

Minutes – Criminal Justice Alternative to Incarceration Meeting

Date: January 24, 2024

Time: 12:00-1:30 pm

Location: Virtual Meeting

Attendees: Bridgette Nugent, Dan Cornell, David Sanders, Deana Bodnar, Harmony Ayers-Friedlander, Jordan Clemons, Rich John, Kate Shanks-Booth, Matt Van Houten, Mike James, Peter Salton, Rachel Zimmer, Ray Bunce, Scott Miller, Sherron Brown, Taili Mugambee, Yasmin Rashid.

- 1. Welcome and Introductions:** Bridgette welcomed everyone and asked for updates.
 - a. Judge Miller said that Judge Rowley is retiring February 29th. There is a plan in place for the 10-month vacancy. Ithaca City Judge Wallace will be an acting County Court Judge.
- 2. Changes to Agenda:** None.
- 3. Minutes Approval:** The minutes from November were approved.
- 4. Updates:**
 - a. **Chair's Update- Bridgette Nugent –**
 - i. Bridgette announced that Judy Griffin from REACH has taken a new job at CMC and will no longer participate in CJATI. Bridgette has asked REACH to provide another representative.
 - ii. There has been a policy passed by the Legislature that requires all the county advisory boards to have a consistent set of by-laws, CJATI is included in this requirement. Bridgette said that the group will work together to have this done by June.
 - b. **Update on Wellness Recovery Court from Judge Scott Miller:**
 - i. Scott introduced Rachel Zimmer to the group. She is the new MH Court Coordinator. Scott thanked the group and the county for the work that they did to create and support this program.
 - ii. Rachel shared that the County Wellness Court is still accepting participants that are justice involved because of a MH diagnosis. Referrals for the program come from all TC courts. The only thing that makes someone ineligible is a violent offense, a sexual offense, or a history of DV or predatory behavior. There are currently 28 participants in the program. There is a steady flow, and it is a necessary program in the community. Eight of the participants are unhoused and the goal is to meet their basic needs so they can have successful treatment. Since 2023 seven people in the program have been housed through their court participation and collaboration with supporting agencies. There have been 9 referrals in the last 6 months. Only one of the people referred to the program was ineligible. Since the program's inception only 15 participants were incarcerated, for 13 of the people it was a short incarceration. Four people were

resentenced for time served. Some of the identified barriers include basic life skills, interpersonal skills, and time management. Difficulty accessing services include walk-in appointments for assessments- the waiting time and paperwork that is difficult to complete. There are 3 milestones that participants are expected to complete. Rachel is working on restricting the milestones so that they can be individualized and more manageable for some participants.

- c. **High Level Overview: NYS Clean Slate Act: Matt VanHouten** – On November 16th Governor Hochul signed the Clean Slate Act allowing criminal convictions to be automatically sealed after 3 years of the completion of their sentence for misdemeanors and eight years for felonies. Some exceptions to this are Murder convictions and sex offenses. This does not apply to law enforcement or places that require fingerprints as part of a screening process. This takes effect on November 16th, 2024. Of the 62 District Attorneys in NYS 3-4 supported this Act including Matt.
 - i. Dan asked if this applies to DWI convictions also with the DWI, Matt said that the charging decisions in subsequent DWI cases will still apply because the DA, Probation, and Law Enforcement Officers all have access to the records and the consequences remain the same. Dan asked if sealed criminal records will be considered in presentencing reports from Probation; Matt said that the information will still be available and part of the Presentencing investigation.

- d. **CJATI Focus Areas for 2024- Discussion:** The group has expressed interest in better coordination as a group. They also want to understand and use data more effectively. Bridgette has asked the group for ideas on making that happen. Another area of interest is more coordination among the various outreach worker programs.
 - i. Bridgette asked Harmony for an update on the former community outreach program. Harmony said they have been working on an RFP that will be released to the public about the program. They are trying to ensure that they are addressing everyone’s expectations and needs. They combined the funding from all the sources to provide 2 people for the city and 2 people to cover the rest of the county. The workers would provide a non-law enforcement response to people who are at an acute low need for services. They are also looking at models in other communities that can help shape this to fit the current times. Deana asked for clarification about the positions that will be created. Harmony said that there will be 5 outreach worker positions. Harmony said that the funding has been combined to provide one cohesive program that covers the city and the county with 2 outreach workers and one coordinator. Dave said that his concern is that there may be a gap created with this new program,

currently there is a gap on Sundays and a 2-hour gap each day. Bridgette has asked that Dave provide the assessment that OAR has done so that it can help shape the county RFP. Bridgette asked what the groups thoughts are regarding the impact of ATI's and better coordinating ATI services.

- ii. Dave said that it would help if the group had 2-3 benchmarks to reach during the year as a group.
- iii. Rich suggested that knowing how each group uses the dashboards for IPD and the DA can help the group know what information can be helpful in ATI work. Dan said that there is a document that Probation maintains that can also be helpful to the CJATI if it is regularly reviewed. He shared the document so the group could see what information is available. This report will be part of the CJATI documents regularly. The group decided that having the probation information and the packet of information that the jail provides to the Public Safety Committee and the quarterly report from Probation about recidivism that the State provides to the group as part of the monthly documents can be helpful. John said that another thing to consider is the Reimagining Public Safety Plan which is in the 3rd year of the 3-year plan. CJATI can review the plan information and provide feedback. Dave said that another group goal could be "inventory" the existing programs and their capacity to meet the needs of the community.

e. Long Term Inmate Report: Ray Bunce, Matt Van Houten, and Lance Salisbury: There are 7 people on the report. Matt said that one of the inmates was recently sentenced. Another person was released yesterday. Of the 5 remaining one person plead guilty and will be sentenced soon. For another person the defense attorney is waiting for paperwork related to mental disease or defect and the last person is a violation of probation and should be sentenced soon.

- i. Taili asked how many inmates are currently in the jail and Ray reports that there are 59. He is currently working on the 2023 annual report that will be shared with the group when it is complete.
- ii. Dan said that there is a new assembly bill that has been proposed by Anna Kelles that would require counties to contract with non-profits to provide pretrial counseling. The bill is A08242 if people want to learn more about it. If the bill is passed it will create added costs for the country. He shared a link to the bill in the chat. Dan asked what the liability for the non-profits would be and what the reason behind the bill is. Dan said that they are not sure what the motivation is, his office and Cortland Probation (in Anna Kelles district) were not asked about this bill ahead of time. Dan said that he is concerned that the

investment in preparing a nonprofit for this work is not cost effective.
There is a meeting between county probation directors and Anna
Kelles and Dan will report back to the group about the meeting.

- 5. Adjournment- Bridgette** – The meeting was adjourned at 1:30. The next meeting is scheduled for February 28th at 12:00.