The League of Women Voters Mid Hudson Region

Resolution for a Criminal Justice Council
INTRODUCTION

The League of Women Voters of the Mid-Hudson Region began its investigation of the Criminal Justice System five years ago. The League had been concerned about the rising cost of maintaining the Criminal Justice System which has become an increasing burden to taxpayers. We conducted numerous public meetings to which we invited members of the Ulster County CJS and individuals from the community at large representing various other groups and interests. We then interviewed the heads of component departments of the CJS of Ulster County. There evolved out of this process a general consensus that something should be done to find ways to cut costs, increase communication, while at the same time improve the effectiveness of the system.

Members of the League expended innumerable hours and energy visiting state agencies in Albany, as well as Dutchess and Ulster Counties, gathering data from various sources, writing reports of deliberations and attempting to interpret useful meanings from them. We managed to unearth significant statistical information which shows that Ulster County seems to be much higher in some key risk indicators compared with the rest of the state and nation. Our objectives are to confirm the accuracy of this information and improve the overall effectiveness of the CJS process through the creation of an interagency Council with a supporting database.

This document contains the following information:

1. Proposed Resolution: Creating a Criminal Justice Council
5. Criminal Justice System Recommendations by LWV Mid-Hudson Region – 2004
6. Comparative Statistics of CJS Data

Committee:
Jacquelyn Moriarty, Chair
Elizabeth Askue
Cindy Bell
Frank Cassetta
Emily Johnson
Tom Kadgen
Resolution

Creating A Criminal Justice Council

Legislators:

WHEREAS, The Jail Utilization Study of December 1991 advised Ulster County to establish a criminal justice coordinating committee, as a formal deliberative body; to review practices, propose solutions, and support needed changes to the Criminal Justice System.

WHEREAS, The Technical Assistance Report # 98-J1116 of May 1998, recommended that a Criminal Justice co-ordinating committee, consisting of all the directors/administrators and juvenile justice agencies be formed. That said committee meet monthly; to review problems and concerns of an interagency nature, to review data concerning operational issues, and advise the legislature regarding the need for their attention and action.

WHEREAS, The Technical Assistance Report # 98-J1116 of May 1998, recommended that a citizens advisory group should be appointed to review the nature, scope, and critical issues associated with criminal justice administration, including juvenile matters.

WHEREAS, The League of Women Voters, having studied the Ulster County Criminal Justice System since 1999, independently and without foreknowledge of the aforementioned studies, reached the same conclusions as the above, and recommended to the legislature's Criminal Justice Committee the following recommendations:

- The formation of an inter-agency council that would oversee the criminal justice processes that cross agency lines.
- The development of a method to determine the costs and effectiveness of each agency and their programs
- The development of a database that would serve to provide each agency with the ability to share pertinent information with each other about their cases.

WHEREAS, it is in the best interest of Ulster County legislators to have a full understanding of the effectiveness and costs of the Criminal Justice programs they fund.
RESOLVED, that the Ulster County Legislature create a Criminal Justice Council under the auspices of the present Criminal Justice / Safety Committee.

FURTHER RESOLVED, that this said Council be comprised of all relevant Department/Administrative heads and 7 members of the community, that are not currently employed by Ulster County or any of its contract agencies.

FURTHER RESOLVED, that this said council meet monthly to review problems and concerns of an interagency nature, to review data concerning operational issues, and advise the legislature, through The Criminal Justice / Safety Committee, regarding the need for their attention and action.

FURTHER RESOLVED, that this said Council be charged with assessing the costs and effectiveness of Ulster County's Alternative to Incarceration programs, and report said assessments to The Legislature's Criminal Justice / Safety Committee.

FURTHER RESOLVED, that this said Council investigate the funding and feasibility of creating and implementing a data base to be employed by Ulster County's Criminal Justice System to share pertinent criminal justice information between agencies.

FURTHER RESOLVED, that this said Council will continue to seek and explore methods to improve all aspects of Ulster County's Criminal Justice System.

and moves its adoption.

Financial Impact:
None.
ULSTER COUNTY

JAIL UTILIZATION STUDY

Conducted By:

New York State Division of Probation & Correctional Alternatives
60 South Pearl Street
Albany, New York 12207

in collaboration with the

New York State Commission of Correction
60 South Pearl Street
Albany, New York 12207

Dorm 12/11
ADMINISTRATIVE AND POLICY OPTIONS

In response to the present jail crowding, Ulster County should consider a variety of administrative and policy changes that could lessen reliance on incarceration. Our review of Ulster County’s criminal justice system suggests consideration of the following options.

Criminal Justice Coordinating Committee

The establishment of a criminal justice coordinating committee (CJCC) is, in our view, a prerequisite to effective justice system improvement. The creation of this body and the likely consensus and support that would emerge from its ongoing involvement in the identification of issues and planned system change will likely determine the success of all other efforts to improve the local justice system and, especially, jail utilization.

The CJCC should serve as a formal deliberative body responsible for reviewing current practices, proposing solutions and supporting needed change. The committee could be established by the legislature and charged with specific duties and responsibilities. Such a committee would be charged with more comprehensive responsibility than that of the existing Alternatives to Incarceration Advisory Board. The composition and duties of the existing Board could, however, be changed to allow it to assume the more comprehensive responsibilities of the proposed CJCC.

Comprehensive Management Information System

Although Ulster County’s present jail computer services are much more advanced than many jail-based systems, major modifications are necessary in order to maximize the system’s usefulness. To more effectively manage the local criminal justice activities, a comprehensive, automated system is necessary to allow agencies to share information. This would promote more efficient case management as well as allow for planning and policy analysis to inform decisions of agency heads and County lawmakers. Resources should be devoted to the development of such a system and statistical reports should be prepared for each agency on a regular basis. For example, a weekly report on detainees (including bail amount, charge, and length of stay) distributed to magistrates, prosecutors, defense counsels and the pretrial service program could result in more timely interventions, more rapid case dispositions, shorter average length of stay and new programmatic or policy approaches to realize these benefits. Similarly, a report of cases pending dispositions that meet minimum eligibility criteria for alternatives programs such as ISP or community service could serve to trigger consideration of such options by judges, prosecutors and defense attorneys, thus increasing the likelihood of utilization in appropriate cases.
TECHNICAL ASSISTANCE REPORT #98-J1116

PREPARED FOR:

THE ULSTER COUNTY SHERIFF'S OFFICE
MICHAEL LAPAGLIA, SHERIFF
KINGSTON, NEW YORK

PROVIDED BY:

THE NATIONAL INSTITUTE OF JUSTICE
JAILS DIVISION
LONGMONT, COLORADO

PREPARED BY:

ALVIN W. COHN, D.Crim.

ADMINISTRATION OF JUSTICE SERVICES, INC.
15005 WESTBURY ROAD
ROCKVILLE, MARYLAND 20853
(301) 929-3224

MAY 1998
Technical Assistance Report Excerpts

7. Committees - While the Legislature should continue its own oversight committee, it is recommended that all other study groups be abolished and three additional groups be created. The first, a Citizen’s Advisory Group, should be appointed by the Legislature from among prominent and (page 4) concerned citizens in the county. This group of approximately five to seven persons should meet at least quarterly to revue the nature, scope, and critical issues associated with criminal justice administration, including juvenile matters. As developments occur with regard to a new jail, this group should be so appraised and their ideas about programming and advocacy solicited.

The second group should include all of the directors/administrators of criminal and juvenile justice agencies in the county, including representatives of the various law enforcement departments. This group, a Criminal Justice Coordinating Council, should meet monthly to review problems and concerns of an interagency nature, to review data concerning operational issues, and to advise the Legislature regarding priorities for attention and action (page 5)

Program Evaluation (section 2 page 4)
Insofar as jail population reduction occurs, policy makers frequently assume that the initiated program is “successful”, tend to continue its operation, and never examine the degree to which the program actually produces the intended outcomes in an effective or efficient manner. Thus many of these so called innovative programs are simply “plopped” without ever determining if they “fit” appropriately within the agency’s mission.

Moreover, experience, observation, and some research reveal the complexity of the jail-crowding set of conditions (especially from a system perspective), as well as the futility of expecting that any one program or process will eliminate the perceived problem. In effect, experience dictates that palliatives are generally not panaceas and that long-term success - and impact - requires time, patience, and system wide planning.

An analysis of material on jail crowding indicates that virtually all attempts to manage jail populations include aggressive processes and programs that provide alternatives to incarceration at various points in the criminal justice process. They include those within law enforcement, the jails, prosecution, defense, and the courts, all of which may be influenced not only by community sentiments, but the availability of community-based resources.

In communities (section 2 page 7) where there have been successful interventions to control and manage the jail population, some kind of coordinating council or policy review group has been created, with representation not only from the network of criminal justice services, but from the lay community as well. With appropriate data and information collection and analysis, this planning group can begin the process of identifying issues, concerns, and problems and, consequently, develop appropriate and constructive solutions. It does not take long for the group to recognize that jail population management is not simply a problem for the jail to overcome, but a set of conditions that needs to be identified and managed.

That is, through system-wide planning, the involvement of all key actors and policy-makers in the community and the willingness to innovate in the creative development of alternative resources (including intermediate sanctions), the issue of jail population management will not necessarily be solved, but the management of the conditions that contribute to the problem certainly can be enhanced.
CRIMINAL JUSTICE SYSTEM LWV COMMITTEE STUDY: APPROACH, FINDINGS & CONCLUSIONS

Approach: Interviews with agency heads and analyses of key documents:
- Ulster County Agency Interviews:
  - Alternative Sentencing
  - Community Corrections Program
  - Department of Social Services
  - District Attorney
  - Drug Court
  - Family of Woodstock
  - Mental Health
  - Probation
  - Public Defender
  - Sheriff
- Document Reviews
  - Ulster County Budget
  - Ulster County Agency Annual Reports
  - NY State Reports on Cost of Treatment

Key Findings:
- Criminal justice costs are rising
- Courts are backlogged
- Costs are not being tracked
- Most offenders have alcohol and/or drug abuse problems
- Costs of most offenders placed on probation or in abuse treatment programs falls on Medicaid or Safety Net Funds
- The final costs of the new jail are not yet known
- Neither short nor long term outcomes of individuals in the system are being tracked
- Cost impacts of agency recommendations on follow-on agencies are not tracked
- Each agency has, or is developing, its own database
- There is a need to share information across agency lines about offenders in the system
- Shared information is done manually in an ad hoc fashion

Conclusions:
- Each agency appears to be well run on a standalone basis
- A formal and more reliable data sharing process is needed
- A structured process is required to establish outcome results for each agency and the system as a whole
- Cost impacts of agency recommendations on follow-on agencies should be determined before implementation
The League of Women Voters
Mid Hudson Region

Recommendations:

1: There should be an inter-agency council to oversee the criminal justice processes that cross agency lines. The membership of this inter-agency council should be made up of representatives from each of the agencies involved and members of the public.

2: There should be a method of determining the cost effectiveness of each agency and the entire Ulster County Criminal Justice System. Such evaluations will demonstrate the costs and outcomes of current programs. This establishes a base from which sound resource allocations can be made; and also allows for comparison to alternative approaches.

3: There should be a database of information about the individuals who are, or have been, in the Ulster County criminal justice system. The LWV supports the desire of the criminal justice system agencies and other county agencies to have such a database developed. This database would provide a more formal, reliable, and effective method of sharing pertinent information with each agency, while observing existing confidentiality guidelines.

February 2005
Ulster County youth ages 15 to 19 averages 10,000 as per N.Y. State Census since 1990

Overall County Population:

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