

CRIMINAL JUSTICE REFORM TASKFORCE (CJRTF)

2021 FINAL REPORT



**The Ulster County Criminal Justice Reform Task Force was established October 2019
(and extended August 2020)**

Our Mission

To evaluate all the impact of the New York State bail and discovery reforms and the county criminal justice delivery programs for efficacy, efficiency, and compliance with state requirements, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services but do not meet the extremely narrow qualifying criteria.

Appointed Members

Legislator Eve Walter, Chair
District Attorney Dave Clegg, Ulster County District Attorney's Office
Josh Gran, People Inc.
Acting Public Defender Cliff Owens, Ulster County Public Defender's Office
Legislator Kenneth J. Ronk, Jr., Minority Leader
Nancy Schmidt, Ulster County Probation Department
Lieutenant Joseph Sciutto, Ulster County Sheriff's Office
Assistant Public Defender Raymond Sprowls, Public Defender's Office
Commissioner Tyrone Wilson, Human Rights Commission
Alderwoman Rita Worthington, City of Kingston Common Council, Fourth Ward

Ex Officio Members

Chief Public Defender Ruth Boyer, Ulster County Public Defender's Office
Nina Dawson, Director, Ulster County Youth Board
Chairman David Donaldson, Ulster County Legislature
Sheriff Juan Figueroa, Ulster County Sheriff's Office
Dana Katz, Director, Program Director, One80, Family of Woodstock
Andrew Kossover, Member, Executive Committee of the NYS Bar Association's Criminal Justice Section,
and Past-President of the NYS Association of Criminal Defense Lawyers
Chief Robert Lucchesi, New Paltz Police Department
Kim Mapes, Youth & Family Engagement Coordinator, Ulster County Restorative Justice
& Empowerment Center
Hon. Robert Vosper, former Town Justice, Town of Rosendale

Community Members

Carl Brown, Community Action
Jacki Brownstein, New Paltz Resident
Renee Hack, New Paltz Resident
Elizabeth Lee, New Paltz Resident
Adriana Magaña, Wawarsing Resident
Tanya Marquette, Gardiner Resident
David McNamara, Samadhi
Dr. Edgar Rodriguez, New Paltz Resident
Jennifer Vallance, Shokan Resident
Dr. Maggie Veve, Town of New Paltz Resident

Other Participants

Claudia Battaglia, New Paltz Resident
Mary Trish Cina, Supervisor, Probation Department
Legislator Peter Criswell, Ulster County Legislature
Shelley Eshkar, Town of Rochester Resident
Fanon Frazier, Citizen Action NY
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Callie Jayne, Rise Up Kingston
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Cynthia Kim, Institute for Family Health
Robert Lesnow, Accord Resident
P. Chana Lunior, Woodstock Resident
Valarie Naccarato, Ulster County Probation Department
Carol Nolan, New Paltz Resident
Legislator Laura Petit, Ulster County Legislature
Lisa Royer, Kingston Resident
Jane Schanberg, New Paltz Resident

Special Guests

Hon. James Bacon, Ulster County Magistrates Association & New Paltz Town Justice
Hon. Charlie Dechon, Town of Wawarsing Town Justice
Public Defender Michael Baker, Broome County Public Defender's Office
Sheriff David Harder, Broome County Sheriff's Office
District Attorney Michael Korchak, Broome County District Attorney's Office
Dr. Edward Lawson, Jr., Family and Community Engagement Services, Inc.
Assistant District Attorney Garrett Lyons, Broome County District Attorney's Office
Major Mark Smolinsky, Broome County Sheriff's Office
Hon. Rhett Weires, New Paltz Town Justice

This report is a collaboration of UC-CJTF regularly attending members for the Ulster County Legislature.

July 2021

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Introduction

While the initial focus of the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) centered on bail and discovery reform, two significant events occurred in the duration of the UC-CJRTF: 1) The COVID-19 pandemic, and 2) The publicized death of George Floyd and the subsequent New York Governor's mandate that all municipalities identify police reform initiatives. As a result, bail and discovery reform was expanded to include diversion; alternatives to incarceration; police reform; and equity in criminal justice. These fell under five priority areas:

PRIORITY AREAS

Restorative Justice

Balancing the Rights of Accused with Rights of Victims

Crisis Response

Supporting Law Enforcement's Capacity to Work with People in Crisis

Ethics and Integrity in Law Enforcement

Responding to Discrimination

Identifying and Preventing Discrimination in the Criminal Justice System

Reintegration of Incarcerated Individuals

Reduce the Revolving Door of Criminality

Centralized Arraignment

Restorative Justice: Balancing the Rights of Accused with the Rights of Victims

BACKGROUND

In 2013, with funding from the New York State Department of Criminal Justice Services (DCJS), the Ulster County Department of Probation, in partnership with Family of Woodstock, Inc., implemented and evaluated an innovative program called One80 which serves youth aged 7–17 through referrals from police and schools of youth at-risk of arrest. Since the program started, nearly 300 Restorative Justice Circles have been completed, resulting in a recidivism rate of only 6%.

In the duration of the UC-CJRTF, several changes have already been implemented: 1) the provision of monthly Restorative Justice trainings for any Ulster County resident interested in understanding the process and/or ultimately leading a Restorative Justice Circle as a facilitator; 2) the expanded engagement of the Office of the District Attorney which supported an expansion of the program to include adults aged 18–26 with misdemeanors and non-violent felonies. In addition, the UC-CJRTF supported an expanded definition of restorative justice to include community building among neighbors.

OUTSTANDING NEEDS

The UC-CJRTF felt a strong desire to see Restorative Justice practices in Ulster County further expand where ultimately, they can be used for a larger number of cases to divert individuals from the jail and toward greater community cohesion. While the expansion of Restorative Justice overall, and over the next several years, will continue to be addressed by the District Attorney’s Restorative Justice Working Group, at this stage, it was felt that an understanding of how Restorative Justice works would be highly beneficial to improve the responses to crime and victimization in our county by those hired to provide these services.

ALIGNMENT WITH EXECUTIVE’S JUSTICE REFORM REPORT

The UC-CJRTF outstanding needs align with the Executive’s Report’s justice reform goal; “Create a culture in Ulster County of healing and repairing instead of punitive.”

PROPOSED INITIATIVES

Legislative Resolution: Implementing a Restorative Justice Training Program for the employees who are active in the administration of criminal justice services in the County Departments of Probation, Public Defender, and Conflict Administrator, and in the Elected Offices of the District Attorney, and Sheriff (see Appendix, pages 12–15).

Crisis Response: Supporting Law Enforcement's Capacity to Work with People in Crisis

BACKGROUND

People living with mental illness in New York are more likely to encounter the criminal justice system, resulting in a large number of arrests and incarcerations (National Survey of Drug Use and Health). For 2021, our county invested money to expand the Mobile Mental Health services to a broader geographic area, and also added a social worker position to the 911 dispatch system particularly to assist when law enforcement is engaged with an individual experiencing a mental health crisis.

Ulster County sees an average of 30 opioid overdoses each month, a rate driven mostly by consistently higher rates since the start of the COVID-19 pandemic. From May 2020 through May 2021, there were 526 confirmed opioid-related overdoses resulting in 71 fatalities in our County (Ulster County HEAL). In terms of mental health, according to the NYS Health Foundation, 37% of adult New Yorkers reported poor mental health in fall 2020. This rate is higher for Black, Indigenous, and People of Color (BIPOC), younger adults, and low-income individuals.

In 2020, our county lost its only inpatient mental health and substance abuse recovery beds early in the pandemic when Westchester Medical Center moved their beds to Dutchess County and provided no timeline to return inpatient beds to Ulster County. While law enforcement utilizes the psychiatric emergency room when the need arises, an estimated 65% of those seen in our regional psychiatric emergency room are directly discharged, supporting the need for non-hospital level services for these individuals.

OUTSTANDING NEEDS

Our county residents who experience mental or substance abuse crisis deserve a 24-hour/7-day a week response stabilization center to immediately connect them with an integrated team of clinical counselors, peer specialists, and behavioral health professionals, as well as to our local community's health and human service providers, to address any mental health, addiction, or social determinant of health needs.

Further, they deserve access to longer-term respite beds that continue these services as the individual needs. For the crisis hub/stabilization center, individuals may seek care voluntarily or maybe brought in by law enforcement on a crisis intervention call. For respite beds, individuals may be able to enter and leave as they feel they need. For each, service users should have access to health assessments, motivational interviewing and de-escalation, peer support and engagement, crisis counseling, guest-centered care planning, recovery and wellness education, direct connections to outside services, advocacy, and follow-up to ensure quality outcomes. At both the crisis stabilization center and respite beds, all users must feel safe and welcome. For many, this may be their first experience asking for help and support.

ALIGNMENT WITH EXECUTIVE'S JUSTICE REFORM REPORT

The UC-CJRTF outstanding needs align with the Executive's justice reform goal: "We will create an Ulster County culture of treatment and healing instead of incarceration and punishment for people experiencing mental health crises."

PROPOSED INITIATIVES

Legislative Proposal: Create and fund a Crisis Stabilization Center and two 4-bed, 7–10 day recovery homes for individuals experiencing mental health or substance abuse crises (see Appendix, pages 16–21).

Ethics and Integrity in Law Enforcement

BACKGROUND

Law enforcement is entrusted by the public to demonstrate high ethical standards which are consistent with the laws they have sworn to uphold. To be worthy of this trust, and to ensure that the professional conduct of law enforcement is lifted and held at the highest level, internal regulation and robust training must be prioritized and fully integrated into any law enforcement body.

Professionalism in law enforcement requires establishing minimum standards of ethical codes conduct, vigorous investigations into breeches of these codes, and defined rules for internal discipline to ensure compliance. Further, professionalism in law enforcement requires the implementation of comprehensive and continuous education of its members specifically around the type of events that have historically resulted in breeches of these codes of conduct among law enforcement.

Crisis Intervention Training (40-hours) can equip responding officers with the skills, knowledge, and community connections they need to: a) engage safely and effectively with people in crisis; b) link people in need to the best local services, supports, and resources; divert people from the criminal justice system whenever appropriate; c) improve the overall safety of such interactions—for all parties involved; and reduce repeat crisis calls.

OUTSTANDING NEEDS

Currently, complaints against officers presented both internally and externally, are handled as a collateral duty by a member of the Sheriff's team. As a collateral duty, the response to complaints is limited due to the limited amount of person-time available to investigate and respond to complaints, and also, a lack of independence from those for whom the complaint is about.

The Sheriff's Office requires a full-time Professional Standards Supervisor to oversee audits, quality assurance, and policy. This individual will conduct team inspections and will report to the Sheriff and Undersheriff and must not be affiliated with any police or corrections unions. The Professional Standards Supervisor will further provide administrative oversight of Equal Employment Opportunity Commission (EEOC), Employee Assistance Program (EAP), and Crisis Intervention Training (CIT). While the volunteer Ulster County Sequential Intercept Model (SIM) Diversion Committee currently organizes and delivers CIT trainings for Ulster County-based law enforcement, the local program is lacking in several ways: 1) there is no dedicated Ulster County CIT leadership; 2) the program is de-centralized amongst multiple police departments and potential teams; 3) there is too much diversity in each municipal police department's crisis response procedures.

The CIT Coordinator, centralized in Ulster County Sheriff's Office, would be able to: a) develop and grow the local CIT infrastructure, including representation from each police department, the local crisis response system of care, and peers/consumers/users of services; b) review and revise local law enforcement policies & procedures related to crisis response (achieving greater standardization whenever possible); c) improve integration (coordination & collaboration) between law enforcement and the behavioral health system of care; d) ensure program quality and fidelity to CIT standards; e) organize and help deliver all future CIT trainings; and f) provide community outreach and education about CIT's mission, vision, core values, activities, goals, and outcomes.

ALIGNMENT WITH EXECUTIVE'S JUSTICE REFORM REPORT

The UC-CJRTF outstanding needs align with the Executive's reports justice 5-year priority: "Expand Crisis Intervention Trainings to 50% percent of the Sheriff's Office personnel and 25% of all local Police Departments in Ulster County."

PROPOSED INITIATIVES

Legislative Resolution: Create and fund (including training costs) a Professional Standards unit including a Supervisor and CIT Manager to serve under the Ulster County Sheriff (see Appendix, pages 22–27).

Responding to Discrimination: Identify and Prevent Discrimination in the County Criminal Justice System

BACKGROUND

Based on the 2019 arrest and conviction data collected by the New York Department of Criminal Justice, in Ulster County, the rate of arrest of Black individuals is 39% higher than that of Whites; this jumps to 101% higher for felonies and 238% higher for drug felonies. Further, while 51% of arrests for Whites resulted in a sentence conviction, the rate is 72% for Blacks. As socio-demographics, such as disability, income, sexuality etc. are not collected in arrest data, potential discrimination based on these factors these cannot be enumerated but likely exist.

Governor Cuomo's Executive Order 203, stipulated that: "each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color;" The attention to the need to engage community members into conversations about the nature of and responses to discrimination in criminal justice was highlighted in the Governor's Executive Order.

OUTSTANDING NEEDS

While there are complaint processes in place for each area of the criminal justice system, most individuals are unaware of how to issue their complaints should any arise. The CJRTF identified the need for the county to provide assistance to any individual who feels they have been discriminated against by any employee of the criminal justice system including law enforcement, attorneys, judges, and corrections officers, and seek to properly report the incident.

The goal is to create a resource that assists individuals to appropriate and existing reporting systems. While most individuals will be supported in directing their complaints to the appropriate oversight bodies and human rights complaint will be considered for investigation by the Human Rights Commission.

Further, there is a need to continue the community engagement in successes and barriers identified at the municipal and county-levels to assure implementation of efforts that were carefully imagined. Therefore, it is proposed that a county-wide law enforcement community advisory board be formed from the membership of each municipal police reform taskforce and the mission to support the implementation of police reform measures across the county. This group shall meet quarterly to discuss advances and barriers to implementing the recommendations of each municipal task force as well as that of the county.

ALIGNMENT WITH EXECUTIVE'S JUSTICE REFORM REPORT

Although the Executive's commission recommended the creation of a Sheriff Police Review Board, members of the UC-CJRTF felt strongly at this time that an advisory board to support reform plans across the county was germane at this time.

PROPOSED INITIATIVES

Legislative Resolutions: Implementation and staffing of a Discrimination in Ulster County Criminal Justice System Complaint Hotline for Referrals through the Human Rights Commission (see Appendix, pages 28–32).

Legislative Resolution: Create a County Law Enforcement Community Board comprised of leaders from each municipal police reform task force (see Appendix, pages 33–35).

Re-Integration: Reduce Revolving Door of Criminality

BACKGROUND

According to the New York State Department of Corrections and Community Supervision, approximately 43% of corrections inmates are returned to custody after release (DOCCS Fact Sheet, May, 2021). The New York State Department of Criminal Justice Services (DCJS) encouraged counties to develop a Re-Entry Taskforce. These taskforces are tasked with coordinating services to individuals who are returning to their communities after serving a state prison sentence and determined to be at moderate or high risk of reoffending.

Currently, Family of Woodstock implements these services to assist these individuals to return to our community from the prison system through supports including housing, counseling, and treatments to help them to succeed and not reoffend. Based on 2018 data, as a result of this program, only 8% of released state inmates reoffended and these re-offenses typically occurred within two months of release.

In Dutchess County, a recent study demonstrated that around 37.5% of jail inmates with behavioral health issues could have been safely diverted in the pre-arrest stage if linked to treatment alternatives to incarceration—this accounts for almost 25% of the total jail population

OUTSTANDING NEEDS

Our county Sheriff has been looking to establish partnerships with local businesses to provide occupational training to individuals held in our jail with the hope of transitioning these individuals to jobs upon release.

However, we have no formalized re-entry program to support those who are released from our jail to support their re-entry and provide the skills and care they need to not reoffend. Such a program would reflect programs in the state prison system which access during incarceration: employment, housing, education/training, substance abuse and mental health needs, provide training and support for individuals while incarcerated, and provide continued training and support upon release.

The UC-CJRTF feel it is paramount to implement a reentry program in our county by calling out, through a request for proposal, to the agencies with experience providing comprehensive re-entry services to incarcerated individuals.

ALIGNMENT WITH EXECUTIVE'S JUSTICE REFORM REPORT

The Executive's Commission for Justice Reform suggests the immediate action of: 1) [creating] discharge plans that connect incarcerated people to housing, mental health treatment, and jobs prior to release; and 2) [increase] job training programs to upskill incarcerated people and connect them to jobs upon release." These goals and addressed and expanded upon in this proposal.

PROPOSED INITIATIVE

Legislative Resolution: Implementation of a Request for Proposal to Provide Re-entry Services to Ulster County Jail Inmates (see Appendix, pages 36–37).

Centralized Arraignment

BACKGROUND

In the Governor's 2017–2018 budget, New York State passed Chapter 492 amending section 212(w) of the Judiciary Law to allow the Chief Administrative Judge to establish a plan for off-hours arraignment parts in the local courts. This legislation was intended to improve access to public defenders or assigned counsel for indigent defendants. This statute allows law enforcement to bring a person accused to Centralized Arraignment Part (CAP) when all courts are closed (off-hours) and then send the case back to the court that has trial jurisdiction. The Uniform Justice Court Act was modified to allow a rotation of elected magistrates at the CAP location.

The 2019 New York Bail Reform and the 2020 revisions resulted in what may be perceived as a reduction in need for off-hour arraignments as magistrates are instead directing law enforcement to issue appearance tickets where appearances would occur during that court's scheduled time. Measuring the need for a CAP system has been further impeded by the COVID pandemic with many courts closed and a move toward virtual hearings.

To date, 17 New York counties (37%) have implemented centralized arraignment. Others, such as Dutchess County are still in exploration.

OUTSTANDING NEEDS

It anecdotally appears that the bail reforms have not achieved their full impact in regard to initial appearance before a magistrate. The reform, particularly the 2020 revision, directs magistrates to consider non-monetary condition of release, including mandated treatment or hospitalization—actions particularly important if the arrested individual is acutely experiencing a substance abuse or mental health crisis at the time of arrest. What appears to be occurring is several magistrates, when contacted off-hours, are more often directing law enforcement to issue appearance tickets without reviewing if non-monetary conditions of release are needed.

As success with implementing a CAP program in our county necessitates full cooperation from the local magistrates, at this time, efforts are being made to encourage magistrates to consider the potential positive implications while also addressing other municipal impacts (e.g. transport). To date, no consensus has been reached in our county as to whether we should move toward becoming a CAP county.

PROPOSED INITIATIVE

Should the decision be made to move forward to make Ulster a CAP county we would need to be pass:

Legislative Resolutions Authorizing a Home Rule Request to make Ulster County a CAP county (see Appendix, pages 38–41).

Appendix

Legislative Resolutions

Restorative Justice: Balancing the Rights of Accused with the Rights of Victims

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Establishing A Policy Requiring The Ulster County Personnel Director To Identify County Positions That Work Directly With Crime Victims And Persons Accused Of Crimes

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete) and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, In 2013, with funding from the New York State Department of Criminal Justice Services (DCJS) the Ulster County Department of Probation, in partnership with Family, Inc., implemented and evaluated an innovative program called One80 serving youth at-risk of arrest aged 7-17 through referrals from police and school districts; and

WHEREAS, since its inception, several changes have been implemented to the Ulster County Restorative Justice program including: 1) the provision of monthly Restorative Justice (RJ) trainings for any Ulster County resident interested in understanding the process and/or ultimately leading a RJ Circle as a facilitator; 2) the expanded engagement of the Office of the District Attorney; 3) an expansion of the program to include adults aged 18-26 with misdemeanors and non-violent felonies.; and

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) which has set forth to evaluate existing and potential criminal justice programs, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed the report of the UC-CJRTF; and

WHEREAS, the Ulster County Criminal Justice Reform Taskforce expressed a strong desire to see restorative justice practices in Ulster County further expand where ultimately it can be used for a larger number of cases diverting individuals from the jail and toward greater community cohesion.; and

WHEREAS, the one of the County Executive's Justice and Reform goals is to, "create a culture in Ulster County of healing and repairing instead of punitive;" and

DRAFT Resolution No. 1 Month X, 2021

Establishing A Policy Requiring The Ulster County Personnel Director To Identify County Positions That Work Directly With Crime Victims And Persons Accused Of Crimes

WHEREAS, while the expansion of Restorative Justice overall and over the next several years will continue to be addressed by the District Attorney's Restorative Justice working group, the UC-CJRTF believes that an understanding how restorative justice works would be highly beneficial for improving county responses to crime and victimization by certain county positions; and

WHEREAS, Article X, §A-10-1 of the Administrative Code provides that, "The Personnel Director shall make such other reports at such times as may be required by the County Legislature..."; now therefore be it

RESOLVED, the Ulster County Legislature establishes a policy requiring the Ulster County Personnel Director to prepare a report for the Legislature of all job titles, including vacant positions, in the county with responsibilities relating to the administration of criminal justice services, including positions that work directly with crime victims and persons accused of crimes, in the County Departments of Probation, Public Defender and Conflict Administrator, and in the Elected Offices of the District Attorney, and Sheriff, and be it further

RESOLVED, that this report shall be provided to the Clerk of the Legislature on October 1st of each year, with changes from the previous year's report clearly indicated,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES

Passed Committee: Law Enforcement and Public Safety on

Passed Committee: Ways and Means on

FINANCIAL IMPACT:
NONE

Requesting The County Executive Require Restorative Justice Training For County Personnel Working Directly With Crime Victims And Persons Accused Of Crimes

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete) and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, In 2013, with funding from the New York State Department of Criminal Justice Services (DCJS) the Ulster County Department of Probation, in partnership with Family, Inc., implemented and evaluated an innovative program called One80 serving youth at-risk of arrest aged 7-17 through referrals from police and school districts; and

WHEREAS, since its inception, several changes have been implemented to the Ulster County Restorative Justice program including: 1) the provision of monthly Restorative Justice (RJ) trainings for any Ulster County resident interested in understanding the process and/or ultimately leading a RJ Circle as a facilitator; 2) the expanded engagement of the Office of the District Attorney; 3) an expansion of the program to include adults aged 18-26 with misdemeanors and non-violent felonies.; and

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) which has set forth to evaluate existing and potential criminal justice programs, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed the report of the UC-CJRTF; and

WHEREAS, The Ulster County Criminal Justice Reform Taskforce expressed a strong desire to see restorative justice practices in Ulster County further expand where ultimately it can be used for a larger number of cases diverting individuals from the jail and toward greater community cohesion.; and

WHEREAS, the one of the County Executive's Justice and Reform goals is to, "create a culture in Ulster County of healing and repairing instead of punitive;" and

DRAFT Resolution No. 2 Month X, 2021

Requesting The County Executive Require Restorative Justice Training For County Personnel Working Directly With Crime Victims And Persons Accused Of Crimes

WHEREAS, while the expansion of Restorative Justice overall and over the next several years will continue to be addressed by the District Attorney's Restorative Justice working group, the UC-CJRTF believes that an understanding how restorative justice works would be highly beneficial for improving county responses to crime and victimization by certain county positions; and

WHEREAS, pursuant to Resolution No. XXX of 2021, the Ulster County Legislature adopted a policy requiring the Ulster County Personnel Director to "prepare a report for the Legislature of all job titles, including vacant positions, in the county with responsibilities relating to the administration of criminal justice services,

including positions that work directly with crime victims and persons accused of crimes, in the County Departments of Probation, Public Defender and Conflict Administrator, and in the Elected Offices of the District Attorney, and Sheriff"; now, therefore be it

RESOLVED, the Ulster County Legislature urges the Ulster County Executive to require and implement a Restorative Justice Training Program for the employees identified in the Personnel report, leveraging current RJ programming offered through the Restorative Justice and Empowerment Center, and tailoring the program as needed to each Department and/or Office,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES

Passed Committee: Law Enforcement and Public Safety on

Passed Committee: Ways and Means on

FINANCIAL IMPACT:

TBD

Calling For The Creation Of An Ulster County Crisis Stabilization Center And Requesting The Initiation Of Request For Proposal Processes For The Provision Of Services For Individuals Experiencing Mental Health And/Or Substance Use Crisis

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete), The Public Health and Social Services Committee (Chairman Lopez and Legislators Bruno, Criswell, Petit and Uchitelle) and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) which has set forth to evaluate existing and potential criminal justice programs, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed, the report of the UC-CJRTF; and

WHEREAS, the report finds that according to the National Survey of Drug Use and Health, people living with mental illness in New York are more likely to encounter the criminal justice system, resulting in a large number of arrests and incarcerations; and

WHEREAS, Ulster County sees an average of 30 opioid overdoses each month, a rate driven consistently higher since the start of the COVID-19 pandemic, with Ulster County HEAL reporting 526 confirmed opioid-related overdoses and 71 fatalities in our County from May 2020 through May 2021, and

WHEREAS, in 2020, Ulster County lost its only inpatient emergency mental health and substance abuse recovery beds when Westchester Medical Center/Health Alliance of the Hudson Valley moved their beds to Dutchess County to make room for a potential surge in COVID-19 patients; and

WHEREAS, while law enforcement utilizes the psychiatric emergency room when the need arises, many are faced extreme delays in access to intervention services, or a lack of available mental health and/or detox beds, resulting in an estimated 65% of those seen in our regional psychiatric emergency room being directly discharged, supporting the need for non-hospital level services for these individuals; and

DRAFT Resolution No. 3 MONTH X, 2021

Calling For The Creation Of An Ulster County Crisis Stabilization Center And Requesting The Initiation Of Request for Proposal Processes For The Provision Of Services For Individuals Experiencing Mental Health And/Or Substance Use Crisis

WHEREAS, the UC-CJRTF finds that Ulster County residents who experience mental or substance abuse crisis deserve a 24-hour/7-day a week Crisis Stabilization Center to immediately connect individuals experiencing mental health and/or substance use crisis with an integrated team of clinical counselors, peer specialists, and behavioral health professionals, as well as access to our local community's health and human service providers, to address any mental health, addiction, or social determinant of health needs; and

WHEREAS, it is expected that approximately 200 individuals will be served monthly when the center is at full capacity; and

WHEREAS, the parameters for a County Crisis Stabilization Center are outlined through approved amendments to the New York State Mental Hygiene law; now, therefore, be it

RESOLVED, the Ulster County Legislature calls for the creation of a Crisis Stabilization Center which operates 24 hours/day, 7 days per week, with sufficient staffing including: administrative staff, credentialed alcohol and substance abuse counselors (CASAC), social workers and/or otherwise licensed counselor, case managers, and certified recovery peer advocates (CPRA); priority should be given to individualized with personal lived recovery experience for mental health illness or substance abuse; and, be it further

RESOLVED, that the Ulster County Legislature requests the County Executive, in consultation with the Commissioner of Health and Mental Health, develop and initiate a Request for Proposals process to contract for the implementation and provision of services for individuals experiencing mental health and/or substance use crisis, and required to administer the Center; and, be it further

RESOLVED, that the Clerk of the Legislature be advised of all such Requests for Proposals and of the subsequent award of any such contract,
and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

DRAFT Resolution No. 3 MONTH X, 2021

Calling For The Creation Of An Ulster County Crisis Stabilization Center And Requesting The Initiation Of Request for Proposal Processes For The Provision Of Services For Individuals Experiencing Mental Health And/Or Substance Use Crisis

Passed Committee: Public Health and Social Services on

Passed Committee: Law Enforcement and Public Safety on

Passed Committee: Ways and Means on

FINANCIAL IMPACT: TBD

DRAFT

Calling For The Creation Of Respite Houses In Ulster County And Requesting The Initiation Of Request for Proposal Processes For The Provision Of Services For Individuals Seeking Mental Health And/Or Substance Use Recovery Assistance

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete), The Public Health and Social Services Committee (Chairman Lopez and Legislators Bruno, Criswell, Petit, and Uchitelle), and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) which has set forth to evaluate existing and potential criminal justice programs, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed, the report of the CJRTF; and

WHEREAS, the report finds that according to the National Survey of Drug Use and Health, people living with mental illness in New York are more likely to encounter the criminal justice system, resulting in a large number of arrests and incarcerations; and

WHEREAS, Ulster County sees an average of 30 opioid overdoses each month, a rate driven consistently higher since the start of the COVID-19 pandemic, with Ulster County HEAL reporting 526 confirmed opioid-related overdoses and 71 fatalities in our County from May 2020 through May 2021, and

WHEREAS, in 2020, Ulster County lost its only inpatient emergency mental health and substance abuse recovery beds when Westchester Medical Center/Health Alliance of the Hudson Valley moved their beds to Dutchess County to make room for a potential surge in COVID-19 patients; and

WHEREAS, while law enforcement utilizes the psychiatric emergency room when the need arises, many are faced extreme delays in access to intervention services, or a lack of available mental health and/or detox beds, resulting in an estimated 65% of those seen in our regional psychiatric emergency room being directly discharged, supporting the need for non-hospital level services for these individuals; and

DRAFT Resolution No. 4 MONTH X, 2021

**Calling For The Creation Of Respite Houses In Ulster County And
Requesting The Initiation Of Request for Proposal Processes For
The Provision Of Services For Individuals Seeking Mental Health
And/Or Substance Use Recovery Assistance**

WHEREAS, the UC-CJRTF finds that Ulster County is in need of a system of support services and continued care for individuals upon discharge from a hospital, Crisis Stabilization Center, or other mental health and/or substance use facility, or ideally, to prevent this type of emergency use; and

WHEREAS, Respite Houses are 4-8 bed short-term crisis respite homes open and accessible 24 hours a day, 7 days a week, 365 days a year which provide trauma informed, safe communities that allow individuals to work on their personal recovery from mental illness or substance use; and

WHEREAS, a Respite House is a self-referral service, ideally operated by individuals who themselves have had personal success with mental health and/or substance use recovery, designed to prevent hospital emergency use for psychiatric reasons and prevent potential future crises; and

WHEREAS, parameters of a Respite House (also known as a Crisis Residence) are outlined in Part 589 of 14 NYCRR; now, therefore, be it

RESOLVED, the Ulster County Legislature calls for the creation of multiple, 7-10 day Respite Houses in Ulster County, geographically spread out across the county, providing a minimum of eight beds overall, available to any resident of Ulster County ages 18 years old and over, with staffing for each home to include: administrative staff, crisis specialists, case managers, and administrative support; and, be it further

RESOLVED, that the Ulster County Legislature requests the County Executive, in consultation with the Commissioner of Health and Mental Health, develop and initiate a Request for Proposals process to contract for the administration and provision of services at two Respite Houses; and, be it further

RESOLVED, that the Clerk of the Legislature be advised of all such Requests for Proposals and of the subsequent award of any such contract,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

DRAFT Resolution No. 4 MONTH X, 2021

**Calling For The Creation Of Respite Houses In Ulster County And
Requesting The Initiation Of Request for Proposal Processes For
The Provision Of Services For Individuals Seeking Mental Health
And/Or Substance Use Recovery Assistance**

Passed Committee: Public Health and Social Services on

Passed Committee: Law Enforcement and Public Safety on

Passed Committee: Ways and Means on

FINANCIAL IMPACT: TBD

DRAFT

Amending The 2021 Ulster County Budget To Create A Professional Standards Supervisor Position – Sheriff's Office

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete) and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) to evaluate Restorative Justice Services in the county and explore opportunities for improvement and expansion; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed the report of the UC-CJRTF; and

WHEREAS, the Criminal Justice Reform Taskforce identified that law enforcement are entrusted by the public to demonstrate high ethical standards which are consistent with the law they have sworn to uphold; and

WHEREAS, the UC-CJRTF further found that to be worthy of this trust and to ensure that the professional conduct of law enforcement is lifted and held at the highest level, internal regulation and robust training must be prioritized and fully integrated into any law enforcement body; and

WHEREAS, professionalism in law enforcement requires establishing minimum standards of ethical codes of conduct, vigorous investigations into breeches of these codes, and defined rules for internal discipline to ensure compliance; and

WHEREAS, in the Ulster County Sheriff's Office currently complaints against officers presented both internally and externally are handled as a collateral duty by a member of the Sherriff's team; and

WHEREAS, this structure substantially limits response to these complaints due to a finite amount of person-time available to investigate and respond in conjunction with regular duties, and, creates a troubling lack of independence from those for whom the complaint is about; now, therefore be it

RESOLVED, that a full time Professional Standards Supervisor position is added to the office of the Sheriff to: oversee audits, quality assurance, and policy for that office and its members, conduct team inspections, uphold the Sheriff's Office Code of Conduct and investigate and claims of violation; and, be it further

DRAFT Resolution No. 5 MONTH X, 2021

Amending The 2021 Ulster County Budget To Create A Professional Standards Supervisor Position – Sheriff's Office

RESVOLVED, that this supervisor will provide administrative oversight of matters related to Equal Employment Opportunity Commission (EEOC), Employee Assistance Program (EAP), and Crisis Intervention Training (CIT) programing and training, including de-escalation and peer-to-peer mental health support instruction; and, be it further

RESOLVED, that this supervisor will create, implement, and regularly evaluate a triage diversion plan for individuals presenting with a mental health crisis to law enforcement, and will be responsible for the evaluation of current law enforcement policy the recommendation of potential revisions; and, be it further

RESOLVED, and that this position will report to the Sheriff and Undersheriff and must not affiliated with any unions, and be it further

RESOLVED, that the 2021 Ulster County Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
AA-3110-1810-1400-1400 (App.#)	Regular Pay	\$ 28,942.00
AA-3110-1810-4300-4345 (App.#)	Professional Services Education/Training	\$ 10,000.00
AA-3110-1810-8000-8000 (App.#)	Retirement	\$ 4,828.00
AA-3110-1810-8010-8010 (App.#)	Social Security	\$ 2,215.00
AA-3110-1810-8020 (App.#)	Health Insurance	\$ 7,922.00
AA-9900-9900-3700 (Rev.#)	Appropriated Fund Balance	\$43,905.00

and moves its adoption.

DRAFT Resolution No. 5 MONTH X, 2021

Amending The 2021 Ulster County Budget To Create A Professional Standards Supervisor Investigate and Uphold the Sheriff's Office Code of Conduct and Oversee EEOC and EAP/CIT – Sheriff's Office

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES

Passed Committee: Law Enforcement and Public Safety on

Passed Committee: Ways and Means on

FINANCIAL IMPACT:

\$53,905.00 – ADDITIONAL 2021 APPROPRIATION DOLLARS

\$85,838.00 – ESTIMATED 2022 ANNUAL REGULAR PAY

Amending The 2021 Ulster County Budget To Reflect Additional Funding for a Crisis Intervention Team Manager Position – Sheriff's Office

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete) and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) which has set forth to evaluate existing and potential criminal justice programs, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed the report of the UC-CJRTF; and

WHEREAS, people living with mental illness in New York are more likely to encounter the criminal justice system, resulting in a large number of arrests and incarcerations (National Survey of Drug Use and Health); and

WHEREAS, failures to develop a robust Crisis Intervention Team and to assure appropriate crisis intervention and de-escalation training for officers has been found to result in poorer outcomes for both law enforcement and individuals who interact with them in a potential arrest; and

WHEREAS, the Criminal Justice Reform Taskforce identified that a key way to prevent potential abuse of law enforcement toward a civilian is through the expansion of the Sheriff's Crisis Intervention Team (CIT) and de-escalation trainings for officers; and

WHEREAS, in 2021 Ulster County invested money to expand the Mobile Mental Health services to reach a broader geographic area and added a social worker position to the 911 dispatch system particularly to assist in incidents where law enforcement is engaged with an individual experiencing a mental health crisis; and

WHEREAS, these efforts are better realized with increased and improved training for members of the law enforcement community; and

WHEREAS, the current 40 hour de-escalation training implemented to some of the county law enforcers have been well received and has anecdotally shown an impact on preventing poorer outcomes for law enforcement and civilians but are costly and therefore not available to a broader group of police officers; and

DRAFT Resolution No. 6 MONTH X, 2021

Amending The 2021 Ulster County Budget To Reflect Additional Funding for a Crisis Intervention Team Manager Position – Sheriff’s Office

WHEREAS, the UC-CJRTF finds that these trainings should be formalized, required for new hires, available to our County’s municipal police and repeated in regular intervals; and

WHEREAS, the UC-CJRTF further finds that law enforcement peer support training centered on the mental health of law enforcement personnel is needed as well; and

WHEREAS, the County Executive’s Justice and Reform Plan includes a priority to, “expand crisis intervention trainings to 50% percent of the Sheriff’s Office personnel and 25% of all local Police Departments in Ulster County; now, therefore be it

RESOLVED, that a full-time Crisis Intervention Team manager position is created to: oversee crisis intervention trainings, including de-escalation and peer-to-peer mental health support trainings, evaluate and recommend potential revisions in law enforcement policy, create, implement, and regularly evaluate a triage diversion plan for individuals presenting with a mental health crisis to law enforcement, and be it further

RESOLVED, that the 2021 Ulster County Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
AA-3110-1810-1400-1400 (App.#)	Regular Pay	\$ 17,150.00
AA-3110-1810-8000-8000 (App.#)	Retirement	\$ 2,861.00
AA-3110-1810-8010-8010 (App.#)	Social Security	\$ 1,312.00
AA-3110-1810-8020 (App.#)	Health Insurance	\$ 4,694.00
AA-9900-9900-3700 (Rev.#)	Appropriated Fund Balance	\$26,017.00

DRAFT Resolution No. 6 MONTH X, 2021

Amending The 2021 Ulster County Budget To Create A Crisis Intervention Team Manager To Coordinate And Expand De-Escalation Trainings – Sheriff's Office

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: NOES

Passed Committee: Law Enforcement and Public Safety on

Passed Committee: Ways and Means on

FINANCIAL IMPACT:

\$26,017.00 - ADDITIONAL 2021 APPROPRIATION DOLLARS

\$50,865.67 – ESTIMATED 2022 ANNUAL REGULAR PAY

Establishing A Hotline To Provide Support And Referral Information For Individuals Who Believe They Have Been Discriminated Against In The Ulster County Criminal Justice System

Referred to: Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete) and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) which has set forth to evaluate existing and potential criminal justice programs, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed the report of the UC-CJRTF; and

WHEREAS, the report finds that based on the 2019 arrest and conviction data collected by the New York Department of Criminal Justice, the rate of arrest of Black individuals in Ulster County is 39% higher than that of Whites; this jumps to 101% higher for felonies and 238% higher for drug felonies; further, while 51% of arrests for Whites resulted in a sentence conviction, the rate is 72% for Blacks.; and

WHEREAS, as socio-demographics such as disability, income, sexuality etc. are not collected in arrest data potential discrimination based on these factors cannot be enumerated but likely exist; and

WHEREAS, measuring the true extent of discrimination experienced by individuals from police, attorneys, judges, probation and corrections officers is not possible; and

WHEREAS, while there are complaint processes in place for each area of the criminal justice system, most individuals are unaware of how to issue their complaints, should any arise; and

DRAFT Resolution No. 7 MONTH X, 2021

Establishing A Hotline To Provide Support And Referral Information For Individuals Who Believe They Have Been Discriminated Against In The Ulster County Criminal Justice System

WHEREAS, the Criminal Justice Reform Task Force identified the need for the county to provide assistance to individuals who believe they have been discriminated against by an employee of the criminal justice system including law enforcement, attorneys, judges, and corrections officers and seek to properly report the incident; now, therefore be it

RESOLVED, that it is the policy of Ulster County to provide a hotline for community members who believe they have been discriminated against in our criminal justice system to call to receive support and referral information as to the appropriate place and method to report the discriminatory treatment; and be it further

RESOLVED, that the Ulster County Legislature calls upon the Ulster County Human Rights Commission to administer and promote the hotline, and that it be dedicated solely for this purpose,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Law Enforcement and Public Safety on

Passed Committee: Ways and Means on

FINANCIAL IMPACT:

TBD

Amending The 2021 Ulster County Budget To Create A Criminal Justice Discrimination Support Referral Specialist – Human Rights Commission

Referred to: The Laws and Rules, Governmental Services Committee (Chairwoman Bartels and Legislators Gavaris, Heppner, Roberts and Ronk) and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) which has set forth to evaluate existing and potential criminal justice programs, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed the report of the UC-CJRTF; and

WHEREAS, the report finds that based on the 2019 arrest and conviction data collected by the New York Department of Criminal Justice, the rate of arrest of Black individuals in Ulster County is 39% higher than that of Whites; this jumps to 101% higher for felonies and 238% higher for drug felonies; further, while 51% of arrests for Whites resulted in a sentence conviction, the rate is 72% for Blacks.; and

WHEREAS, as socio-demographics such as disability, income, sexuality etc. are not collected in arrest data potential discrimination based on these factors cannot be enumerated but likely exist; and

WHEREAS, measuring the true extent of discrimination experienced by individuals from police, attorneys, judges, probation and corrections officers is not possible; and

WHEREAS, while there are complaint processes in place for each area of the criminal justice system, most individuals are unaware of how to issue their complaints should any arise; and

WHEREAS, the Criminal Justice Reform Task Force identified the need for the county to provide assistance to any individual who feels they have been discriminated against by any employee of the criminal justice system including law enforcement, attorneys, judges, and corrections officers and who seek to properly report the incident; and

DRAFT Resolution No. 8 MONTH X, 2021

Amending The 2021 Ulster County Budget To Create A Criminal Justice Discrimination Support Referral Specialist – Human Rights Commission

WHEREAS, the UC-CJRTF has learned that the Office of the Commissioner of Human Rights receives numerous calls seeking precisely this information on a regular basis; now, therefore be it

RESOLVED, a part-time Criminal Justice Discrimination Support Initiative Referral Specialist position will be created in the Human Rights Commission Budget to provide a support and referral system for community members who feel they have been discriminated against in our criminal justice system, and be it further

RESOLVED, that the 2021 Ulster County Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
AA-8040-3500-1400-1400 (App.#)	Part-Time Pay	\$ 8,057.00
AA-8040-3500-8000-8000 (App.#)	Retirement	\$ 1,344.00
AA-8040-3500-8010-8010 (App.#)	Social Security	\$ 617.00
AA-8040-3500-8020 (App.#)	Health Insurance	\$ 2,206.00
AA-9900-9900-3700 (Rev.#)	Appropriated Fund Balance	\$12,222.00

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

DRAFT Resolution No. 8 MONTH X, 2021

Amending The 2021 Ulster County Budget To Create A Criminal Justice Discrimination Support Referral Specialist – Human Rights Commission

Passed Committee: Laws and Rules, Governmental Services on

Passed Committee: Ways and Means on

FINANCIAL IMPACT:

\$12,222.00 - ADDITIONAL 2021 APPROPRIATION DOLLARS

\$23,894.42 – ESTIMATED 2022 ANNUAL REGULAR PAY

DRAFT

Establishing The Ulster County Law Enforcement Community Advisory Board

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete)

Legislator Eve Walter offers the following:

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) to evaluate Restorative Justice Services in the county and explore opportunities for improvement and expansion; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed the report of the UC-CJRTF; and

WHEREAS, the Criminal Justice Reform Taskforce identified with Governor Cuomo's Executive Order 203 (EO203) titled, New York State Police Reform And Reinvention Collaborative, stipulating that: "each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color," and

WHEREAS, EO203 stipulated the importance to engage community members in these discussions and as a result many community members committed extensive time and care into developing plans for each police force in the county including the office of the Sheriff; and

WHEREAS, there is a need to continue community engagement in successes and barriers to success identified at the municipal and county-levels to assure implementation of these carefully imagined efforts; and

WHEREAS, *pursuant to Ulster County Charter Section C-16 and the Administrative Code Section A2-11: "Advisory committees, commissions and boards. Members of all citizens' committees, commissions and boards appointed pursuant to Section C-11K of the Charter shall serve at the pleasure of the County Legislature. They shall serve without compensation other than for actual and necessary expenses within appropriations made therefor, unless otherwise provided by resolution of the County Legislature. The Chairman of the County Legislature shall be a member ex-officio of all such committees, commissions and boards;"* now, therefore, be it

DRAFT Resolution No. 9 MONTH X, 2021

Establishing The Ulster County Law Enforcement Community Advisory Board

RESOLVED, that the Ulster County Law Enforcement Community Advisory Board is hereby created as a centralized community advisory group tasked with supporting and evaluating the implementation of the reform plans approved for Ulster County as a result of EO203 for efficacy, efficiency, and compliance, to ensure the best and most cost-effective delivery of services as well as to discuss implementation, and barriers to implementation, of plans within individual municipalities; and, be it further

RESOLVED, that the Advisory Group shall consist of:

- One (1) community member representative from each of the Ulster County EO203 task forces,
- One (1) Legislator chosen by the Majority Leader,
- One (1) Legislator chosen by the Minority Leader, and, be it further

RESOLVED, that the Law Enforcement Community Advisory Group shall meet no later than 30 days after the appointments to said Advisory Group are made, and shall continue to meet no less than quarterly; and, be it further

RESOLVED, that the Executive's Office shall provide the assistance of such departments that he or she deems appropriate; and, be it further

RESOLVED, that the first meeting of the Advisory Group shall be convened by the Chair of the Ulster County Legislature and at said meeting, the members of the Advisory Group shall choose one of its members to be the Chair of the Advisory Group; and, be it further

RESOLVED, that the Advisory Group shall submit a written report of its findings and recommendations to the County Legislature for consideration, review, and appropriate action, if necessary, no later than one year after its first meeting; and, be it further

RESOLVED, that the Law Enforcement Community Advisory Group shall be dissolved upon filing its findings and recommendations with the Clerk of the Legislature,

and move its adoption.

DRAFT Resolution No. 9 MONTH X, 2021

**Establishing The Ulster County Law Enforcement Community
Advisory Board**

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Law Enforcement and Public Safety on

FINANCIAL IMPACT:
NONE

DRAFT

Requesting The Initiation Of A Request for Proposal Process For The Provision Of Re-Entry Services For Individuals Serving Time In The Ulster County Jail

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete) and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Legislator Eve Walter offers the following:

WHEREAS, Resolution No. 410 of October 15, 2019 established the Ulster County Criminal Justice Reform Task Force (UC-CJRTF) which has set forth to evaluate existing and potential criminal justice programs, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services; and

WHEREAS, the Ulster County Legislature is in receipt of, and has reviewed, the report of the UC-CJRTF; and

WHEREAS, the report finds that according to the New York State Department of Corrections and Community Supervision approximately 43% of corrections inmates are returned to custody after release (DOCCS Fact Sheet, May, 2021) and the New York State Department of Criminal Justice Services (DCJS) encouraged counties to develop a Re-Entry Taskforce to coordinating services to individuals who are returning to their communities after serving a state prison sentence and determined to be at moderate or high risk of reoffending; and

WHEREAS, in Ulster County Family of Woodstock, Inc. implements services to assist these individuals to return to our community from the prison system through supports including housing, counseling, and treatments to help them to succeed and not reoffend; and

WHEREAS, as a result, based on 2018 data, only 8% of released state inmates reoffended and these re-offenses typically occurred within two months of release; and

WHEREAS, the Ulster County Sheriff has been actively pursuing partnerships with local businesses to provide occupational training to individuals held in our jail with the hopes of transitioning these individuals to jobs upon release; and

DRAFT Resolution No. 10 MONTH X, 2021

**Requesting The Initiation Of A Request for Proposal Process For
The Provision Of Re-Entry Services For Individuals Serving Time In
The Ulster County Jail**

WHEREAS, we have no formalized reentry program to support those who are released from our jail to support their reentry and provide the skills and care they need to not reoffend; and

WHEREAS, the UC-CJRTF believes that a program reflective of that which is provided in the state prison system, including: assessing during incarceration an individual's employment, housing, education/training, substance abuse and mental health needs, providing training and support for individuals while incarcerated, and providing continued training and support upon release, will substantially benefit individuals incarcerated in Ulster County as well as the communities to which they return; and

WHEREAS, the County Executive's Justice and Reform Plan suggests the immediate action of 1) [creating] discharge plans that connect incarcerated people to housing, mental health treatment, and jobs prior to release; and 2) [increase] job training programs to upskill incarcerated people and connect them to jobs upon release."; now, therefore be it

RESOLVED, the Ulster County Legislature requests the County Executive, in consultation with the Ulster County Sheriff, develop and initiate a Request for Proposals process to contract for the implementation and provision of re-entry services to Ulster County jail inmates reflective of the services outlined above, and be it further

RESOLVED, that the Clerk of the Legislature be advised of all such Requests for Proposals and of the subsequent award of any such contract,
and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Law Enforcement and Public Safety on

Passed Committee: Ways and Means on

FINANCIAL IMPACT: TBD

Requesting The New York State Legislature Introduce, And The Governor Sign, An Amendment To Section § 500-C Of The New York State Corrections Law To Authorize The Ulster County Correctional Facility To Hold Persons Under Arrest For Arraignment In Any Court Located In The County Of Ulster (Phase I CAP)

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete)

Legislator Eve Walter offers the following:

WHEREAS, pursuant to New York Corrections Law § 500-C, the Ulster County Sherriff may not house persons arrested and detained prior to arraignment; and

WHEREAS, the Ulster County Sherriff has the adequate facilities and procedures to house said persons prior to arraignment; and

WHEREAS, detention of said persons prior to arraignment is in the best interest of promoting public safety and efficient use of law enforcement resources; and

WHEREAS, Pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for the purposes of said legislation; now, therefor be it

RESOLVED, the New York State Legislature and Governor are requested to pass legislation amending Section § 500-C of the New York State Corrections Law To Authorize The Ulster County Correctional Facility To Hold Persons Under Arrest For Arraignment In Any Court Located In The County Of Ulster (Phase I CAP) as follows:

Section 1. Section 500-a of the Correction Law is amended by adding a new subdivision 2-S to read as follows:

2-s. THE ULSTER COUNTY CORRECTIONAL FACILITY MAY ALSO BE USED FOR THE DETENTION OF PERSONS UNDER ARREST BEING HELD FOR ARRAIGNMENT IN ANY COURT LOCATED IN THE COUNTY OF ULSTER.

Section 2. Section 500-c of the correction law is amended by adding a new subdivision 25 to read as follows:

25. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN THE COUNTY OF ULSTER, ALL THE PROVISIONS OF THIS SECTION SHALL EQUALLY APPLY IN ANY CASE WHERE THE SHERIFF IS HOLDING A PERSON UNDER ARREST FOR ARRAIGNMENT PRIOR TO COMMITMENT, AS IF SUCH PERSON HAS BEEN JUDICIALLY COMMITTED TO THE CUSTODY OF THE SHERIFF AND SUCH PERSON MAY BE HELD IN THE ULSTER COUNTY CORRECTIONAL FACILITY.

DRAFT Resolution No. 11 MONTH X, 2021

Requesting The New York State Legislature Introduce, And The Governor Sign, An Amendment To Section § 500-C Of The New York State Corrections Law To Authorize The Ulster County Correctional Facility To Hold Persons Under Arrest For Arraignment In Any Court Located In The County Of Ulster (Phase I CAP)

Section 3. This act shall take effect immediately, provided, however, that the amendments to section 500-c of the Correction Law, made by Section two of this act, shall not affect the repeal of such section and shall be deemed repealed therewith.

; and, be it further

RESOLVED, that the Clerk of the Ulster County Legislature is hereby authorized to submit a Home Rule Request (Request by Local Government for Enactment of a Special Law), pursuant to Article IX of the New York State Constitution upon introduction of the above requested legislation; and, be it further

RESOLVED, this Home Rule Request shall be forwarded to the Governor, Senate Majority Leader, Senate Minority Leader, Assembly Speaker, Assembly Majority Leader, Assembly Minority Leader, New York State Assemblymembers Kevin Cahill, Jonathan Jacobsen, Brian Miller, and Chris Tague, and New York State Senators Michele Hinchey, Mike Martucci, Peter Oberacker, and James Skoufis,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Law Enforcement and Public Safety on

FINANCIAL IMPACT:
TBD

Approving Phase II Of The Ulster County Central Arraignment Part

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner and Parete)

Legislator Eve Walter offers the following:

WHEREAS, the Ulster County Sherriff has the adequate facilities and procedures to house said persons prior to arraignment;

WHEREAS, detention of said persons prior to arraignment is in the best interest of promoting public safety and efficient use of law enforcement resources; and

WHEREAS, Resolution No. XX Requesting The New York State Legislature Introduce, And The Governor Sign, An Amendment To Section § 500-C Of The New York State Corrections Law To Authorize The Ulster County Correctional Facility To Hold Persons Under Arrest For Arraignment In Any Court Located In The County Of Ulster (Phase I CAP) has been introduced for consideration by the Ulster County Legislature; and

WHEREAS, upon adoption of Resolution No. and subsequent enactment of the requested amendment to New York Corrections Law § 500-C, anticipated to be enacted into law on or before [MONTH DAY, 2021], allowing the Ulster County Sherriff to hold a person under arrest for arraignment, prior to commitment; and

WHEREAS, the Ulster County Central Arraignment Part provides for the regular hours and administration of the Ulster County Central Arraignment Part to conduct local criminal court arraignments, and provides for the availability to conduct emergency arraignments, which are requested to occur at any time of the day or night; and

WHEREAS, arrestees brought to the Ulster County Law Enforcement Center will, where practicable, be arraigned at the first available arraignment time within the Centralized Arraignment Part; now, therefore be it

RESOLVED, the Ulster County Legislature Approves Phase II of the Ulster County Central Arraignment Part; and, be it further

RESOLVED, that upon approval by the New York State Office of Court Administration of Phase II of the Ulster County Central Arraignment Part, operation shall commence as soon as practicable,

and move its adoption.

DRAFT Resolution No. 12 MONTH X, 2021

Approving Phase II Of The Ulster County Central Arraignment Part

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Law Enforcement and Public Safety on

FINANCIAL IMPACT: TBD

DRAFT