



Commission of Correction

THOMAS A. BEILEIN
Chairman

PHYLLIS HARRISON-ROSS, M.D.
Commissioner

THOMAS J. LOUGHREN
Commissioner

MEMORANDUM

TO: COMMISSION MEMBERS
FROM: Brian Callahan, General Counsel 
RE: AGENDA FOR COMMISSION MEETING
DATE: May 17, 2016 at 11:00AM

I. MINUTES

SCOC

April 19, 2016

CPCRC

May 12, 2016

MRB

Administrative Closures

II. VARIANCES

A. Tompkins County Jail

09-V-4

(Section 7040.3 Facility Population Limitation)

III. CONSTRUCTION

B. NYC Department of Correction

Eric M. Taylor Center

Removal of 2 Wood Modular Buildings
and Construction of Recreation Yard

C. NYC Department of Correction

George R. Vierno Center

Construction of Outdoor Recreation Yard
Adjacent to Housing Wing 11-B

D. NYS Department of Corrections and Community Supervision

Elmira Correctional Facility

Install CCTV System Project

E. Wayne County Jail
Security Systems Upgrade Project

F. Wayne County Jail
Modification to Pods "B" and "D" Project



Commission of Correction

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Chairman

PHYLLIS HARRISON-ROSS, M.D.
Commissioner

THOMAS J. LOUGHREN
Commissioner

MINUTES

LOCATIONS:

STATE COMMISSION OF CORRECTION
Alfred E. Smith State Office Building
80 So. Swan Street, 12th Floor
Albany, New York 12210-8001

STATE COMMISSION OF CORRECTION
Adam Clayton Powell State Office Building
163 W 125th Street
(5th Floor) Suite 506
New York, New York 10027

DATE OF MEETING: April 19, 2016

Chairman Beilein called the meeting to order at 11:00am.

PRESENT:

- Thomas Beilein, Chairman
Thomas Loughren, Commissioner
Phyllis Harrison-Ross, M.D., Commissioner (Participated from NYC Office Above)
Tricia Amati, Assistant to Chairman/Commissioners
Richard Kinney, Director of Operations
Brian Callahan, General Counsel
Debbie Slack-Bean, Senior Attorney
Terry Moran, Supervisor, Capital West
Christopher Ost, Forensic Unit, Supervisor
Keith Zobel, Supervisor, Metro/LI
Deborah Clark-Bisgrove, Supervisor, Hudson Lakes
Justin Mason, Deputy Director of Public Information
Kathryn Hohman, New York State Association of Counties

DATE: April 19, 2016 at 11:00AM

I. MINUTES

Table with 2 columns: Item Name and Approval Status. Rows include SCOC (March 22, 2016), CPCRC (April 14, 2016), and MRB (Administrative Closures), all approved unanimously by Ross/Loughren.

II. VARIANCES

- | | |
|---|--|
| A. Dutchess County Jail
15-V-01
(Section 7040.3 Facility Population
Limitation) | Approved Unanimous
Ninety (90) Days
Loughren/Ross |
| B. Onondaga County Penitentiary
99-V-16
(Section 7040.3 Facility Population
Limitation) | Approved Unanimous
One (1) Year
Ross/Loughren |
| C. Putnam County Sheriff's Office
03-V-01
(Section 7040.3 Facility Population
Limitation) | Deny Unanimous
Loughren/Ross |
| D. Saratoga County Jail
13-V-06
(Section 7040.3 Facility Population
Limitation) | Approved Unanimous
Six (6) Months
Ross/Loughren |
| E. Saratoga County Jail
08-V-05
(Section 7040.3 Facility Population
Limitation) | Approved Unanimous
Six (6) Months
Ross/Loughren |

II. MFC

- | | |
|--|---|
| F. Greene County Jail | Approved Unanimous
Ross/Loughren |
| G. NYC Department of Correction
Anna M. Kross Center | Approved Unanimous
Ross/Loughren |
| H. NYC Department of Correction
Vernon C. Bain Center | Approved Unanimous
Ross/Loughren |
| I. Suffolk County Yaphank
Correctional Facility | Approved Unanimous
Loughren/Ross |

III. REGULATORY AGENDA

- | | |
|----------------------------|---|
| J. Five Year Review | Approved Unanimous
Ross/Loughren |
|----------------------------|---|

Commissioner Harrison-Ross, M.D. made a motion to go into executive session at 11:20am to discuss Construction and MRB items, which was seconded by Commissioner Loughren.

Commissioner Loughren made a motion to exit Executive Session and return to general session at 12:12pm, which was seconded by Commissioner Harrison-Ross, M.D.

The meeting resumed at 12:13pm. Motion was made by Commissioner Harrison-Ross, M.D. to ratify actions taken in Executive Session regarding MRB and Construction items, seconded by Commissioner Loughren.

Commissioner Harrison-Ross, M.D. made a motion to adjourn at 12:13pm which was seconded by Commissioner Loughren.

Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioners



Commission of Correction

THOMAS A. BEILEIN
Chairman

PHYLLIS HARRISON-ROSS, M.D.
Commissioner

THOMAS J. LOUGHREN
Commissioner

EXECUTIVE SESSION

MINUTES

LOCATIONS:

STATE COMMISSION OF CORRECTION
Alfred E. Smith State Office Building
80 So. Swan Street, 12th Floor
Albany, New York 12210-8001

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Debbie Slack-Bean, Senior Attorney
Terry Moran, Supervisor, Capital West
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Respectfully submitted,

Tricia Amati
Assistant to Chairman/Commissioners

CITIZENS' POLICY AND COMPLAINT REVIEW COUNCIL

May 12, 2016

NYS Commission of Correction
at
Alfred E. Smith Office Building
80 South Swan Street, 12th Floor
Albany, NY 12210
and
Williamsville

PRESENT:

Commissioner Thomas J. Loughren

Council Members:

Albany:

Tom Cross
Doug Landon
Nick LaBella, Jr.
Don Nadler
Martin Stanton
Charles Burkes

Williamsville

Julie Scalione

Also Present:

Rich Kinney
Deborah Slack-Bean
Debbie Clark
Chris Ost

Commissioner Loughren opened the meeting at 11:00 a.m.

Commissioner Loughren asked for a motion to approve the minutes of the April 14, 2016. Tom Cross made a motion to approve the minutes and Martin Stanton seconded. Carried.

Don Nadler reviewed (28) Expedited with Comment grievances for the month of May, 2016 and made a motion to return Rockland CJ Grievance # 70071 and to deny the remaining Grievances. Seconded by Tom Cross and unanimously passed.

Charles Burkes, Martin Stanton, Doug Landon, and Tom Cross, as Expedite sub-

committee, reviewed the SharePoint expedited grievances. Charles reviewed Albany CJ to Nassau CJ Grievances (41), Martin reviewed Niagara CJ to Suffolk CJ Grievance # 68151 (40), Doug reviewed Suffolk CJ Grievance # 71149 to Warren CJ Grievance # 71171 (40), and Tom reviewed Warren CJ Grievance #68850 to Yates CJ Grievances (40). Motions were made respectively to deny all of the expedited grievances. These motions were seconded by Doug Landon, Doug Landon, Don Nadler, and Martin Stanton respectively and unanimously passed.

The Council reviewed the remaining grievances.

ACCEPT IN PART

66763 Cayuga CJ	Unanimous
68972 Chautauqua CJ	Unanimous
69849 Orange CJ	Unanimous
70481 71094 70814 Warren CJ	Unanimous
69650 Wayne CJ	Unanimous
67681 Westchester DOC	Unanimous

DENY WITH COMMENTS

68932 Chautauqua CJ	Unanimous
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ADMINISTRATIVE CLOSURES

DENY

70749 Albany CJ	Unanimous
70550 Allegany CJ	Unanimous
70750 70769 Broome CJ	Unanimous

69343
Cayuga CJ

Unanimous

68931
69357
70209
68517
70853
69869
Chautauqua CJ

Unanimous

70091
70629
70972
70675
Delaware CJ

Unanimous

70810
70630
70552
70569
Erie CF

Unanimous

70869
Erie CJ

Unanimous

70376
69953
70378
69954
70380
69955
Franklin CJ

Unanimous

69933
69599
71072
Fulton CJ

Unanimous

69364
Genesee CJ

Unanimous

70191
70190
Monroe CJ

Unanimous

70109
69951
69771
69952
70270

70649
65981
70771
69598
Nassau CJ

Unanimous

69342
Niagara CJ

Unanimous

69355
68129
Onondaga DOC

Unanimous

70330
70350
Ontario CJ

Unanimous

70774
71015
Orange CJ

Unanimous

70349
Orleans CJ

Unanimous

70811
Oswego

Unanimous

68980
70277
70676
69649
70192
70278
68674
Rockland CJ

Unanimous

70193
Saratoga CJ

Unanimous

70894
70471
70472
70194
70922
69600
69601
70055
Seneca CJ

Unanimous

68678
70329

69651
69929
68679
69652
69931
70631
69930
69911
69670
69210
69094

Steuben CJ

Unanimous

70195

St. Lawrence CJ

Unanimous

68151
71149
68152
68284
68153
68522
68032
71169
71150
70031

Suffolk CJ

Unanimous

67357
62037
68069
69331

Tompkins CJ

Unanimous

65641
Ulster CJ

Unanimous

70210
68049
69352
70634
70856
69353
69914
69956
70269
70554
69957
70211
70212
69935

68849
69915
70483
69916
70812
68035
65868
71152
68682
68288
70032
71171
68850
68289
68683
70680
70857
70790
70213
66662
68290
62044

Warren CJ

Unanimous

70484
Wayne CJ

Unanimous

70389
68274
67065
64886
70914
67497
70555
70384
70915
70751
70012
69654
70556
67248
67249
67489
69769
67006
69655
70385
70570
69358
70892
70056

70391
69359
69672
Westchester DOC Unanimous

69932
65789
Yates CJ Unanimous

DENY WITH COMMENT

68973
Chautauqua CJ Unanimous

70010
70009
Chenango CJ Unanimous

69922
71071
Clinton CJ Unanimous

70975
Columbia CJ Unanimous

70670
70994
Delaware CJ Unanimous

70855
Erie CF Unanimous

70377
70354
Franklin CJ Unanimous

66961
66890
68681
Nassau CJ Unanimous

69354
67109
66839
Onondaga DOC Unanimous

69211
Ontario CJ Unanimous

70070
Oswego CJ Unanimous

70071 Rockland CJ	Unanimous
70092 Tioga CJ	Unanimous
69792 69793 69773 Tompkins CJ	Unanimous
70923 Warren CJ	Unanimous
69669 70274 Wayne CJ	Unanimous
70913 Westchester DOC	Unanimous

RETURNED

70071 Rockland CJ	Unanimous
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The next CPCRC meeting will be held on Thursday, June 9, 2016 at 11:00 a.m. at SCOC, AESOB 80 S. Swan St. 12th Floor Albany, NY, Adam Clayton Powell State Office Building, 163 W 125th St., Suite 506, NY, New York, and at Williamsville, NY 14221.

Commissioner Loughren requested a motion to adjourn the meeting which was made by Martin Stanton, seconded by Tom Cross and carried. The meeting adjourned at 11:56 AM.

Respectfully submitted,

Victoria Walker
Secretary

Name of Facility: Tompkins CJ

Variance # 09-V-04

New: Renewal:

Relief from Standard:
7040.3

Application by: Sheriff Kenneth W. Lansing

Date Request Rec: 4/8/16

Last Approved: 11/17/15 Length of Approval: 6 Months Expiration: 6/1/16

Write-up Prepared by: Chester Martinez and Terrence Moran

Recommendation by Field Staff:

Tompkins County's continuing reliance on capacity-related relief through multiple variances dates back to 1996. There are no current plans to expand the facility's capacity. Based on this information, the following recommendations are made:

1. Approve for a period of six months, with the previous conditions set forth.
2. Another condition should be added that with any future extension request, the county shall:
 - a. Either demonstrate that the Alternative to Incarceration Programs have successfully reduced the number of incarcerated individuals to the extent that the facility's reliance on capacity variance relief is eliminated; or
 - b. Submit a plan that provides capacity enhancement of the Tompkins County Jail through the addition of permanent correctional space sufficient enough to address ongoing overcrowding.

Recommendation at Briefing:

Final Recommendation:

SUMMARY OF VARIANCE REQUEST

Sheriff Lansing is requesting a continuation of this variance for period of one year. This variance consists of 18 additional beds in their medium and maximum housing units to be utilized as double cells. The county has included plans to achieve full compliance with Part 7040.3 (see attached).

RECOMMENDED CONDITIONS IF APPROVED

<u>LOCATION</u>	<u>MFC</u>	<u>INCREASE</u>
B-Block	3	2
C-Block	5	3
D-Block	5	3
E-Block	5	3
F-Block	6	4
H-Block	4	3
TOTAL:		18

1. Those inmates who are housed in the above-noted areas **must** be provided with a bunk to be used as a bed.
2. That "active supervision" must be provided on a 24-hour basis, pursuant to 9NYCRR Section 7003.2(c) when inmates are housed in any of the above-noted areas.
3. That inmates housed in these areas receive the same services and programs as the general population.
4. That the facility will monitor the implementation of its double-celling plan by tracking rates of incidents, grievance, and complaints directly related to double-celling. These records shall be made available to Commission staff upon request.
5. That the county implements its double-celling proposal according to the double-celling plan submitted and approved by the Commission. That the county shall advise the Commission of any substantive changes to the double-celling plan.
6. That the county provides the Commission with a substantial progress report on addressing the short and long-term capacity needs of the jail. This report shall be submitted with any extension request.
7. That the county shall not exceed the rated MFC for the purpose of boarding inmates. The Commission does not approve variances for the purpose of generating revenue.
8. That Commission staff will regularly monitor the effects of the double-celling program on staff and inmates as well as the general operation of the facility. Commission staff will meet with the Chief Administrative Officer in order to establish an appropriate monitoring schedule.
9. That the facility will maintain information on all double-cell inmates which shall include, but is not limited to:
 - (a) name and location of the inmate;
 - (b) date of entrance into and release from double-celling; and
 - (c) reason for release.

These records shall be made available to Commission staff for inspection.

10. That the facility will monitor the implementation of its double-celling plan by tracking rates of incidents, grievance, and complaints directly related to double-celling.
11. That the county shall implement its double-celling proposal according to a double celling plan submitted and approved by the Commission. The county shall advise the

Commission of any substantive changes to the double-celling plan.

12. That with any future extension request, the county shall:
- a. Either demonstrate that the Alternative to Incarceration Programs have successfully reduced the number of incarcerated individuals to the extent that the facility's reliance on capacity variance relief is eliminated;
or
 - b. Submit a plan that provides capacity enhancement of the Tompkins County Jail through the addition of permanent correctional space sufficient enough to address ongoing overcrowding.

VARIANCE HISTORY

Approved 11/17/15 for six months
Approved 5/19/15 for six months
Approved 11/18/14 for six months
Approved 5/20/14 for six months
Approved 11/19/13 for six months
2013

Recommendation: Approval
Action Taken: Approved at Meeting 6/19/2013
Length of Variance: 6 Months
Conditions, if changed: As part of any future extension request, the county must include plans for long-term capacity enhancement.

Approved 6/12 for one year
Approved 6/11 for one year
Approved 6/10 for one year
Approved 1/10 for six months
Approved 6/09 for six months

CONSTRUCTION/RENOVATION PLANS

None

OTHER VARIANCES IN EFFECT

None

STAFF INFORMATION AFTER SITE VISIT (DATE OF LAST VISIT TO FACILITY):

April 2016 - found the areas using double ceiling to be in compliance with the conditions of this variance approval.

DATE OF LAST CYCLE VISIT THAT STANDARD VIOLATIONS WERE IDENTIFIED:

April 2016

Security and Supervision – Policy requires revision to reflect current practice
Discipline – informal discipline process

ANY OPEN MINIMUM STANDARD VIOLATIONS:

No other open issues

ANY VIOLATIONS WHICH PERTAIN TO THE VARIANCE'S CONDITIONS:

None

JUSTIFICATION FOR WHY VARIANCE SHOULD OR SHOULD NOT BE EXTENDED:

1. Approval of this variance will allow the facility the flexibility to properly separate inmates of various classification categories. This variance should be approved for a period of six months, with the previous conditions set forth.
2. Another condition should be added that with any future extension request, the county shall:
 - a. Either demonstrate that the Alternative to Incarceration Programs have successfully reduced the number of incarcerated individuals to the extent that the facility's reliance on capacity variance relief is eliminated; or
 - b. Submit a plan that provides capacity enhancement of the Tompkins County Jail through the addition of permanent correctional space sufficient enough to address ongoing overcrowding.

REVIEWED BY REGIONAL SUPERVISOR:

TM

DATE:

5/16/14

OFFICIAL USE ONLY:

NOTES OF MEETING: _____



**Commission of
Correction**

FROM: Chairman Thomas A. Beilein **DATE:** April 13, 2016

SENDER: Sheriff Ken Lansing

AGENCY: Tompkins County Sheriff's Office

DATE OF ORIGINAL RECEIVED: April 12, 2016

REF: Variance 09-V04

DOCUMENT DESCRIPTION: Variance Application

CHAIRMAN'S COMMENTS:

-----**Routing Information**-----

REGIONAL SUPERVISOR: Moran

CC:



**New York State Commission of
Correction**
80 S. Swan Street, 12th Floor
Albany, New York 12205
518-485-2465
518-485-2467 (Fax)

New	_____
Renewal	_____
Variance #	_____
(SCOC USE ONLY)	

Thomas A. Beilein
Chairman

Variance Application Form

INSTRUCTIONS TO SHERIFF OR CHIEF ADMINISTRATIVE OFFICER:

Pursuant to New York State Minimum Standards Part 7050, Variances, please complete all portions of this form and mail or fax this form Attn: Chairman/Commissioner to the address or fax number listed above.

Facility: Tompkins County

Person requesting: Ken Lansing - Sheriff

(Sheriff/Chief Administrative Officer)

- A. State the specific part, section and subdivision of New York State Minimum Standards for which the variance is requested: Example: 7040.3 states that, the total number of inmates confined within each correctional facility shall not exceed the maximum facility capacity of such facility. To request a variance to house additional inmates within the facility the citation should be listed as:

Ex. Part: 7040 Section: 3 Subdivision: n/a

Standard for which the variance is requested:

Part: 7040 Section: 3 Subdivision: _____

- B. In the space provided below include specific plans fully explaining and supporting the alternative manner of compliance. If you are requesting a modification to an existing variance please include that information in the area below as well. (Include or attach any relevant supporting documentation)

In order to house the number of inmates that are in our custody, we have been utilizing 18 double bunk cells for the past several years. We have recently completed a construction project that increased our MFC with 7 additional beds to 82. Our daily population is such that we will continue to utilize the 18 double cells. I am requesting that Variance 09-V-04 be continued for an additional 12 months as the alternative to taking care of our prisoner population involves the boarding of inmates at substitute jails which is a great expense on the health and welfare of the inmates who are moved to other jails away from the friends and family and services in Tompkins County.

- C. In the space provided below include a detailed description regarding why this variance is necessary. (Include or attach any relevant supporting documentation)

The Tompkins County Jail has an existing MFC of 82. Over the past 13 months we have averaged 9 inmates boarded out per day in order to maintain proper classification. This average board out number includes the use of the 18 double cells that have been approved by your Office. Tompkins County Jail population continues to exceed the MFC.

- D. Provide the amount of time for which the variance is requested, if applicable:

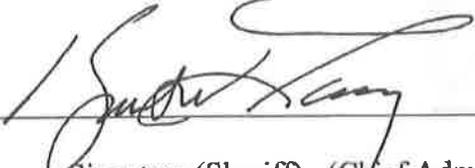
365 Days 52 Weeks 12 Months

- E. If this variance request is approved, what plans, provisions and timetables are in place for achieving full compliance with the Minimum Standard at issue such as adding to the MFC, etc. (Use additional sheets to provide additional supporting documentation, if necessary).

See attached descriptions of Tompkins County initiatives to achieve full compliance with 7040.3 along with supporting documentation.

G. Has this variance been previously approved?

Yes _____ If yes, include the variance number 09-V-04 No _____



Signature (Sheriff) (Chief Administrative Officer) 4/6/2016
Date

Additional copies of this form can be obtained by contacting the Commission, or online at www.scoc.ny.gov. Click on table of contents, Commission Forms, Request for a Variance (Formal application statement).

TOMPKINS COUNTY SHERIFF'S OFFICE

779 WARREN ROAD
ITHACA, NY 14850



Kenneth W. Lansing
SHERIFF

TEL: (607) 257-1345
FAX: (607) 266-5436
JAIL FAX (607) 266-5466

Brian Robison
UNDERSHERIFF

Commissioners –

Re: 18 bed variance(09-V-04) re-newel for June of 2016

Tompkins County's plan to bring the jail into compliance with 7040.3 is to provide offender services to the inmate population so that they can be diverted away from the criminal justice system and reduce the population of the jail accordingly.

Listed below are some of those methods that are currently in place or being put into place here in Tompkins County:

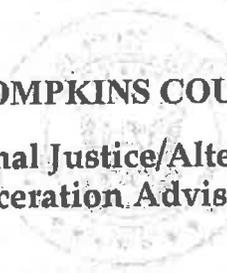
-Tompkins County has taken steps to reduce inmate population by instituting a community re-entry program. Tompkins County will be hiring a re-entry coordinator whose job it will be to match up inmates who are leaving the jail with transitional services. The program aims at reducing the number of inmates who "re-offend" thereby reducing the number of inmates who will be incarcerated here in Tompkins County. (See Tompkins Reentry Program overview attached)

- The Probation Department operates several Alternative to Incarceration programs which encompass a continuum of graduated sanctions designed to address offender non-compliance.

Whenever a recommendation of incarceration is being considered by the Probation Officer either at the presentence investigation or violation of probation stage, the case must be screened before this department's Alternatives to Incarceration Committee for possible sentencing options in the various Alternative to Incarceration programs. The goal of the Committee is to ensure that all program options are examined in an attempt to reduce reliance on incarceration. The Committee screens the case for eligibility and appropriateness for all the programs and a decision is then made as to which program, if any, could assist the defendant/probationer in rehabilitation while at the same time not jeopardize public safety. Many factors are taken into consideration by the Committee in the screening process including the defendant's/probationer's legal history, the nature of the present offense, their history of compliance with the terms and conditions of prior or current probation term, gravity of the non compliant behaviors, danger to self and others and other case specific circumstances. (See overview of each program offered by Probation attached here)

-Tompkins County Assigned Council has started a program that provides defense counsel at first appearance (arraignment). This has resulted in fewer defendants being incarceration at the beginning of a court proceeding. (See program overview attached)

Tompkins County is confident that these measures will bring the jail population into compliance with standard 7040.3.



TOMPKINS COUNTY
**Criminal Justice/Alternatives to
Incarceration Advisory Board**

TOMPKINS REENTRY PROGRAM

PLAN BACKGROUND

In February 2015, the Criminal Justice Alternatives to Incarceration Board (CJATI) formed the Reentry Subcommittee (RES) following recommendations that arose from the Jail Task Force meetings that took place in 2013-2014. The committee studied a myriad of factors that contribute to recidivism and unsuccessful reentry into the community following release from incarceration. The committee discovered that successful reentry programs for inmates rely on more than just helping the formerly incarcerated find jobs; it also requires helping offenders change their attitudes and beliefs about crime, addressing mental health and housing issues, providing mentoring, offering educational opportunities and job training, and connecting them with community resources. Most, if not all, of these things can and should begin as long before a person's release date as possible.

Tompkins County recognized an existing need for such services and initiated a reentry pilot project at the Tompkins County Jail nearly eight years ago, which initially involved a multitude of community stakeholders, but now only continues today with the participation of a member of DSS, Probation, OAR and a Corrections Officer at the Jail. Inmates in the current project receive:

- Public Assistance the day after they are released since their DSS applications are completed and submitted 45 days prior to release. (This is also done for additional inmates by OAR)
- Transportation to DSS from the Tompkins County Jail for an intake appointment, provided by an officer of the jail; and
- Assessment for additional needs such as housing, education, employment, substance abuse and mental health counseling, SSI/SSD, legal issues and are referred to appropriate agencies or assisted by members of the reentry program.

As there was no dedicated funding for this pilot program and eligibility was limited to a small pool of candidates that could be successfully managed given staffing constraints, only 143 individuals have been served since inception of the program. However, the data indicates that of the 143 people served, 92 or 64.3% have not returned to the Tompkins County Jail, indicating

that re-entry interventions, as limited as they were, may have been effective at reducing recidivism and are worthy of further expansion and support. The Tompkins County Legislature, in September 2015, made a commitment to provide that support by setting aside funding in the amount of \$100,000 for this endeavor.

In the Reentry Subcommittee report, it was identified that a designated coordinator or point person was lacking in the current reentry program. Currently, there is no one agency or nonprofit that has the resources, the authority, and the experience to undertake this job. The CJATI Board is comprised of 22 members, the majority of whom are members of the community or various nonprofit agencies providing services to those involved in the court system. Included are the judiciary, probation, DSS, victim representative, jail administrator, former offender, substance abuse treatment providers, mental health services, assigned counsel and defense attorney, among others, and represents every spoke in the criminal justice wheel. Thus, the CJATI Board has the ability, authority, desire and experience to reduce recidivism through assessment, coordination and referral to needed services, as well as analyze data.

Therefore, CJATI determined that the highest priority for funding is the hiring of one overarching coordinator, designated specifically to organize reentry services for inmates of the County jail. The rich resources and cumulative knowledge of the Board can assist the Reentry Coordinator with the mission and goals of the program. The Reentry Coordinator would be responsible for assessing risk of recidivism and needs of inmates, and would strategically apply resources to those identified most in need of services so as to improve a successful transition into the community. The Reentry Coordinator would involve community stakeholders to further strategize solutions to identified system barriers. The Coordinator would be responsible for establishing a collaborative effort with numerous agencies and initiatives, including OAR and URO (Ultimate Reentry Opportunity*) to determine possible areas of crossover and divergence that could benefit all reentry participants. The Reentry Coordinator would report to the CJATI Board on a monthly basis and report out as requested.

As an elemental part of the Reentry Program, and as a means to ensure the maximum impact from public and philanthropic investments in reentry services, CJATI will collaborate and coordinate with URO, OAR and others. It is expected that less formal, ad hoc connections will regularly occur as reentry problems and opportunities are identified.

The following plan and vision has been completed to formalize a sequence of action steps in the County's re-entry plan. It should be noted that in Tompkins County, approximately 60% of the jail population is awaiting trial or sentencing (presentenced) and 40% are sentenced, generally serving less than one year. Average length of stay in our local jail for unsentenced inmates is 37 days, leaving little time or capacity to assess and provide extensive services prior to release. It is anticipated that reentry services will initially be offered to sentenced inmates. Expansion to the unsentenced jail population is likely possible once the program is fully established.

* URO is a separate reentry initiative funded by private dollars and sponsored by the Multicultural Resource Center of Ithaca. URO seeks to identify barriers to successful reentry and engage individuals and organizations, including members of CJATI, who are key to addressing and attempting to eliminate those barriers. To guarantee ongoing communication and collaboration, the executive director of the MRC has been added to CJATI as a voting member.

OUTLINE OF REENTRY PLAN

MISSION STATEMENT

It is the mission of the Tompkins ReEntry Program to provide transitional services to incarcerated individuals returning to the Tompkins County community from our jail, with the goal of reducing recidivism and improving public safety through the use of evidence-based practices, pre and post release guidance, and financial, employment, educational and housing services.

PHASE 1. HIRE OR CONTRACT FOR AN EXPERIENCED REENTRY COORDINATOR TO:

- A. Provide in-reach to incarcerated inmates, offer the program to all sentenced inmates. Conduct Risk and Needs assessment for those willing to be in the program.
- B. Identify clients for the reentry program based on level of risk and needs. Level of services are based on a continuum -- more resources are applied to those highest in risk and need.
- C. Discharge planning to coordinate needs with services, and make referral to needed services
 - a. Substance abuse treatment
 - b. Mental health treatment
 - c. Housing needs
 - d. Mentoring to provide practical and emotional support
 - i. Increase former offenders' connections to family and community
 - ii. Assist client with getting to appointments ?
 - e. Job training and/or employment referral, apprenticeships; internships
 - f. Financial assistance (DSS)
- D. Provide outreach to participants upon release from the jail. Identify and address ongoing barriers to services and success.
- E. Meet regularly with re-entry team/stakeholders in community
- F. Collaborate with numerous agencies and initiatives in the coordination of services for reentry participants, including mentoring (see above)
- G. Report back to CJATI regularly

Narrative: As noted above, the most pressing need is for a coordinator position – a point person – for assessment and discharge planning and to pull all the available services together in a coordinated, efficient manner. Services are disjointed, and navigating the system is difficult. A re-entry coordinator hired via CJATI would have the necessary experience, authority and oversight to work in and with the Jail, Probation and service agencies already knowledgeable in reentry. Assessment at early incarceration to determine risk level and services needed is key. Not all offenders share the same risk levels or have the same needs, and

learning how to accurately assess these attributes and deliver customized help is an important element to truly helping people transition out of the criminal justice system.

PHASE 2. EVALUATE EFFICACY OF CURRENT SERVICES AND IDENTIFY INEFFICIENCIES OR DEFICIENCIES. COORDINATOR AND CJATI WILL BETTER BE ABLE TO IDENTIFY THOSE SERVICES THAT ARE PARTICULARLY EFFECTIVE (OR NOT) THROUGH PERFORMANCE MEASURES AND FEEDBACK OVER THE COURSE OF THE FIRST 12-18 MONTHS.

- A. Establish performance measures for the program to include but not limited to: number of clients offered reentry services, number who participate, number of referrals to services, number of participants who participate in referral appointments, number of participants who remain arrest free, number who are successful or unsuccessful and reason (dropped out, loss of contact, re-arrest, etc)
- B. Coordinator to establish a data base, with feedback from CJATI Reentry Team, to collect performance measures, with the capacity to run reports
- C. Study data and performance measure outcomes for possible policy or program changes that may be necessary
- D. Coordinator to report outcomes to CJATI on a quarterly basis for review and discussion
- E. Coordinator and CJATI to report outcomes to Public Safety Committee and to Legislature

PHASE 3. SEEK ALTERNATIVE FUNDING/GRANT OPPORTUNITIES TO SUPPLEMENT CURRENT SERVICES and DEVELOP MISSING OR INADEQUATE SERVICES

- A. Collaborate with OAR, URO and others to identify grant funding opportunities that would address those identified deficiencies and/or inefficiencies
- B. Collaboratively apply for said grants

PHASE 4. - THROUGHOUT THE FIRST 12-18 MONTHS, EXPLORE THE NEED FOR ASSISTANCE FOR COORDINATOR.

- A. Study data and performance measure outcomes for possible policy or program changes that are required, including ratio of participants in the program to the coordinator.
- B. Examine possibility of expanding the eligibility pool to include presentence population and what would be required to do so.
- C. Explore necessity of adding support for the Coordinator and Reentry Plan via other community agencies, grants, and resources.
- D. Seek alternative funding/grant opportunities for additional staffing to assist the Coordinator, explore cost-effectiveness of enlisting the services of a grant writer to pursue outside funding sources

Probation Run Alternatives to Incarceration Programs (ATI)

This department operates several Alternative to Incarceration programs which encompass a continuum of graduated sanctions designed to address offender non-compliance

Whenever a recommendation of incarceration is being considered by the Probation Officer either at the presentence investigation or violation of probation stage, the case must be screened before this department's Alternatives to Incarceration Committee for possible sentencing options in the various Alternative to Incarceration programs. The goal of the Committee is to ensure that all program options are examined in an attempt to reduce reliance on incarceration. The Committee screens the case for eligibility and appropriateness for all the programs and a decision is then made as to which program, if any, could assist the defendant/probationer in rehabilitation while at the same time not jeopardize public safety. Many factors are taken into consideration by the Committee in the screening process including the defendant's/probationer's legal history, the nature of the present offense, their history of compliance with the terms and conditions of prior or current probation term, gravity of the non-compliant behaviors, danger to self and others and other case specific circumstances.

Intensive Supervision

Intensive Supervision Probation (ISP) is one of the oldest Alternative to Incarceration (ATI) programs, primarily for high risk, felony offenders who are at risk of local or state incarceration. The caseload size is smaller than that of a regular supervision caseload, which allows the Probation Officer to provide more meaningful supervision and service delivery through increased contacts with the probationer. As a result, the Probation Officer is able to identify problems early and ensure that services are delivered to the probationer so that they are given every possible opportunity to modify their behavior to a law abiding lifestyle.

The goals of ISP are as follows:

- to ensure public safety through restrictive supervision and monitoring
- to promote law-abiding, productive behavior through effective case management services
- to hold offenders accountable
- to reduce the criminal justice system's reliance on incarceration
- to reduce state and local costs for incarceration

ISP is a time limited program of 9-12 months. If successful on ISP, the probationer is transferred to a regular caseload for ongoing supervision.

Service Work Alternative Program

The Service Work Alternative Program (SWAP) is an Alternative to Incarceration program for adults who have been convicted of a nonviolent crime and have been ordered by the criminal courts to perform community service. Participants perform their mandated hours in a structured, supervised program at various not-for-profit sites located throughout the county. Emphasis is placed on encouraging participants to learn new job skills and gain self esteem while giving back to the community (Restorative Justice) for the negative effects of their offending behavior.

Day Reporting

The Tompkins County Day Reporting Program, located in the Human Services Building, is one component of the Department's Alternatives to Incarceration (ATI) continuum. Day Reporting is an innovative option for those involved with the courts that increases community based supervision, provides classes and counseling, enhances family functioning, and reserves jail resources for those most appropriate for incarceration. Participants are encouraged to take personal responsibility for their actions, repair the harm caused to their victims, their families and their communities, and develop skills to enable them to become more productive members of the community.

Participants are mandated by the courts to attend the program which allows them to live in the community while serving their sentence or awaiting trial or sentencing. Participants can attend the Center's Day Reporting Program as a condition of probation or violation of probation, as a Drug Court sanction, as a pre-trial supervised release. In addition the program can be utilized by individuals who are attempting re-entry into the community following a period of incarceration. Participants are referred to Day Reporting as a result of Pretrial release order, Drug Court referral, Presentence order or Parole referral. The length of the program varies as determined by the referral source or court order.

Electronic Monitoring

The Electronic Monitoring Program provides 24-hour monitoring of an offender through an electronic "bracelet". This is a cost effective alternative to incarceration program for adults who pose a moderate to high risk to the community, and is used with juveniles as an alternative to detention. It allows individuals to maintain their employment or participation in school, avoid separation from family, and participate in community based treatment programs.

Drug Treatment Courts

The goal of the Ithaca Community Treatment Court (Misdemeanor) and Tompkins County Felony Drug Treatment Court is to assist the participants of those programs in breaking the cycle of addiction and criminal activity. The Treatment Court programs provide the defendant with a highly structured environment that combines judicial oversight, probation supervision, substance abuse treatment, mandatory drug testing, graduated sanctions/responses and education/employment training in an effort to encourage positive behaviors and reduce recidivism.

Pre-Trial Release

The Pre-Trial Release Program facilitates release for incarcerated individuals who meet appropriate criteria. All defendants in custody at the Tompkins County Public Safety Building who have bail set by a court are given the opportunity to be interviewed for this program. A Probation Assistant reports to the jail daily and conducts an initial screening and personal interview with the defendants. A cursory investigation is then conducted into the defendant's legal, social, and employment history with emphasis placed on past cooperation with court orders, prior warrants for failing to appear in court, and personal references to determine the defendant's potential for appearing for future court dates. Following an evaluation as to the defendant's ties to the community and potential flight risk from their legal charges, a recommendation is made to the court regarding release status. The options include: Release on Recognizance (ROR), reduced bail, bail, or release under supervision (RUS) to the Probation Department.

Tompkins County Assigned Counsel Program- Counsel At First Appearance

The Counsel At First Appearance initiative through Tompkins County Assigned Counsel Program started May 19th, 2014 after a meeting with several ACP attorneys, magistrates, Judge Robert C. Mulvey and Gregg Gates. The purpose of initiative is based on the basic "right to counsel" premise of the Sixth Amendment, along with a focus on improvements in the delivery of indigent defense beginning at first appearance through the final resolution of the case and vertical representation.

Since we have began the After-Hours Arraignment Schedule, statistics have shown that we are making progress, more defendants are being released on their own recognizance, bail is being set lower, hence, resulting in less people going to jail.

The 1963 US Supreme Court case Gideon v. Wainwright ruled that states are required under the Fourteenth Amendment to provide counsel to criminal defendants whom otherwise would not be able to afford one. In his State of the Judiciary 2015, Chief Judge Jonathan Lippman states: "We can no longer tolerate the unacceptable circumstances in this state in which the quality of justice one receives is dependent on the happenstance of where one is charged and prosecuted".

Tompkins County Process for Counsel at First Appearance:

In order to be on the criminal panel of Tompkins County Assigned Counsel Program it is a requirement to be on the After-Hours Arraignment Schedule. On-call attorneys are each scheduled for one 24-hour shift per month; the time frame of a shift is 12:00pm-12:00am so that attorneys will only have to be up late one night. We organize attorneys on a calendar alphabetically according to last name and by attorney availability. The most up-to-date After-Hours Arraignment Schedule is available online through Google, although, we send an attached PDF as well to be safe. Individual attorneys are called out when a court is arraigning a defendant during non-court hours. During Assigned Counsel Program business hours- Monday through Friday, 8:30 am- 4:00 pm, attorneys that have been assigned to defendant prior or currently are called first.

Assigned Counsel Program sends out a proposed preliminary calendar for following month via email to after-hours arraignment schedule attorneys for approval half-way through each month with a stated deadline (around 7 days out from date which it is sent, usually the 20th of each month) to make changes. Many attorneys that know their schedule for the following month will let us know in the beginning of each month for scheduling purposes. When making changes, it is preferred that attorneys switch with their peers but if for some reason attorneys do not have contact information Assigned Counsel Program staff can facilitate a switch. It is important for the attorneys to check the proposed calendar by this deadline. It can get rather confusing to courts to submit multiple changes once the final after-hours arraignment schedule is sent out.

Ithaca City Court after-hours arraignment procedure is unique in that they have a holding cell, the information for their procedure is attached.