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DDWC

ISSUES AND CONCERNS ON
PROPOSED DUTCHESS
COUNTY JAIL CONSTRUCTION

CREATED BY THE DUTCHES DEMOCRATIC WOMEN'S CAUCUS

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INTRODUCTION

The Dutchess Democratic Women's Caucus (DDWC) recently engaged in a nine-month study to consider the proposal by County Executive Marcus Molinaro to build a new county jail. The proposed jail would be the largest capital project ever undertaken by the county.

Since all county legislative positions are up for election this year, the DDWC decided to assist all Democratic candidates in dealing with this important topic in their campaigns. Our members are aware of the complexity of the issues surrounding both the capacity of the jail and the operations of the criminal justice system in Dutchess County, and hope that the results of this study will help our candidates understand how adoption of such a proposal would affect Dutchess County taxpayers.

The DDWC effort began with the release of a Criminal Justice Needs Assessment (CJNA) produced by the Dutchess County Criminal Justice Council and presented to the legislature in the fall of 2012. It was immediately clear to our group that we would have to grapple with issues that span both the New York State Court System as well as the county departments of the Sheriff, the Jail, Probation, District Attorney, and Public Defender. Other county departments play a role in the lives of individuals enmeshed in the local criminal justice system, including Mental Hygiene, Health, Veterans Administration, and Children and Family Services. While the CJNA report clearly identified challenges along the total continuum of the criminal justice process from arraignment through trial and sentencing and ultimate release back into the community, the bulk of the CJNA report focused on building a new facility.

A subsequent report by a jail design firm, Ricci Greene Associates, which had been commissioned by the county legislature to review and assess the CJNA report, asked many of the same questions that occurred to our study group and reaffirmed the importance of an end-to-end solution.

We hope that this report of our findings will give candidates a clearer perspective on the County Executive's proposal and help them formulate responsible positions on the many aspects of criminal justice that may arise in Dutchess County both during their campaigns and throughout their terms in office.

Members of the DDWC committee are available to answer your questions. Please reach out to us when you need information, when you become confused by conflicting information, or when you just want to test some ideas. We have spent the past nine months studying the issues intensely and want to share our knowledge with you.

THE DDWC'S POSITION ON THE PROPOSED NEW DUTCHESS COUNTY JAIL

DDWC members understand that the county jail is now in poor condition, and taxpayers should not be asked to continue to pay for transporting and housing Dutchess inmates in remote locations. "Housing out" has become routine because the number of inmates exceeds the current jail capacity.

However, we also believe that improvements in the overall efficiency of the criminal justice system in the county can result in solutions that will enable us to provide adequate bed space for prisoners who must be accommodated within Dutchess County. We support the recommendations by the Criminal Justice Council and Ricci Greene that the use of Alternatives to Incarceration (ATI) programs should be enhanced and expanded; it would help reduce the need for more jail beds.

Finally, we believe that crime is a social problem that needs to be addressed at its root in the community and the criminal justice system must be scrupulously fair and non-discriminatory.

We are not convinced that a new 500-600 bed maximum security facility is either a comprehensive or ideal solution. We do not think the county administration has conducted meaningful research that can project the number and types of beds that will be needed in a new jail. Instead, we need to create effective solutions that will endure over time, perform additional analyses of the current inmate population, and examine more thoroughly how access to programs and support systems should be provided. For example, many of the current inmate population would be served more effectively in a substance abuse or mental health center since 80 percent of inmates have mental health and/or substance abuse issues.

Before saddling taxpayers with the largest capital project ever attempted in this county, leaders should study the alternatives more extensively and identify the best ways to address the needs of the various inmate populations.

We also agree with the Ricci Greene report that the length of stay for an average inmate can be reduced, thereby reducing the number of beds needed at any given time. This can be done by streamlining the internal structure of the arraignment process, making broader use of assessments by the DA, Public Defender, defense attorneys, probation, and jail personnel in a more formal process; and addressing the backlog in courts and delays in identifying special needs. The county should not ignore these opportunities to reduce the average daily population (ADP); they need to be identified and implemented immediately.

We believe it is vital that Dutchess factor in the projected ADP and costs at the same time it allocates additional funds for crime prevention, substance abuse and mental health programs, and more-powerful ATI's. With these proven tactics in place, the county's crime rates, and the resulting need for more and more jail beds, will decrease significantly.

Our analysis has not supported the conclusion that the savings involved in eliminating housing-out costs justify the building of a new jail. The annual debt service on a new jail will be more than the current housing out costs. The operational costs of a new jail are not quantified. Overall, it is unclear funds will be available for additional programs. The total cost of a new facility that

includes the programs, assessments, and recommendations of the Ricci Greene report should be identified.

We believe that any proposed site for the new jail should include an assessment of the potential financial implications for the surrounding community and taxpayers. In fact, we found that the Ricci Greene report provided a strong and comparable option in rebuilding at the current jail site. We recommend that location options be researched more thoroughly, including realistic estimates of the costs, environmental effects, and impact on the community surrounding each site under consideration.

The Resolution for a bond related to jail construction, dated June 10, 2013, allocated funds to contract for : “Project definition and planning phase for the development of functional designs for a comprehensive approach to the criminal justice facility in the County of Dutchess, State of New York, including the issues presented in the RicciGreene Associates "Validation Study" report as to what types of services and number of beds are required in order to address the current or new facility and other needs of the County's criminal justice system.” The results of this study should be reviewed in depth prior to approving any additional funds for jail construction.

KEY ISSUES

The Criminal Justice system is too often depersonalized. We need to remember that the “system” deals with individuals with unique circumstances, concerns, and problems. Every person in “the system” has a face, a family, and a story. The County has a responsibility to:

- **Fund and support** programs that have a positive effect on individuals by providing support and assistance in the following areas:
 - mental health
 - substance abuse
 - education
 - transitions- e.g., from incarceration to employment
 - alternatives to Incarceration (ATIs)
 - crime prevention, especially for juveniles and young adults
 - reduce recidivism
- **Implement** recommendations for streamlining the arraignment process, making broader use of assessments by the DA, Public Defender, defense attorneys, probation, and jail personnel.
- **Develop** a full continuum of care system for offenders including jail based programming and transition to community based supervision
- **Incorporate** into a new facility spaces that would address inmates’ mental health and substance abuse conditions.
- **Revise** the justification for a larger jail facility to include the impact of programs and streamlining of the arraignment process on the jail population.
- **Quantify** the long- term financial impact of a new jail on County taxpayers, including the annual operational costs for a new facility.

The CJNA Report (p. 24) acknowledges that “the special needs of each identified population will require a much more integrated and collaborative approach among criminal justice, human services, and social service agencies. There will need to be both structural and processing reform.....Further we found that coordination between the jail and community treatment agencies could be strengthened. Finally, our current system is not structured to maximize the use of available resources to address the criminogenic needs of those who are incarcerated.”

JUSTICE SYSTEM

At any given moment, 80 percent of the Dutchess County jail population has not been sentenced for a particular crime, but is in some pre-trial or pre-sentencing state. In addition, the average length of stay has increased significantly contributing to the high number of inmates. Court backlogs are responsible for hundreds of inmates who sit in jail awaiting trial, but little effort is underway to expedite processing from pre-arrest to sentencing to reentry programs -- or to expand the court system. While the New York State Judicial System has authority over the court system, the DA, Public Defender, and Probation Department could act jointly to improve the situation. They have significant flexibility in executing their responsibilities. Reduction of the jail population through all or a combination of these recommendations will significantly reduce the jail population, and hence the need for a larger facility.

The Criminal Justice Needs Assessment report identified many actions that could be taken now to reduce the jail population. Many actions can be taken by Dutchess County through earlier assessment of the individual, additional use of programs appropriate to the individual, and the use of technology such as video-conferencing/Skype to allow inmates access to legal representatives.

RECOMMENDATIONS:

- **Establish a Centralized Arraignment Court**
 - If all service agencies are present to assess and determine eligibility for release of accused individuals to a pre-trial release program. This action could significantly reduce the number of individuals in jail waiting for arraignment (which can be up to a week) and/or waiting for assessment
- **Use videoconferencing** (for example using Skype)
 - Video conferencing will allow inmates housed out access to legal representatives without being transported
- **Institute early evaluation**
 - An evaluation as early as possible in inmate's detention period, and throughout the criminal justice process can identify programs and services that could divert the inmate from the jail to a more appropriate program not requiring housing in the jail.
- **Provide a 24-hour crisis center**
 - Providing a place for individuals with a history of mental illness and/or substance abuse to receive appropriate services and support can reduce the need for jail cells.
- **Schedule pre-plea reporting**
 - Use pre-plea reporting to provide risk/need information for prosecutors, defense attorneys, and judges earlier in the criminal justice process. This information can identify additional options to minimize the stay in jail.
- **Provide curfew monitoring**
 - Curfew monitoring has been successful in the juvenile justice system and would provide an additional pretrial release option in the adult system.
- **Use probation supervision as a sentencing option**

- Use of probation supervision as a sentence could reduce the jail population. Even though this is a sentencing option, and 80% of the inmates are unsentenced, the recommendation should be considered.
- **Reinstate Failure to Appear Project** for notification of court dates.
 - This project provides reminders to appear in court and could further reduce the jail stays.
- **Use accelerated release and re-entry**
 - The CJNA report indicates this program, a collaborative approach between the Jail, Probation, and the Community Transition Center, is currently being implemented. The goals of the program are to reduce the length of incarceration, expedite case processing and reduce recidivism.
- **Lobby New York State to assign additional judge(s)**

DUTCHESS COUNTY JAIL HISTORICAL INFORMATION

CAPACITY

- The 1950 “Old Jail” had a capacity of 112 inmates. The Sheriff’s Office is now housed in what was the “old jail”.
- The existing Dutchess County Jail consists of two connected facilities:
 - The 1984 building with an original capacity of 175 beds is outdated and staff-intensive, and has physically deteriorated over the years. The structure is aging and needs improvements such as upgrades to current fire protection codes including a sprinkling system, and fixture and equipment replacements.
 - The 1995 addition increased capacity to 292 beds, according to the Criminal Justice Council Needs Assessment. This upgrade did not include additional program and support space, but the building is well-kept and in good condition, according to the 2013 Ricci Greene report.
- Another study to address the capacity of the jail was conducted in 2002 by Cerniglia & Swartz/VITETTA. No action was taken as a result of the study.
- From 1999 through 2005, the NY State Commission of Corrections granted a variance to allow housing of a maximum of 316 inmates in the two facilities. That variance was rescinded in 2005.
- From 2005-2008 the NY State Commission of Corrections set the maximum number of inmates at 257.
- In 2008, a variance was granted to house 292 inmates; that variance is still in place. Once the maximum is reached, Dutchess County must “house out” prisoners in other facilities within New York State. In fact, because inmates must be separated by gender, gang membership, and special needs, the average daily population is actually lower and closer to 257.

OBSERVATIONS

- Since 2001 the average daily population has exceeded 300. In 2010 the average was 386.
- In 2011 and 2012 (and currently) the population often exceeds 400.
- Despite the fact that arrests have decreased, the average length of stay has increased.
- The ending of county services and the closing of state facilities has impacted the jail population.
- Over 80% of inmates have mental health and/or substance abuse issues.
- 80% of the inmates are unsentenced.
- Every day, more than 600 individuals are part of the ATI program (Alternatives to Incarceration)

HOW MUCH WILL THE JAIL ACTUALLY COST DUTCHESS COUNTY TAXPAYERS?

CONSTRUCTION COSTS AND DEBT SERVICE

Building a new jail would be the largest capital project ever undertaken in Dutchess County.

According to the CJCNA and the Poughkeepsie Journal (July 21, 2013), construction could cost up to \$200 million.

The County proposes to pay for this project by issuing a bond, a debt that must be paid over a period of 30 years. Interest and principle payments for this bond, called “debt service”, will appear in the annual county budget. Dutchess County taxpayers are responsible for these payments.

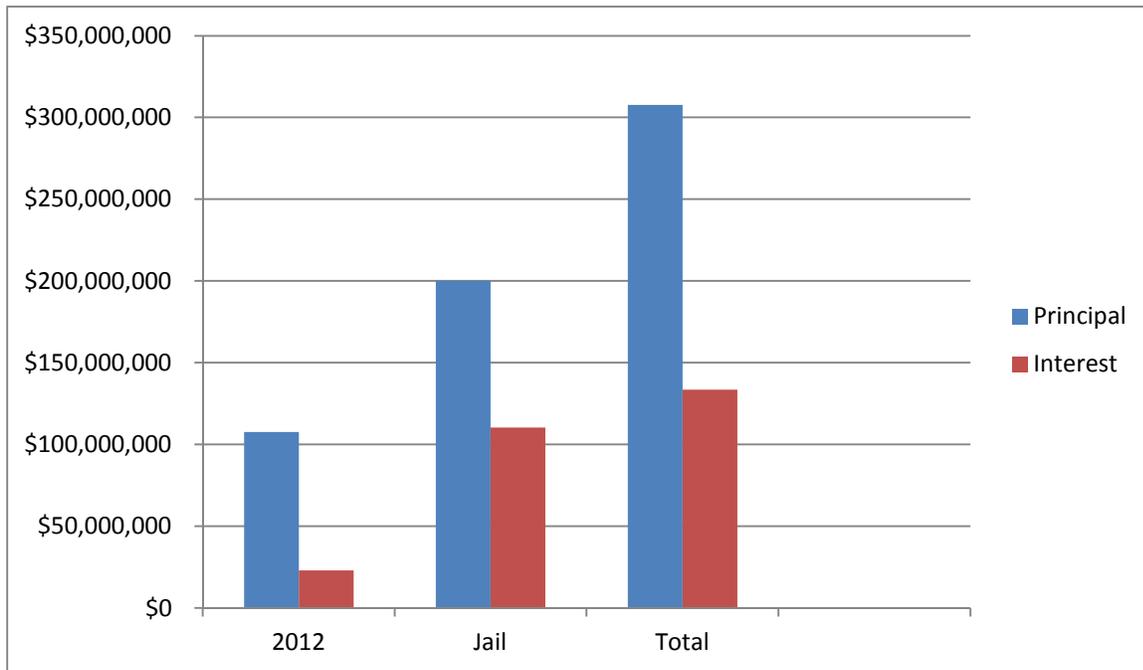
As you will see in the table below, the county’s total debt service was \$130.8 million at the end of 2012, including \$107.7 million in principal and \$23.1 million in interest. If the projected cost of the \$200 million jail were added to the county’s debt service today, assuming the same 3.75% interest rate used in the CJCNA projections, interest owed would jump to \$133.4 million. Moreover, total debt service would spike to \$441.1 million, more than *tripling* the county’s total indebtedness.

Not seen in the chart, but noteworthy: if interest rates increase to 5% when the county borrows money for the jail, interest owed would skyrocket over 600%. The county’s total indebtedness would almost *quadruple*, jumping from \$130.8 million to \$494.2 million.

Impact of the Jail on Dutchess County Total Debt Service¹

	2012 (Actual)*	Projected Cost of New Jail – Interest Rate = 3.75%	Revised Total Debt Service with New Jail Added
Total Principal Owed	\$107,701,442	+\$200,000,000	\$307,701,442 (+186%)
Total Interest Owed	\$23,068,723	+\$110,374,373	\$133,443,096 (+478%)
Total Debt Service	\$130,770,165	+\$310,374,373	\$441,144,538 (+237%)

¹ Source: Dutchess County Final Annual Financial Report 2012 to NYS Comptroller



DUTCHESS COUNTY DEBT SERVICE

Effect of Additional Interest Expense on 2013 Operating Budget - In 2013, the county budgeted a total of \$15.8 million for debt service. If interest expense for the new jail were factored into the current year's budget, it would add \$11.1 million to the total, and the annual debt service would climb to \$26.9 million - an increase of 70 percent!

COST IMPACTS – NEW JAIL

The advocates’ argument for building a new jail is based on the cost of housing out inmates in other counties. The belief is that the annual debt service costs (principal and interest) will be about the same as the housing out costs incurred by the County.

Budget Appropriations for Housing Out and Overtime

	2012 Budget (Actual)	2013 Budget (Projected)
Going-In Budget Inmates in Other Institutions ²	\$4.2 million	\$4.2 million
Additional funds added by Resolution	\$1.73 million ³	\$2.0 million ⁴
TOTAL COST	\$5.93 million	\$6.2 million
Additions – OT	\$190,000	\$1.2 million ⁵
Total	\$6.12 M	\$7.4M

As seen in the chart, in both 2012 and 2013, the legislature had to allocate additional funds from contingency. The CJNA report identified a projected cost of \$6.7M for 2012 and a memo from the Dutchess County Budget Director received by the legislature in June 2013 identified a total housing out cost for 2012 of \$8M (\$7,974,137). Included in that number were staff salary and fringe of \$1M, vehicle costs of \$97,350, Medical costs of \$151,410, and Administrative costs of \$400,000. The memo did not specify the method used to determine the staff, administrative, and vehicle costs. Additionally, medical costs for inmates will have to be paid whether inmates are housed out or in Dutchess County Jail.

In summary, it is difficult to determine the “real” costs of housing out and therefore project the potential savings. The current analysis identifies \$11.1M of annual expense for debt service. While direct housing out costs are high, they have not yet reached \$11M.

² From Dutchess County Budget

³ Resolutions – October 2012 - \$1.5M for Inmates in Other Institutions, Dec 2012 - \$475,000 for Inmates in Other Institutions and \$190,00 for Overtime

⁴ Source: Press Release. Dutchess County Executive, August 8, 2013 and Resolution No. 2013220

⁵ Additional funds for overtime due to the “increasing rate of constant supervision for inmates needing 24-hour watch due to mental health issues or drug/alcohol withdrawal”.

A second argument is that the design of a new jail will allow the County to significantly reduce the number of staff by decreasing the ratio of staff to inmates providing significant savings.

The analysis in the CJNA report makes unrealistic assumptions concerning staff savings. The average annual savings is projected to be \$11.3M.

- A ratio of inmates to corrections staff of 3.4 is assumed (162 corrections officers for a jail of 550 inmates.) The ratio is based on the Broome County Jail, constructed in 1996. The Ulster County jail, a newer facility, has a ratio of 2.7 inmates per corrections officer. If a ratio of 2.7 is used, the required staff would increase from 162 to 203 corrections officers. This is only 30 officers less than the 233 officers currently employed. The savings would drop to approximately half of the projected \$11.3M per year or \$5.65M.
- There is no analysis of the cost to eliminate positions, for example severance packages, and other union considerations. Reducing positions by attrition would also limit the savings in the short term. In any event, the County would be in the uncomfortable position of being responsible for significant layoffs.

The runaway costs for housing out are not related to an upswing in criminal activity. In fact, Dutchess county's major crime rate is relatively stable, and "100 fewer people were admitted to the jail than in the first half of 2012," according to jail Administrator George Krom. (Poughkeepsie Journal, July 21, 2013)

Jail consultants from the firm of Ricci Greene say, "the increase in inmates between 2007 and 2012 was **driven primarily by the increase in the average length of stay**" (Poughkeepsie Journal, July 21, 2013)

OPERATING COSTS

The ongoing cost of operating a facility that houses more inmates has not been part of any assessment done to date. This cost, along with debt service payments, will impact the annual county budget going forward. The implication in many discussions/presentations that the county will be able to provide additional programs with the money saved by housing out has not been demonstrated. In fact, **the cost of debt service for a new/updated facility appears to absorb all, if not more, of the anticipated savings achieved by eliminating housing out.**

An effort should be made to determine how much it will cost to operate a new 525-bed jail. Cost factors could include:

- **number of correctional officers needed**, including the costs of early retirement, union concessions, and payouts if CO positions are eliminated.
- **individual prisoner services**, including food service; and health, educational, and recreational services. Quantify any economies of scale that could be achieved.
- **staff retraining** both for programs and for new types of operations.
- **adding programs** to support transition and address mental health and substance abuse issues.

OPERATING REVENUES

Though rarely discussed, there is ample evidence that county officials expect to subsidize the cost of the new jail by “housing in” inmates from other counties.

This assumption seems suspect because over the past five years, other counties in the region have built their own huge new jails. Additionally, with hundreds of cells available nearby, the likelihood of sweeping revisions in the criminal justice system at the federal level, anticipated changes in New York State drug laws, and the community’s determination to find more effective alternatives to incarceration, Dutchess County risks building a white elephant – a jail with unused capacity.

“When the jail opened, Ulster County was able to charge boarding fees of around \$110/day per inmate But as new jails in other counties also have opened and competition for inmates has increased, the board-in rates have dropped.” (Daily Freeman, August 14, 2011)

With increased competition for inmates in the region, Ulster County now finds it necessary to economize by cutting back on the very services that could reduce its inmate population.

There are lessons for Dutchess County in these experiences, and elected officials are obligated to learn them.

ADDITIONAL INFORMATION

The CJNA (pages 17-24) contained the following data:

- Eighty percent of the jail population is unsentenced.
- More than 80% of inmates had been treated for mental health or substance abuse issues before they were incarcerated.
- At any given time, more than 20% of inmates are receiving psychiatric care.
- According to the CJNA report, p.24, inmates under 21 years of age represent 15% of the jail population. However, according to an analysis of the jail annual reports 22% of the inmates were under the age of 21.
- Women average 10% of the population in jail.

Trying to get definitive statistics is difficult. It is important to remember that all the inmates are individuals with unique needs and situations. The number of young people in the jail and those with a history of mental illness or substance abuse create opportunities for programs to provide treatment and ultimately reduce recidivism.

RESOLUTIONS

Resolution No. 2013182 – June 2013 – Issuing \$1.2M of bonds for planning and design costs

- The legislature anticipated that with the passage of this resolution, the COC would allow Dutchess County to place temporary pods for housing on the premises of the current jail, thereby eliminating/reducing the need to house out. However, on June 25, 2013, the county was informed that the resolution was insufficient because it “does not commit to the construction of a correctional facility or of a permanent addition to the present facility.”
- Resolution No. 2013220 – August 2013 – Authorized increasing the jail budget by \$3.2M (\$1.2M for overtime and \$2M for inmates in other institutions)

RECENT STUDIES

- 2011 study commissioned by the legislature
 - 2012 Criminal Justice Council Needs Assessment – Fall 2012
 - 2013 – Ricci Greene Associates report validating the Criminal Justice Council Needs Assessment (presented to the County Legislature May 28)
 - June 2013 - Study authorized by Resolution 2013182 – Request for Proposal currently under development
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LETTERS AND VALLEY VIEWS

LETTER TO DUTCHESS COUNTY EXECUTIVEMARCUS MOLINARO – DIANE JABLONSKI

I wanted to express my disappointment and concern with the ongoing discussions and proposed actions regarding the Dutchess County Criminal Justice system and the plan for a new jail. I have read both the original Criminal Justice Needs Assessment (CJNA) report, the Ricci Greene report, and attended the public presentations of both documents. I am well aware of the conditions at the jail, the need to upgrade the facility and the costs of housing out.

I am extremely concerned that the focus appears to be all on “bricks and mortar” and does not include recommendations for programs and process improvements. I was frankly appalled that the presentation by yourself, Sheriff Anderson, District Attorney Bill Grady, and Ricci Greene Associates focused on only one section of the report and ignored many of the other insightful and key recommendations and questions that the Ricci Greene analysis identified. I was also surprised that the Director of Probation and head of the Criminal Justice Council did not speak since many of the recommendations in the Ricci Greene report centered on work of the Department of Probation.

Both the original CJNA and the Ricci Greene report identified many programs/processes that could potentially impact the number of inmates requiring housing in high security space. The CJNA report presented no plan or strategy to implement those plans, and I believe that the support and funding for those programs, as well as other crime-prevention programs, has been continually eroded in the county budget in the past years. The Ricci Greene report correctly identified a significant number of questions that need to be addressed around these programs, discussing the development of a “full continuum of care system”.

The bond you are requesting must include an assessment of the total cost of implementing a complete criminal justice system with the necessary assessment programs, transition programs, and special programs for women and youth to reduce recidivism, maximize the number of individuals eligible for alternatives to incarceration, and accelerate the assessment process. All of the questions raised in the Ricci Greene report on page 2-4 should be addressed.

On page 2-6 of the report, Ricci Greene states that: “Dutchess County is committed to expanding the early screening and assessment that is currently in place. Such expanded use, allowing for earlier access to programming and more effective targeting of services and interventions sytem-wide is a key component of strong continuum of care and services throughout an individual’s involvement with the criminal justice system. The development of a full continuum of services, following a step-down model to re-entry is a goal of the Dutchess County CJC, and is recognized as best practice nation-wide.”

I ask that you take action to ensure that Dutchess County’s commitment as stated above is not just “words”, but a comprehensive, integrated plan with the financial analysis for program support included and not just a new building.

Ricci-Greene Associates and the County Executive presented a review of the current problems associated with the inadequacies of the current jail to the Dutchess County Legislature, and the Legislature voted a \$1.2 million bond issue for further study on Monday. The jail lacks space to serve the current population, necessitating “housing out” inmates to other counties, at an annual cost of \$8 million. The proposed solution is to build a new 500+ bed maximum-security jail, either on the current site or on the grounds of the Hudson River Psychiatric Center. However, the report also presented alternatives that, if implemented, could sharply reduce the number of jail beds needed. These need to be studied with at least as much intensity as the jail proposal.

Since February, a committee of the Dutchess Democratic Women’s Caucus has been reviewing material related to the jail including the Criminal Justice Council Report (2012), the Ricci-Greene Report (2013), the Dutchess County Jail Annual Reports from 2009-2012, current U.S. Census data for Dutchess County as well as other material relating to the issue. This month, the American Civil Liberties Union report, “The War on Marijuana in Black and White,” was published. After carefully analyzing the FBI data on felony arrests for marijuana, the authors concluded that blacks are far more likely to be arrested than whites, which has enormous ramifications for future employment, education, and even housing. In a June 6, 2013 article about the ACLU report, the *Poughkeepsie Journal* noted that while the discrepancy between black and white arrests is less in Dutchess than in other counties in New York, a black citizen is still over twice as likely to be arrested as a white one for the same marijuana-related offense.

County residents should demand that the new study addresses the following:

Why are blacks disproportionately represented in the inmate population? (10% of the population, yet 35% of the inmates). Is there discrimination at any, or every, level of the criminal justice system?

About 80% of the inmates have a history of substance abuse, domestic abuse, or mental illness. How could the needs of these people be better served?

How could programs for women and youth be strengthened to reduce recidivism or to prevent crime in the first place? Programs in other areas have yielded impressive results, and could serve as models for Dutchess.

Felony drug arrests in surrounding counties were down 25% from 2009-11, yet up 25% in Dutchess. Why?

About 80% of the inmates languish in jail for up to 40 days before trial. Why not implement some of the Ricci-Greene report’s suggestions for reducing this time? We recognize that these ideas require buy-in from the judicial system, but it is certainly in everyone’s interest to ensure speedy and fair trials.

Who is housed out? If the County is not able to provide adequate facilities for any segment of the inmate population (e.g. women, youth, substance abusers, mentally ill) perhaps special housing units/treatment centers are needed for them, not maximum security jail cells.

Any projections of inmate population need to consider the long-term ramifications of changes in New York State's drug laws, now under consideration in Albany.

According to the County Executive, we do not have the money for any improvements in support, intervention and Alternatives to Incarceration programs until we have a new jail. This seems short sighted. As Dutchess brings back the housed-out prisoners into temporary housing units, the existing programs should be evaluated and strengthened. The needs of the communities in which there is the most criminal activity should be addressed, with emphasis on jobs and programs for young people. Doing so may obviate the need for a new mega-jail and lead to wiser uses for our limited resources.

TO THE EDITOR – BETH KOLP

New York State is closing four prisons (July 27 article) because inmate populations have declined. Drug offenders are going to treatment programs, instead of prison, and the tough Rockefeller drug laws are being modified.

Now the Federal justice system is dropping mandatory prison sentences for many nonviolent offenses. Your online article (Aug. 13) describes a "rapidly evolving shift" in law enforcement approaches to nonviolent crimes—especially drug offenses—as prisons become too expensive for taxpayers to maintain.

So why is Dutchess County rushing in the opposite direction: toward a \$200,000,000 500-bed jail that its 300,000 residents cannot afford?

Jail proponents cite projected increases in inmate populations, but these projections probably err on the high side. If the Justice Department is backing off the failed War on Drugs, surely it will cut its massive funding support for local drug-law enforcement, as well. We will arrest and jail fewer offenders and use fewer jail cells.

Additionally, 80% of our inmates have substance abuse or mental health disorders, according to the needs assessment report of Dutchess County's Criminal Justice Council (p. 24). These people belong in treatment, not in jail. The report further reveals that 80% of inmates sitting in jail remain unsentenced (p. 17). Some have not been arraigned, much less tried; some cannot make bail. These, unless dangerous, need not be in jail at all.

To alleviate jail overcrowding, reduce the inmate population. Building a new jail is anachronistic... and just too costly.

TO LEGISLATOR BOLNER – ROBIN LOIS

As your constituent, I would like to ask for your ear and your help concerning the new proposed jail. Although the administration claims that building a new jail is needed and will save the taxpayers money that claim has not been adequately assessed and demonstrated. The studies that have been done to date by the County have led to more questions and alternative ideas that should be implemented.

This proposed project would be the biggest capital project ever undertaken by Dutchess County and would more than triple the current total indebtedness using the Criminal Justice Systems Needs Assessment (CJCNA) interest rate. Interest rates are rising and by the time bonds are issued we are talking about possibly quadrupling our debt. This will cost the taxpayers as well as put the county's fiscal and social state of affairs at risk. It will be on your shoulders if you vote yes to commit us to this magnitude of debt and we end up in a fiscal mess and a worse position socially.

No one can deny that the housing out expense is a huge problem or that the current jail is in disrepair but before we commit to such an undertaking we should understand why and know what all of our options are and be responsible with our money and more so with our prisoners (aka our citizens). Questions need to be answered. Why are there 44% more prisoners in jail currently driving up the housing out number when felony and misdemeanor arrest have only gone up by only 6.8% and 2.7% respectively (PoJo 7/21/13)? Why has the average length of stay increased by 25% in the last 5 years (Ricci Green report)? Why is 80% of the population currently in jail un-sentenced and or waiting for trial (CJCNA Report)? Where is the best place for the current population? Would it be less expensive and more effective to have the 80% of the current population who are mentally ill and or have substance abuse problems be somewhere else besides a maximum security prison? What will the operating expenses be of a new jail of this size and how will it effect the budget and the taxpayers going forward? What will happen to the minimal current programs in place that help to keep people out of prison? There's an empty jail in Beacon; is that being looked at as a possibility?

All of these questions and more need to be answered prior to building. You have approved \$1.2 million in June 2013 to do a further study of the jail. I hope you help ensure that these questions are answered in that study. There are many models in NY and NJ that we can look to for guidance by either learning from their mistakes (Ulster-was once a model of great programs that kept recidivism down but built a new jail and cut the programs and guess what...recidivism went up and so did their costs.) or from their success (Newark & Albany-slashed recidivism to 10% by implementing innovative, cost-saving re-entry programs.).

Our statistics here are bad. Our recidivism is up to 60%. If we don't help the juveniles and the drug addicts and the mentally ill with programs 60% come back to jail within three years at a cost of \$80,000 a year to the taxpayers. If we build the jail we will not have the money or the incentive to put the programs in place that will keep them out. It cost \$62.25 a day to house parolee's in a half-way house as opposed to \$220 a day in the current jail.

We are bleeding right now because of the housing-out costs that are now up to \$11 million this year. We need to do something NOW. Please push the administration to implement some of the CJNC's suggestions to lower the population and get the housing out number down. There are many low risk and non violent prisoners that can be released if we use Alternatives to Incarceration (ATI) such as curfew monitoring, incentive programs for inmates awaiting court dates, schedule pre-plea reporting earlier in the process, use probation supervision as a sentencing option more frequently, reinstate Failure to Appear Project for notification of court dates, use accelerated release and re-entry when possible, establish a Centralized Arraignment Court with all service agencies present to encourage release of accused individuals to a pre-trial release program, provide a 24-hour crisis center for individuals with a history of mental illness and or substance abuse, encourage the DA and

defense lawyers to expedite cases, initiate a bond loan fund, use Skype as a method of getting prompt legal council to first offenders and misdemeanors.

If you help implement some of these initiatives we can begin to lower the average length of stay, the current population, the housing out costs and the recidivism rate all at once.

There are many other programs that were cut and would cost money to reestablish but would have the results we need, particularly with youths; such as Dutchess County Youth Bureau Project, Big Brothers Big Sisters, YMCA, YWCA, and the Green Teen Community.

We should spend our money on what will help our community and get positive results. I would support upgrading and expanding the current jail to meet the needs of the Sheriffs office and the prisoners that we can't get out to start their lives but at a much smaller and fiscally responsible cost. But before then we need to get the population down and it is possible with your help....I implore you.

I personally would be more proud to live in a county that has lowered it's recidivism and prison population by using modern ATI and prevention programs than to live in one that has a great big \$200 million palace of a jail that will be under pressure to be filled and will be severely straining the already tenuous budget.

TERMS AND ACRONYMS

ACD	Adjournment in Contemplation of Dismissal (In Twn Pok Court)
ADP	Average Daily Population
ALOS	Average Length of Stay
ARRP	Accelerated Release and Re-Entry Program
ATI	Alternative to Incarceration
CJC	Criminal Justice Council
CJNA	Criminal Justice Needs Assessment
COC (or SCOC)	NYS Commission of Corrections
CTC	Community Transitions Center
EM	Electronic Monitoring
Housing Out	Overflow of inmates housed in other county jails
ITAP	Intensive Treatment Alternative Program (day treatment that works with high-risk individuals)
MH	Mental Health
NIC	Transition from Jail to Community
OCA	Office of Court Administration
ROR	Release on Own Recognizance
RUS	Release Under Supervision
SA	Substance Abuse

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