

Jail Study Committee
Regular Meeting Minutes (same as Notes) – Draft 4-4-17
Thursday, March 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	Present
Martha Robertson	Member	Present
Ray Bunce	Jail Administrator	Present
Joe Mareane	County Administrator	Present
Marcia Lynch	Public Info. Officer, County Administration	Present
Patricia Buechel	Probation & Community Justice Director	Present
Lance Salisbury	Supervising Attorney, Assigned Counsel Program	Present
Julia P. Hughes	Program Coordinator, Assigned Counsel Program	Present

Guests: Shari Korthius City of Ithaca; Scott Miller, City of Ithaca Judge

Call to Order

Mr. John, Chair, called the meeting to order at 5:00 p.m.

Public Comment

Shari Korthius said she thinks the letter that was mentioned at the last meeting is very valuable and would like to see it posted on the CGR website. She also said she would like to see a detailed budget for the Commissary at the Jail. She submitted information she gathered on research CGR has done relative to consolidation of services in another county.

Changes to Agenda

There were no changes to the agenda.

Minutes Approval

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RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Martha Robertson, Member
SECONDER:	Anna Kelles, Vice Chair
AYES:	John, Kelles, Dennis, McKenna, Robertson

Input from County Judges and Justices

Mr. John said an invitation was extended to all magistrates to attend and provide input to the Committee; however, at this time there were no judges or magistrates present.

Mr. John reported he attended a CGR meeting at OAR (Opportunities, Alternatives, and Resources) and there were four previous inmates who participated in the discussion and spoke of the

issues that led them to the Jail and their personal experiences there. He said the Committee may wish to invite some former inmates in to speak with the Committee but noted they generally spoke highly of the Jail and the Corrections Officers. It was a good discussion and he found it interesting that they all seemed accepting of the fact that they might go back to the Jail; he noted it was all related to drugs and alcohol. Mr. John referred to a comment made by the Sheriff's Department that the County doesn't have a public safety problem; it has a mental health, drug, and alcohol problem. He said it was very sad to see these three pleasant and personable people yet their path and productivity in life is not anywhere it should be. He thinks CGR benefited greatly by OAR setting up this meeting.

Mr. Dennis expressed concern about posting a letter referenced by Ms. Korthius under public comment and said he would like reassurance that there would not be any consequence to the County by posting the letter on the CGR website. Ms. Kelles said she has not spoken to the County Attorney but has had a positive conversation with Captain Bunce about the letter and he explained the circumstances that led to the letter being received by CGR without his knowledge. She reported on a meeting she had with inmates where she spent a couple of hours with and who had written the letter. She said it was their intention to have the letter shared and they were very happy to communicate it and said they would be happy to meet with the Legislature upon their release from the Jail.

Ms. Kelles reported on a Harm Reduction conference she attended along with Sheriff Lansing, Undersheriff Robison, and Legislator Klein. One of the presenters with over a decade of experience working with crime reduction and drug abuse issues and said that person may be willing to speak to the Committee about what works, doesn't work, and the psychology around drugs.

Ms. Kelles provided a detailed report on her meeting with female inmates at the Tompkins County Jail and they reiterated much of what she learned at the workshop. An environment that female inmates felt would be ideal for them would be one that enables them to find schedules that work with the lifestyle they are trying to create to get themselves back on track. If a system is being set up that dictates the way the when, the how, the where, and the what, it actually gets in the way of them recreating a life for themselves. This is something she said should be considered as the County looks at the systems that are in place.

Although they felt the facility and its programming space is fine they felt more attention and focus should be given to the lack of programming. There were 7-8 women incarcerated for drug use and the only NA (Narcotics Anonymous) was for men because the group that runs the program does not have enough volunteers for a program for women. It was also stated that meeting with someone for one hour a week was not sufficient for programming. Ms. Kelles said they were very passionate about using the time of incarceration to address the issues that led them to the Jail. One person spoke of the need for more mental health services. In summary, Ms. Kelles said they recognized that they had addictions and wanted to address them but didn't feel they have the skills to handle their stress levels. Therefore, having anger and stress management and mechanisms in place to address that would be helpful. Also, there is no programming available at night.

One woman spoke and many concurred that using jail as a mechanism for dealing with drugs was dysfunctional and doesn't work. Since there is no system, support, or routines in place when they are released they return to the same lifestyle they had prior to incarceration. What they have found is that treatment facilities are more helpful and they have found that they stay off drugs longer. They were very excited to hear that discussion was taking place with regard to bringing CARS (Cayuga Addiction Recovery Services) into the Jail. They also commented about spending all of their time with drug abusers for the last several months during incarceration and spoke of the

cravings that creates.

Housing and support systems upon release were also identified as an area of concern. If once they are released they return to the same lifestyle they had prior to going to jail it is likely they will return to jail as it is likely all of the same stresses that still exist and they haven't developed any mechanism to handle the stress. Another idea that came from the meeting was to bring in a program for job placement and stress management. Lastly they spoke of the tremendous stigma around drug abuse.

Ms. Kelles said the meeting was very enlightening and they were extremely articulate. She thinks the conversations that could take place with respect to stress management and career development brings hope for another type of intervention.

Mr. Dennis asked Ms. Kelles to compile her notes from the meeting with inmates and provide to the Committee.

Mr. Bunce thanked Ms. Kelles for taking time to visit and speak with inmates and said he believes some good information was exchanged. He reminded the Committee that people are in the Jail because they have committed a crime, not because they are drug addicts. He spoke of the difficulty in setting up housing when it is often unknown when a person will be released. He said there are some religious programs at night but you have to keep in mind classifications. The programs that are provided in the Jail are provided by volunteers. There is currently no parenting class offered. A Handling Conflict group will be starting next week and will be part of the re-entry concept.

Ms. Robertson said she doesn't want to build a new jail or add a lot of beds or even a pod but would consider ways the interior space could be modified to get more program space. Mr. John suggested inviting some of the people who are now providing programming at the Jail to the next meeting to speak to the committee. Mr. Bunce indicated they would be very happy to do so.

Ms. Kelles said when talking about the door-to-door process of jail to rehab it is all dependent upon the beds at rehab. There is an application process through the court system but it often results in months of waiting which they felt was incredibly demoralizing. She stressed that treatment and rehabilitation is much different than detox. Treatment and rehabilitation is a much longer stay and they do a lot more about emotional management, career management, stress management. She would like there to be discussion of detox and also treatment, including the waiting time and suggested work could be done to build and improve communication channels with treatment centers. Ms. Buechel commented that an area of difficulty with the Re-Entry program is maintaining contact with inmates upon release.

Mr. John suggested the Public Safety Committee could have a report from the Re-Entry program.

Ms. Kelles said during the meeting it was also mentioned that individuals are less likely to succeed when a program is being forced upon them; she asked Ms. Buechel if the Day Reporting Program offered flexibility in timing when something such as a job may conflict. Ms. Buechel said the program does work with clients; if someone were to obtain a job there would be communication with the court to release them for the time they need to go to work. She noted that although they

have some flexibility if someone is there through a court order the Department is required by policy to notify the court. They typically do not violate someone if they test positive for drugs the first time, they continue to work with the person and encourage the treatment.

Mr. Bunce said he attended a meeting concerning a vivitrol program which is the drug used for opioid dependence he is aware of other counties using it. There is a support system that first needs to be established. Mr. Dennis said he would like to hear about this from people who are doing this on a regular basis. Mr. John said it would make sense to put this on the list.

Following a brief discussion Mr. Bunch agreed to coordinate a tour for March 21st at 2:30 p.m. of the State facility in Lansing that is currently vacant.

Comments from Judge Scott Miller

Judge Miller said his statement would include comments he received from Judge Wallace of the Ithaca City Court who was unable to attend. He and Judge Wallace have spoken about this several times.

Mr. John asked Judge Miller to provide input to the Committee on how the Jail currently operates, what improvements he would see as being valuable, integration with alternatives-to-incarceration programs, and any other area that would be useful to the Committee.

Judge Miller said as a judge for the last five years he has worked closely with Captain Bunce; previously he was an attorney for 15 years and has experience from that time working with the Jail as well. He stated he does not have an opinion on the physical space at the Jail in terms of the design or number of cells; however, what is greatly needed are the programs Ms. Kelles mentioned earlier. He spoke of a recent situation that involved a husband and wife in their thirties in which the husband was revived with Narcan and the wife died. He said he had to send the husband to jail because he had a new criminal charge and was not a candidate for voluntary detox. With his violation of Probation and the criminal charge and being a flight risk he had no option but to remand him to the Jail. Judge Miller said this case also involved a young child in the home.

Judge Miller said this man needed to detox under medical supervision; however, that is not a detox facility. It is not what it was designed for in the 1970's but that is what is needed in this century. He said this gentleman has lost his wife and is now going "cold turkey" without medical supervision detox and without getting engaged with immediate treatment. He said this is the best window of opportunity to start treatment. They were eventually able to get him to into CARS (Cayuga Addiction Recovery Services) for treatment on demand but the process is lengthy because of the Medicaid forms and waiting for a bed to be available. Today he sent a woman to jail who he has sent to jail several times previously and each time she was sent she had to detox "cold turkey". He agreed with a statement made earlier that there are frequently setbacks but hopefully there is eventual success. The woman now has employment and although has setbacks she is having longer periods of success. He believes that if she had been able to undergo detox under the proper medical supervision during her first incarceration and had been connected with the proper treatment that the subsequent visits to the Jail may have been avoided.

Judge Miller said Tompkins County has great alternative-to-incarceration programs but work needs to be done to figure out which ones are duplicating and overlapping efforts. At any one time in the Ithaca City Court there are five to six individuals who need to be remanded to a mandatory detox facility. He said if the County could start with a pilot program with six to eight beds where a judge could send someone by mandatory court order who is on heroin, who needs to detox under proper medical

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supervision, and released to a detox or treatment program is what is needed. Mr. Bunce concurred with Judge Rowley's statement and said people are consistently detoxing at the Jail.

Ms. Kelles said the Alcoholism and Drug Council is looking at building a drug detox center as a separate facility and questioned if that would meet what he is talking about. Judge Miller responded that it would not because judges can't order someone to a non-custodial facility. He doesn't believe there could be a county in New York State that has more successful alternative-to-incarceration programs than Tompkins County and he believes this is our opportunity to show what a jail needs to look like in the 21st century. He would support any improvements that can be made to the jail that would make this happen.

Judge Miller said if there was a medically-supervised detox facility attached to the Jail and supervised by Corrections Officers that is what he would envision persons being court-ordered to. He believes the judges in Tompkins County understand the values of this County and would be supportive of release to a treatment program. He said he is increasingly becoming frustrated as he sees the number of people who are in these situations with no hope continue to climb.

Mr. Dennis was excused at this time.

Mr. John referenced a book entitled Dreamland and encouraged members to read it. He said one of the things that is very striking is looking at the value difference in having someone who is productive in the community versus someone who is repeatedly going to Jail and having one societal problem after another. He said the cost of that is very difficult to calculate but everyone would agree that there is a cost. He thinks there is a value proposition involved that cannot be clearly seen but he thinks it is largely in favor of treating individuals.

Ms. Kelles said she has spent a significant amount of time over the last month on this issue and what she has seen in other places is that what other communities are doing is very antiquated. She called attention to the comments by inmates that they had no complaints about the way they had been treated. Tompkins County is doing an amazing job and is extremely fortunate to have Ms. Buechel and Captain Bunce. She said Tompkins County is doing an amazing job with the policies that are in place right now but thinks the County could be challenged even further.

Ms. Robertson expressed frustration with the lack of participation by rural judges and asked Judge Miller if he could impact this in any way. Judge Miller responded that he does not have regular communication with rural justices but has spoken with Judge Wallace who supervises the Ithaca Treatment Court. Judge Wallace asked him to communicate to the Committee that he strongly is in favor of a secure facility where individuals could be remanded for detox under medical supervision. He further commented that the opinion of judges is not that important on this topic. The values of the service providers and the community have demonstrated it is in favor of this approach and this is not something the judges would get in the way of.

Ms. Hughes commented that an informal survey of defense attorneys showed that the number one thing they deal with on a daily basis is detox.

Adjournment

The meeting adjourned at 6:27 p.m.