210

phone: 518.465.1455
e-mail: info@tascofthecapitaldistrict.org

REFERRAL FORM

PLEASE FAX FORM TO: 518.465.1842

DATE: _____/_____/_____

NAME: _____ **DOB:** _____/_____/_____

☐ **ACJ** ☐ **RCJ** ☐ **SCJ** **OTHER CORRECTIONAL FACILITY (PLEASE SPECIFY)**_____

***** If not incarcerated, client must call TASC for an appointment *****

REFERRED BY: _____

PHONE #: (_____) _____ - _____

NEW ARREST CHARGES: _____

COURT: _____ **NEXT COURT/HEARING DATE:** _____/_____/_____

ATTORNEY: _____ **PHONE #:** (_____) _____ - _____

VIOLATION OF PROBATION FILED: ☐ **Y** / ☐ **N** **DATE FILED:** _____/_____/_____

COURT: _____ **JUDGE:** _____ **NEXT COURT DATE:** _____/_____/_____

ATTORNEY: _____ **PHONE #:** (_____) _____ - _____

CLIENT BEING REFERRED FOR (CHECK ALL THAT APPLIES):

☐ **Regular TASC Evaluation** ☐ **Violation of Parole** ☐ **Reentry Evaluation**

☐ **PVRC Evaluation** ☐ **Misdemeanor**

ADDITIONAL COMMENTS/ PERTINENT HISTORY:

_____

_____

_____

_____

_____

_____

TASC
of the capital district, inc.

Board of Directors

Name	Position	Name	Position
James Banagan, Esq. Delmar, New York	President	**John Dorfman** Slingerlands, New York	Member
Howard Bancroft Albany, New York	Vice President	**Arthur Glass, Esq.** Assistant District Attorney Troy, New York	Member
Teresa Hansen Senior Probation Officer Rensselaer County Probation Troy, New York	Secretary	**Deardra Ivery** New York State Office of Temporary and Disability Assistance Troy, New York	Member
Kevin McCoy Marvin & Company, P.C. Latham, New York	Treasurer	**Michael P McDermott, Esq.** O'Connell and Aronowitz Albany, New York	Member
Robert L. Adams, Esq. Martin, Shudt, Wallace, DiLorenzo, & Johnson Troy, New York	Member	**Renee Merges, Esq.** Albany County District Attorney's Office Albany, New York	Member
Jeffery S. Baker, Esq. Young / Sommer LLC. Albany, New York	Member	**Thomas Schumacher, MD** Slingerlands, New York	Member
Jennifer Cox Probation Supervisor Albany County Probation Dept. Albany, New York	Member	**Barry Walston** New York State Department of Health Albany, New York	Member
Karla Digirolamo New York State Community Action Association. Guilderland, New York	Member	**John Whelden, Esq.** Albany, New York	Member

TASC
of the capital district, inc.

Staff Listing

Name	Position
Joanne Schlang	Executive Director
Jessica Song	Assistant Director
Kevin Guilbert	Business Manager
Nathan Kellstadt	Administrative Assistant
Adam Berkowitz	Director Men's Residence
Rainier Perkins	Facility Manager Men's Residence
Andrew Wiley	Case Manager
Meghan Resetar	Social Worker
Laurel Thatcher	Director Women's Residence
Carrie Livingston	Social Worker
Angela Staley	Facility Manager Women's Residence
Shannon Cornwall	Employment Specialist
Terence Clark	Housing Specialist

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V. Meeting Notes

TOMPKINS COUNTY

CRIMINAL JUSTICE/ALTERNATIVES TO INCARCERATION ADVISORY BOARD
125 East Court Street
Ithaca NY 14850

Minutes

Jail Alternatives Task Force
Friday, March 14, 2014 - 3:00-4:30 PM
Scott Heyman Conference Room, Old Jail Bldg.

Attendee Name	Status
Susan Begg	Present
Patricia Buechel	Present
Suzi Cook	Present
Deb Dietrich	Present
Paula Ionidi	Excused
Jason Leifer	Present
Eric Lerner	Present
Davi Mozie	Present
Hon. Mark Dresser	Present
Angela Sullivan	Excused
Linda Riley	Present
Hon. John C. Rowley	Present

Staff: Andrea C. Gibbs, Marcia Lynch, Paula E.F. Younger

Call to Order
The meeting was called to order at 3:00 PM.

Review of Charge
The Charge to the Task Force was read. Regarding the statement in the Charge that "The task force's review, which will be assisted by County Administration and other County staff as needed…," Ms. Dietrich will contact the County Administrator to find out how to access either County personnel or an intern to help with research if needed.

Crafting Our Approach

- Public Meetings – All meetings are open to the public. Suzi suggested the second Task Group meeting focus on gathering public comments to have it early on in the process; another such meeting may be scheduled.

- Task Group Meetings
  - Anticipated there will be two meetings per month, one in the day and one in the evening, and as needed; schedule two meetings at a time and as needed.
  - June-July: research for draft of suggestions
  - July-August: rough draft of suggestions in time for County budget preparation.
  - The work of the Group is to be completed within six months—September 2014 or earlier.

- Approach
  - Start by identifying existing alternatives to determine what works; what needs to be tweaked to work better; what is not working.
  - What is done elsewhere and works well?
  - What is not labeled an alternative but may be a resource?
  - What can the Legislature address/influence?
  - What is within the Court's jurisdiction?
  - What alternatives could be added?
  - Compile a list of existing alternatives with synopsis.

It was agreed that Suzi Cook, Deb Dietrich, Pat Buechel, and Davi Mozie will begin compiling a draft of existing alternatives to be available for the Task Force to review at the next Task Force meeting. It is expected that the meeting thereafter will be to gather public comments and suggestions on how Tompkins County can safely and prudently decrease our jail population.

Adjournment

Meeting was adjourned at 4:27 PM.

Jail Alternatives Task Force

March 31, 2014
Notes

Members in Attendance: S.Cook, E.Lerner, J.Rowley,P.Ioanide, J.Leifer, M.Dresser, S.Begg, L.Riley, P.Buechel,

Guests: T.Joseph, W.Rusen, J.Mareane, W. Burbank

Materials presented:

- Inventory of ATI programs and supportive services- prepared by D. Mozie, P. Buechel, Deb. D. and S.Cook
- Alternative to Incarceration Programs-prepared by Department of Probation and Community Justice
- Supportive Services of TC Action, as provided by TCA at CJATI

Discussion Points:

- Distinction between ATI programs and supportive services (available to all)-E.Lerner
    - Desire to identify cracks in ATI service delivery model, and focus on how to fix them
- Real world obstacles to staying out of jail (including compliance with parole and probation requirements)-P.Ioanide
    - High rate of failure in parole due to low level of (State) support. State increasingly inclined not to incarcerate due to parole violations, but don't provide adequate support services to those who remain in population. Jail population comprised of parole violators is probably shrinking-J.Rowley
    - L. Riley can get list of parolees
    - Request for stats regarding inmates in Jail due to parole violations
- Desire to gain better understanding of programs already in place-S.Begg
    - Approach from a client's perspective-W.Rusen
    - Focus groups to brainstorm where cracks exist (e.g., waiting lists), etc. He would help organize/facilitate-E.Lerner

- Identify major obstacles facing individuals charged or at risk: Housing, Transportation, Communication -J.Leifer
    - E.g., without phones or orderly housing situation, court appearances missed. Supervised or supportive housing environment in pre-trial phase would assure presence at court
- Client-centered approach to reviewing programmatic environment-P.Buechel
    - Walking through the (pre- and post-sentenced) process will raise flags about why individual is there, and where cracks exist in system.
    - Develop flow chart (using available software) from point-of entry forward. Look for weak points. Then focus group to discuss how to address.-J.Rowley
    - Identify a "typical case" and walk through the entire system- P.Ioanide
    - Use example that typifies highest volume of "person-days" J. Rowley & E.Lerner
        - Statistics: Snap shot of who is in jail now; type of inmate that represents greatest number of "person-days"; breakdown by pre-trial and sentenced.
- Existence and impact of "judge shopping"
- Magistrate support—limited resources available to magistrates at off-hours arraignments; basically arresting officer, bail advice from DA, questions posed to defendant. -M.Dresser
    - More education for magistrates re: alternatives
    - Attorney at arraignment helps supplement information available to judge.
    - Testimonial from other judges who have used alternatives would help in build confidence of other judges in their efficacy. –J.Rowley
- Focus also on inmates in for a few days-T.Joseph
    - Those in for day or two may not need to be there at all
    - Short-stint can be effective "wake-up call" for many and can deter future problems-S.Begg
    - Statistics: Weekend sentences, and impact on population/weekend logs-J.Rowley
    - Statistics: Number in for 1-3 days-T.Joseph
- Public input session
    - Soon, but not the next meeting. Group wants more time to do research

Next Steps

- Walk through the process, beginning with arrest
    - Invite IPD and Sheriff's Office to next meeting to explain arrest process—particularly decisions to release vs. remand
- Next meeting will be scheduled for 1-2 weeks from now

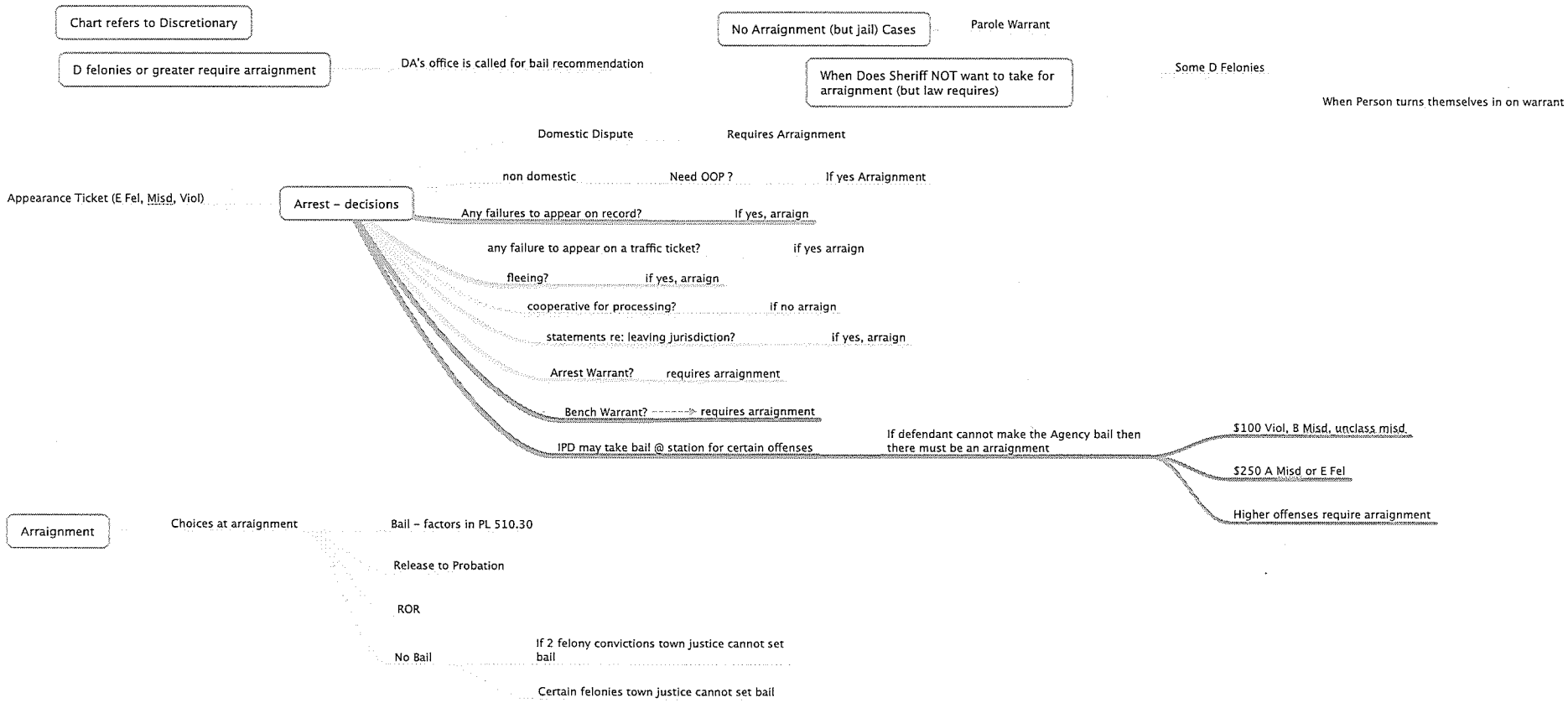
Chart refers to Discretionary
D felonies or greater require arraignment
DA's office is called for bail recommendation
No Arraignment (but jail) Cases
Parole Warrant
When Does Sheriff NOT want to take for arraignment (but law requires)
Some D Felonies
When Person turns themselves in on warrant
Domestic Dispute
Requires Arraignment
non domestic
Need OOP ?
If yes Arraignment
Appearance Ticket (E Fel, Misd, Viol)
Arrest – decisions
Any failures to appear on record?
If yes, arraign
any failure to appear on a traffic ticket?
if yes arraign
fleeing?
if yes, arraign
cooperative for processing?
if no arraign
statements re: leaving jurisdiction?
if yes, arraign
Arrest Warrant?
requires arraignment
Bench Warrant?
requires arraignment
IPD may take bail @ station for certain offenses
If defendant cannot make the Agency bail then there must be an arraignment
$100 Viol, B Misd, unclass misd.
$250 A Misd or E Fel
Higher offenses require arraignment
Arraignment
Choices at arraignment
Bail – factors in PL 510.30
Release to Probation
ROR
No Bail
If 2 felony convictions town justice cannot set bail
Certain felonies town justice cannot set bail

Decision: Which Court?

Start where warrant issued
township
↓
adjoining town
↓
other town justices
Dispatch center

① Initial Arraignment
② Arraigned w/ Counsel

Judge can dismiss
"Fix It ticket"
M V - traffic vlol.
vehicle

Dismissed by Prosecution

Release

Bail + Remand

(no bail for 2 felony convictions) - Town Justice

Probation Report

R&R
Reduced Bail
Rel. under Supervision of Probation

Preliminary Hearing

Defense can waive

Determination - Grand Jury

① Defense Attorney @ initial arraignment
② Probation - Sat/Sun.

A. Can't make bail
B. Repeat Offenders
C. Violators of Probation
D. Flight Risk

530 (10) Crim. Procedure Law
CPL - bail
Arraignment D Felony ↑
E Felony - Bail Jumping
Arraignment Reg. → Grant of Protection (Judge)

Arrest

Consignment as Crim. History For Juvenile Appeal

Arraignment

ROA ticket
95% est

DWI
Refusal to take Chem. test → Judge - take lic. hearing of DMV
Grant of Protection Domestic
O of P
Judge needs to assign

① Resisting Arrest
② Unlawful Fleeing
③ Behavior + Admissions

Petite larceny
disorderly conduct
trespass
Crim. mischief (non-domestic)

Arrest Warrant

Bench Warrant
Fails to appear
Violates court requirements

Police Departments
JPD - set + collect bail

$100 - Violations Village police
State police
Pt A mis 200
E Felonies $500

Jail Alternatives Task Force

April 8, 2014
Notes

Members in Attendance: S.Cook, E.Lerner, P.Ioanide, J.Leifer, M.Dresser, S.Begg, D.Mozie, D.Dietrich, A.Sullivan

Guests: W. Burbank, J.Mareane, Sgt. Jamie Vann (TCSO)

Materials presented:

- System Mapping techniques (previously provided by Judge Rowley)

Discussion Points:

- The process of arrest—Sgt. Vann
    1. Determination of whether to release on appearance ticket or traffic ticket or to book/arraign
        - Officer decides (note that Police Departments can establish and take bail; Sheriff cannot)
        - Criminal Procedure Law (CPL) Section 530.10 establishes what requires arraignment
            - D Felonies and higher must be arraigned
            - E Felonies may require arraignment, if history of bail jumping or incident relates to domestic violence. Most released.
        - Misdemeanors and violations—discretion of officer
        - Limits on discretion
            - Can't release if order of protection is required/requested (Order must be issued by judge, so arraignment required)
            - Domestic violence charge—all require arraignment; judge almost always issues an order of protection
        - Considerations made at arrest that inform decision to release or arraign:
            - Criminal history
            - History of failure to appear for court dates
            - Driving off—failure to respond to tickets
            - Charges that may indicate flight risk: unlawful fleeing, resisting arrest
            - Behavioral factors/admissions
                - Refusal to give information, allow to fingerprint, etc

        - Refusal to submit to DWI test (must be brought before the Judge, who then arraigns, suspends license and schedules a DMV hearing)
        - Admission—individuals states that he/she won't come back for court appearance
    - Existence of outstanding warrants
        - Arrest warrant and bench warrants.
2. Police prefer to issue appearance tickets vs. arrest/arraign
    - Tickets issued for most offenses, e.g:
        - Disorderly conduct
        - Trespass
        - Criminal mischief (other than DV)
        - Petit Larceny
            - If arraigned, generally because of outstanding warrants
        - Assault (unless order of protection is desired)
        - Unlawful possession
        - (no one put in jail for small amounts of marijuana—Unlawful Possession, under 1 oz.
3. City and Village police agencies can set bail, and release individuals after bail posted
    - Guide provided to police agencies
        - $100 for violations
        - $250 for B&A
        - $500-$750 for E
        - Arraignment for anything above those levels

- (Responding to question regarding which judge police officers approach for arraignment)
    1. Start with "host" municipality
        - Dispatchers at 911 Center handle arrangements for judge to arraign
    2. If judge from "host" municipality not available, go to an adjoining municipality
    3. If judge from adjoining municipality not available, go to non-adjoining municipality

M.Dresser: Choices for judge at arraignment: Release on own Recognizance or set bail and remand to jail

- Times bail can't be set by municipal judge:
    - If individual has 2 felony convictions
    - Murder charge
- For D Felonies and above, Judge seeks DA's bail recommendations
- In Ulysses, night arraignments occur 2-3 times/month
- In most places (Dryden is exception), initial arraignment occurs without defense counsel present.

- After initial arraignment, judge schedules "arraignment with counsel." Depending on the court's schedule this could happen several weeks after the initial arraignment
- ***Counsel at initial arraignment would shorten this process, and lead to adjusted bails that could translate into the release of the individual from jail.***
- Probation Department is an asset in this process.
  - 1-2 days to get bail recommendation.
  - Judge can reduce bail without a court appearance
  - This happens Monday-Friday; no weekend coverage
  - **Additional support for this function, including weekend coverage, may help expedite the process of establishing/reviewing bail.**

- Felony charges are arraigned in municipal courts, but transferred to County Court after that.

E.Lerner: Based on what's been presented, usually no arraignment, usually an appearance ticket, usually ROR, usually remanded with bail that can be made by the individual—so how can we have so many in jail?

Information requests:

- Want to hear from the City
- Would like to know what percent of those in jail have a previous history in jail
  - Could like to do a criminal history of a person charged with Petit Larceny to see what has led to that person being in jail.

Observations:

- S.Begg—many of the people in jail are repeat offenders, parole violators, those who can't make bail, and flight risks
- E.Lerner—significant number stay in 2-30 days before trial. What makes them releasable after X days?
- D.Dietrich—OAR assisted with 58 bails last year. Based on that experience, it took 118 days from the time bail was issued to disposition of the case (i.e., time from arrest to disposition is very long).
  - Also, no Assigned Counsel eligibility affidavit work on weekends

Next Steps:

- Process information from IPD, Judges, District Attorney, Assigned Counsel program
- Statistics presented to CJATI on 4/23, then to Task Force

Jail Alternatives Task Force

May 6,2014
Notes

Members in Attendance: S.Cook, D.Dietrich, S.Begg, E.Lerner, P.Ioanide, J.Leifer, D.Mozie, A.Sullivan, P.Buechel, L.Riley

Guests: B.Robison, J.Mareane, (IPD) Sgt. John Norman, Judge Judith Rossiter

Materials presented:

- Points of entry in system
- Arrest Flow Chart, based on 4/8 briefing by TCSO Sgt. J.Vann
- Statistical Profile of Tompkins County Jail

Minutes of April 8, 2014 meeting distributed

Discussion Points:

- S.Cook—Reported on City of Ithaca's exploration of outreach team approach to decrease behavioral problems on the Commons. City invited several human service/criminal justice representatives to meeting discussing a program modeled after Burlington's use of outreach workers to address behavioral problems on its pedestrian mall
    - Burlington had problems with individuals "hanging-out" on Commons—often exhibiting mental health/substance abuse/social service needs
    - By involving outreach workers, alternatives other than law enforcement exist to deal with such behavioral problems
    - Burlington program started with one outreach worker in 2000; now at 5.5, including 2 "after-hours" who are more pro-active, seeking out potential issues
        - Multiple sources of funding—merchants, community banks, state funds
        - City oversees
        - Not professionals/social workers
        - Described by L.Riley as enhanced case management type program. Lots of linkage and education
        - Focused on 25 or so "frequent flyers" who were causing bulk of problems
        - Workers help link individuals to services, make sure they're taking meds, have shelter, etc.
        - Had reduced police calls for mental health related issues by 80%; people calling with problems now call outreach group.

- Downtown Alliance has pledged $10,000 to the program. City looking for other partners, including County
- D.Dietrich notes that number of such people will increase as institutions close

- S.Cook & A. Sullivan—Reported on new powdered alcohol product, and State action on legalizing medical marijuana
- Sgt. Norman—IPD Procedures
  - Process guided by Criminal Procedure Law
  - No discretion on domestic, harrassment
  - IPD Supervisor discretion on traffic tickets
    - Arraigned if individual has history of not showing up for court, and they're not licensed—officer calls Sgt. For direction
      - IPD is allowed to set "station bail"
      - Per CPL (for station bail)
        - B Misdemeanor = $250 Bail
        - A Misdemeanor $500
        - Petty Violations =$100
        - E Felony = $750 (very rare)
      - On-duty IPD Sgt. takes bail, gives individual a receipt and an appearance ticket
      - Choice to require bail, or just give appearance ticket, is supervisor's
        - E.Lerner notes that Sheriff indicated that the Deputy, vs. Supervisor, decides
    - If arraigned, large time commitment. Therefore, where possible, will generally release or release on desk bail
    - P.Buechel notes no jail allowed for traffic tickets, so not a major concern
  - Petit Larceny—will be going to the station for booking, prints, etc
    - If no warrants or other problems, will likely be released after booking.
      - Could be booking and appearance ticket, or arraignment (if court in session)
      - Bail designed to ensure someone returns to court; so if no history of not showing up, will likely release.
      - Senior officer decides how to handle
      - Most often (significant petit larceny volume from large retailers), book, process, fill out accusatories, and bring to court for arraignment
        - Lots released on ROR, with court date
      - Judgment call—no ties to community, violent – will want to arraign, est. bail
        - If ties to community and no history, Appearance ticket or ROR most likely outcome

        - Jail most likely if someone highly intoxicated, violent, etc to avoid potential harm to selves or others, or prior nonappearance
        - City has 6 male and 2 female holding cells for crimes where arraignment is needed, but judge not available.
            - Very short duration; infrequently used (700 last year)
    - Recommend that if goal is to reduce jail population, ask state to change rules
- J.Rossiter
    - For vast majority of cases, IPD gives an appearance ticket = "invitation" to come to court.
        - Or taking a few dollars in bail "because they can" to encourage return to court
    - All new arraignments happen on Wednesday
    - If no show, summons forwarded to last known address = "must" appear in court or be arrested. Arrest Warrant issued.
    - Even though there's a jail, Deputies have no holding cells. Only way to get into jail is if judge has ordered
        - So if Deputy arrests and determines arraignment required, will call town justice
        - Sheriff does not take desk bail; nor do State police
        - She believes no statutory prohibitions on Sheriff taking desk bail—thinks it by custom not law. S.Cook says Sheriff is exploring this with NYS Sheriffs Assoc.
    - S.Begg—is it up to each Sheriff to decide to do this? J.Rossiter says system would have to be set up to administer. Thinks there might be reluctance because of belief system is working OK now.
        - Desk bail might be good in-between measure—between ROR and arraignment
    - Local judge can't set bail if:
        - Class A Felony
        - If 2 prior felony conviction, and charged with Felony,
    - Otherwise, must set reasonable bail
        - Local address? How long in area? Employed? Family or friends living here? Ties to local community that tells you chances of flight are low
    - No statutory maximum on bail, but if a judge consistently sets unreasonably high bails, someone likely to file complaint to Judicial Conduct Board and judge can be censored, sanctioned or removed.
        - Attitude of defendant can influence judge's approach to bail
    - P.Ioanide. – still uncertain about discretion in the process. If Petit Larceny charge, but previous record of bench warrant, etc—while charge is minor, what lands them in jail are other things in record.
        - J. Rossiter—Petit Larceny is classified by State as highest level offense local court can handle—even if it's only a $1 theft.

        - Might be good idea for Petit Larceny for small amounts be treated as violation. Doubtful that will occur, requires legislative change at State level.
    - Judge will look at whether individual has a pattern of not showing up for court in establishing bail
    - Paula I.—even if judge sets low bail, poor person may not be able to pay; they go to jail. How do avoid that?
    - J. Rossiter —OAR bail fund
    - LR—if someone on Felony probation, will it affect bail?
        - Sgt. Normal--IPD would call Probation, would not necessarily impact bail.
        - Probation also does profile on every inmate who's booked into jail and filed with court.
    - PI—who do you wish you could let go of, but guidelines prevent?
    - JR—Cites former problems with electronic monitoring
    - PB—would not recommend using bracelet on very high risk
    - JR—I treat the jail as a finite resource
        - Misd. Drug Court---heavy investment in this—tries to avoid jail sanctions; sometimes unavoidable
    - JM—General thoughts on how to reduce population?
    - JR—Reform Justice court system (lay judges)
    - DD—transitional housing?
    - JR—difficult to do "night reporting"
        - Could do day release, but stay in jail or supervised housing (which would be difficult to screen for drugs, supervise behaviors, etc)
        - Brick and mortar facility other than the jail, might help, but might have requirements similar to a jail.
- Try to keep people out of there, and as short as possible.
    - Justice courts meet weekly, or longer. So once person in, may stay until court back in session.
- E.Lerner—trying to figure out what is it that is contributing to growth of incarceration. Believes judgment calls being made differently than a few years ago, resulting in increases.
    - Sgt. Norman asks if there's been a correlation between rising population?
    - EL wants to see correlation with crime rate
    - Sgt. Norman—invest in "early intervention" with kids—beginning with kids visiting parents in jail.
    - JR—Tim Joseph Committee "What Works," great committee, found that an arrest policy (but not necessarily jailing) works to impact behavior; plus early intervention in 2nd-4th year of life, with visiting etc is effective.

        - SB—purpose of bail to ensure court appearance? If prior felonies, County judge can set bail.
        - JR notes initial bail can be adjusted at arraignment with counsel, with probation report in hand.
            - Don't try to predict defendant's future behavior, other than flight risk.
    - E.Lerner—in past, believed Justice Courts commonly considered factors beyond flight risk.
        - SC—can't tell judiciary what to do but can educate
        - JR—public often favors tough on crime approaches/judges
    - Sgt. Norman—notes high volume of inmates in for petit larceny. Asks JR whether something can be done to reduce that?
        - DD— Get the State to change it to violation
        - LR—Often, people are stealing to support an addiction (that's not showing up in the charge) or other things that are holding them in jail
        - JR—Person who served time in state prison, released on parole, if arrested parole officer notified, who then drops a detainer on that person who will then sit in jail until parole matter resolved. This could show up as a low level charge, but with other issue involved. She would put bail on person, so they get credit for local case (time). Notes that some of the stats may suggest piddling charge, but it masks other charges also levies and other issues.
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Jail Alternatives Task Force
Public Input Session
May 19, 2014
Borg-Warner Room, Tompkins County Library

Members Present: J.Rowley, L.Riley, P.Buechel, D.Dietrich, S.Cook, E.Lerner, S.Begg, D.Mosi, M.Dresser

Also Present: K.Lansing, B.Robison, W.Burbank, J.Mareane, M. Robertson

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S.Cook welcomed the group, explained the purpose and structure of the public input session, the work of the Task Force, and a brief overview of the County's commitment to alternatives to incarceration.

P.Buechel provided a summary of the ATI programs operated by the Probation Department.

D. Dietrich explained the work of OAR, including administration of a bail fund to assist individuals meet relatively low bail.

Individuals present were then invited to present their comments and suggestions.

Joel Harlan—Jail is outdated and needs renovations, including heating and air conditioning system. Other jails (cites Oswego) are more modern and better for inmates.

Joey Cardamone—Recommends reinstating OAR funding, including restoration of 1 position at OAR; bus passes to those who are released to help ensure access to employment; transitional housing; Circle of Recovery; creation of a "wet shelter"; increased coordination of parole and probation for technical violations of parole; coordination with Mental Health; Coordination with town justices

- J.Rowley noted that housing is a crisis. In family drug court, housing is main reason why we can't leave children with mothers; town and village courts do not convene daily, can slow the process; new counsel at 1st appearance program will increase chance of release at initial appearance vs. waiting for subsequent "arraignment with counsel" hearing.

Neil Oolie---Likes the documents that have been provided. Noted intensive supervision program provided by Probation, and wonders if we do enough. Suggests review of Mental Health Courts, similar to drug courts. Sees many people with mental health problems who aren't treated and who may end up in jail. With MH treatment, may not end up in jail. Interesting piece from White House re: ATIs. Interesting models in Scandanavia.

- J.Rowley noted that Mental Health courts are usually a part of a city court. Good idea to review again. Used for repeat offenders with chronic health problems.

Susie Kossack—Stated she is a former NYS Guidance Counselor. Recommends support for Mentor Student Program she has created. Works 1:1 with young adults. Many don't know what we want them to do. Mentor meets 2-3 times per week; helps teach what work life is like, what to wear, how to talk to people, how to keep it going. (Provides handout.) Also works with literacy programs and other programs that would build skills. 1:1 with client and role model is key. Courts would refer (adult) individuals to the Mentor Student Program as ATI.

Joanne Cipolla-Dennis— Stated she is a former corrections officer and saw many who were sick, mentally ill, disabled who were in jail vs. more appropriate treatment facilities. Concerned that some judges don't know law or civil rights of individuals; impose high bails or harsh sentenced. Wants to know what happened with inmate death at TC jail. Someone suspected of being drugged or intoxicated, should go to hospital not jail. Electronic brackets should be used. Questions why jail critics were "banned" from participating on task force. (D.Dietrich notes that this is not true, as evidenced by composition of task force.)

Ana Ortiz—Affiliated with No More Tears. Latinos, youth, kids struggling more now than couple of years ago. Fathers in jail analogous to vacation time for fathers. Mothers and children struggle when fathers are in jail/prison. Should have mandatory 3-strike program to keep people in rehab program until they're clean and can care for families.

Sara Pines—Jail expansion means supporting racism, too many minorities in compared to Caucasians; supporting jailing for mental health vs. treatment; supporting jailing of drug addicted or learning disabilities; or who don't know how to functions. Notes some may find comfort in jail. Recommends ATIs that allow mothers and fathers to stay home and pay back society in ways other than jail. More cells means promoting revolving door.

Jan Frieswyk -- Alternatives will take time. Immediate impact by helping to pay bail.

- J.Rowley—more OAR staff and bail money would help.

Martha Robertson—Numbers include those whose cases have been adjudicated but not yet sentenced.

Ken Glover—Focused on alternatives for those released from jail. Notes no black men working construction; locked out. Those with convictions aren't considered for work. Recommends greater coordination of services for firms that will hire those released from jail. Meet with those who had been incarcerated, ask what they think is viable. Used to have better job training programs, e.g., CDL training. No outreach occurring, e.g., going to events attended by individuals we're trying to reach. Emphasizes direct conversation with former inmates and ask them what they think will work. Housing options are mostly outside the city, difficult to get to work. For younger people, few if any young black and Latino men working with black youth, e.g., as teachers aides, to mentor. People frustrated by feeling written-off, creating conflict.

Aislyn Colgan —Agree with K.Glover. Suggests moratorium on arrests.

Gino Bush—Notes Circle of Recovery is starting; first meeting June 7th. Mentorship program for men in jail with substance abuse issues. Goal is to be there for released inmates and help mentor. Seeks funding for mentoring. Upon questions from the task force, agrees that the program should be open to anyone regardless of race or gender.

Jim Murphy—Recommends set asked services for Iraq/Afganistan vets. Cites Buffalo Veterans Court. Syracuse VA has judicial counselor. Perhaps something could be operated through OAR. Drug abuse will be half of Afgan/Iraq issues. There are some very good, and some poor, VA rehab centers (Batavia is the best/Bath has problems). If something existed here, court could alert judicial counselor or other referral group, who would then assist in identifying treatment facilities.

Fran Helmstadter—why would a person stealing a candy bar be in jail. (J.Rowley notes 1 cent to $250 = Petit Larceny = 1 year in Jail vs. violation (harassment) = 15 days in jail—recommends grass roots effort to switch those, making petit larceny a violation and making harassment a misdemeanor) Recommends looking at justice courts—what kind of sentences are being handed out. Suspects there's unevenness in sentencing.

Gibrion Hagood—Lots of arrests could be avoided by changing behavior of police. If cop is aggressive, provokes exchange, leads to arrest. Should be more of a customer service approach.

Jaimi Hendrix—1) OAR needs 2 positions for re-entry programs and other supports. 2) Wishing Well Center—a place for ex-incarcerated to hang out in a supportive community. 3) Decision Rule—things are all about money; search for micro grants and seed money to fund new ideas coming out of the community ($500-$1,000). 4) Asks for public members of task force to have community meeting (e.g., Stop the Jail Task Force) to share what's happening with task force/solicit input. 5) Notes late notice of meeting. Hopes for another meeting or more marketing to solicit ideas.

Raichell Jones—no money for ATI's. Notes money is available for expansion, but not for ATI programs. Money should be put into ATIs vs. jail.

Phoebe Brown—Concern that programs that are working need money, so why the expansion? Minority community not represented on task force, or participating in discussion. If we don't address causes of incarceration, will continue to face overcrowding. Teach people how to come back from prison to build community, instead of isolating. Have much going on (programs) now; should invest in these programs.

Gibrion Hagood--need to figure out how to get people jobs. Jobs programs should be focused on minority/poor youth. Set high goals re: kinds of jobs (e.g., tech)

Margaret Montfort—Issue the same for 20 years. 7 beds won't stop overcrowding. Gap between what public understands. Agrees with what all have said. Over lasta 30 years, research shows employment is

key, need to respond to needs of women, mentally ill, vets, community policing. Community needs to get educated to understand what works and then how to do it.

Existing programs already in place that are intended to do what community is asking. But no money. How can we spend money for expansion, but not enough for programs that have value?

Debra Cipolla-Dennis—Beds won't save board outs. Understands board outs occur because female and juvenile classifications cause the board out, so questions if 7 beds will address the problem.

- Lansing—mainstay is male population. Acknowledges classification challenges, but notes 7 beds will reduce board outs.

Neil Oolie—DSS sends many with Section 8 to Groton for housing. Buses to Groton don't work well to get people to jobs/interviews.

Joanne Cipolla-Dennis—Two training ideas: 1)Hammerstone School of Carpentry for woman—head is willing to take on female ex-inmates; 2) Shelter at jail is a metal building, could be built with recycled materials/sandbags by inmates.

Suzi and Deb thanked everyone for coming and for offering their ideas, suggestions and comments, and meeting adjourned at 7:30 p.m.

Jail Alternatives Task Force Meeting—June 10, 2014

Meeting Notes

Members Present: S.Cook, D.Dietrich, E.Lerner, J.Rowley, P.Buechel, S.Begg, A.Sullivan, J.Leifer, L.Riley
Guests: J.Mareane, B. Rusan

S.Cook distributes notes from prior meeting and public input session, and D.Dietrich's summary of ideas that have arisen and general sense of associated cost.

E.Lerner asks for more information regarding decision-making process in prosecution and assigned counsel's new counsel at first appearance program

E.Lerner notes contradiction between State and County (Admin) data; will review with J.Mareane.

E.Lerner indicates review of jail population by day of week indicates that day of the week not a significant source of pressure. Jail data by court is still under review. City and County court have more activity than almost all, except Dryden. Over 3 years, 34 people in Dryden Court sentenced for DWI 1st offense. Rowley questions appropriateness of bringing disparities to attention of a judge.

P.Buechel notes difficulty of bringing magistrates together for training; discussions about alternatives.

J.Rowley notes OCA does have data about judicial decisions; he finds the information personally helpful. Maybe there could be a way to compile information and bring to judge's attention in a constructive manner. 1 on 1's would be time consuming. Some judges would benefit by it and be eager for it. Ongoing engagement with judges in alternatives and decision-making would be helpful, even if turnout low; or do 1:1 every year or two.

J.Rowley—difficult meeting with judges re: arraignment. When Town or Village judge contacted for arraignment after hours, police call, judge goes through quick check list to see if client is eligible for free lawyer, calls attorney from list of panel attorneys. Takes longer, but is now a mandate. If not eligible or attorney not requested, can proceed without lawyer. Town and Village judges not joyful about the new system. More time and hassle.

J.Leifer—will have attorney on call. Julia Hughes would be good person to talk to the task force.

J.Rowley—explains what happens when someone about to enter plea or go to trial

- Plea—attorneys and DA handle; prospect for things to move faster in some cases. Sometimes plea allows person to get out of jail for time served (although if in community, can work in reverse). Can slow down when person in jail on felony, can bypass grand jury, consent to plea,

but extra paperwork and procedure that can take 3-4 weeks. Seems slow. At time of plea, Probation prefers judge get pre-sentence report with important background information—that takes 5-6 weeks. Then sentence. So faster plea means quicker pre-sentence report and sentence.

- Judges don't have much effect on pleas.
- If Judges facilitate plea negotiations by making clear where they stand with sentencing (e.g., as pled, per pre-sentence report, certain maximum), could move things quicker. Some willing to do that, others not.
- Defender based advocacy, used to be here, alternative to pre-sentence report; done from defenders perspective by outside agency; supplement or alternative to Probation's report. Can help address problems like housing, MH services, etc. that, in turn, can influence sentencing
- Notes change in law that allow someone to be put on probation prior to sentencing (same terms as if after sentenced.) Way to see if someone is able to comply with conditions. Placed on "trial period of probation" and see how it goes.
  - Sometimes done as part of a plea bargain
- Can also adjourn sentence (old way) to see how someone does. New way adds element of supervision via Probation.

- E.Learner—asks whether DA makes sentencing recommendation. Yes. Prosecutor often adopts Probation recommendations.
  - How much is sentencing influenced by DA's office policies
  - J.Rowley—fair questions, but TC DA is favorable to ATI's (may be different than other counties).
- Discussion about shackling policy
- J.Rowley—asks whether OAR can seek lower bail as time goes on to reduce it to levels that it can support. D.Dietrich notes that these reviews do happen. J.Rowley notes that this is another training issue—to use discretion in setting bail. J.Leifer, look at adjusting when pre-trial is approaching.
  - Notes rules on OAR – bail levels and staffing—have direct relationship to jail census. Doubling would have a meaningful impact.
  - D.Dietrich notes State changes for charitable bail that limits amount to $2,000 (but we still go to $2,500, with $500 copay).
  - Rowley---asks for OAR to come to task force with response to "what impairs your ability to bail more people?"
  - D.Dietrich—more staff would allow us to bail more (County has kept bail fund at needed level). Bails down from 70+ to 60 with staff declining from 3 to 2.
    - But law will limit how many can bail (Now supervised by Dept. of Financial Services—not knowledgeable about these programs).
    - Some judges set bail above OAR level, esp town justices.
  - J.Rowley asks for specific proposal from OAR
- Trial—at conviction, pre-sentence report
  - Sentence relates to training, experience, judgment

  - Has some latitude, such as adjourning sentence to see if person successfully completes rehab
  - Would be helpful for judges to be periodically reminded of alternatives
- J.Mareane asks about timeline for pre-sentence report. P.Buechel—4-5 weeks; extensive process. E.Lerner—what if you had more PO's to do this? P.Buechel—not necessarily. J.Rowley—4-5 weeks is faster than most.
- J.Mareane—if convicted of felony, is person put back in jail? If convicted of serious crime, DA will ask to revisit status. If out, can go back. Sometimes, if defendant going to prison, attorney can advise to start time now in jail.

J.Leifer—if person in town court and hasn't paid fine, judges incarcerating people. J.Rowley, we don't have debtor's prison—must have a hearing, do process. D.Dietrich—case where $350 fine not paid; led to $400 bail; judge expected to apply bail to pay fine. Inappropriate use of County funds.

- J.Rowley—law is clear. If can't pay, assigned attorney, hearing, have to show willful failure to not pay; judge has lots of authority to modify.
- General discussion about failure to pay

Jail Alternatives Task Force
June 16, 2014

Members Present: S.Cook, D.Dietrich, M. Dresser, S.Begg, L.Riley, E.Lerner, P.Buechel, A.Sullivan

Guests: Bill Rusan, Joe Mareane

D.Dietrich handed out summary of areas, and related costs, for consideration by the Task Force based on input received thusfar.

- S.Cook notes need to organize ideas by long- and short-term approaches.
- S. Begg handed out information regarding TASC (Treatment Alternatives for Safer Communities) in Albany County. Group provides evaluation, rehab placement, court advocacy, case management, and monitoring for newly charged, probation or parole violators, and those recently released.
- L.Riley—Responds to reference to ACT team . Community treatment (e.g, medication adherence) that has been in place for 7-8. Good results. Coverage area restricted to a portion of the County due to statutory restrictions on coverage area (distance from Elmira Psych Center.)
    - P.Buechel notes there must be serious mental health issues to qualify for ACT care. Also voluntary. ACT will do injection meds (ensures adherence); always a nurse, social worker, psychiatrist. Go to home.
    - L.Riley—Coverage in western part of County. Want to expand, but not done. Also limit on total client load.
- Also notes that AOT is on handout, is a legal action--Assertive Outpatient Treatment; required to take meds over objection (Kendra's Law). Request for AOT investigation goes through Commissioner; questions to be considered before taking legal action. D.Dietrich says some do in jail. L.Riley describes restrictions on doing this, including violence and hospitalization because of lack of medication adherence. Psychiatrist must develop treatment plan; County represents mental health; judge hears; client can be ordered to comply. Kind of like Mental Health Probation
    - D.Dietrich notes there's only crisis care for MH issues in jail now; no therapy. L.Riley notes there is supportive counseling. D.Dietrich says AOT ensures treatment is provided after release.
    - L.Riley—County now has open access between 9 and 3—anyone can go to 4th floor and ask to see counselor. No longer appointments. Relatively new. Monday-Friday. More often than not, everyone is seen. Evaluation undertaken in intake.
    - P.Buechel—asks Linda how many in jail because of serious MH issues. L.Riley—not as many as people might think. People may have issues, but may not rise to serious mental health issues. Relatively small number with serious and persistent issues (e.g., schizophrenia, bi-polar).

        - D.Dietrich notes this does not include chronic depression and other "lessor" issues. Until Open Access, hasn't been able to access MH services through SPOA (Lakeview housing and ACT).
        - E.Lerner—some inmates would be diagnosed as serious and persistent if they revealed their problems.
        - L.Riley—those would normally exhibit cues; staff is competent in working with them to make sure they get seen.
        - P.Buechel—MH caseload in Probation has increased.
        - L.Riley—inverse relationship between available psych beds and jail population.
        - P.Buechel—is MH population one that we should target—if they're taking up jail beds, should we find alternatives.
        - L.Riley—are they taking up jail beds because of Mental illness or other reason (one of which could be substance abuse)?
        - D.Dietrich—what about co-occurring treatment in jail—substance abuse and MH treatment. Co-occurance leads to recidivism.
        - S.Cook—in-jail or pre-jail treatment?
        - E.Lerner—are some in jail with serious MH issues that would be better off out of jail for treatment?
        - L.Riley—all screened when entering, including prior suicide, prior treatment, etc. plus observations by booking officer.
        - P.Buechel—what happens when someone is judged to be seriously mental ill? L.Riley says can be referred to clinic, substance abuse rehab, connected to their doctor, meds. (in jail).
    - S.Begg—TASC program. In addition to other programs, has transitional residential program (safe, curfew, supervised). All in one catch-all for released inmates who need residential treatment—but not beds. Stay there and receive treatment on out-patient care. Could be alternative to jail.
        - P.Buechel attended TASC seminar. Program is small. Deal with 15 in Albany. Felt that we already do much of what TASC does, e.g, Day Reporting.
        - S.Begg was interested in residential element—aids transition. Housing is a weak spot. People return to where they were before—bad environment.
        - S.Cook suggest we go thorugh the list and cross out those things we already do; focus on what we should look at most closely. Need to start working toward a plan.
- E.Lerner—many ideas may be good things for the community, but not obvious that they'll have direct impact on jail population. Have to be focused on those things that will reduce population.
    - Empowering Sheriff to make bail (not on DD list)
    - Monitor DBA program to see if it's effective.
    - Encourage Sheriff to discourage judge shopping. S.Cook says we've heard that dispatch assigns based on proximity; E.Lerner says he hears it still exists. M.Dresser says that in 3 years, he's only been contacted by dispatch, not officer.
    - Counsel at Arraignment—need to know more; see if there are ways to streamline that process.
        - M.Dresser notes there may be an on-call lawyer by day (to handle appearances). Rotation. Problem if no nearby attorney.

        - When person arrives, petition for assigned counsel (financial info), judge then decides eligibility, then calls the attorney.
        - Consider Presumptive Eligibility so that there's no wait while eligibility is established. Forms filed after the fact. May save money.
            - D.Dietrich notes that most are eligible for counsel
    - Wants to know DA's policy re: bail
    - Wants more communication between CJATI and Magistrates
    - Wants to consider how transportation problems (ability to get home) may lead to jail.
        - Discussion about risks of releasing someone who's impaired
- S.Cook recommends removing Housing as one of the options.
- S. Cook asks about value of bus passes. Need to explore who gets it and how to distribute. S. Begg asks whether this will help reduce population.
- B.Rusan—extraordinarly small number of inmates have serious and persistent mental health issues (e.g., hear voices, hallucinate, etc). Need to focus on what will get people out of jail.
- S.Cook—Increased Coordination of Services (From Dietrich summary, based on public comments re: parole technical violators). D.Dietrich says about the same number of tech violators as year before. L.Riley notes that some tech violators are because of dirty urine, being around children, etc. D.Dietrich notes that no violation if they're packed into boarding houses in Groton.
    - P.Buechel—Probation does graduated sanctions.
    - S.Begg notes that its influenced by relationship/attitude between PO and client.
    - S.Cook recommends taking this off the list.
- Communication/Education of Judges. P.Buechel notes the frustration in participation of magistrates.
    - S.Cook suggests asking judges what kinds of alternatives they would find acceptable.
    - M.Dresser notes sometimes all other options have been exhausted.
- S.Cook notes County eliminated RICs program because of funding.
    - Opportunity to earn money and reduce sentence
    - People are sentenced to the program. Under RICs, maximum 60 day sentence plus community service
    - Cost justification difficult—cost of running program vs. jail days saved
    - S.Cook—could we do a pilot to see how judges use it.
    - S.Begg—FL Reuse Center. Could be a training opportunity. Director committed to working with former inmates/probationers. Repair. Retail. Could be a site for a day program, with night in jail.
        - P.Buechel notes risks—inmates returning to jail with drugs, contraband, etc.
        - J.Mareane—could this be a component of day reporting; treated in the same way as other day reporting activities? Would judges look at a DR-related program differently than something more novel?
- S. Cook—reference to voc ed programs suggested by public. S.Begg—that's what Reuse center is trying to do. Hammerstone is $1,500 and intensive.

- D.Dietrich—need to look at what will have immediate impact, then what may have an impact.

S.Cook and D.Dietrich will try to cull the list and bring back to the task force.

Jail Alternatives Task Force
June 30, 2014
Notes

Members present: E.Lerner, M.Dresser, D.Dietrich, S.Cook, P.Buechel, D.Mosi, A.Sullivan

Guests: J.Mareane, W.Rusan, M.Lynch, G.Wilkinson, A.Ortiz, R.Bunce, P. Stein

County Legislature Peter Stein presented observations regarding the length of stay of jail inmates and programs that may be considered.

- Experience visiting jail found aimless behavior. Led to thoughts about what kind of programs that could be offered that might have positive outcome.
- Although average lengths of stay are relatively short, those who are in are in for a relatively long period of time. Presented a graph showing conclusions. Shows, on average, 32 people in jail (unsentenced) on any given day will be in for four months or more. (Notes what may be flaws in data that counts some sentenced as unsentenced).
- He notes that distant learning is fastest growing trend in education. Huge list of educational offerings now available on line. All self-teachable.
- Recommends to see if others are doing on-line learning, devote space in jail to allow inmates to take on-line learning (e.g.,course in computer literacy, general literacy, tips in getting a job, etc). Don't tell what inmate must take; let them pick based on interest.
- D.Dietrich notes initial capital expense of laptops and wireless. P.Stein suggests wireless may create problems, so hard wire ??.
- S.Cook – This could be part of a GED training; voc ed; Thinking for a Change; parenting skills; etc. questions of cost ?
- P.Stein indicates most are free
- G.Wilkinson agrees there is a lot of programming in a lot of areas.
- P.Stein raises question about how to focus on those who will be there for a relatively long period of time.
    - Peter spoke to Capt. Bunce and Undersheriff Osborne—both seemed to feel this is worthwhile.
- D.Mosi—in Delaware, assistance provided to inmates to help them prepare for release, e.g., DMV, child support, Medicaid, DSS assistance. Especially important to those who released straight to street.
- J.Mareane notes that P.Stein's stats are consistent with those presented earlier to Task Force.

S.Cook—she and D.Dietrich have begun to separate ideas into "front end" and "back end." Front end means those things that can be done prior to release. Back end means things that can be done post-release.

- D.Dietrich—also, divided by things that can be provided to the Legislature on the requested time line vs. other things that need more work and have a longer time horizon.
- Hand-outs from S.Cook and D.Dietrich
  - Front End (Cook):
    - Bus passes
    - Black Creek Initiative (already underway; looking for federal grant to plug in ACT software system Applied Correctional Transitions Strategy. Assigns risk to each inmate to help guide into programs. Tracks the population for recidivism/effectiveness of program.
    - Defender based advocacy (already underway)
    - Counsel at 1st Appearance (underway); may shorten process and reduce length of stay (won't wait in jail while Arraignment with Counsel is scheduled).
      - J.Mareane resurrects M.Dresser's suggestion about "presumptive eligibility" for after-hour arraignments (there aren't that many) so that it's assumed person will need counsel. This will reduce the bureaucratic exercise that now slows down the process of calling-in a lawyer.
      - M.Dresser and G.Wilkinson agree this would help. General support for this concept.
    - Anna Ortiz—raises concern about whether there are ways to make sure we are screening people for mental health or substance issues before jailing them. G.Wilkinson notes that with attorneys now present at arraignment, individuals can share their situation with their attorney and have the information protected by lawyer-client. A.Ortiz also hopes for additional Spanish-speaking attorneys. R.Bunce notes jail has experts trained in detention of substance issues prior to incarceration.
    - S.Cook—notes Hammerstone program and ReUse Center willingness to train or hire former inmates, and City's initiative to hire case managers to deal with Commons behavior problems.
    - RICS program—P.Buechel. Community Service program supervised by Probation. Alternative to courts used primarily for Violations of Probation (or Misdemeanor). Recommended 60 days max, plus 104 hours of community services. Probation had staff person who would take from jail to community service site and return to jail. S.Cook notes

we will need to look at cost-benefit analysis. P.Buechel notes eligibility is important factor, too. (not eligible will be violent offenders, etc.)

- S.Cook--Day Reporting program, pre-trial release. Should we go back to full-time or start a weekend or evening program to reduce "weekender" population.
- S.Cook—substance abuse treatment done in jail.
- ACT—doesn't cover all of county. Should look to see if expansion is possible and would make sense.
- OAR—D.Dietrich. One FTE cut four years ago. Client Service Worker would allow 10-12 more bails per year. Each bail saves $6,750 in averted board out.
    - J.Mareane—beyond bail, what else can they do? D.Dietrich—will be able to assist with things like DSS paperwork (as D.Mosi had suggested) plus do more to help people get to appointments, etc.
    - E.Lerner—asks whether additional FTE would find more bailable clients. D.Dietrich thinks there are some falling through cracks now because of staff shortages.
- S.Cook--Communication with Magistrates, and training—especially peer communication led by those who have used alternatives.
    - E.Lerner—agrees. More interaction with Magistrates would be better. Thinks one-on-one training/communication is more effective than group meetings.
- D.Dietrich—ACP can help by educating attorneys to intervene on behalf of clients for release.
- G.Wilkinson—ATI has different meaning at arraignment vs.sentencing. In arraignment, alternatives would be release to a responsible someone, electronic monitoring, etc. Notes that in City Court, some have jumped bail and may or may not have gotten in trouble elsewhere. Public safety concern is paramount and needs to be considered. Asks about EM to make sure they don't leave before resolution of case.
    - P.Buechel—if don't charge the equipment, EM doesn't work. So have to be careful with high-flight risks.
    - M. Dresser—don't have these tools at arraignment. Look at history. At next event, can then consider alternatives like EM.
    - G.Wilkinson notes excessive bail can be challenged in excessive bail hearing. D.Dietrich says some lawyers are apprehensive about retribution.
- E.Lerner asks about charging EM. P.Buechel says must charge 2-3 hours per day.

        - S.Cook—"Wet Shelter" for disorderly conduct, public drunkeness etc similar to holding tank to dry out. D.Dietrich notes DWI liabilities are larger than public drunkenness. G.Wilkinson notes problems if someone leaves wet shelter and causes harm – huge liability issue. J.Mareane notes this is a complex and community-wide issue that's beyond the scope of the task force (though it will be referenced in the "back end" report.)
        - B.Rusan—possibility of CARS backing up Casey (DSS) on "level of care" assessments; substance evaluations for rehab. D.Dietrich notes there is a supervisory issue to be compliant with grant.
            - A.Sullivan—taking with OASIS; looking at additional locations for services. She suggests designating an additional site at jail, which would address OASIS supervisory requirements.
        - S.Cook—Desk Bail at City. Sheriff can't do because they don't have a holding cell/Lock-up ?? We need to explore if it is possible for Sheriff's to take desk bail. D.Dietrich also notes that Sheriff says there may be a conflict to set bail and hold. Sheriff will check with NYS Sheriff's Association.
        - T.Burg sets desk bail without holding; to County if bail not met.
        - G.Wilkinson says Desk Bail has to have a place to hold them.
            - E.Lerner says could go to arraignment if bail not made.
        - S.Cook—questions regarding diverting at the point of arrest. D. Dietrich sayd need for comprehensive arrest stats, including appearance tickets vs. arrest. Don't know where data is captured—or if it is. G.Wilkinson doesn't have data splitting appearance tickets from arrests. Discussion about absence of data leaves uncertainty about whether volume of appearance tickets is high and lessens jail population. DCJS could be a source. Also, compare Probation list with jail list—difference is appearance tickets. E.Lerner notes volunteer assistance is available to crunch data.
    - "Back End" D.Dietrich
        - Asks for group to review and identify what may have been missed in her report.
        - Tried to group report by topic. Not all would reduce jail days, but some have been raised by public and may have long-term benefits.
            - Other group may do the research, but this task force should have some role in moving it forward.
        - S.Cook notes upcoming deadlines.
        - July 18 draft report.
- Request for data regarding number of "weekenders"

- R.Bunce—some uncertainty sure. Average in 2013 was 4 "weekend" inmates.
- P.Buechel—wonders if her community service program could accommodate that small number of weekenders to relieve some pressure. Judge would order it in lieu of weekend sentence, with threat to jail for non-compliance. Staff with existing weekend SWAP Probation employees. G.Wilkinson notes that person would have to volunteer.