

Approved

**Public Safety Committee
June 5, 2003
2 p.m.
Scott Heyman Conference Room**

Present: B. Blanhard, M Robertson, G. Totman, K. Herrera, L. McBean
Staff: S. Whicher, S. Robinson, G. Dentes, W. Skinner, Marcangeli, P. Bu echel, D. Wolff, P. Meskill,
T. Northrup, J. Gorovitz, J. Thomas
Legislators: P. Penniman, N. Schuler, P. Proto, D. Kiefer
Guests: A. Agnew, Cayuga Addiction Recovery Services; Judge John Rowley

Called to Order

Ms. Blanchard called the meeting to order at 2:03 p.m.

Changes to the Agenda

There were no changes to the agenda.

Domestic Violence Prevention

Ms. Robinson reported the proposal she submitted to the Tompkins Charitable Gift Fund was not funded. She intends to send that proposal to the Target Foundation which funds domestic violence programs. She also reported there is a Committee that is working on domestic violence prevention training to be given in the fall. Cayuga Addiction Recovery Services has submitted a grant to the Gannett Foundation to underwrite the cost of the training so it would only cost attendees approximately \$15 to attend.

Integrated Domestic Violence Court

A summary sheet on the Tompkins County Integrated Domestic Violence Court was distributed. Judge Rowley briefly reviewed the history of why this type of court is opening in Tompkins County. He said he and Judge Sherman will be creating an Integrated Domestic Violence as part of the Supreme Court that will have a regular weekly calendar and each of the judges will have the court on alternating weeks. Each will have their own caseloads and overlapping cases will be heard in the same court. Judge Rowley said the other component to the program is an intensified supervised probation concept. There will be regular court follow-up to make sure individuals are doing what they are supposed to (e.g. obeying orders of protection, following Probation rules, attending prescribed treatment). He said the court is working with a large group of people, including lawyers, the District Attorney's Office, State Offices, Neighborhood Legal Services, Cornell Legal Aid, and City of Ithaca and municipal courts.

Judge Rowley spoke of the financial impact of this program and said the State is not providing any financial resources for this new program. A federal grant has been applied for that would provide additional advocacy services and a coordinator which he feels is essential to this program. Judge Rowley said the Committee will be kept informed as this effort moves forward.

Judge Rowley was asked to clarify the impact this program would have on town and village courts. He said this will not be optional for those courts. If a town or village has a case that is appropriate and there is a pending domestic violence charge and family court case, the case will be identified by the Coordinator and a decision will be made whether to issue a removal order. He said the number of County-wide cases that could be included in this court could be significant.

A question was raised as to how the court defines domestic violence. Ms. Robinson will provide Committee members with this information.

A community meeting has been set for July 24 from 3 p.m. to 5 p.m. to discuss the program in detail.

Presentation - Department of Probation and Community Justice/ATI Programs

The following staff presented the Committee with an overview of ATI programs administered through the Probation Department.

Pat Buechel, Probation Supervisor - supervises: Reduced Incarceration Community Service

Program, SWAP, Day Reporting Program

David Wolf, Deputy Probation Director - supervises: Ithaca City Drug Court and Felony Drug Court Program

Jan Gorovitz, Probation Supervisor - supervises: Family Treatment Court

Margaret Arcangeli, Probation Supervisor - supervises: Intensive Supervision Program and Electronic Monitoring Programs

Tina Northrup, Probation Supervisor - supervises: Pretrial Release Program

SWAP (Service Work Alternative Program)

A supervised community service program for individuals aged 16 and older convicted of a "D" level felony or lower and who are not sex offenders or violent. Examples of crimes those individuals have committed include: forgeries, petit larcenies, non-violent burglary, and trespassing. Two full-time work project supervisors run the program that operates during weekdays, weekends, and evenings. There are worksites all over the County and some projects include: Cops, Kids, and Toys, a painting project for the Trumansburg Town Hall, Groton Housing Authority, and renovation projects at the Community Justice Center and the Human Services Building.

Reduced Incarceration Community Service Program

This is a supervised work program for individuals who are incarcerated during their enrollment in the program. In lieu of performing community service these individuals would receive a reduced period of incarceration. A work project supervisor transports inmates from the Jail to the work site and returns them at the end of each work day. Examples of work performed in this program include: painting of the Newfield Town Hall, work at the Cayuga Heights Fire Department, painting and transporting of donations for Catholic Charities, and installation of a new playground for the Dryden Head Start program. Ms. Buechel stated there are not a large number of participants in this program because there are a lot of eligibility requirements. To date, there have been six participants who have successfully completed the program. Misdemeanor and felony inmates are eligible.

Day Reporting Program

This is a structured day program that operates Mondays thru Fridays from 9 a.m. to 3:30 p.m. The Community Justice Center contracts with many service providers to offer education and classes in areas including: mental health issues, substance abuse education and treatment readiness, victim-offender conferencing, emotions management, health education, and individualized education, life skills and work readiness. Participants are mandated to attend the Day Reporting Program by the courts. They are people whom the court has allowed to live in the community while serving their sentence or are awaiting trial or sentencing. Individuals can participate in this program as a condition or violation or probation, as a Drug Court sanction, as a conditional discharge, or as a pre-trial supervised release. Length of participation varies from 10 to 90 days.

Ithaca City Drug Court and Felony Drug Court

Dave Wolf, Assistant Probation Director, supervises the Ithaca City Drug Court and the Felony Drug Court. One of the primary goals of these Countywide programs is to assist the alcohol and drug-addicted person to break the cycle of addiction and criminal activity. These are individuals who have been convicted but are awaiting sentencing. Currently, there are 58 individuals in the misdemeanor drug court and 44 in the Felony Drug Court. The total number graduates to date for the misdemeanor program which has been operating since January 1, 1998, is over 70 and there have been 26 individuals who have graduated from the Felony Drug Court. The drug court programming offers the most intensive level of supervision that the Probation Department offers. The participants are seen three or more times per week by a probation officer, they are subject to random drug testing up to three times a week, must receive physical, mental, and dental examinations, random home visits, and there is close contact with treatment providers, family members, and the court. Individuals are also subject to curfews and must attend counseling sessions and a life skills workshop.

Mr. Wolf said they are seeing individuals who have been involved in the drug court program experience the longest periods of sobriety and abstinence from drugs. Ms. Herrera said it is clear to her that without treatment recidivism is almost guaranteed.

The Ithaca Drug Treatment Court is overseen by Judge Olds; the Felony Drug Treatment Court is overseen by Judge Sherman. The Felony Drug Treatment Court team meets on Wednesdays to review what participants have done during the week. Mr. Wolf noted that only Senior Probation Officers work with the drug courts.

Ms. McBean said the Probation Department should be commended for the work they do with these very difficult programs.

Intensive Supervision Program (ISP)

This is one of the oldest alternative-to-incarceration programs, that was initiated by the State in 1979 in an effort to lower caseloads and to allow probation departments to offer more intensive case management and intensive supervision. In 1987 the focus of the program changed to provide court-ordered participation in ISP programs.

Ms. Arcangeli said this program provides close supervision to high risk offenders. High risk offenders are identified as individuals who are felony offenders who have previous misdemeanor or felony convictions. Currently, there are two Senior Probation Officers that work with 41 offenders who are presently supervised under this program. Individuals meet with the Probation Officers twice per week and they are visited in their home by the Probation Officer once a week. If they miss attending things such as an appointment, work, or school, the Probation Officer knows about it immediately. Caseloads of the Intensive Supervision Program include: sex offenders, mentally ill, chemically-addicted individuals, DWI offenders, and a large percentage of youth offenders with many previous convictions. When participants of the ISP program begin to do well they are transferred to the core caseloads. Typically, participation in the program does not exceed 18 months.

There are currently 172 juveniles (under the age of 17) on Probation, including intake, voluntary intake and PINS Diversion; this compares to 148 for all of 2002. There are currently 640 open adult Probation sentences. Mr. Wolf noted that there is duplication involved in these numbers as some individuals have more than one open case. In terms of caseloads, regular core Probation Officers carry a caseload of 52 cases; this is comparable to other counties the size of Tompkins County. It was noted that although this is close to the Statewide average, it is abnormal for Tompkins County. Mr. Whicher pointed out that caseloads for intense programs have gone from a maximum of 20 cases to that being a minimum and from 35 on core caseloads to approximately 50. Mr. Wolf said the Department currently is

conducting 87 ongoing pre-sentence investigations for the courts. Since 95 percent of the courts following the Department's recommendations for sentencing this is a very important responsibility.

Mr. Wolf said there are three Probation officers that cover the juvenile caseloads and one Juvenile Intensive Supervision Officers whose cap is supposed to be 15 cases. At the present time that Officer is supervising a caseload of 29.

Electronic Monitoring Program

The Electronic Monitoring Program is a 24-hour monitoring program for individuals who pose a minimal risk to the community. Participants are required to wear a bracelet which transmits information to the Department via the telephone line. The Department receives a daily printout for each participant. If participants leave when they are not supposed to a fax is transmitted immediately to the Department. This program allows probationers to maintain employment, avoid separation from families, and allows them to participate in community-based treatment programs. The number of individuals enrolled in the program has been from two to six; presently there are three people involved in the program.

Pretrial Release Program

Ms. Northrup said the a Probation Officer visits the Jail and conducts interviews with new inmates and makes recommendations to the court on their ties to the community and whether they are a flight risk. The Officer verifies the information that has been received and makes a recommendation to the court on whether the individual should be RUS (Released Under Supervision) or released under their own recognizance. This Officer continually assesses individuals for drug court and the Day Reporting Program. The Officer also supervises the individuals who are released under the supervision of the Probation Department and can require them to report to the Department up to five times per week for up to a period of three months. At the present time the Officer has a caseload of 15 people. Last year there was an increase in RUS cases for felony level charges but overall over the last couple of years there has been a slight decline in the number of interviews that have been conducted at the Jail. Ms. Northrup stated it is possible that decrease is related to the County's alternative-to-incarceration programs.

Family Treatment Court

Ms. Gorovitz said the Family Treatment Court is not an alternative-to-incarceration program. The individuals who are targeted for this program are parents whose parenting is problematic because of their substance abuse. The way individuals get targeted for this program is through the filing of a neglect petition by the Department of Social Services that is identified by the court. This program is similar to the Drug Court in its intensity and substance abuse screening as there are sobriety and substance abuse testing. The goal of this program is to avoid placement of children in foster care. Currently there are 20 people in the program with seven neglect petitions pending at the current time. A graduation ceremony will be held on July 29th at 4:30 p.m.

At the conclusion of the presentation, Ms. Buechel highlighted some of the changes she has instituted at the Community Justice Center since she has taken over there. Those changes include:

Ms. Buechel has visited the various judges throughout Tompkins County. One of the major complaints she received was the judges felt there was a lack of communication. A policy has now been put in place that once an individual is referred to the Community Justice Center, the court is notified by the next business day to let them know if the person appeared at the Center. A report is also issued every Friday to the judge telling them what the person has accomplished throughout the week and what their participation level was.

Behavior problems are addressed immediately by a series of actions to resolve the problem. If the person's behavior isn't corrected they are removed from the program and the court is alerted of the person's removal from the program.

Discussion: Community Justice Center - Opening to Parole

Ms. Buechel said at a recent Criminal Justice Advisory Committee meeting a concern was raised by Tim Joseph about the number of parole violators who are taking up Jail space. He suggested to the Committee that the Community Justice Center would be a good place to send parolees as a prevention measure. Ms. Buechel said a meeting was held with Mr. Joseph, the Parole Office, and herself to discuss this. Before continuing to pursue this she asked for the Committee's guidance on whether the Day Reporting should continue to move in this direction. *Mr. Whicher was asked to work with Senior Probation staff and come back to the next regular meeting to discuss this in greater detail.*

Approval of Minutes of April 1, April 17, and May 15, 2003

It was MOVED by Ms. McBean, seconded by Mr. Totman, and unanimously adopted by voice vote, to approve the minutes of the April 1, April 17, and May 15, 2003 meetings as amended. MINUTES APPROVED.

Adjournment

The meeting adjourned at 3:55 p.m.

Approval of Appointment(s)

Upon completion of a poll by the Committee conducted in the week following the meeting, the following appointment(s) were approved.

STOP-DWI Advisory Board

Betty Powell - At-large representative; term expires December 31, 2003
James M. Steinmetz - Village Police Department representative; term expires December 31, 2005
Charles E. Howard - At-large representative; term expires December 31, 2005
Laura Barnhill - District Attorney representative; term expires December 31, 2005
Patricia Buechel - Probation Department representative; term expires December 31, 2005

Respectfully submitted by Michelle Pottorff, Legislature Office