

Jail Study Committee
 Regular Meeting Minutes (same as Notes) – Approved 3-16-17
 Thursday, February 16, 2017 5:00 PM
 Legislature Chambers

Attendance

Attendee Name	Title	Status
Rich John	Chair	Present
Anna Kelles	Vice Chair	Present
James Dennis	Member	Present
David McKenna	Member	Excused
Martha Robertson	Member	Present
Catherine Covert	Clerk of the Legislature	Present
Joe Mareane	County Administrator	Present
Matthew Van Houten	District Attorney	Present
Marcia Lynch	Public Info. Officer, County Administration	Present
Patricia Buechel	Probation & Community Justice Director	Present
Paula Younger	Deputy County Administrator	Present
Ray Bunce	Jail Administrator	Present
Julia P. Hughes	Program Coordinator, Assigned Counsel Program	Present
Lance Salisbury	Supervising Attorney, Assigned Counsel Program	Present

Guests: Angela Sullivan, Executive Director of Drug and Alcohol Council; Media; Shari Korthuis, Ithaca resident; Jim Kerrigan, Ithaca resident; Stuart Friedman, Ithaca resident; Emma Whitestone, Ithaca College

Call to Order

Mr. John, Chair, called the meeting to order at 5:04 p.m.

Changes to Agenda

There were no changes to the agenda.

Minutes Approval

January 19, 2017

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	James Dennis, Member
SECONDER:	Martha Robertson, Member
AYES:	John, Kelles, Dennis, Robertson
EXCUSED:	McKenna

Public Comment

Shari Korthuis, Ithaca resident, asked that more information and publications be placed on the website by the CGR consultants such as the grant proposal, what interviews have been done, etc. She hopes the consultants are not looking at programs being done inside the Jail as part of the solution as she

Minutes
Jail Study Committee
Thursday, February 16, 2017

believes it could interfere with visitation times. She also asked that the Committee continue to look at alternatives in programs.

Mr. Dennis requested that Ms. Korthuis send her requests for specific information to be placed on the website to the County Administrator.

Mr. John noted that an extensive letter was received from the Corrections Officers Union on their thoughts of the current conditions at the Jail and what should be done. He requested that letter be posted to the website. Ms. Robertson also requested that the Committee receive copies of that letter.

Jim Kerrigan, Ithaca resident, spoke about bail and said after the last Committee meeting there were questions about why judges set bail. He spoke of a story in the New York Times dated February 6th that the State of New Jersey has basically abolished bail. They have followed the federal system of detention and if the prosecutor can establish a high flight risk the individual can be locked up prior and pending trial. If there is substantial danger presented the person can also be locked up. He spoke of the arrests locally and that he believes for all misdemeanors, bail should be abolished and that the District Attorney should have further discussions about this. He also suggested that almost all felonies D and below could be considered as well with the understanding that there would be exceptions. He believes there are additional ways the Jail population can be reduced without a construction project.

Stewart Friedman, Ithaca resident, spoke about the expansion of treatment options within the Jail. He has 40 years' experience with providing mental health and substance abuse treatment both within and outside of facilities. It is important to understand substance abuse exists in a context and that treatment with limited access to substances does not address the dynamics once the person is released. Where treatment really needs to continue is within the environment, social, and family context that exists.

Presentation - Tompkins County Drug and Alcohol Council

Ms. Sullivan spoke about the Council's perspective of additional services and benefits it could contribute to and provide at the Jail. She said she is a member of the Criminal Justice Advisory/Alternatives to Incarceration Board (CJA/ATI). She commented that generally the stays at the Jail are short-term making it difficult to deliver evidence-based and medically sound treatment in that setting. Prevention services are underfunded in New York State and the nation. It is the Council's opinion that in the Jail what would be most effective based on their research are things like navigation, connecting people to services outside the Jail. She agreed with Mr. Friedman who spoke under public comment that any medical intervention that begins in the Jail and being able to continue offering services is utmost important.

She said she has data available for the Committee and at this time she spoke of trend data and affirmed opioid use is rising. She noted and expressed concern that the State is eliminating the system for tracking demographics to discharge status and outcome. The State is looking at managed Medicaid Care value-based outcomes, but it is unclear what that will be measuring.

In response to a question by Mr. Dennis concerning a detox center, Ms. Sullivan said they have begun a plan for a detox center and distributed a summary page of what the agency is proposing. She explained the proposed programs and believes Tompkins County needs a simple path to recovery that is stigma free. The hope is to have a facility up and running within 12 months; it would include 40-45 beds.

Ms. Kelles requested a summary list of prevention and treatment programs offered through the Council. Ms. Sullivan said they have just launched a new website and the 2015 Annual Report is

Minutes
Jail Study Committee
Thursday, February 16, 2017

available and includes that information.

Ms. Sullivan explained where the Agency receives its funding and said a majority of the money it receives is fee for service Medicaid, some County dollars, local grants, fundraising, etc.

A brief discussion followed concerning treatments opportunities. It is very difficult and every situation is different. The individual needs to be ready and willing to have treatment. Performing assessments in the Jail could be beneficial for those ready to accept treatment. However, Ms. Sullivan said it is very difficult to get approval to provide services off- site. They would have to apply for an off-site license and the funding for it becomes an issue as well.

Ms. Hughes commented that one of the top priorities of the defense attorneys is having a detox center.

Report from District Attorney

Mr. Van Houten said there are many layers and factors that impact the Jail population such as pre-sentencing, bail, effective use of alternatives-to-incarceration, services like mental health facilities or detox center, restorative justice, etc.

He said he sees his role as District Attorney to affect justice and promote public safety. Overall, he believes the long-term interest in public safety in this community are better served when issues are addressed that have caused the illegal behavior. If the pattern can be broken, it often will help the individual and community.

At this time he spoke about bail and said there is a lot of discretion. The purpose of bail is not punitive; it's to ensure the defendant is at court. There are a range of statutory factors the judge has to consider in making that determination including the person's tie to the community, family ties, employment, RAP sheets, etc. Other factors taken into consideration is the condition of a person and if they are risk to themselves or to others. Some of them could be addressed if there were programs in place like a detox center. He believes the Jail population will decrease significantly if a detox facility existed.

He spoke of his support that a defendant should be released on their own recognizance for such things as misdemeanor cases and non-violent cases. Many people believe the District Attorney's office has a lot of influence on what bail should be set at and although that can be true, it is not always true. For most misdemeanor cases often the Assistant District Attorneys are not in court as it is not practicable or needed. Mr. Van Houten said he will be meeting all Town Justices and will be discussing the issue of bail with them and to release those charged with a misdemeanor on their own recognizance. If there is a serious matter the law enforcement officer will call the District Attorney's office and ask for a recommendation. Although he does not believe it happens here, but the economic status of someone to post bail needs to be eliminated.

In addition, Mr. Van Houten said he attends the Criminal Justice Advisory/Alternatives-to-Incarceration Board meetings and supports the LEAD program. There are many opportunities to connect people with the services they need rather than sitting in Jail. However, he agrees there will always be a need for a Jail.

A brief discussion followed concerning mental health issues and Ms. McDougall noted that through the Mental Health Department a social worker does go to the Jail three times per week. She said they are looking into extending that assessment and screening process. She spoke of collaborative

Minutes
Jail Study Committee
Thursday, February 16, 2017

meetings that are taking place to bring all service providers together who currently go to the Jail to address any gaps. Ms. Kelles asked if the Committee could explore services as it relates to mental health issues.

Mr. John spoke about discussions concerning a centralized arraignment facility possibly at the Jail and asked what impact that would have on the District Attorney's office. Mr. Van Houten said it would not have a large impact on his office, but it would minimize the amount of time an officer spends during an arraignment process when they should be on the road. From his perspective, if there are cases his staff wants to weigh in on it could be streamlined.

Mr. Mareane said the change in State law now allows for centralized arraignments. He said the stakeholders involved will need to be on board with this.

Mr. John said he reached out to the Chair of the Magistrates Association to get judges to come and speak at a future Committee meeting.

Adjournment

The meeting adjourned at 6:33 p.m.