



**SUFFOLK COUNTY
CRIMINAL JUSTICE SYSTEM
ANALYSIS AND ADVISORY
RECOMMENDATIONS**

**A PLANNING & RESEARCH REPORT PREPARED BY
THE CRIMINAL JUSTICE
COORDINATING COUNCIL
SYSTEMS PLANNING SUB-COMMITTEE**

**SUBMITTED TO
THE SUFFOLK CORRECTIONAL FACILITY
REVIEW & OVERSIGHT COMMITTEE**

MAY 2005

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CHAPTER 1 - EXECUTIVE SUMMARY

INTRODUCTION

Suffolk County Executive Steve Levy convened a Correctional Facility Review and Oversight Committee (CFROC) in September of 2004 to bring together the key participants in Suffolk County's criminal justice system to:

- evaluate how the current criminal justice system impacts the utilization of its existing correctional facilities;
- recommend approaches to possibly limit the second phase of the proposed correctional facility in Yaphank; and
- provide oversight during construction of the proposed new correctional facility.

The Systems Sub-Committee of the Criminal Justice Coordinating Council (CJCC) was asked to provide detailed technical analysis and evaluation of topics selected by CFROC, and to conduct a systems analysis to improve the efficiency of Suffolk County's criminal justice system.

The first and foremost responsibility of the Sub-Committee is to ensure public safety.

- Priority issues were selected by CFROC for the Systems Sub-Committee analysis and the results were detailed in the "Report from the CJCC Systems Sub-Committee: Initial Issues Analysis," January 2005.
- The full Systems Sub-Committee continued to meet a total of fifteen times between November 18, 2004 and April 21, 2005 in order to complete a systems analysis of Suffolk County's criminal justice system, make recommendations for systemic improvements, and measure the impact of these recommendations.
- During the past six months, the Systems Sub-Committee surveyed key stakeholders, analyzed Suffolk County's crime trends, studied economic indicators, conducted a 'criminogenic population analysis', and developed a profile of the inmate population based upon a one-day snapshot of the Suffolk County Correctional Facility (*October 25, 2004*).
- All key stakeholders were surveyed regarding critical issues, and local, national and international research were reviewed and integrated into the planning process.

- An evidence-based, 'systems analysis' approach was employed throughout the Systems Sub-Committee process, and the results are presented within two categories:
 - 1) System Improvements & Policy Changes
 - 2) Program Changes.
- Twenty-nine major recommendations were agreed upon and reflect the work of the Systems Sub-Committee in identifying actions that would reduce crime, contain costs, and reduce jail overcrowding.
- Calculation of empirical outcomes of each of the recommendations are included in this report, including the potential impact on jail overcrowding.

RESULTS OF BRAINSTORMING

After careful analysis and review of the decline of serious crimes, the CJCC Systems Sub-Committee sought to understand why the jail continues to experience overcrowding and engaged in brainstorming sessions designed to answer some of the questions that arose during the review of the data. Criteria to the brainstorming was that only answers that could be empirically documented would be included. Chapter 3 includes a more detailed review of the brainstorming results, which are summarized below.

FINAL VALIDATED BRAINSTORMING RESULTS

QUESTION: IF SERIOUS CRIME HAS DECREASED SIGNIFICANTLY IN SUFFOLK COUNTY DURING THE LAST DECADE ACCORDING TO THE DIVISION OF CRIMINAL JUSTICE SERVICES, THEN WHY HAS THE SUFFOLK COUNTY JAIL POPULATION REMAINED SO HIGH?

I. POLICY CHANGES/DIFFERENT USES OF JAIL

1	More Non-Felony Crimes are Resulting in Incarceration.
2	Legislative and Administrative Changes Have Resulted in an Increased Use of Incarceration for Both Pre and Post Sentencing.
3	Defendants Identified with Gangs are Treated More Severely, even for Minor Crimes.
4	Changes in Judicial/Prosecutorial Practices.

II. MENTALLY ILL IN CRIMINAL JUSTICE/LACK OF ADEQUATE RESOURCES

5	Mental health facilities have closed giving the criminal justice system less options, therefore, resulting in more mentally ill persons in the jails.
6	Mentally Ill Chemically Addicted (MICA) Individuals and Substance Abuse cases have increased in the Criminal Justice System.

7	Mentally ill persons stay in jail on bail longer than general population inmates.
8	Transinstitutionalization, the movement of mentally ill from mental health hospitals (<i>which are no longer in existence</i>) to correctional institutions.
9	Lack of adequate housing and lack of community support services for individuals with mental illness.
10	Lack of diversion programs for the mentally ill.
11	Inadequate resources and physical plant are the biggest obstacles to providing mental health and substance abuse treatment in the jail.
12	Many inmates have poor educational backgrounds, learning disabilities and lack vocational skills.
III. CHEMICAL DEPENDENT POPULATION	
13	Alcohol and substance abuse problems are extremely high for the criminal justice populations.
IV. ALTERNATIVE TO INCARCERATION	
14	Significant reduction of ATI funding from New York State for the last 15 years has occurred.
15	Alternatives to Incarceration - knowledge of staff throughout the criminal justice system needs improvement.
16	Alternatives to Incarceration technology needs to be improved.
V. SYSTEMS PROBLEMS (CRIMINAL JUSTICE OR OTHER SYSTEMS)	
19	Court dockets get backed up.
18	Migratory patterns - Sober Homes from Riker's Island
19	Lack of supportive housing in Suffolk County.
VI. CRIME PATTERNS	
20	Even if serious crimes are down, total arrests are up.
VII. OTHER	
21	Many inmates in the general population have poor educational backgrounds, learning disabilities and lack vocational skills.
FUTURE STUDY	
1	Insurgence of gangs.
2	Juvenile crime drop impact on the jail population.

SUMMARY OF MAJOR FINDINGS

ADMINISTRATIVE

- The Systems Planning Approach has been extremely valuable during the current study in identifying areas that should improve public safety, contain costs, increase the efficiency of Suffolk County's criminal justice system, and reduce jail overcrowding.
- Additional systems planning efforts would be beneficial in the following areas: case processing from arrest to discharge; mentally ill defendants; transportation of inmates from jail to Court; motor vehicle crimes; Alternatives-to-Incarceration; and the use of technology and data sharing.
- A properly staffed and county supported CJCC could improve the overall functioning of the criminal justice system, and thereby improve public safety.

CRIME STATISTICS

According to the New York State Division of Criminal Justice Services Crime Statistics:

- Serious Crime in New York State is at its **Lowest Level** since Uniform Crime Reporting began in 1975.
- Index¹, Violent, and Property (serious) crime rates in New York State have fallen every year since the early 1990s, with the steepest declines occurring after 1994.
- Between 1980 and 2001 Suffolk County Index Crime has decreased 52%. Suffolk Index Crime reached a height of 79,494 in 1980 and has consistently decreased every year reaching a low of 37,219 in 2001.

SUFFOLK COUNTY POLICE DEPARTMENT ARREST STATISTICS

- Suffolk County Police Department arrest statistics show that serious crime has consistently decreased but the following categories of arrests have increased from 2001 to 2003: drug/alcohol related arrests (40%), property related arrests (4%) and public disorder (60%).

¹ Index Crimes are defined by the FBI as a basic measure of the occurrence of serious crimes, including murder, robbery, burglary, and arson

- Public disorder arrests experienced the highest increase of all arrest categories.

District Court Statistics:

- From 2000 to 2003, Vehicle and Traffic Misdemeanor charges increased 61% or 17,542 charges. During that same period, Driving with a Suspended License charges (511's) increased by 40% or 7,497 charges.
- In 2004, there were 3,777 (511's) 'Driving with a Suspended License' charges in Nassau County, while Suffolk County had 23,634 offenses (almost 20,000 more than Nassau County). Out of the entire state, the 511 issue is unique in its nature and scope to Suffolk County.

Criminal Justice System Dynamics:

- In general, high rates of poverty, unemployment and a large or growing population ages 18-25 are all variables that are considered to be associated with potential increases in any criminal justice system.
- On Long Island the 'senior' population is the segment of the population that is growing. Between 1980 and 1990 the population of seniors 65 and older increased 22%. From 1990 to 2000 it increased again by 18%.
- The teenage population dropped 28% from 1980 - 1990. It dropped 4% from 1990 - 2000. The teen population is expected to experience a negligible increase over the next few years.
- Suffolk County has the lowest poverty rate in NYS. As of 1999, 86,000 people (6.3%) in Suffolk were living in poverty.
- Suffolk County has an unemployment rate lower than the national unemployment rate. As of December 2004 the national unemployment rate is 5.1% while Suffolk County's unemployment rate is 3.9%. (*NYS Department of Labor and U.S. Bureau of Labor Statistics.*)
- All of these statistics lend support to a declining crime rate in Suffolk County.

SUFFOLK COUNTY JAIL POPULATION:

On October 25, 2004, a one-day 'snap shot' of inmates at the Suffolk County Correctional Facility was analyzed.

- Over half (53%, n=884) of the jail population were pre-trial defendants.
- Only 36% (612) of inmates within the jail were sentenced to county time.

- 6% (n=97) of the county jail population on October 25, 2004 were parole violators being held for New York State. However, according to the Pulitzer/Bogard study², the 2002 average daily inmate population consisted of 162 violation of parole inmates with a 78.9 day length of stay and total admissions of 753.
- Over 75% of inmates are being held on non-violent charges.
- 31% (n=521) of inmates were held on drug or alcohol related charges. **Almost a quarter, 22.7% (n=380), of prisoners were held on drug charges (does not include alcohol related)** Of these inmates a majority 60% (n=229) were held on criminal possession of a controlled substance or criminal possession of marijuana.
- 14.3 % (n=240) of the jail population were identified as gang affiliated.
- 16% (n=262) of inmates were held on property theft related charges.
- 17% (n=276) of inmates were in jail being held on public disorder charges.
- Over 14% (241) of **all** inmates were held on a charge that involved a **motor vehicle related offense**. 30% (74) of those inmates were being held at the jail for aggravated unlicensed operation of a motor vehicle (511). Of these charges, almost 60% (n=141) were related to drug/alcohol use and operation of a motor vehicle.
- 288 or 17% of the inmate population were designated as housed out. "Housed out" means that they were transported out of Suffolk County Jail due to overcrowding.
- Almost 20% (n=154) of pretrial inmates have bail of \$1,000 or less.
- 42% (n=115) of inmates within the pre-trial family misdemeanor category (n=270) were being held on drug/alcohol related charges. Almost, 90% of those charges were criminal possession of a controlled substance.

² The firm of Pulitzer/Bogard Associates., LLC was hired in 1999 to study the proposed expansion of the county's correctional facility and to perform a detailed assessment of the inmate population.

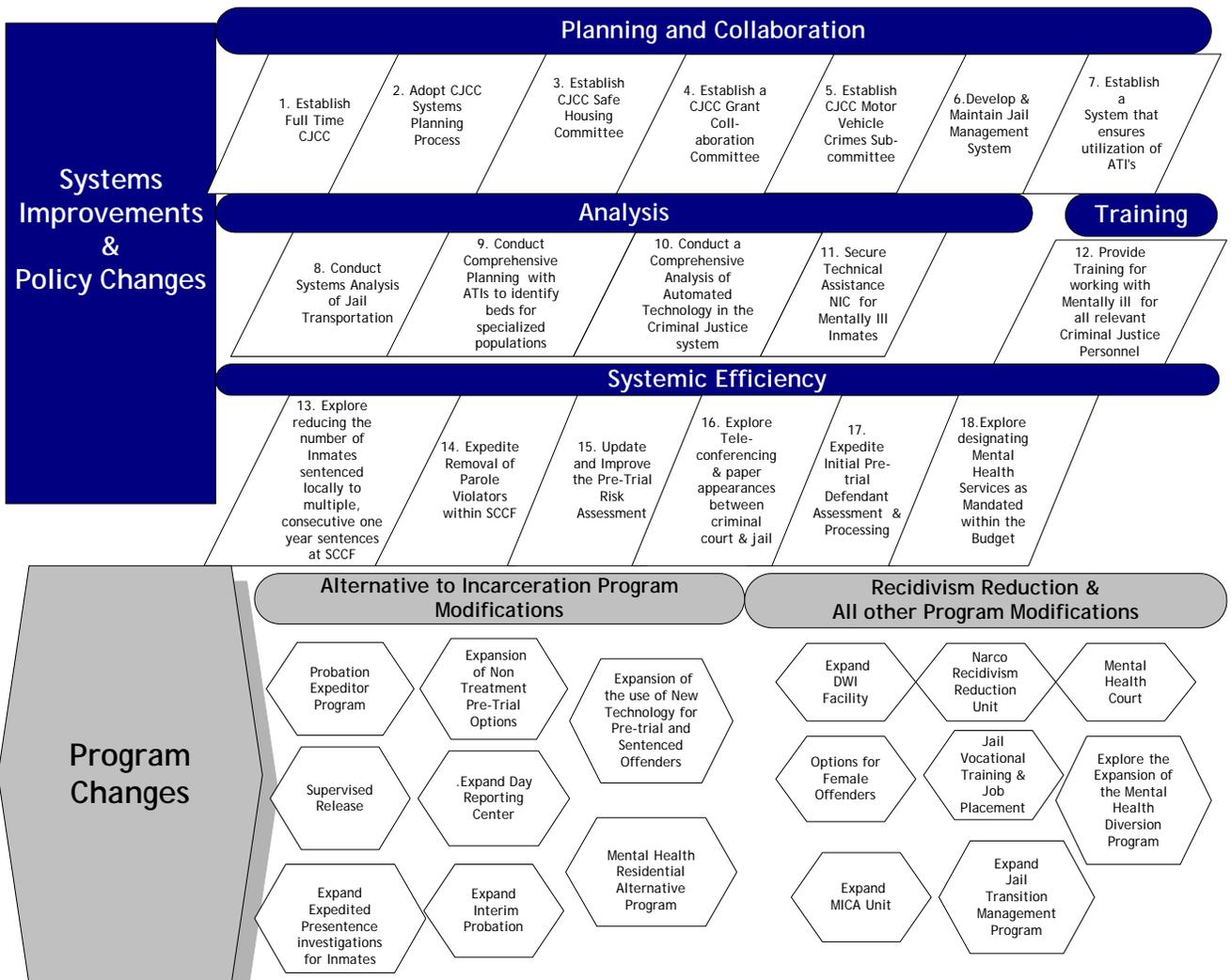
Chapter 6 provides detailed descriptions, rationales and impacts for each recommendation. The following table summarizes the Sub-Committee's recommendations.

SUMMARY OF SUB-COMMITTEE RECOMMENDATIONS	
SYSTEMS IMPROVEMENTS AND POLICY CHANGES	
PLANNING AND COLLABORATION	
1	Establish a full-time Criminal Justice Coordinating Council (CJCC) with the primary task of conducting rigorous and ongoing, system analyses of the Suffolk County Criminal Justice System.
2	Adopt and implement an ongoing CJCC systems planning process which mandates the participation of high level representatives from all key stakeholders of Suffolk County's criminal justice system.
3	Establish a formal CJCC Supportive, Safe Housing Committee to explore the critical issue of supportive, safe housing for the mentally ill, chemically dependent, and MICA populations.
4	Establish a formal CJCC Grant Collaboration Committee in order to increase the ability of Suffolk County to secure additional system funding from federal, state, private and non-traditional funding sources.
5	Establish a formal CJCC Motor Vehicle Crimes Sub-Committee that will conduct a systems analysis of this population and identify systems changes and program interventions that would improve public safety and system efficiency, while containing cost.
6	Develop and maintain a Jail Population Management System.
7	Develop and maintain an ongoing system that will increase the utilization of existing Alternatives-to-Incarceration (ATI) programs.
ANALYSIS	
8	Conduct a Systems Analysis of the Transportation Processing Between the Jail and the Court.
9	Conduct comprehensive planning in collaboration with the ATI's (Alternative to Incarceration Programs) to develop and identify available beds for both MICA's (Mentally Ill Chemical Abusers), and substance abusers to ensure there would be a resource (immediately accessible) to get individuals out of the jail and into drug/alcohol treatment.
10	Conduct a comprehensive analysis of automated technology in the criminal justice system in order to identify areas for improved efficiency.
11	Secure the technical assistance of the National Institute of Corrections (NIC) in analyzing the dynamics of mentally ill defendants and in recommending possible solutions and systems improvements that will improve public safety while providing effective program approaches.

TRAINING	
12	Provide all relevant criminal justice personnel with appropriate training for working with the Mentally III and the MICA populations, especially those personnel working in specialized correctional treatment programs.
SYSTEM EFFICIENCY	
13	Explore the feasibility of reducing the number of inmates sentenced locally to multiple, consecutive one-year sentences, instead of State Prison.
14	Expedite the removal of NYS Parole Violators currently housed in Suffolk County's Correctional Facilities by supporting the proposed legislation requiring that state parole violators be housed in a state facility while awaiting parole violation hearings.
15	Update and improve the Pre-trial Predictive Assessment System.
16	Explore teleconferencing and 'Paper Appearances' between the Criminal Court and the jail.
17	Expedite initial Pre-trial Defendant Assessment and Processing.
18	Explore whether or not the cost for mental health services in the jail should be categorized as mandated expenditures in the County Budget or remain in the discretionary portion of the budget.
PROGRAM CHANGES	
ATI PROGRAM MODIFICATIONS	
19	Probation Expeditor Program (PEP):
	A. Expand and improve the Pretrial Expeditor Program
	B. Expand Pretrial Expeditor Services to Justice Courts
	C. Improve Expeditor data sharing
	D. Provide Postal Follow-up for Justice Court Expeditor Cases
20	Supervised Release: A Key Stakeholders Problem-Solving Meeting should be convened immediately in order to review the pre-trial system, criteria, bail, exclusions and operations.
21	Expand Expedited Pre-Sentence Investigations (PSI's) for Inmates.
22	Expansion of Non-Treatment Pre-trial Options
23	Expand the utilization of the Day Reporting Center (DRC) for both pre-trial and sentenced individuals by increasing the staff with additional substance abuse counselors, and staff able to prescribe medication; improve transportation options.
24	Increase criminal justice mental health and substance abuse staffing in the jail.
25	Expand Recidivism Reduction Programs:
	A. Expansion of the DWI Jail Alternative Facility and Program
	B. Expand the Split-Sentence Substance Abuse Treatment Program
	C. Expansion of the Probation Mentally III Offender/MICA Intensive Supervision Program.
	D. Develop a Mental Health Residential Alternative to Incarceration Program.
	E. Develop and maintain a Correctional Treatment Narcotic Recidivism Reduction Program, which includes MICA offenders.
	F. Develop Vocational Training and Job Placement services for both pretrial and sentenced programs.

	G. Expand the Suffolk Options for Female Offenders Program
	H. Mental Health Court
26	The Jail Transition Case Management Program should be expanded for individuals with severe mental illness.
27	Expansion of the Use of New Technology for Both Pre-trial and Sentenced Offenders:
	A. Electronic Monitoring
	B. Alco-Sensor/Sobrieter
	C. Global Positioning Systems (GPS)
28	Explore the Expansion of the Mental Health Diversion Program
29	Provide additional resources to Interim Probation so that more Criminal Court cases can be supervised in an effective, accountable manner.

CJCC Planning Subcommittee Recommendations



REPORT LAYOUT

The report has been laid out in six chapters, which logically follows the work process of the Systems Sub-Committee:

CHAPTER 1 - EXECUTIVE SUMMARY

- Introduction, brainstorming results, summary of findings and recommendations, .

CHAPTER 2 - CRIMINAL JUSTICE SYSTEM DYNAMICS

- Crime Trends
- Criminogenic Population Analysis
- Economic Indicators

CHAPTER 3 - PROBLEM IDENTIFICATION

- Survey of Key Stakeholders
- Results of Brainstorming & Evidence

CHAPTER 4 - CRIMINAL JUSTICE SYSTEM POPULATION

- Suffolk County Correctional Facility Profile (October 2004)
- Justice System Assistance Team: An Examination of Jail Population Issues (2001)
- Assessing the Nature and Prevalence of the Mentally Ill in Suffolk County (2000)
- Mental Health and the Criminal Justice System in Suffolk County: A Progress Report (2003)
- Profile of Homeless Singles in Emergency Housing (2004)

CHAPTER 5 - RECIDIVISM REDUCTION AND ALTERNATIVE TO INCARCERATION PROGRAMS

- Factors Associated with Recidivism
- Effectiveness
- Alternative to Incarceration Programs in Suffolk County

CHAPTER 6 - RESULTS

- Recommendations
- Impact Analysis Summary
- Concluding Remarks

CHAPTER 2

CRIMINAL JUSTICE SYSTEM DYNAMICS

A complete analysis of the criminal justice system includes assessing crime trends, the jail population, systemic factors and also includes assessing variables beyond what is thought of as traditional criminal justice system variables. High rates of poverty, unemployment and a large or growing population age 18-25 are all variables that are considered to be associated with potential increases in the criminal justice system. Within the following chapter we explore crime trends, population trends and economic trends.

CRIME TREND ANALYSIS

The following section contains four components:

1. **Glossary of Terms:**
Definitions of criminal justice terms used within the section.
2. **Index Crime Trend Analysis**
Index crimes are the offenses defined by the Federal Bureau of Investigation (FBI) as a basic measure of the occurrence of SERIOUS crimes. Included are the violent crimes of murder, rape, robbery, and aggravated assault; and the property crimes of burglary, larceny, and motor vehicle theft and arson. *(Only fingerprintable offenses)*
3. **Local Arrest Crime Trend Analysis:**
Arrest Trend Analysis based upon local arrests statistics includes all major and minor offenses (includes finger-printable and non finger-printable offenses).
4. **District Court Statistics:**
Statistics provided by the courts on Vehicle, Traffic and Misdemeanor charges over the past three years.

GLOSSARY OF TERMS:

Convictions: The number of cases which resulted in at least one finding of guilt either by verdict or by plea. These totals include the sum of convictions for felony, misdemeanor, lesser and unknown offenses.

Felony: An offense for which a sentence to a term of imprisonment in excess of one year may be imposed. (NYS Penal Law §10.05).

Index Crimes: Offenses defined by the Federal Bureau of Investigation (FBI) as a basic measure of the occurrence of serious crimes. Included are the violent crimes of murder, rape, robbery, and aggravated assault; and the property crimes of burglary, larceny, motor vehicle theft and arson. These offenses have been universally defined by the FBI, and are not necessarily in accordance with New York State statutory classifications.

Jails: Locally-operated correctional facilities that confine persons before or after adjudication. Inmates sentenced to jail usually have a sentence of a year or less, but jails also incarcerate persons in a wide variety of other categories.

Misdemeanor: An offense other than a traffic infraction for which a sentence to a term of imprisonment in excess of 15 days may be imposed, but for which a sentence to a term of imprisonment in excess of one year cannot be imposed. (NYS Penal Law §10.04).

Percent Prosecuted in the Upper Courts: The percentage of felony arrests that retained their felony status by reaching the upper courts (county court or supreme court) for disposition. **All other felony cases disposed in the lower courts can be presumed to have been reduced to misdemeanor or lesser offenses.**

Prison: A sentence of one year or more in a State facility. The prison sentences shown do not represent actual admissions, but rather the number of such sentences imposed by the courts.

Probation: A sentence that involves supervision by a county officer. The probation sentences shown do not represent actual cases opened for intake, but rather the number of such sentences imposed by the courts.

The following section provides an overview of major criminal justice statistics within New York State and Suffolk County. Statistics for the analysis were obtained from New York State DCJS and Suffolk County Police Department. This section contains background on crime statistics, an overview of NYS longitudinal index crime statistics, convictions and sentence statistics, and local arrest trend statistics.

BACKGROUND ON CRIME STATISTICS:

The Uniform Crime Reporting program was implemented by the Federal Bureau of Investigation (FBI) in 1929 to standardize crime reporting across the country. Seven major Index crime categories were selected and reporting criteria established for each. The categories established are violent; crimes of murder, rape, robbery, and aggravated assault; and the property crimes of: burglary, larceny, motor vehicle theft and arson. An eighth category, arson, was later added.

INDEX CRIME ANALYSIS

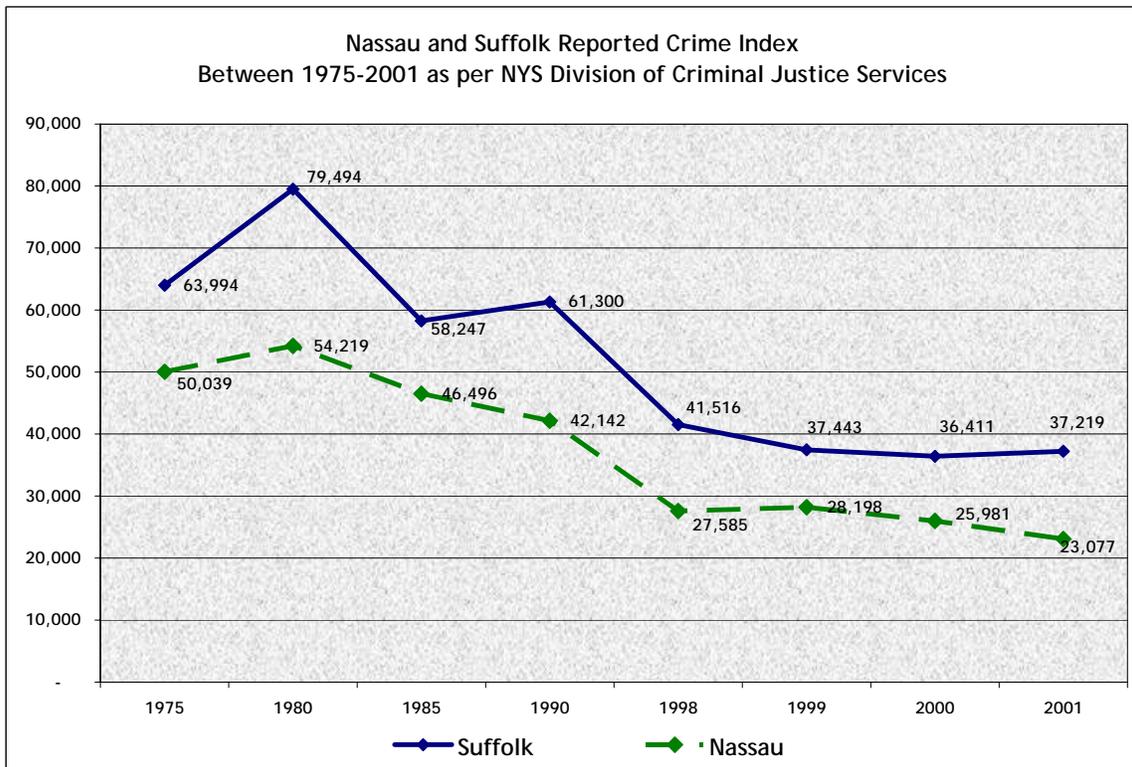
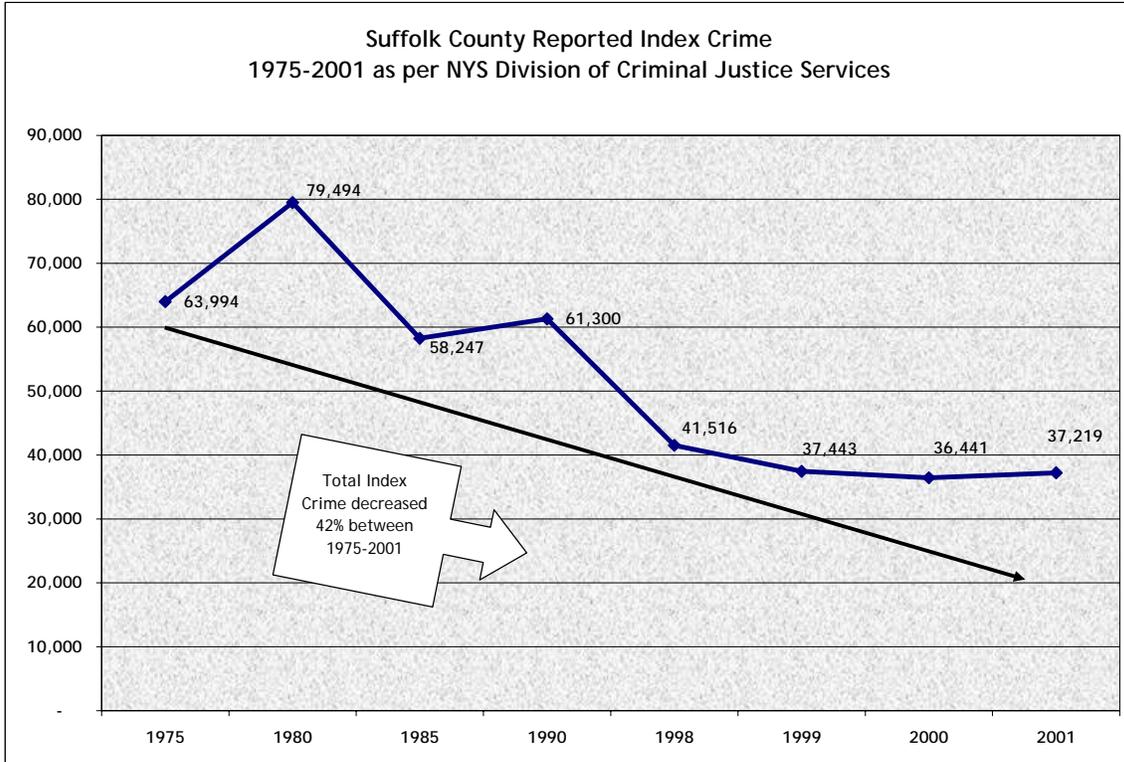
Index crimes are the offenses defined by the Federal Bureau of Investigation (FBI) as a basic measure of the occurrence of serious crimes. All are fingerprintable offenses.

(See glossary of terms-does not include lesser offenses)

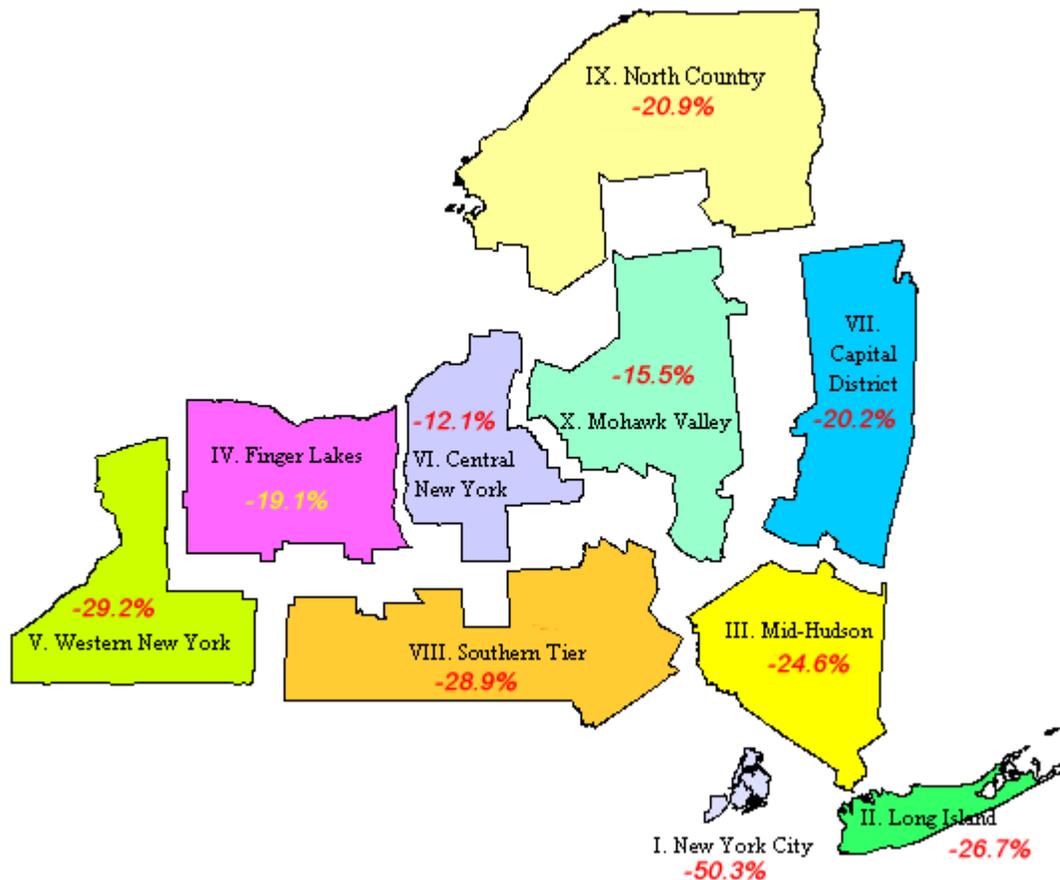
Please note:

- ✓ Index crimes are an important part of overall crime trends. However, in order to establish a comprehensive picture of crime trends it is important to consider local arrest and district court statistics which includes both finger-printable and non-fingerprintable offenses.
- ✓ According to NYS Division of Criminal Justice Services most recent report: *Most statistics are current to 2003, some statistics are current to 2001.
- ✓ Crime at Lowest Level Since Uniform Crime Reporting Began in 1975.

Index, Violent, and Property Crime Rates have fallen every year since the Early 1990s, with the steepest declines occurring after 1994.



**Decline in Crimes Reported by Economic Region
1994-2001 NYS**



New York City led the State in reducing the number of Index crimes between 1994 and 2001, dropping 50.3 percent during that time period. All regions of the State showed double-digit declines in crimes reported since 1994.

Counties are grouped into economic regions as defined below:

- I. New York City: Bronx, Kings, New York, Queens and Richmond*
- II. Long Island: Nassau and Suffolk*
- III. Mid-Hudson: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster and Westchester*
- IV. Finger Lakes: Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming and Yates*
- V. Western New York: Allegany, Cattaraugus, Chautauqua, Erie and Niagara*
- VI. Central New York: Cayuga, Cortland, Madison, Onondaga and Oswego*
- VII. Capital District: Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Warren and Washington*
- VIII. Southern Tier: Broome, Chemung, Chenango, Delaware, Otsego, Schuyler, Steuben, Tioga and Tompkins*
- IX. North Country: Clinton, Essex, Franklin, Jefferson, Lewis, St. Lawrence*
- X. Mohawk Valley: Fulton, Hamilton, Herkimer, Montgomery, Oneida, and Schoharie*

Local Crime Trends Compared with New York City:

Non-New York City (Long Island)								
Index Offenses Reported to Police: 1994-2001								
	1994	1995	1996	1997	1998	1999	2000	2001
LONG ISLAND Index Total	86,281	80,416	77,644	74,055	69,101	64,565	62,368	63,229
Index rate per 100,000	3,257.20	3,041.40	2,928.70	2,800.70	2,586.20	2,412.20	2,224.10	2,291.80
Violent Total	6,289	5,956	5,835	5,045	5,198	4,955	5,436	5,776
Violent rate per 100,000	237.4	225.3	220.1	190.8	194.5	185.1	193.9	209.4
Property Total	79,992	74,460	71,809	69,010	63,903	59,610	56,932	57,453
Property rate per 100,000	3,019.70	2,816.10	2,708.60	2,609.90	2,391.70	2,227.10	2,030.30	2,082.40

New York City								
Index Offenses Reported to Police: 1994-2001								
	1994	1995	1996	Counts 1997	1998	1999	2000	2001
Index Total	530,827	442,532	383,603	356,573	323,441	299,522	287,995	263,764
Index rate per 100,000	7,235.70	6,045.90	5,226.50	4,807.90	4,395.90	4,031.70	3,717.70	3,287.60
Violent Total	136,571	114,180	98,728	92,866	85,915	78,983	75,739	68,274
Violent rate per 100,000	1,861.60	1,559.90	1,345.10	1,268.60	1,167.70	1,063.10	977.7	851
Murder	1,561	1,178	983	769	633	671	667	649
Rape	2,667	2,326	2,331	2,158	2,046	1,702	1,643	1,530
Robbery	72,588	59,253	49,693	44,718	39,378	36,099	32,601	28,202
Aggravated Assault	59,755	51,423	45,721	45,221	43,858	40,511	40,828	37,893
Property Total	394,256	328,352	284,875	263,707	237,526	220,539	212,256	195,490
Property rate per 100,000	5,374.10	5,374.10	4,481.60	3,885.40	3,228.30	2,968.50	2,740.00	2,436.60
Burglary	88,436	73,926	61,398	54,147	46,221	40,469	37,015	31,563
Larceny	210,400	181,740	163,096	157,648	147,211	140,377	139,353	133,938
Motor Vehicle Theft	95,420	72,686	60,381	51,912	44,094	39,693	35,888	29,989

New York State Felony Conviction Sentence Statistics are shown in the following tables.

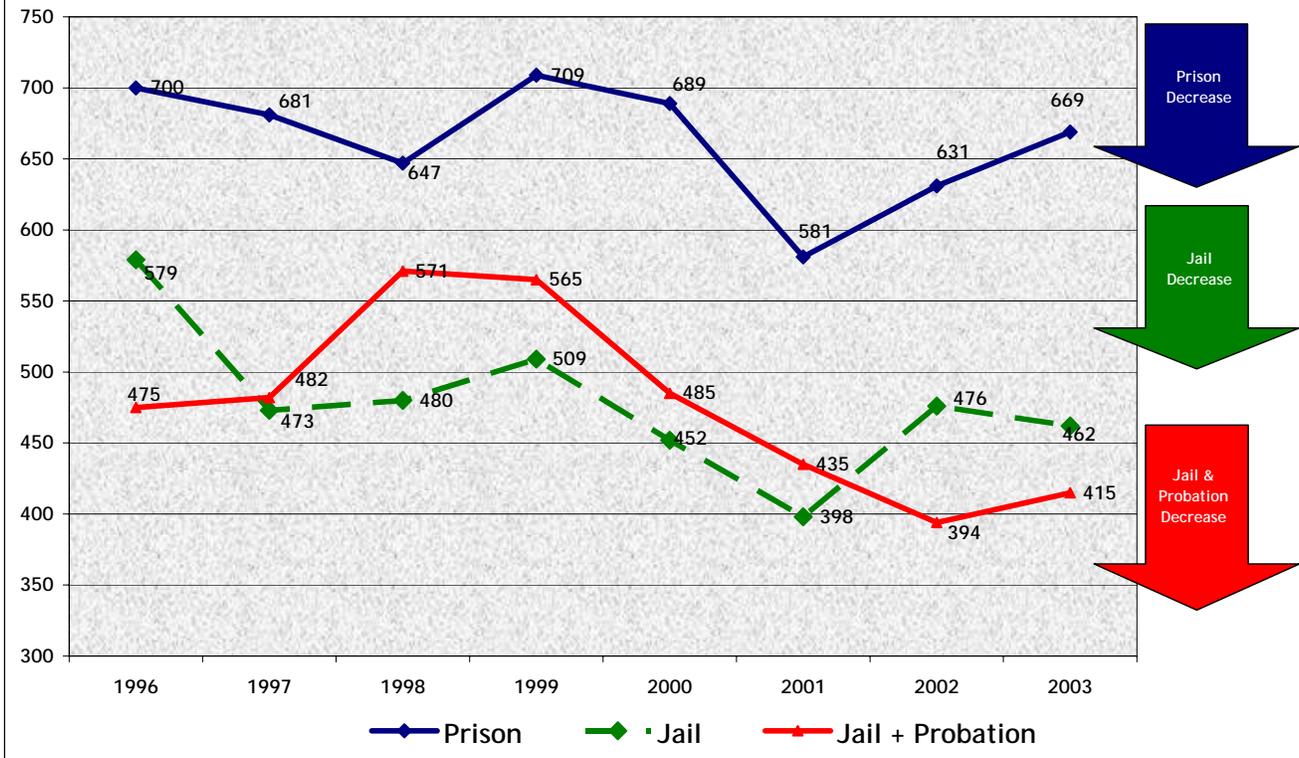
Felony Conviction Sentence Statistics NYS:

Sentences for Convictions from Felony Arrests								
New York State								
	1996	1997	1998	1999	2000	2001	2002	2003
CONVICTED, LOWER COURT TOTAL:	63,833	67,998	68,560	66,462	64,352	60,722	59,235	55,763
Prison	0	0	0	0	0	0	0	0
Jail	15,117	15,252	14,860	14,816	13,917	12,938	13,237	12,154
Time Served	5,862	6,671	7,988	8,109	7,538	7,345	6,466	5,510
Jail + Probation	1,755	1,986	1,966	1,877	1,636	1,600	1,514	1,374
Probation	8,620	9,220	9,460	9,322	8,929	8,446	8,129	7,594
Fine	10,647	11,645	10,941	10,167	10,104	9,871	9,998	9,795
Conditional Discharge	20,932	22,304	22,547	21,435	21,502	19,753	19,042	17,939
Other	381	372	391	313	244	250	249	329
Unknown	519	548	407	423	482	519	600	1,068
CONVICTED, UPPER COURT TOTAL:	57,165	55,526	53,543	48,957	47,018	45,398	46,280	48,308
Prison	24,365	23,718	22,933	20,503	19,015	17,798	17,956	17,767
Jail	8,160	7,543	7,084	6,257	5,840	5,534	5,423	5,971
Time Served	646	765	885	1,062	1,137	1,012	895	912
Jail + Probation	8,978	8,775	8,368	7,769	7,146	6,693	6,479	6,034
Probation	12,114	11,612	11,000	10,246	10,146	9,726	9,556	9,654
Fine	701	723	852	703	498	569	600	653
Conditional Discharge	1,231	1,448	1,490	1,463	1,642	1,680	1,867	2,028
Other	365	303	322	327	337	340	318	380
Unknown	605	639	609	627	1,257	2,046	3,186	4,909
GRAND TOTAL CONVICTIONS	120,998	123,524	122,103	115,419	111,370	106,120	105,515	104,071

Felony Conviction Sentence Statistics Suffolk County:

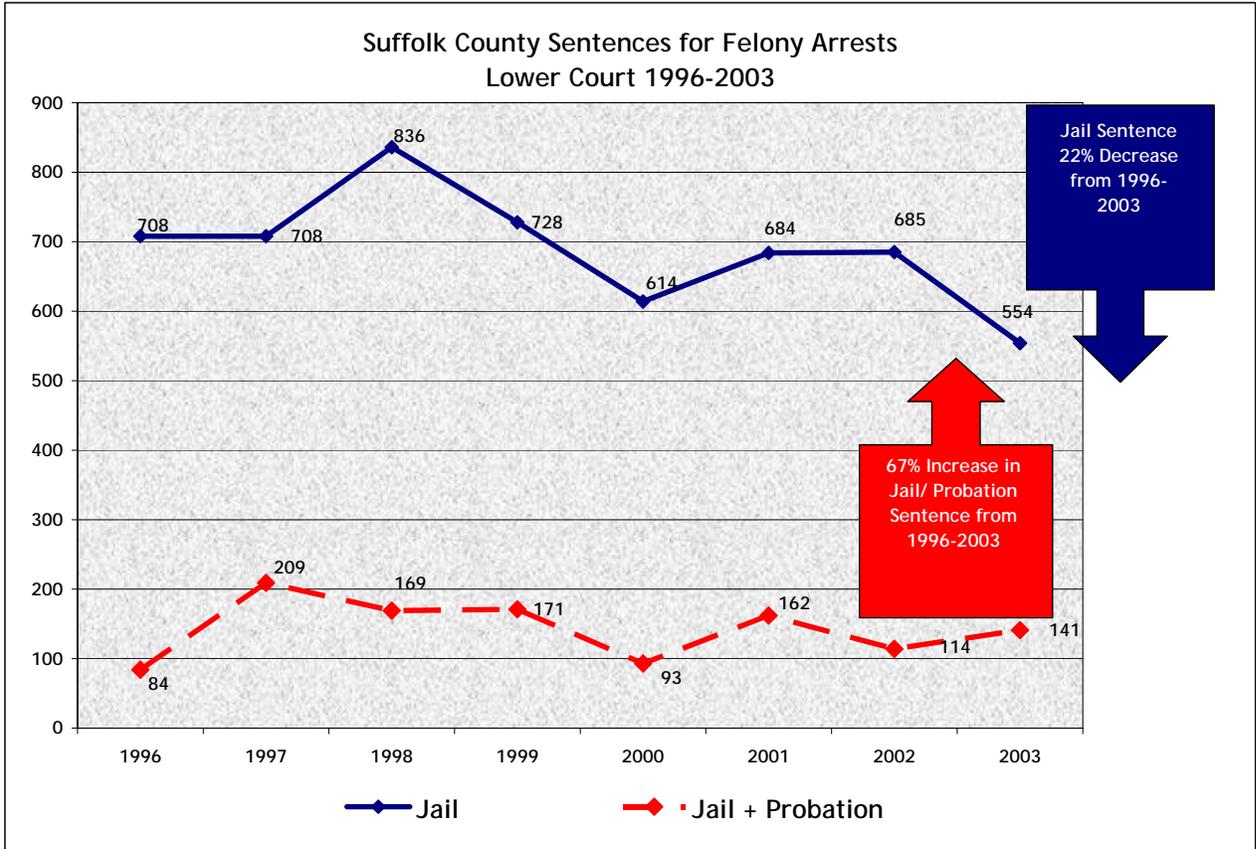
Sentences for Convictions from Felony Arrests								
Suffolk County								
	1996	1997	1998	1999	2000	2001	2002	2003
CONVICTED, LOWER COURT TOTAL:	3,061	3,155	3,234	2,913	2,895	2,940	2,731	2,685
Prison	0	0	0	0	0	0	0	0
Jail	708	708	836	728	614	684	685	554
Time Served	223	232	236	216	221	230	207	165
Jail + Probation	84	209	169	171	93	162	114	141
Probation	777	902	880	742	853	689	706	672
Fine	841	578	553	575	622	664	537	474
Conditional Discharge	316	441	481	393	427	389	349	370
Other	78	38	51	59	46	82	86	147
Unknown	34	47	28	29	19	40	47	162
CONVICTED, UPPER COURT TOTAL:	2,881	2,596	2,481	2,709	2,563	2,493	2,623	2,761
Prison	700	681	647	709	689	581	631	669
Jail	579	473	480	509	452	398	476	462
Time Served	27	26	20	35	38	46	38	43
Jail + Probation	475	482	571	565	485	435	394	415
Probation	727	633	470	529	554	576	554	544
Fine	212	154	164	193	137	165	181	149
Conditional Discharge	67	71	50	73	108	116	145	162
Other	6	4	7	21	7	16	4	8
Unknown	88	72	72	75	93	160	200	309
GRAND TOTAL CONVICTIONS	5,942	5,751	5,715	5,622	5,458	5,433	5,354	5,446

Suffolk County Sentences Upper Court Felony Convictions
1996-2003



Felony Sentences in the Upper Courts - Felony arrests that retained their felony status by reaching the upper courts (county court or supreme court) for disposition. All other felony cases disposed in the lower courts can be presumed to have been reduced to misdemeanor or lesser offenses.

(see next graph)

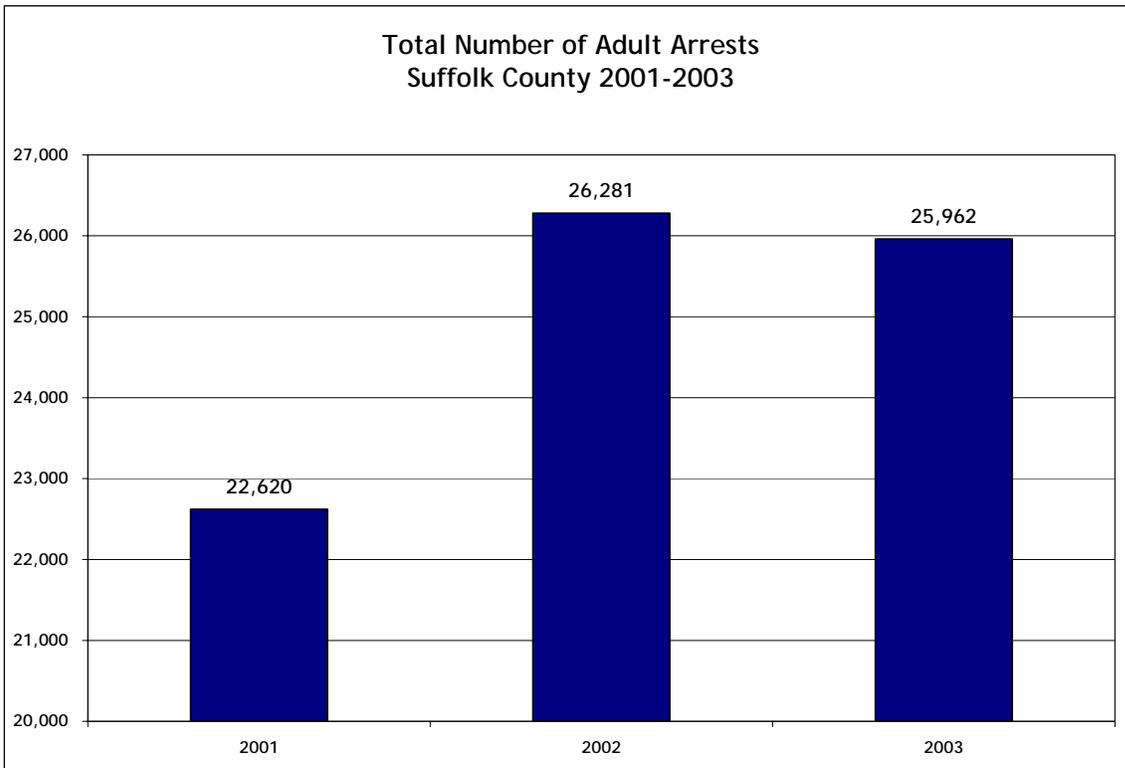


ARREST TREND ANALYSIS:

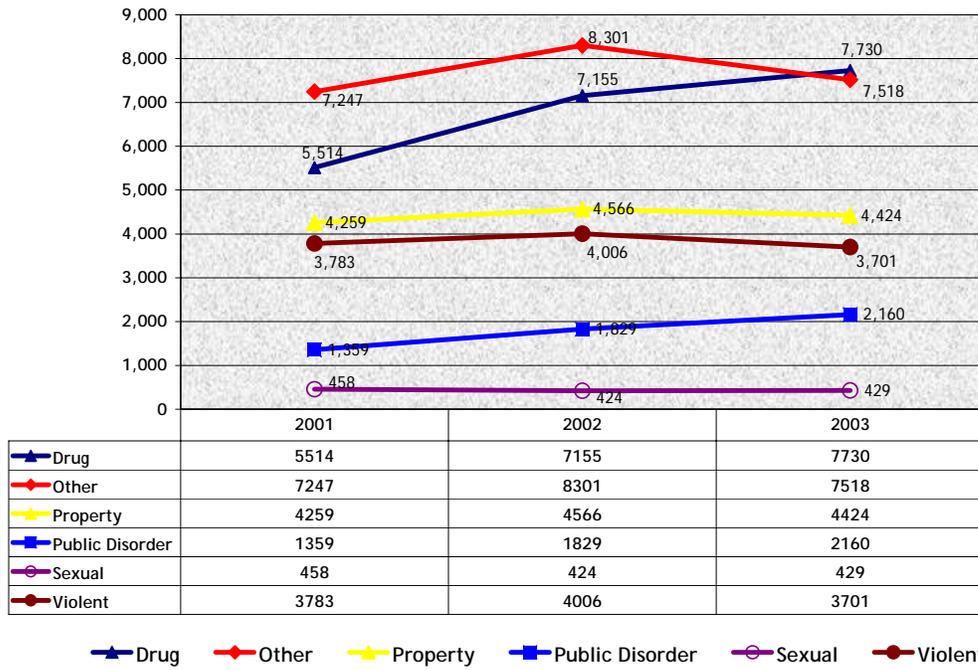
The following trend analysis was conducted by the Probation Department's Research and Planning Unit based upon arrest statistics from the Suffolk County Police Department. This includes felony and misdemeanor charges as well as finger-printable and non finger-printable offenses. *(Please note these statistics do not include east end Police Department arrest statistics)*

Arrests statistics consist of arrests made by Suffolk County Police Department, includes finger-printable and non-finger-printable offenses.
This differs from the index crime statistics which only includes the most serious of crimes.

Crimes were categorized for analysis. Categories were consistent with Bureau of Justice Statistic crime categories.



Crime in Suffolk County: Arrest Trends 2001-2003

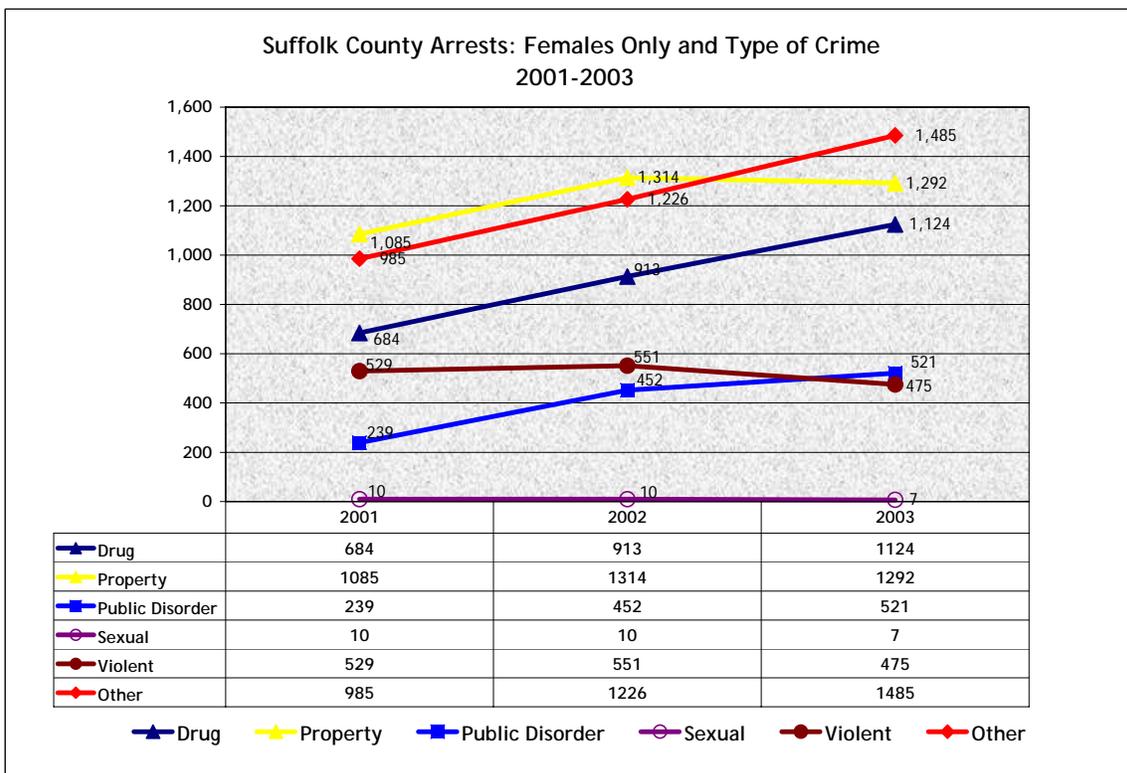
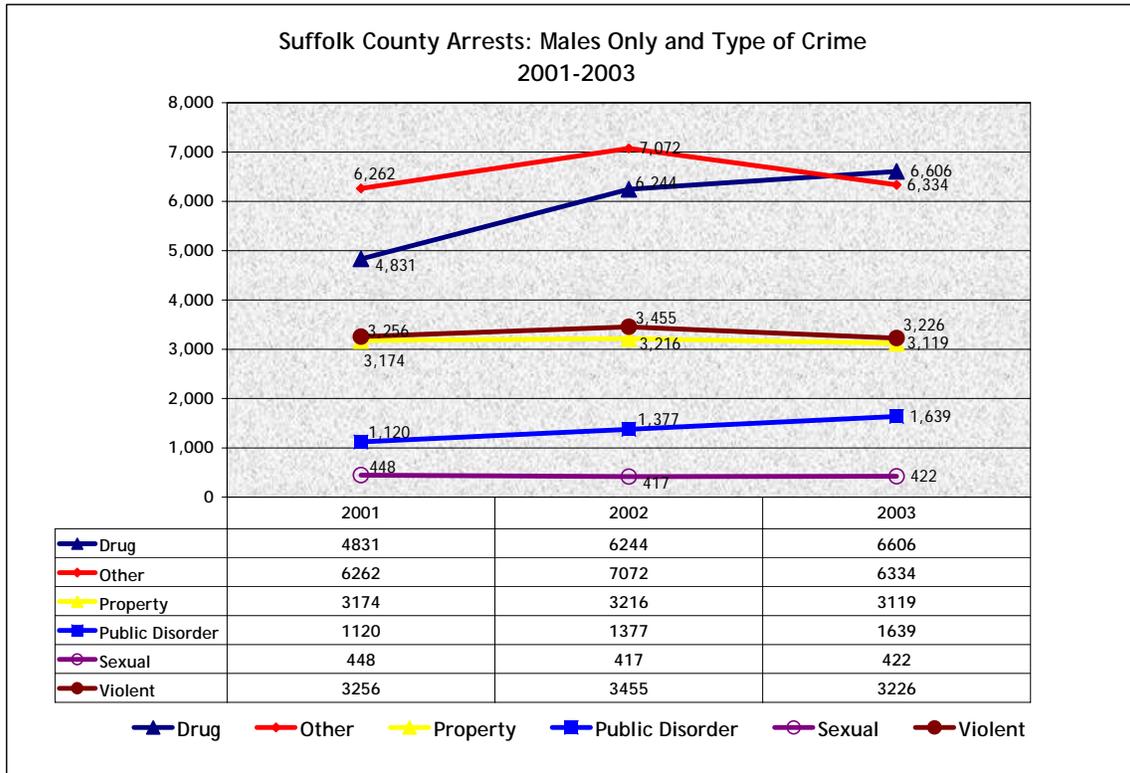


Since 2001:

- Drug related arrests have increased 40%.
- Property related arrests have increased 4%.
- Public Disorder arrests have increased 60%.
- Sexual offense arrests have decreased 6%.
- Violent offense arrests have decreased 2%.

Please see list at the end of the section for a breakdown of all arrests within a category. Please note that we include offenses such as reckless endangerment and resisting arrest in the violent category which may create higher numbers than national numbers within the violent category. These statistics are currently being analyzed without these two offense categories as they may not be interpreted as violent in many cases. .

Gender & Crime Trends:



Crime Categories:

Arrests were categorized into six sub groupings based upon the type of offense. They were designated as violent offenses, property offenses, public disorder offenses, drug related offenses and other offenses. *These categories are based upon Bureau of Justice statistic crime categories.*

Category	Charges Included
Violent	Robbery 1,2,3 Assault 1,2,3 Criminal Possession of a Weapon Burglary 1,2 Gang Assault 1,2 Reckless Endangerment Menacing Resisting Arrest Kidnap Murder Manslaughter Domestic Violence Criminal Use of a Firearm
Property	Petit Larceny Grand Larceny Theft of services Burglary 3 Forgery Possession of Forgery Instruments Arson Extortion Possession of Burglary Tools Fraud Issue Bad Check Criminal Possession of Stolen Property Automobile Stripping Embezzlement Trademark Counterfeiting

Category	Charges Included
Public Disorder	Criminal Mischief Criminal Contempt Criminal Trespass Unlawful Operation UUMV 509s 511s V&T Reckless Driving Disorderly Conduct Harassment Unlawful Assembly (UASM) VOP Making Graffiti Aggravated Harassment False Impersonation Prostitution Possession of a Graffiti Instrument Loitering False Reporting Public Lewdness Interference with Train(s) Animal Violations Family Court Warrants JD PINS False Inspection of Certification ACOD Riots Operating w/o license Warrants (not specified) Dealing fireworks Criminal Impersonation Absconder Jay walking Possession of gambling devices Bomb threat Perjury Improper Plates (motorcycle) Leaving scene of accident - 600s Islip Town Ordinance (ito/isto/oit) Obstruction of Government Administration Public Intoxication Runaways
Sexual	Rape 1,2 Sodomy Sexual Misconduct Sexual Abuse Aggravated Sexual Abuse

Category	Charges Included
Drug/Alcohol Relate	UPM 1192s OP MV Intoxication DWAI DWI Imitation of Controlled Substance Criminal Possession Controlled Substance Criminal Sale of Controlled Substance Attempt Criminal Sale of Controlled Substance Criminal Possession Marijuana Criminal Possession of Hypo Liquor Law
Other	Fugitive from Justice Escape Endangering the Welfare of a Child Witness Tampering Conspiracy Unlawful Dealing with a Child Animal Offense Rend Failure to Comply with Order Criminal Tampering Scofs Tampering with Evidence Intimidating a Witness Bribing a Witness Coercion Offenses Against Family Gambling Other Fingerprintable(s)

Updated Suffolk County Arrest Statistics, 2003-2004

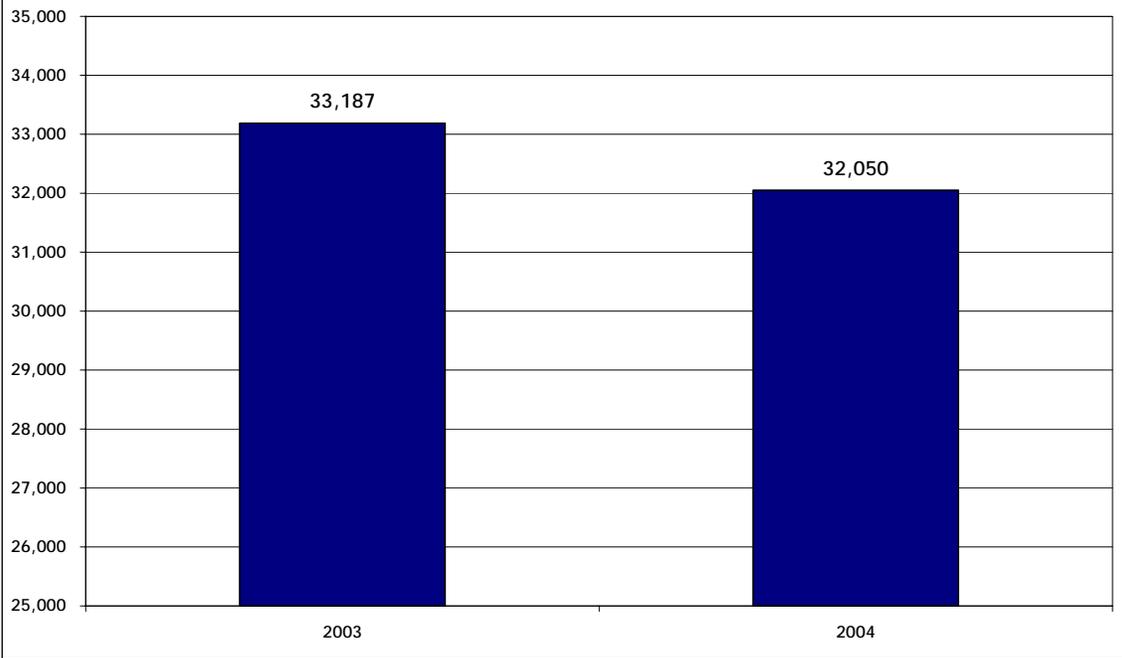
Updated arrests statistics were provided to the Probation Department Research & Planning Unit by the Suffolk County Police Department in Yaphank and East End Hamlet Police Departments. *The arrest trend analysis preceding this section contained only West End Statistics as East End statistics were unavailable at the time the analysis was conducted.* Police Headquarters in Yaphank keeps statistics for all west end hamlets. The East End Police Departments maintain their own statistics. The East end includes: Shelter Island, Riverhead, Southold, Southampton and East Hampton.

All other localities are included within and will be referred to as "west end" statistics. All statistics were entered into an excel database and were categorized for analysis. The categories are based upon BJS crime categories. *(See appendix for list of arrests that fall within each category)* The categories include: Drug/Alcohol Related, Violent, Property, Public Disorder, Sex Related and "Other".

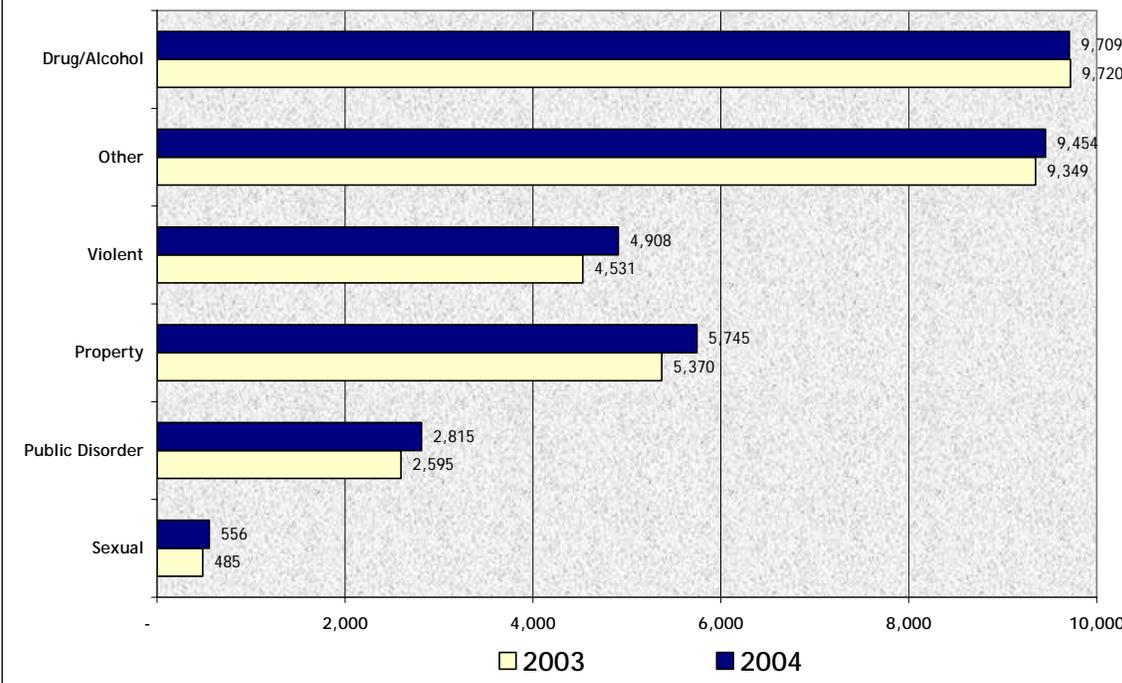
Overview: East and West End Arrests Statistics:

In 2004 there were 32,050 arrests in Suffolk County, a 3% drop from 2003, which had 33,187 arrests. Five of the six offense categories (Violent, Property, Public Disorder, Sexual and Other) reported lower arrest numbers in 2004 than in 2003. There was a 13% drop in the Sexual category since 2003, the largest decrease of all the categories. Both Violent and Public Disorder offenses had an 8% decrease. The only offense category that had an increase since 2003 was Drug/Alcohol related, however, the increase was negligible.

Total Arrests in Suffolk County 2003-2004
(Includes East & West End Statistics)



Suffolk County Total Arrests by Category 2003-2004

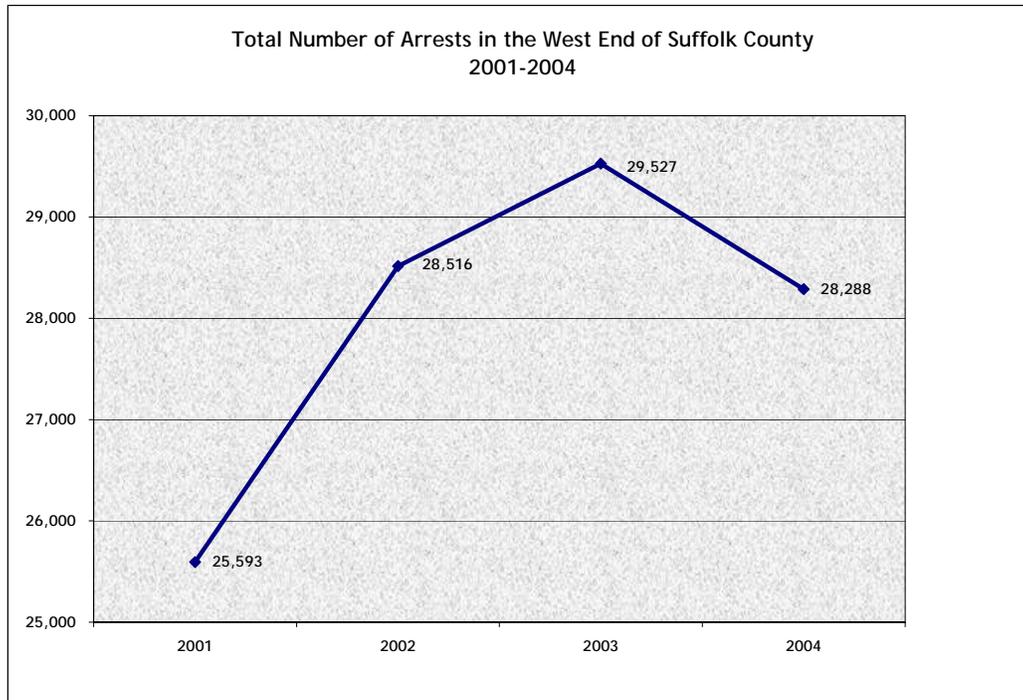


- Among the East End hamlets of Suffolk County, namely East Hampton, Riverhead, Shelter Island, Southampton, and Southold, there was a 3% (n= 102) increase in total arrests from 2003 to 2004.
- The Violent, Property, Sexual and Drug categories all saw a decline in the number of arrests since 2003. The number of Violent arrests fell 21% (n= 99) between 2003 and 2004. Sexual offenses that resulted in an arrest also dropped 10% since 2003.
- The two arrest categories that had an increase since 2003 were "Other" and Public Disorder. The Public Disorder arrest category had the largest arrest increase of 24% (n= 75) between 2003 and 2004.

The West End of Suffolk County experienced a 4% (n= 1,028) decrease of arrests between 2003, which had 29,316 arrests and 2004, which had 28,288. Five of the six arrest categories, Violent, Property, Public Disorder, Sexual and Other, saw a drop in arrests since 2003. Sexual offenses that resulted in an arrest between 2003 and 2004 decreased 13% (n= 67). The Public Disorder arrests also saw a 12% (n= 362) drop in 2004. The remaining arrest category, Drug/Alcohol Related, reported a 1% (n= 56) increase of arrests between 2003 and 2004.

2001-2004 West End Trends

Between 2001 and 2004, the West End of Suffolk County has seen an overall 11% (n= 2,695) increase in the number of arrests. In 2001, the number of offenses resulting in an arrest totaled 25,593. There was an 11% increase the following year in 2002 and another 4% in 2003, but the arrest rate has since started to decline over the past year.



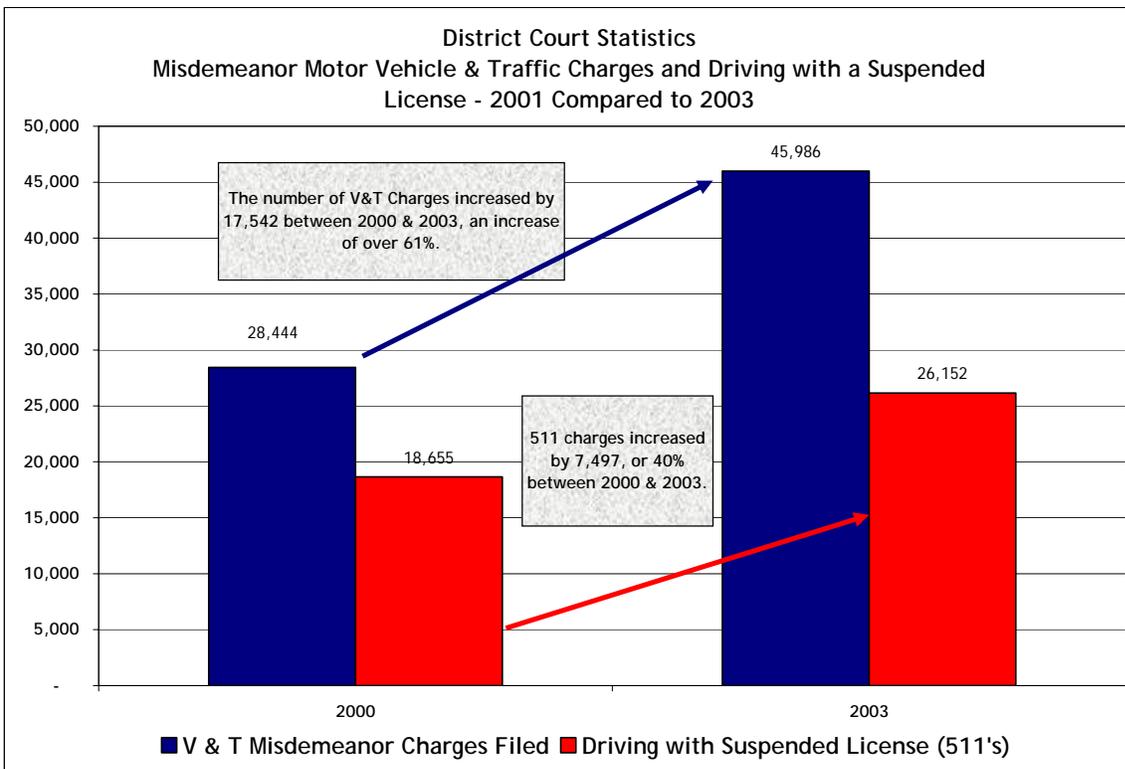
In 2004, the Suffolk County Police Department (*West End*) reported a total of 28,288 arrests. These arrests were categorized and each arrest fit into one of six offense type categories, namely Violent, Property, Public Disorder, Sexual, Drug/Alcohol Related and Other.

- Three of the six arrest categories had an overall decrease in the number of arrests between 2001 and 2004:
 1. Sexual offenses that resulted in an arrest fell 19% (n= 104) since 2001, the largest drop among all the arrest categories.
 2. Property arrests also went down, 5% (n= 252) compared to 2001.
 3. Violent arrests decreased 9% (n= 402). Although there was an overall decrease among the violent arrests, simple assault offenses continue to play a role among the violent arrest rates in the West End of Suffolk County. Throughout 2001 and 2004, simple assault arrests accounted for 45% of all violent arrests.
- The remaining three arrest categories had increases, most notably drug/alcohol arrests:
 - ✓ Drug/Alcohol arrests accounted for the largest increase between 2001 and 2004, where arrests increased 45% (n= 2,577). In 2004, 30% of all arrests were drug or alcohol related offenses. Compared to 2001, where drug/alcohol related offenses represented only 23% of the overall arrests.

- ✓ Among the offenses listed within the Drug/alcohol related category, the number of arrests for the use and/or possession of marijuana in 2004 have increase 100% since 2001.
- ✓ Another notable change is the number of arrests for the use and/or possession of opium, cocaine, which has risen 58% from in 2001.
- Public Disorder arrests also rose 31% (n= 517) since 2001.

DISTRICT COURT STATISTICS

- In 2000 there were 28,444 Vehicle & Traffic (V & T) Misdemeanor charges filed in District Court.
- In 2003 there were 45,386 Vehicle & Traffic Misdemeanor charges filed in District Court.
- In 2000 the number of Misdemeanor 511's (driving with suspended license) filed was 18,655.
- In 2003 the number of Misdemeanor 511's (driving with suspended license) filed were 26,152.



Please Note: The numbers of V&T charges are expected to continue to **INCREASE** due to more legislation attached to suspended driving privileges, such as failure to pay child support or failure to pay a ticket. 511's may become finger-printable offenses for identification purposes in the future.

CRIMINOGENIC POPULATION ANALYSIS

Population Trends That Can Impact Jail Population Growth

According to the National Institute of Corrections, a county needs to ascertain their own crime, population, and demographic trends and analyze changes that are occurring among discrete segments of the jail population. Changes in a county's resident population, specifically among age groups with a much higher risk of being sentenced to a jail term, can impact the demand for jail space.

Trend analysis allows a county to examine crime and population trends that can impact upon a future need for jail space. This report identifies what is referred to as "criminogenic factors" or population characteristics associated with individuals most likely to be sentenced to a jail term. These indicators often associated with criminal behavior are:

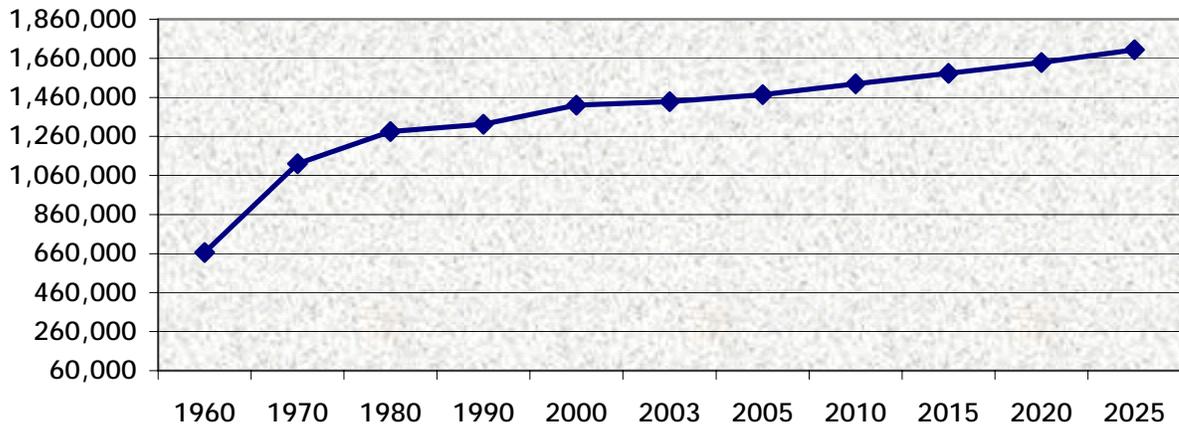
- Age
- Household size
- Poverty
- Education
- Race/ethnicity
- Employment

(Source: Suffolk County Planning Department report, Demographic, Economic, and Development Trends - February 2004)

The population of Suffolk County is currently 1.4 million people. We are closely reaching the saturation level of 1.7 million people that we are expected to reach in 2025. This would average out to an approximate .8 % increase annually over the next 25 years

Riverhead is expected to increase the most (50%) followed by Southampton, Southold, Easthampton, and Brookhaven.

Suffolk County Total Population: Current and Projected



AGE

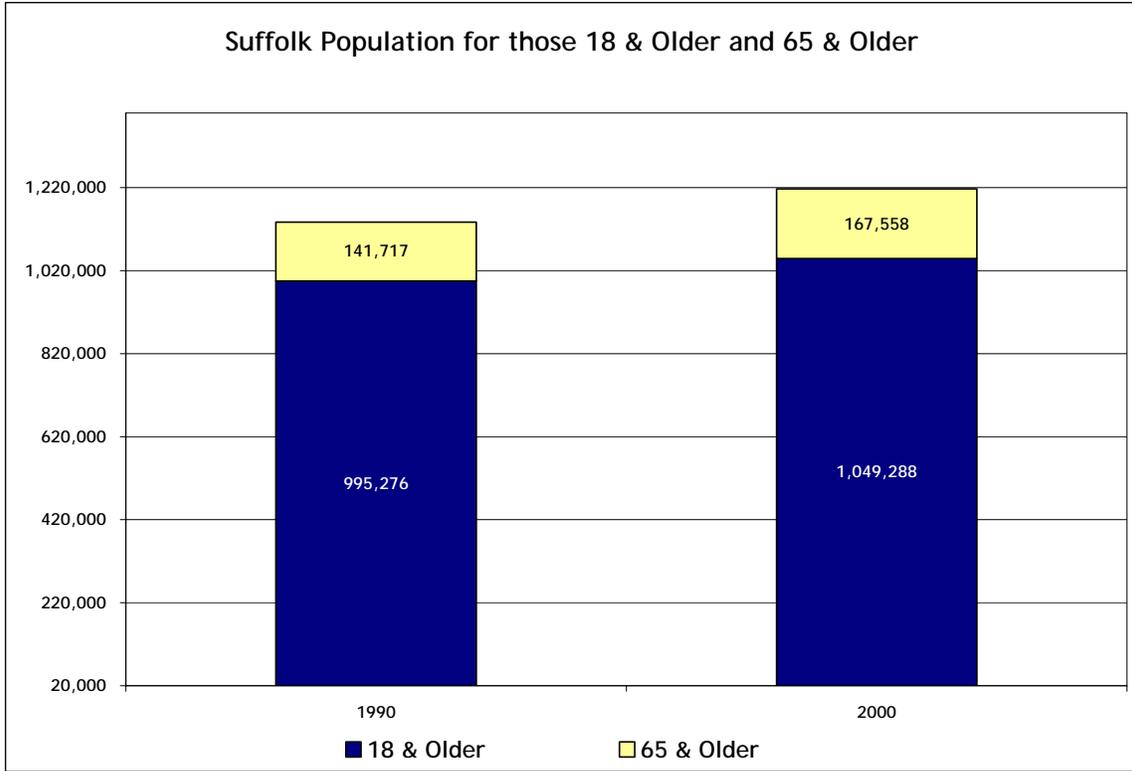
- The age of Suffolk County's population is also increasing.
- The median (average) age of the population has increased over the last 30 years:

1970 - 26.4
 1980 - 29.9
 1990 - 33.5
 2000 - 36.3

- The age groups for the 1.4 million as of 2000 are as follows:

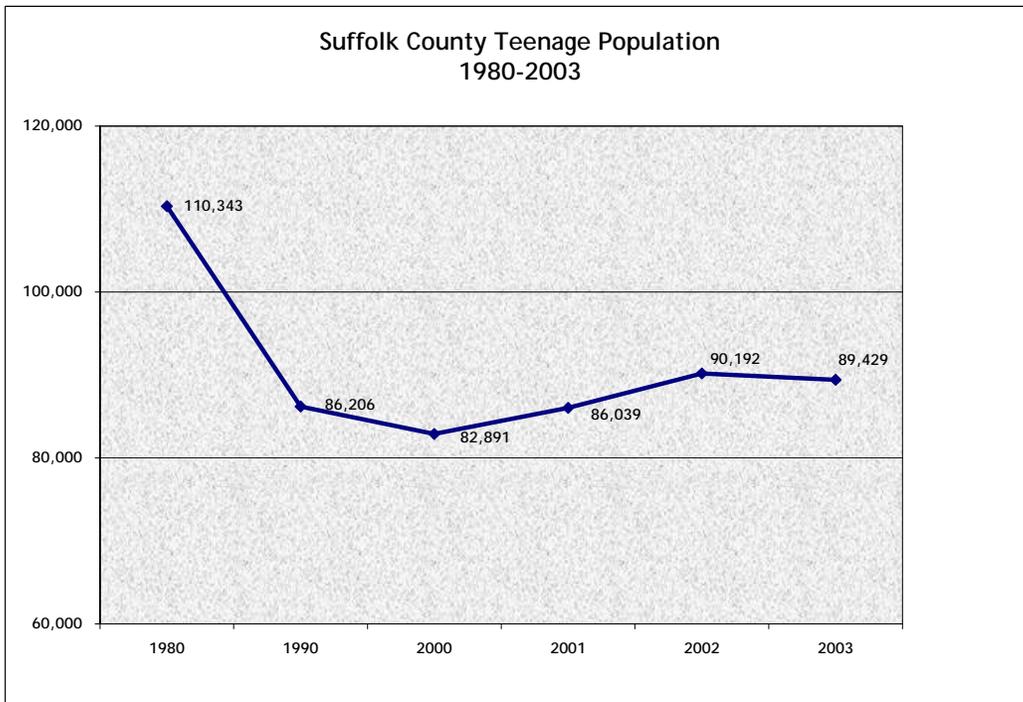
Under 18	26.1%
18-24	7.6%
25-44	31.2 %
45-64	23.3%
65 and over	11.8%

The chart below compares the senior population in 1990 to the senior population in 2000.



Teenage Population:

The teenage population dropped 28% from 1980 - 1990. It dropped another 4% from 1990 - 2000. The teen population is expected to increase slightly over the next few years.

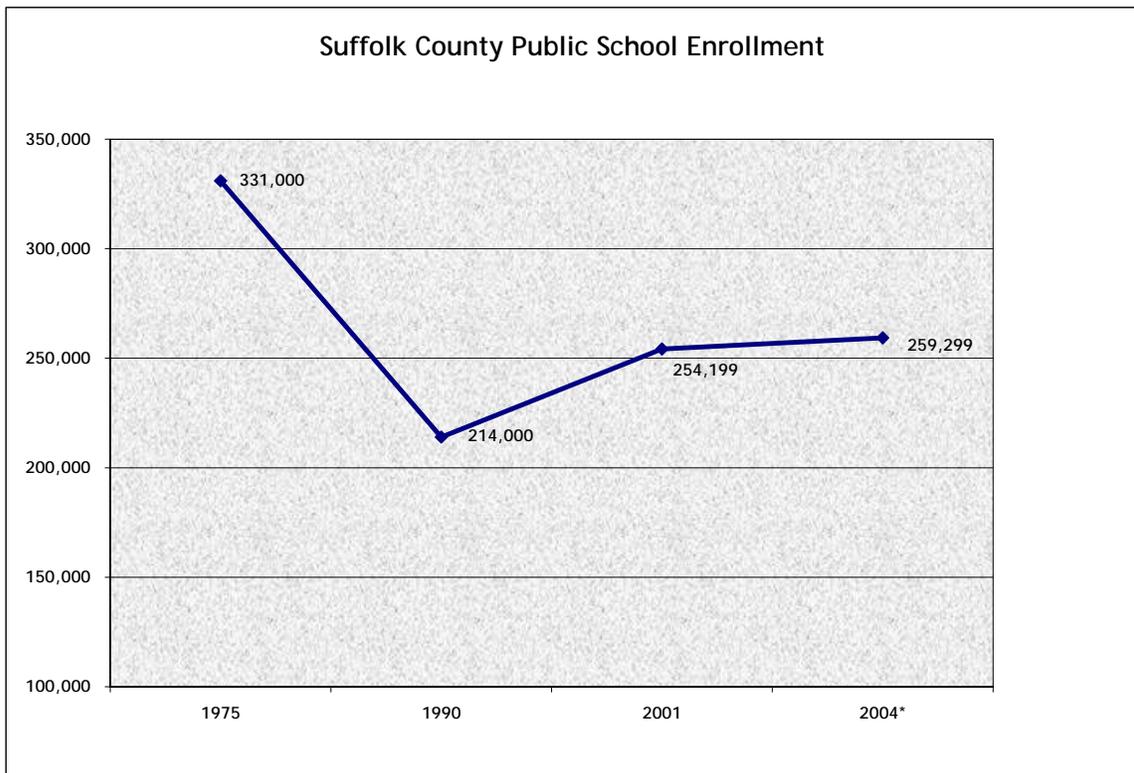


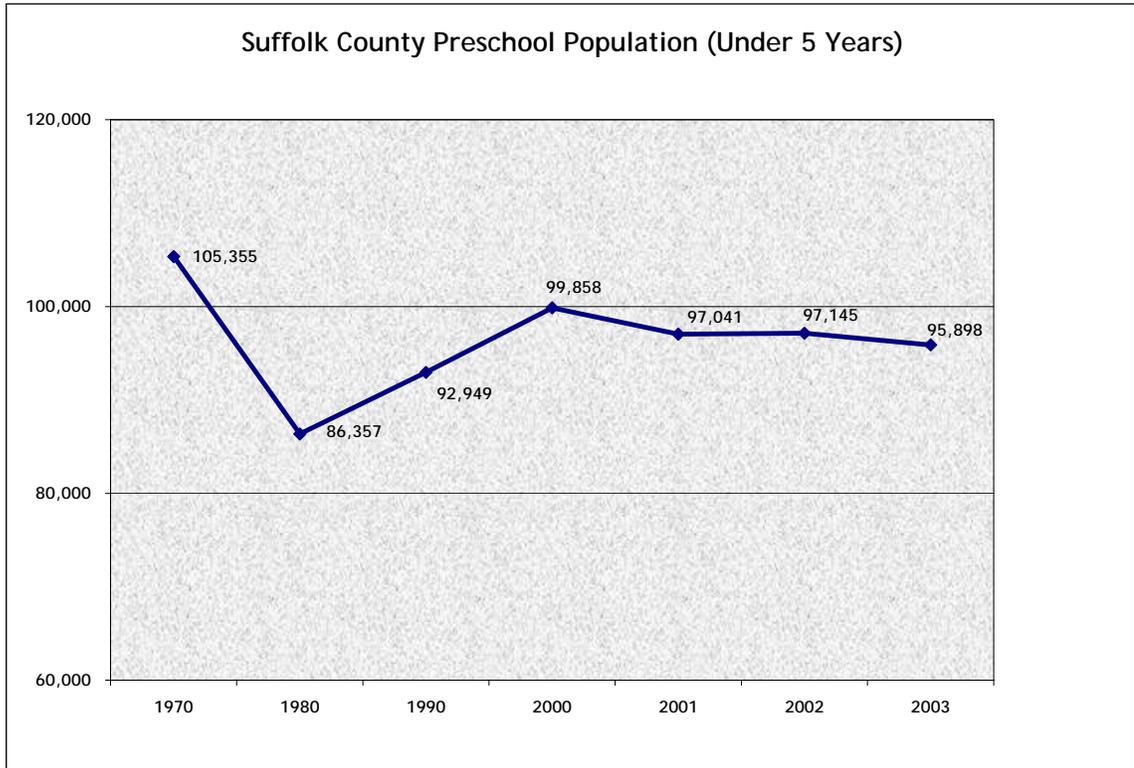
Seniors:

The senior population (65 years of age and older) is a rapidly growing segment of the population. Between 1980 and 1990 the population of seniors 65 and older increased 22%. From 1990 to 2000 it increased again by 18%.

Education Level:

86.6 % of Suffolk County's population are high school graduates. 27.5% have a Bachelor's degree or higher. Public school enrollment is down from the height of enrollment in 1975 when 331,000 children were enrolled in Suffolk County Public Schools. In 2001, 254,000 children were enrolled in public school. This is projected to increase 2% for 2004. Suffolk County's preschool population has also slowly declined since 1970, but has increased slightly in recent years.





Household Size:

The average size of a household has decreased from its height in 1967 of 3.7 people per household to 2.96 people per household in 2002.

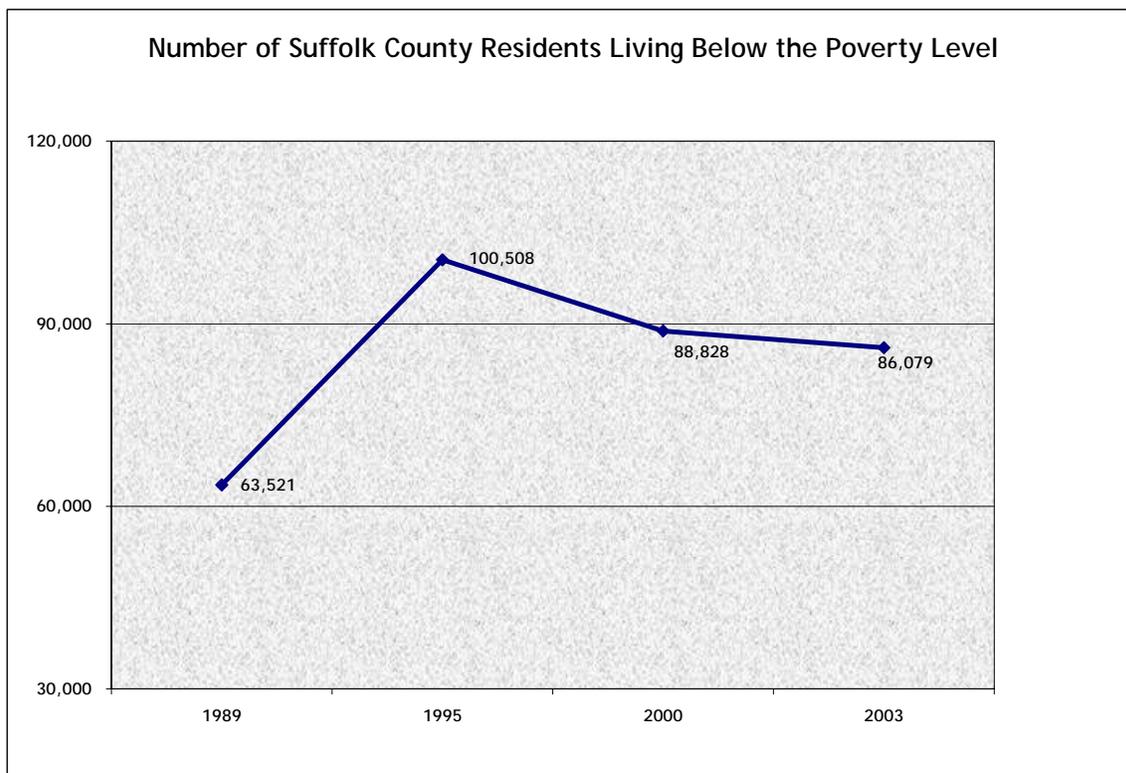
Race/Ethnicity:

The following table shows the change in race/ethnicity for Suffolk County from 2000 to 2020. The largest growth will be within the Asian population. Asian's have a higher rate of completing college than the other groups. 50% of Asian's graduate college compared to Suffolk County's rate of 30%.

2000	2020	Increase or Decrease
79% White	59% White	20% decrease
11% Hispanic	17% Hispanic	6% increase
2% Asian	15% Asian	13% increase
7% Black	9% Black	2% increase

Poverty:

Suffolk County has the lowest poverty rate in NYS. As of 1999, 86,000 people (6.3%) in Suffolk were living in poverty.



ECONOMIC INDICATORS

It is a common observation among researchers that unemployment and crime rates are positively associated. Consequently it is a variable that researchers assess when analyzing the criminal justice system. Suffolk boasts a low unemployment rate and is consistently below the national unemployment rate. As of December 2004 the national unemployment rate is 5.1% while Suffolk County's unemployment rate is 3.9% according to NYS Department of Labor and U.S. Bureau of Labor Statistics.

The following economic indicators are taken directly from the Suffolk County Department of Labor website.

Economic Indicator Report March 2005

		MONTH	DATA	PRIOR MONTH	YEAR AGO
		Jan. '05			
Suffolk Labor Force ¹	Civilian Labor Force (000)		762.2	774.3	758.2
	Employment (000)		725.5	740.9	715.0
	Unemployment (000)		36.7	33.3	43.1
	Unemployment Rate (%)		4.8	4.3	5.7
<hr/>					
Township Unemployment Rate (%) ²	Babylon		5.5	5.2	6.5
	Brookhaven		5.1	4.5	6.1
	Huntington		4.7	4.3	5.5
	Islip		5.4	4.8	6.5
	Smithtown		4.5	4.3	5.3
	Riverhead		6.1	5.0	6.7
	Southampton		6.1	5.1	7.1
<hr/>					
Non-Farm Employment (Long Island in thousands) ³	Total		1205.9	1263.9	1191.5
	Natural Resources, Mining & Construction		59.7	67.3	59.0
	Manufacturing		87.4	89.3	86.9
	Wholesale Trade		72.0	73.7	71.6
	Retail Trade		160.0	173.9	159.3
	Transportation, Warehousing & Utilities		37.1	39.0	36.0
	Information		28.5	29.3	28.6
	Financial Activities		83.1	83.8	82.6
	Professional & Business Services		149.2	157.8	145.4
	Education & Health Services		195.8	201.9	192.2
	Leisure & Hospitality		87.7	94.2	84.2
	Other Services		50.6	51.4	50.0
Government		194.8	202.3	195.7	

	MONTH	DATA	PRIOR MONTH	YEAR AGO
	Jan. '05			
Regional Economic Trends	Unemployment Rate NY State (%)	5.6	5.4	7.1
	Unemployment Rate NY City (%)	6.2	6.3	8.4
	Unemployment Rate Nassau Co (%)	4.5	4.2	5.3
	Consumer Price Index NY Area (1982-84:100)	208.1	206.8	199.9
National Economic Trends	Unemployment Rate (%) ⁴	5.2	5.4	5.7
	Consumer Price Index (1982-84:100)	190.7	190.3	185.2

Notes: ¹By place of residence. ²Reporting changes have rendered information for East Hampton, Shelter Island, and Southold townships temporarily unavailable. ³By place of business. Seasonally adjusted; civilian labor force.
Sources: U.S. Department of Labor, N.Y.S. Department of Labor, Suffolk County Department of Labor.

SIGNIFICANT DEVELOPMENTS

Suffolk County's January 2005 unemployment rate¹ stood at 4.8%, up from December's 4.3%, but down from the 5.7% reported for last January. A pattern that was repeated in Nassau County, where January's rate stood at 4.5% and reflected an edge-up from December's 4.2%, but remained below the 5.3% reported for January 2004. According to revised job data released by the New York State Department of Labor, Long Island's Manufacturing sector finished-up 2004 on stronger ground than previously reported. New figures show that Manufacturing reversed its downward trend as of August, with year over year job counts registering growth for the sector in each successive month thereafter. This is good news for the area because the sector offers blue collar workers good jobs that pay an above average wage.

January 2005 rates for the Nation, New York State, and New York City also showed improvement over the rates posted for each respective area last January (5.2% v. 5.7%, 5.6% v. 7.1%, and 6.2% v. 8.4%). For the 12 month period ending January 2005, the Nation's Consumer Price Index (CPI-U)² was up by 3.0% and the CPI-U for the New York Area was up by 4.1%. In February, the Federal Reserve Committee again moved to raise short-term interest rates by one-quarter percent, which pushed up the federal funds rate to 2.5%³. Policy statements continue to advise the public that as long as the economy fares well, more rate increases are likely.

Long Island's January 2005 job count stood at 1,205,900, which was down -58,000 (-4.6%) jobs from December, but up 14,400 (1.2%) jobs over last January. Employment typically contracts sharply at this time each year, reflecting the wind down of the holiday season and the impact of winter weather. All industrial sectors posted over the month job losses. Over the year job gains were noted in all but two sectors: Government (-900 jobs or -0.5%) and Information (-100 jobs or -3.1%). Largest gains in terms of number of jobs added were noted in the Professional & Business Services (+3,600 jobs or +2.6%), Education & Health Services (+3,600 jobs or +1.9%), and Leisure & Hospitality (+3,500 jobs or +4.2%) sectors.

¹Unemployment rates are *not seasonally adjusted*, except for the USA rate. ²The Consumer Price Index (CPI) measures average price changes in a fixed basket of consumer goods and services from A to Z. ³The federal funds rate is the interest that banks charge each other on overnight loans.

LONG ISLAND JOBS BY INDUSTRY

Industry	Jan. 2005 Number of Jobs	CHANGE			
		Dec. '04 to Jan. '05		Jan. '04 to Jan. '05	
		# Jobs	%	# Jobs	%
Natural Resources, Mining & Construction	59,700	-7,600	-11.3	700	1.2
Manufacturing	87,400	-1,900	-2.1	500	0.6
Wholesale Trade	72,000	-1,700	-2.3	400	0.6
Retail Trade	160,000	-13,900	-8.0	700	0.4
Transportation, Warehousing & Utilities	37,100	-1,900	-4.9	1,100	3.1
Information	28,500	-800	-2.7	-100	-0.3
Financial Activities	83,100	-700	-0.8	500	0.6
Professional & Business Services	149,200	-8,600	-5.4	3,800	2.6
Education & Health Services	195,800	-6,100	-3.0	3,600	1.9
Leisure & Hospitality	87,700	-6,500	-6.9	3,500	4.2
Other Services	50,600	-800	-1.6	600	1.2
Government	194,800	-7,500	-3.7	-900	-0.5
Total	1,205,900	-58,000	-4.6	14,400	1.2

Source: New York State Department of Labor. Non-farm Employment by Industry, North American Industry Classification System (NAICS). Total does not add up. Data are preliminary and subject to revision.

ECONOMIC SNAPSHOT FOR DECEMBER 2004

UNEMPLOYMENT RATE AND LEVEL BY AREA							
		JANUARY		DECEMBER		NOVEMBER	
		% RATE	UNEMP	% RATE	UNEMP	% RATE	UNEMP
USA	2005-2004	5.2	7,737.0	5.4	8,047.0	5.4	8,020.0
	2004-2003	5.7	8,303.0	5.7	8,399.0	5.9	8,651.0
NYS	2005-2004	5.6	519.0	5.4	503.0	5.1	477.0
	2004-2003	7.1	657.0	6.1	565.0	6.2	579.0
N-S	2005-2004	4.7	67.1	4.2	62.4	4.2	60.9
	2004-2003	5.5	79.2	4.1	60.6	4.1	60.6
NASS	2005-2004	4.5	30.4	4.2	29.0	4.1	28.5
	2004-2003	5.3	36.1	3.7	27.0	3.8	27.5
SUFF	2005-2004	4.8	36.7	4.3	33.3	4.2	32.4
	2004-2003	5.7	43.1	4.4	33.6	4.3	33.0

Not seasonally adjusted except for USA. USA excludes armed forces.

Sources: United States Department of Labor, Bureau of Labor Statistics; New York State Department of Labor

CHAPTER 3

PROBLEM IDENTIFICATION

SURVEY OF KEY STAKEHOLDERS:

One component of the systemic analysis included creating and distributing a survey to key stakeholders in the criminal justice system. The surveys were distributed to key officials within the Sheriff's Office, the Courts, Probation Department, Police Department, Legal Aid, Health Department, Department of Public Works, District Attorney and the Legislature. The following section contains all the survey information from each stakeholder.

Sheriff's Office	
Do you have any concerns regarding your Office's participation in the adult criminal justice system?	None. The Suffolk County Sheriff's Office has been in the forefront regarding these issues and will remain there.
What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?	In-jail programs (educational, vocational training) along with the space and resources to implement them in order to combat recidivism.
What resources can you dedicate to this project (staff, computers, research, etc..)?	The Suffolk County Sheriff's Office has provided all of the information requested of it and will continue to make available the staff & resources required to aid the committee.
How can the adult criminal justice system be improved through your Office's operations?	With a comprehensive educational and vocational training program for inmates along with a transition component back into the community, we would hope to be able to reduce the recidivism rate in Suffolk County. This would help reduce our jail overcrowding and have a positive impact on the District Attorney's Office and the Judiciary in that there would be fewer cases for them to deal with.
Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council	Either Undersheriffs Donald Sullivan, Walter Denzler or Assistant to the Sheriff James Kevins will attend all Sub-Committee meetings.
Completed by/date:	Undersheriffs Donald Sullivan & Walter Denzler - October 20, 2004
OFFICE:	Sheriff

Probation Department	
Do you have any concerns regarding your department's participation in the adult criminal justice system?	There are many concerns, but the most critical is the lack of a true systems planning approach that would accurately identify needs, and allocate resources accordingly.
What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?	Probations suggestions are described in several 2004 reports that have been made available to the Committee, including 'Jail Overcrowding Reduction Proposal' (April 2004), and 'Eighteen Point Plan'.
What resources can you dedicate to this project (staff, computers, research, etc..)?	Research and planning staff, data collection resources, and data analysis will be made available.
How can the adult criminal justice system be improved through your department's operations?	Systems planning with all of the key stakeholders can reduce recidivism, and improve the efficiency of the criminal justice system. Improved pre-trial services is a must, as is enhanced ATI programs.
Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council	Jim Golbin
Completed by/date:	Jim Golbin---October 29, 2004

SUFFOLK COUNTY POLICE DEPT.	
Do you have any concerns regarding your Office's participation in the adult criminal justice system?	No.
What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?	The police are not involved in this aspect of the system.
What resources can you dedicate to this project (staff, computers, research, etc..)?	None.
How can the adult criminal justice system be improved through your Office's operations?	The Det. Has automated many of its recording and reporting systems. The Dept. has also increased communications and interactions with other components of the system.
Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council	Lt. Robert Scharf
Completed by/date:	Lt. Robert Scharf, 10/04

Suffolk County Courts	
Do you have any concerns regarding your department's participation in the adult criminal justice system?	Timely delivery of prisoners to the court facilities.
What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?	From the perspective of the courts, the determination of how long individuals are to be incarcerated as a result of a sentence or the amount of bail that is set is an individual judicial determination based upon numerous factors.
What resources can you dedicate to this project (staff, computers, research, etc..)?	Data relative to caseloads, etc.
How can the adult criminal justice system be improved through your department's operations?	The implementation of problem-solving parts such as Drug Courts and Domestic Violence Courts have reduced the number of individuals who are incarcerated.
Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council	Thomas F. Lorito, Executive Assistant to the Administrative Judge; Victor V. Rossomano, Chief Clerk, County Court; Roger Huguenin, Chief Clerk, District Court; Thomas Honey, Chief Court Officer, Suffolk County.
Completed by/date:	Thomas F. Lorito / October 29, 2004

Department of Public Works	
Do you have any concerns regarding your department's participation in the adult criminal justice system?	No
What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?	Review of Bail
What resources can you dedicate to this project (staff, computers, research, etc..)?	
How can the adult criminal justice system be improved through your department's operations?	Maintenance and improvements to existing facilities. Design and construction of new facility.
Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council	Tedd Godek, R.A., County Architect
Completed by/date:	Charles J. Bartha, P.E., Commissioner

Health Department

<p>Do you have any concerns regarding your Office's participation in the adult criminal justice system?</p>	<p>The Sheriff's Office has included the Department of Health Services in the "needs assessment" phase of what spatial considerations should be included for medical/mental health services in the planned new Jail in Yaphank; based on the projected inmate population we have been advised will be housed in the new facility. In this regard, medical and mental health staff have already participated in several meetings with Corrections staff and the consultant completing the needs assessment study, and future meetings/discussions are planned. In addition, a Jail Medical Unit representative visited another jail, together with the consultant and Sheriff's Office and DPW representatives, as part of the effort to identify possible better models. In summary, Health Services representatives are being included and are participating in assessing the spatial needs for the new Jail. However, although spatial needs are being identified to the consultant, there is a significant staffing relationship that should be considered and addressed as well in this process.</p> <p>In other words, as a new jail is planned that will significantly increase the overall inmate population, there will be a need to staff the Yaphank facility with adequate medical and mental health personnel to service that population. Currently, there is minimal Health staff in Yaphank. Although discussions regarding the structural layout of the new facility will likely result in a design that will allow for greater efficiencies in the providing of care (e.g., more direct patient care services on the pods where the inmates are housed, thereby decreasing inmate movement), the new jail will still likely require a significant increase in staff. It has been suggested to the consultant that Health Services staffing considerations should be included in their study, if part of their charge under their contractual arrangement.</p>
<p>What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?</p>	<p>Although this question is not exactly within the jurisdiction of Jail Health Services, senior staff participating in the needs assessment process offered several ideas, as follows. Enhancement and greater availability of mental health, rehabilitation, and substance abuse treatment community facilities, as alternatives to incarceration. If cost effective and where legally feasible, consider enhanced usage of electronic home incarceration surveillance for non-violent persons. Strengthen Corrections capabilities to provide community linkage for employment, on-the-job training, work release, education, etc. With regard to the planning and design of the new facility, allow for more progressive methods of treatment, e.g., specific treatment housing areas for substance abuse inmates. Such concepts have been noted in planning discussions and will require the support of Corrections to determine if workable. Also, provide more intensive mental health therapy for individuals and groups, programs and education, as staff time allows.</p>
<p>What resources can you dedicate to this project (staff, computers, research, etc..)?</p>	<p>Jail Health Services has dedicated a number of senior staff personnel, within various disciplines, to the planning and needs assessment phase of this project, and such staff have participated and will continue to participate in meetings as called upon. Specifically, participating staff include the Jail Medical Director, Jail Health Services Administrator, Dental Director, Chief Pharmacist, Nursing Supervisors, Mental Health Administrator, and Clinical Coordinator for Alcohol and Substance Abuse Services.</p>
<p>How can the adult criminal justice system be improved through your Office's operations?</p>	<p>Once again, with more adequate and enhanced staffing, it is the collective wisdom of Jail Health Services staff that more can be done to treat and provide services to the inmate population; particularly as it pertains to the mentally ill population and inmates suffering with substance abuse issues. Some possible focuses: anger management, enhanced substance abuse education, enhanced discharge planning, job preparation and readiness. If more could be done to treat problems while incarcerated, and more can be done to help with outside linkages once discharged, it could have a positive impact on the recidivism rate.</p>
<p>Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council</p>	<p>John R. Heilbrunn</p>
<p>Completed by/date:</p>	<p>John R. Heilbrunn, 10/24/04</p>

LEGAL AID

Do you have any concerns regarding your Office's participation in the adult criminal justice system?	<p>The Legal Aid Society, which provides criminal defense services to defendants who are unable to afford counsel, is an integral part of the criminal justice system. Therefore, our concerns center on providing effective assistance of counsel to defendants whose cases we are assigned to represent. In this regard, jail statistics consistently indicate that the majority of inmates in the Suffolk County Jail are unsentenced prisoners who are awaiting trial. It is essential that our attorneys have access to these prisoners at interview facilities that promote and protect client confidentiality and trust. This also tends to shorten the amount of time required to dispose of pending charges. For example, in 2003, our office handled 662 parole hearings. In many of these cases, our attorneys were not able to meet with their clients until the scheduled hearing date because the clients were being housed at facilities outside of Suffolk County.</p> <p>The only space provided for interviewing prisoners at the Yaphank facility is the open space reserved for visitors. This makes it very difficult for attorneys to interview prisoners.</p>
What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?	<p>Our office currently operates a "Defender Based Advocacy" (DBA) program which is partially funded by the Division of Probation and Correctional Alternatives. This program is designed to reduce the need for jail cells by advocating the use of appropriate ATI programs for our clients. These programs are also designed to reduce recidivism. In addition, the early assignment of competent and experienced counsel in criminal cases is a crucial factor in determining whether cases are handled in a timely and efficient manner. This is especially true in light of the fact that the majority of prisoners in the Suffolk County Jail are those that are awaiting trial.</p>
What resources can you dedicate to this project (staff, computers, research, etc..)?	<p>Our office currently has one attorney assigned to the DBA program and virtually all of our resources are otherwise dedicated to insuring that our attorneys receive adequate training and support needed to process cases in a timely and effective manner.</p>
How can the adult criminal justice system be improved through your Office's operations?	<p>By recognizing that our department is an integral part of the criminal justice system and as such, should be provided with funding which is at least comparable to our counterparts in the criminal justice system. The provision of high quality, experienced legal counsel, with the resources needed to handle the high volume of criminal matters to which our office is assigned, is the only way to insure that cases are processed in the most timely and efficient manner. Excessive workloads for attorneys lacking in experience and other resources has the effect of slowing the processing of cases and presumably the time that defendants are incarcerated.</p>
Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council	Louis Mazzola
Completed by/date:	Louis Mazzola, 10/04

Legislature	
Do you have any concerns regarding your Office's participation in the adult criminal justice system?	No
What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?	Better communication amongst the stakeholders.
What resources can you dedicate to this project (staff, computers, research, etc..)?	
How can the adult criminal justice system be improved through your Office's operations?	Communication
Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council	Presiding Officer Caracappa will assign staff to represent Legislator Carpenter & O'Leary & himself.
Completed by/date:	Presiding Officer's Staff, 10/04

COUNTY ATTORNEY	
Do you have any concerns regarding your Office's participation in the adult criminal justice system?	No.
What suggestions do you have to reduce the amount of time adults are incarcerated or to avoid incarceration?	None.
What resources can you dedicate to this project (staff, computers, research, etc..)?	Attorney, legal research.
How can the adult criminal justice system be improved through your Office's operations?	Quick legal answers.
Name of your appointee to the Systems Sub-Committee of the Criminal Justice Coordinating Council	Samantha McEachin
Completed by/date:	County Attorney Staff, 10/04

RESULTS OF BRAINSTORMING & EVIDENCE:

After careful analysis and review of the decline of serious crimes, the CJCC Systems Planning Subcommittee sought to understand why the jail continues to experience overcrowding. As such we engaged in brainstorming sessions designed to answer some of the questions that arose during the review of the data. The following section outlines the final results of our collective brainstorming and the answers that we could empirically document. Since we did not want this to be a report of opinion, we established the criteria that we would include only answers that could be empirically documented.

FINAL VALIDATED RESULTS:

QUESTION:

IF SERIOUS CRIME HAS DECREASED SIGNIFICANTLY IN SUFFOLK COUNTY DURING THE LAST DECADE, ACCORDING TO THE DIVISION OF CRIMINAL JUSTICE SERVICES, THEN WHY HAS THE JAIL INMATE POPULATION REMAINED SO HIGH?

I. POLICY CHANGES/DIFFERENT USES OF JAIL

1. More Non-Felony Crimes are Resulting in Incarceration.

Also there are more misdemeanor crimes on the books such as DWI, Domestic Violence, 511's, etc. that are being treated more seriously than say 15 years ago, and many of those arrested are local to the county and are incarcerated in the local jail.

2. Legislative and Administrative Changes Have Resulted in an Increased Use of Incarceration for Both Pre and Post Sentencing.

- Failure to pay support
- 511's
- Changing the Rockefeller Drug Laws-possible future impact

3. Defendants Identified with Gangs are Treated More Severely, even for Minor Crimes.

4. Changes in Judicial/Prosecutorial Practices.

- Orders of Protection
- Temporary Orders of Protection
- Violations of Probation

II. MENTALLY ILL IN CRIMINAL JUSTICE/LACK OF ADEQUATE RESOURCES

5. Mental Health Facilities have Closed giving the Criminal Justice System Less Options, Therefore, Resulting in more Mentally Ill in the Jails.

The Sub-Committee has empirical data to substantiate this statement.

6. MICA-Mentally Ill Chemically Addicted Individuals and Substance Abuse Cases have Increased in the Criminal Justice System.

This is one of the toughest populations to work with.

7. Mentally Ill Stay in Jail on Bail Longer.

There is documentation to substantiate this fact.

8. Transinstitutionalization (States are getting out of the Mental Hospital business).

Homeless (many are mentally ill). Individuals become institutionalized in jails as a result.

9. Lack of Adequate Housing and Lack of Community Support Services for individuals with Mental Illness.

Parole uses Emergency Housing as part of the release plan for an inmate. There is no safe transitional housing or supportive housing to refer mentally ill after release from jail and without interim supervision they often discontinue taking their medication.

10. Lack of Diversion Programs for Mentally Ill.

11. Inadequate Resources and Physical Plant are the Biggest Obstacles to Providing Mental Health and Substance Abuse Treatment in the Jail.

There are limitations at the jail. It was not designed to do any rehabilitation such as teaching vocational skills, learning a trade such as plumbing, cooking, etc.

12. Many Inmates Have Poor Educational Backgrounds, Learning Disabilities, and Lack Vocational Skills.

The Jail is trying to revitalize programs that rehabilitate the inmate and teach vocational skills. They offer some pre-apprenticeship programs and attempt to get them gainfully employed before being discharged from the Jail. Warden Murphy said he would provide documentation regarding these programs.

III. CHEMICAL DEPENDENT POPULATION

13. Alcohol and Substance Abuse Problems are Extremely High for the Criminal Justice Populations.

Based on empirical data.

IV. ALTERNATIVE TO INCARCERATION

14. Significant Reduction of ATI Funding from the State for the last 15 years. Documented.

15. Alternatives to Incarceration - Knowledge of Staff Throughout Criminal Justice System Needs Improvement.

A suggestion to set up a website with limited access for Judges or Criminal Justice staff to find out on a daily basis what sentencing alternatives are available. Because of the large turnover of ADA's in the District Attorney's office and reassignments of Judges along with new Judges, ATI information must be made readily available. The process must be ongoing. Judges want to know the impact of the ATI programs.

16. Alternative to Incarceration Technology Needs to be Improved.

This is a work in progress. Some technologies are already in place such as Electronic Monitoring, Alco-sensors, Ignition Interlock, etc. Other cutting edge technologies such as Global Positioning System are being introduced and slated for testing and implementation in 2005.

V. SYSTEMS PROBLEMS (CRIMINAL JUSTICE OR OTHER SYSTEMS)

17. Court Dockets Get Backed-up.

Currently there is a potential impact, especially in the County Court because of Judicial staff shortages. There were no new Judges since 1992. Vacancies should be filled quickly. This should be a priority. The District Court is down one Judge and this may have an effect on a backup of court dockets. Is this a factor? Due to staffing problems, the County Court has been required to handle cases differently. From the Legal Aid point of view, the workload has changed from the emphasis on County Court in Riverhead. The number of cases there has gone down and they have transferred attorneys back to District Court where there is an increase in cases. Workloads in all the courts are high but more information is needed.

18. Migratory Patterns-Sober Homes/from Rikers Island.

Suffolk County had the largest population of adult homes but due to inadequate reimbursement, many have closed, losing several hundred beds in 2004. This presents a large problem because this population is put in housing which is more problematic. Without placement in 'good housing', individuals being released from incarceration are at a high risk of relapse and recidivism, thereby having an impact on jail overcrowding. Individuals with mental illness may not be readily taken into Adult Homes, making a Sober Home the viable option. When released from Jail many are referred to Emergency Housing and in turn into a Sober Home.

19. Lack of Supportive Housing in Suffolk County.

If an individual is forensically involved (has a criminal history), it is more problematic for him to remain in a poor environment. Being thrust into an environment that is unhealthy and problematic is conducive to recidivism. If the individual is forensically involved and mentally ill, it will increase the possibility of relapse, hospitalization and possible recidivism. If the individual is forensically involved, mentally ill and a substance abuser, he will almost definitely end up in an environment that will almost guarantee a return to incarceration. If the individual is forensically involved, mentally ill, a substance abuser who also has a learning disability or other developmental disability, it is almost a matter of time before this individual will relapse and engage in recidivist behavior landing him back in jail.

VI. CRIME PATTERNS

20. Even if Serious Crimes are Down, Total Arrests May Be Up.

This is documented by District Court statistics that there is an increase in arrests for less serious crimes.

VII. OTHER

21. Many Inmates Have Poor Educational Backgrounds, Learning Disabilities, and Lack Vocational Skills.

There is documentation to substantiate this as a factor in the recidivism cycle. Recidivism reduction programs are needed.

FUTURE STUDY:

1. Insurgence of Gangs.

The Classification document in the jail is specific to safely house inmates from different gangs. Undersheriff Denzler said that there are increased numbers of gang members which contributes to housing problems. Gang members pose a strategic space problem at the jail because of the level of potential violence if members of different gangs are housed together. Further information is necessary regarding the specific impact of gangs, although there was consensus that the gang problem has increased in Suffolk in recent years.

2. Juvenile crime drop impact on jail population.

The relationship between juvenile crime patterns and the subsequent jail population needs to be analyzed in further detail.

CHAPTER 4

CRIMINAL JUSTICE SYSTEM POPULATION

SUFFOLK COUNTY CORRECTIONAL FACILITY PROFILE (October 2004)

*Prepared by:
Phyllis Curylo-Moore, M.A., Suffolk County Probation Department*

Introduction

Research is an integral component of the planning process. First, planners must know “who” is in the system in order to provide sound program and policy recommendations. The research process helps planners uncover problems within the system and identify specialized populations. Ultimately, the goal of this process is appropriate systemic changes and adequate program development. This chapter contains research relevant to criminal justice system planning.

Suffolk County has been proactive in identifying “who” is in the criminal justice system. Our most current research project (October, 2004), a one-day snapshot of the jail population was initiated by the Correctional Facility Oversight Committee. The research provides a profile of the overall inmate population in Suffolk County and served as an empirical basis for many of the recommendations within this report.

Over the past several years, three other major research projects regarding the Suffolk County criminal justice system population have been conducted. In 2001, the Justice System Assistance Team completed an examination of Jail Population Issues. In 2002 and 2003, two research studies were initiated by the Criminal Justice Coordinating Council in an effort to address the issue of the Mentally Ill within the Criminal Justice System. Lastly, although it was not a study directly regarding the criminal justice system, research initiated by the Department of Social Services regarding the homeless population is included. This research revealed that a high proportion of the homeless population had contact with the criminal justice system, consequently it is incorporated at the end of the chapter.

All of the aforementioned research provides us with information germane to the current systemic analysis and as such is presented in this chapter.

Methods & Design

A one-day census containing information regarding all of the prisoners at the Suffolk County Correctional Facility on October 25, 2004 was provided by the Suffolk County Sheriff's Office. This includes all inmates under the custody of the Suffolk County Sheriff's Office, which includes not only inmates at the Riverhead and Yaphank Jails but also those inmates "housed out." The data was entered into a statistical database and the following report is based upon the data analysis.

This "in jail snapshot" method focuses on information about inmates on a typical day in jail and as such, is designed to reflect the jail population on a typical day. This is a sampling methodology endorsed and used by the Bureau of Justice. This sampling method has advantages and disadvantages. An advantage of this method is the ease of identifying types of inmates however; the disadvantage is that it portrays jail populations only at a single point in time. Nonetheless, the Bureau of Justice uses this method in its five year census of inmates and its annual survey of inmates. This sampling method was deemed appropriate for the scope of this research endeavor.

The following list consists of all the variables in the data set:

- Gender
- Age
- Charges Held On
- Length of Sentence
- Days in Custody
- More Charges
- Prior Incarcerations:
 - Sentenced
 - Felonies
 - Misdemeanors
 - Other
- Location if Housed Out
- Pin Number
- G/A-gang affiliated
- H/O-holds
- Classification of Offender (*Sentenced offenders, Sentenced by Family Court, NYS Parole Violators, Writs to SCCF, Pre-Trial Family & Misdemeanor and Pre-Trial Felons*)

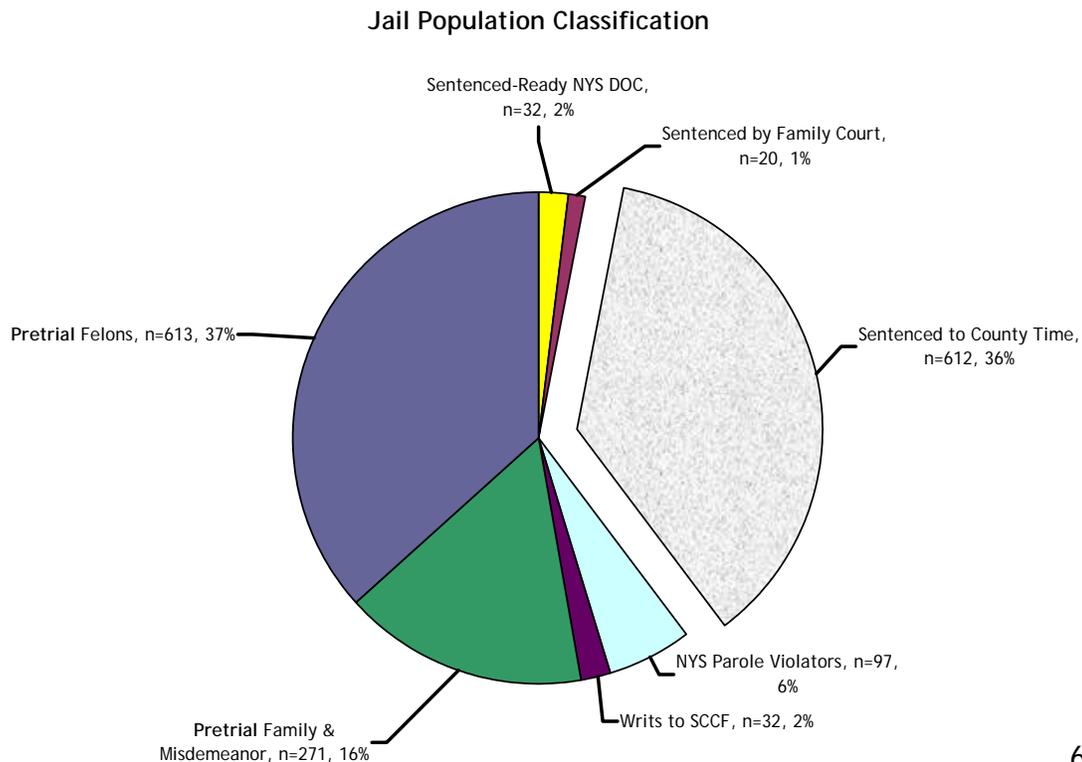
Population:

The data set contained records on 1,677 inmates. The first section of this analysis will contain statistics regarding the whole population. The population consists of:

- Sentenced offenders;
- Sentenced by Family Court;
- NYS Parole Violators;
- Writs to SCCF;
- Pre-Trial Family & Misdemeanor and Pre-Trial Felons. **Please note that there was only one (1) offender that was pre-trial other- this offender was added to pretrial family & misdemeanor for analysis purposes.*

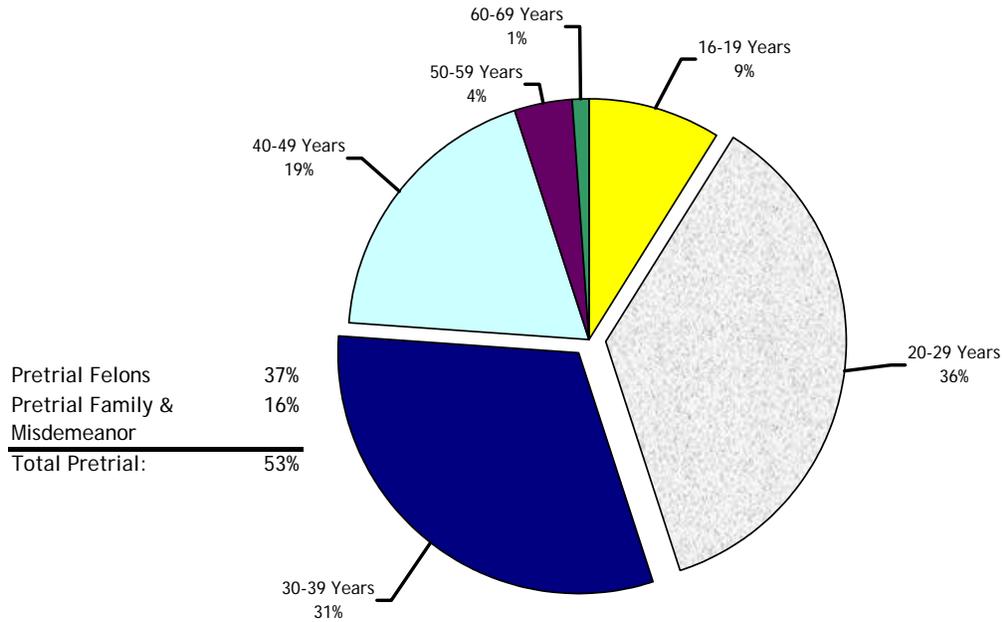
The second section will review subsets of the population, such as inmates held on motor vehicle charges, drug charges, violent offenders, and pre-trial offenders.

Over half (53%, n=884) of the prison population was pre-trial. 6% (n=97) of the county jail population were NYS parole violators, as indicated in the following chart.



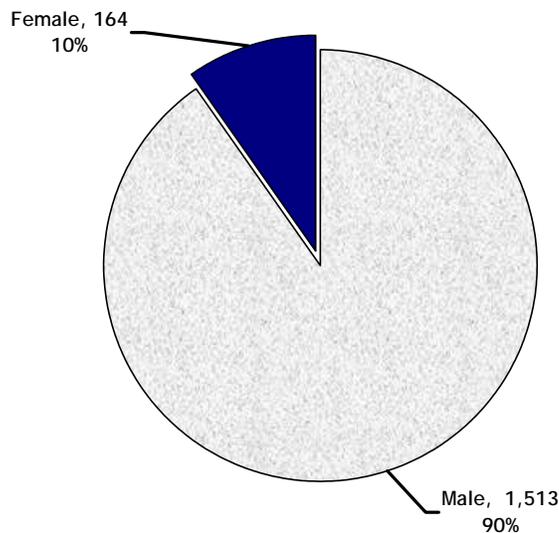
The majority of offenders (67%) were between the ages of twenty years and forty years old and approximately 90% were men, as shown below.

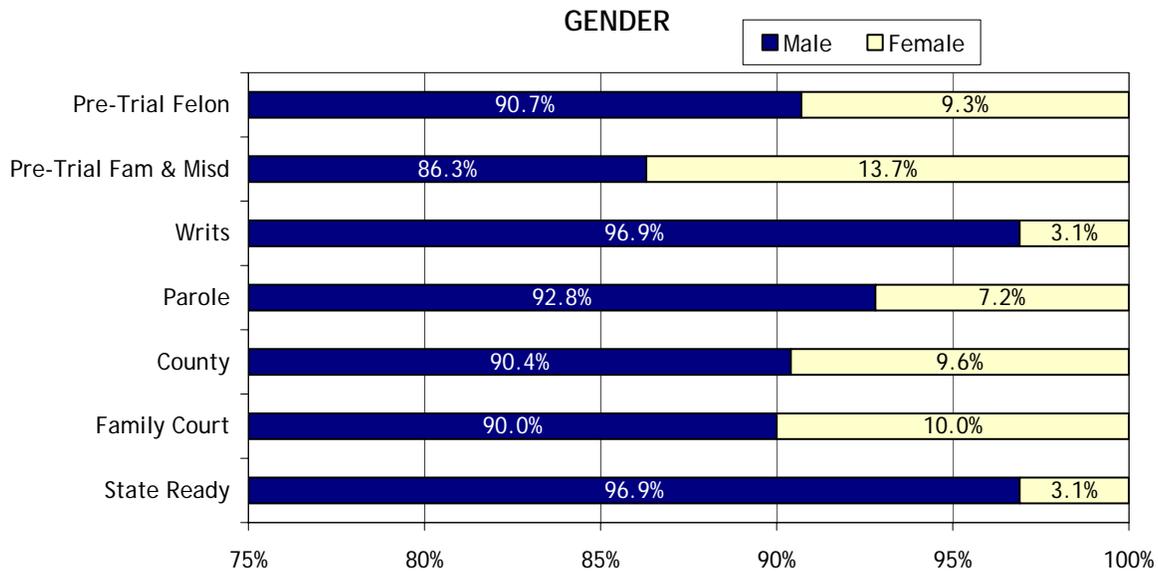
Age of Prisoners (N=1,677)



Although women comprised approximately 10% of the overall jail population, there was slightly (13.7%) higher composition within the pre-trial family & misdemeanor class and a significantly lower (3.1%) representation within the state ready population.

Gender Prison Population (N=1,677)





Category of Charge Held On:

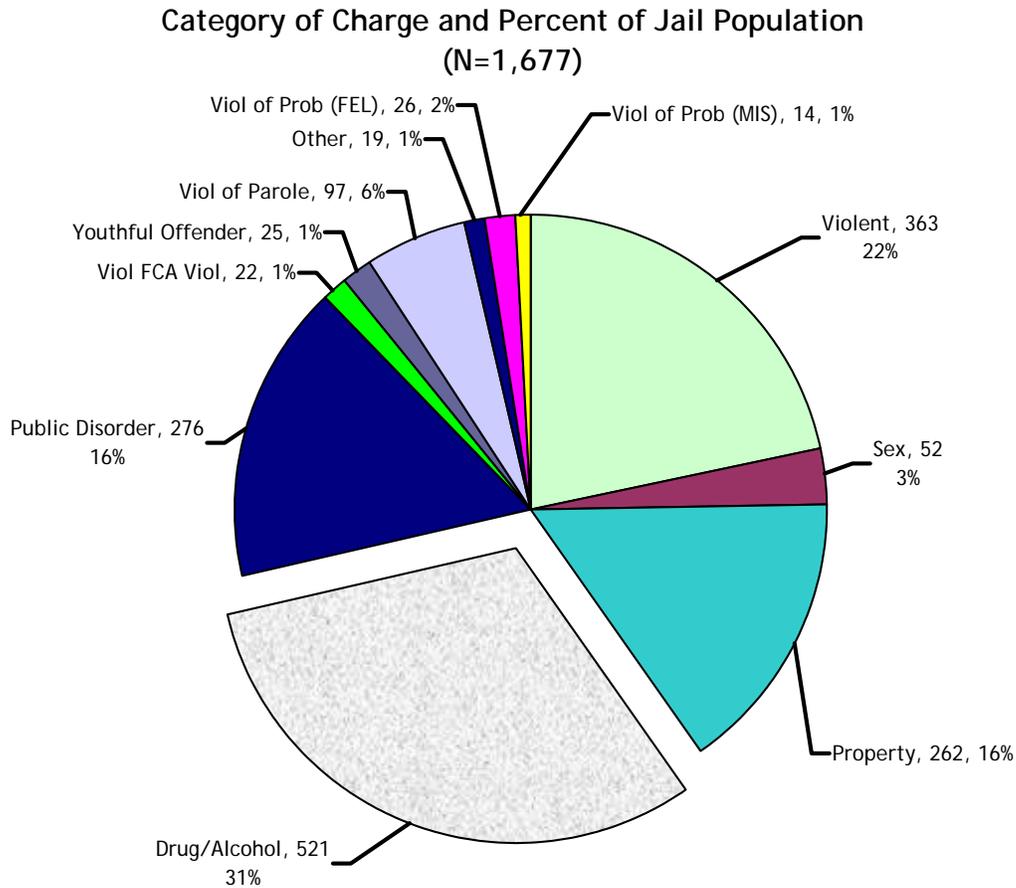
All inmates within the population had a “charge held on.” The inmate’s “charge held on” was the offense that resulted in the current incarceration. The “charges held on” were grouped into the following categories:

- Drug/Alcohol Related;
- Violent;
- Sexual;
- Public Disorder;
- Other;
- Youthful Offenders;
- Violation of Probation;
- Violation of Parole;
- Violation of a FCA.

(Categories are based on Bureau of Justice categories of crime.)

** Please note that offenders may have other charges in addition to the charge held on but the data set only contained the actual charge held on and only listed the number of additional charges if there were any. As such, the analysis was done based upon the available information. In addition, the charge held on would be the most serious of all the charges, if there were additional charges. See tables on page 96 for a complete list of the specific charges that would be included in a category.*

A third (31%, n=521) of all inmates were being held on drug or alcohol related charges. 22% (n=363) of all inmates were being held on violent charges. 16% (n=276) of all inmates were being held on public disorder charges. See next chart and table.



Category of Charge Held On		
Category	Frequency	% of Total
Drug/Alcohol	521	31%
Violent	363	22%
Public Disorder	276	16%
Property	262	16%
Viol of Parole	97	6%
Sex	52	3%
Viol of Prob (FEL)	26	2%
Youthful Offender	25	1%
Viol FCA Viol	22	1%
Other	19	1%
Viol of Prob (MIS)	14	1%
TOTAL	1,677	100%

Category of Charge Held On by Type of Inmate									
	Violent	Sex	Property	Drug/ Alcohol	Public Disorder	VIOL FCA VIOL	Youthful Offender	Viol of Parole	Other
Sentenced-Ready NYS DOC	10	2	5	14	1				
Sentenced by Family Court						20			
Sentenced to County Time	96	15	137	194	138		25		7
NYS Parole Violators								97	
Writs to SCCF	7	3	7	5	3	2			5
Pre Trial Family & Mis	32	1	25	115	81				16
Pretrial Felons	218	31	88	193	52				31
With Other Charges					1				
Sub-Totals	363	52	262	521	276	22	25	97	59
GRAND TOTAL:									1,677

Prisoners Housed Out:

Housed out indicates a prisoner has been transported and is being housed at a facility outside of the Suffolk County Correctional Facility. 288 or 17% of the total snapshot population were designated as housed out. The remaining 1,389 prisoners were not designated as housed out. The following table displays where inmates were "housed out."

Prisoners Housed Out		
Facility	Number of prisoners	% of Total
Orange County	102	35.4%
Rikers Substitute	58	20.14%
Albany County	52	18.06%
United States	16	5.56%
Oneida County	10	3.47%
Nassau Substitute	8	2.78%
Delaware County	8	2.78%
Rockland County	7	2.43%
Westchester County	7	2.43%
Mid Hudson Psy	6	2.08%
Fulton County	5	1.74%
Putnam County	5	1.74%
Weekenders	2	0.69%
Central Suffolk	1	0.35%
Pilgrim State	1	0.35%
Total	288	100.0%

Hold:

In addition to the charges held on, an inmate could also have a hold issued. A hold is another charge/warrant from a separate agency which prohibits release.

Approximately 23% (n=393) of all snapshot inmates have holds.

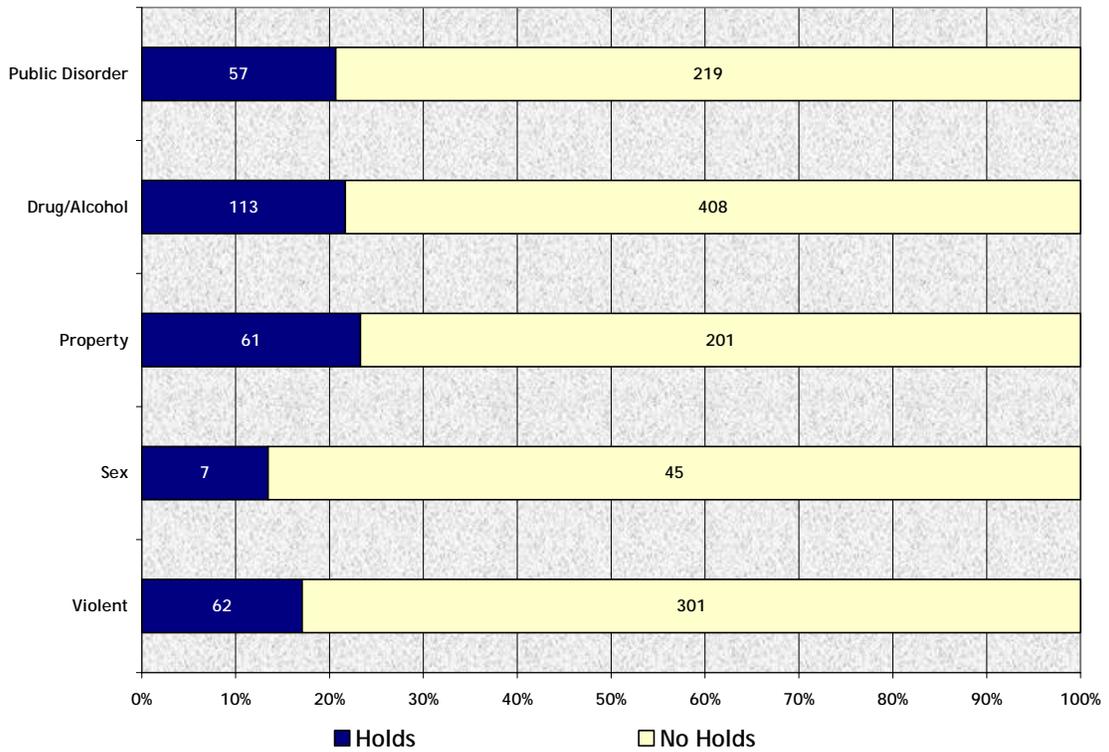
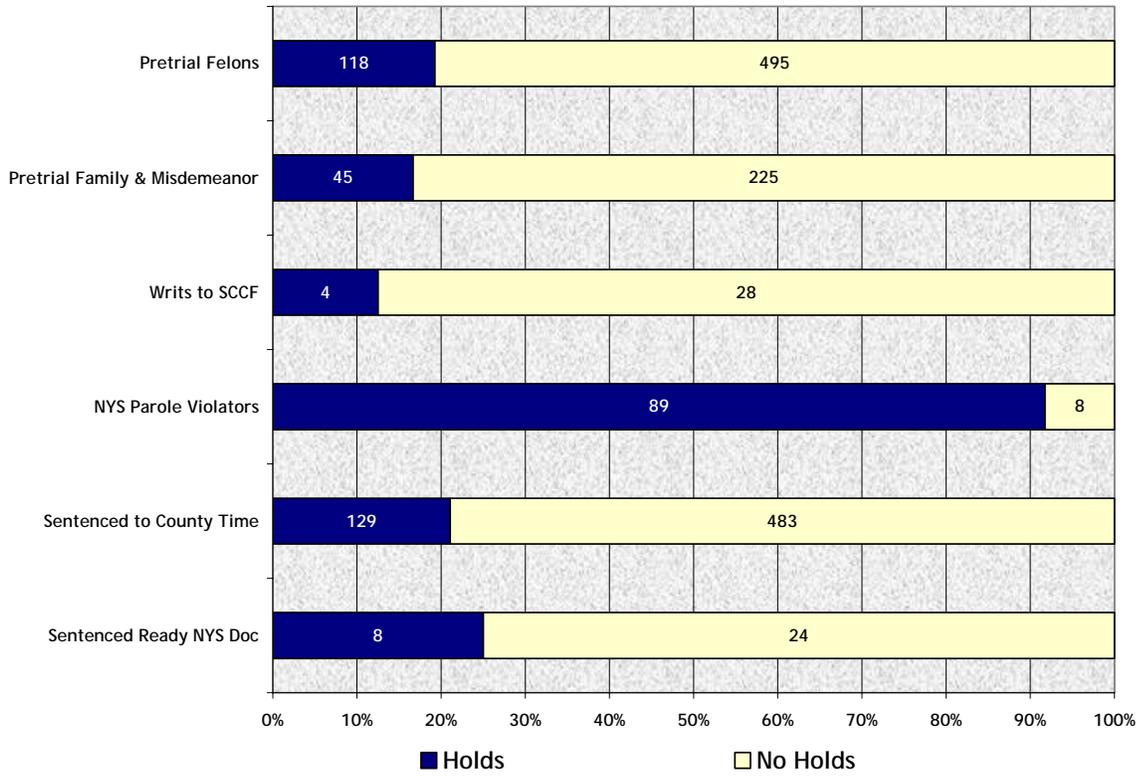
32% (n=129) of inmates with holds are sentenced offenders and 30% (n=118) of inmates with holds on them are pretrial felons. The total number of inmates with holds by class is shown below.

Inmates with Holds by Class		
Class	Number	% of Total
Sentenced-Ready NYS DOC	8	2%
Sentenced to County Time	129	32%
NYS Parole Violators	89	23%
Writs to SCCF	4	1%
Pretrial Family & Misdemeanor	45	11%
Pretrial Felons	118	30%
Total number of inmates with holds	393	100%

** Percents Rounded*

The following charts detail the category of offender with holds and without holds.

- Of all the Sentenced Ready NYS Doc inmates, (n=32) 25%, had holds.
- Of those inmates sentenced to county time (n=612) 21% had holds.
- Of the parole violators (97) 91% had holds. Of the pre-trial family misdemeanor inmates (n=271)16% had holds on them. 19% of the pre-trial felons (n=613) had holds.



Days in Custody:

This category represents the number of days in custody at the time that this data set was run (October 25, 2004). 35% (n=589) of all inmates in jail on this day were in custody for 30 days or less.

Days in Custody		
Number of Days	Number	% of Total
30 Days or Less	589	35.1%
31 - 60 Days	360	21.5%
61 - 120 Days	352	21.0%
121 - 180 Days	165	9.8%
181 - 240 Days	96	5.7%
241 - 300 Days	39	2.3%
301 - 360 Days	22	1.3%
More Than 360 Days	54	3.2%
TOTAL	1,677	100.0%

Inmates in Custody for Under One Month at the Time of the Census		
Inmate Classification	Frequency	Percent
Sentenced-Ready NYS DOC	7	1.2%
Sentenced by Family Court	5	0.8%
Sentenced to County time	132	22.4%
NYS Parole Violators	31	5.3%
Writs to SCCF	19	3.2%
Pretrial Family & Misdemeanor	177	30.1%
Pretrial Felons	217	36.8%
With Other Charges	1	0.2%
Total	589	100.0%

Almost 70% (n=66) of New York State parole violators were in the jail for over one month.

Days in Custody & Classification of Inmate

Days in Custody	State Ready	Family Court	County Time	Parole Violators	Writs to SCCF	Pretrial Family & Misdemeanor	Pretrial Felon	Not Sentenced with Other Charges	TOTAL
1-24	6	5	100	28	17	158	195	1	510
25 - 49	5	2	139	27	4	57	103		337
50 - 74	2	2	101	23	2	22	63		215
75 - 99	4	4	57	4	5	14	49		137
100 - 199	7	7	150	14	2	17	105		302
200 - 299	4		43			1	51		99
300 - 399	2		14	1			20		37
400 - 499	1		7		1	1	9		19
500 - 599					1		5		6
600 - 699							5		5
700 - 799	1								1
800 - 899			1				3		4
900 - 1,499							4		4
2,157							1		1
TOTAL	32	20	612	97	32	270	613	1	1,677

Prior Incarcerations:

The following tables illustrate all inmates' prior incarcerations at the Riverhead & Yaphank Jails at the time of the census. Jail administrators categorize prior incarcerations as: sentence, felony, misdemeanor and other. These only include incarceration at Suffolk County Jail thus the data would not capture any previous incarcerations in another state or facility.

Sentenced prior incarceration indicates whether the inmate has ever served time sentenced to jail at Riverhead. Felony or Misdemeanor prior incarceration indicates that an inmate served time in jail pre-trial for a Felony or Misdemeanor. Other prior incarcerations indicate whether an inmate served time in jail (*not sentenced*) for any other violations or warrants.

Almost half (47%) of offenders had a prior incarceration within the Other category. 14% had a prior misdemeanor incarceration, 18% had a prior felony incarceration and 14% had a sentenced prior incarceration.

The following table displays the number and percent of inmates with prior incarcerations within each category.

Inmates with Prior Incarceration								
Number of Inmates	Sentenced		Felony		Misdemeanor		Other	
	Number	% Population						
None	1,445	86.2%	1,380	82.3%	1,442	86.0%	891	53.1%
One	70	4.2%	94	5.6%	82	4.9%	180	10.7%
Two	43	2.6%	61	3.6%	39	2.3%	102	6.1%
Three	31	1.8%	38	2.3%	23	1.4%	72	4.3%
Four	34	2.0%	42	2.5%	24	1.4%	27	1.6%
Five	10	0.6%	22	1.3%	11	0.7%	31	1.8%
Six	15	0.9%	13	0.8%	19	1.1%	35	2.1%
Seven	8	0.5%	12	0.7%	10	0.6%	24	1.4%
Eight	4	0.2%	5	0.3%	6	0.4%	10	0.6%
Nine	4	0.2%	2	0.1%	4	0.2%	38	2.3%
Ten	4	0.2%	2	0.1%	3	0.2%	22	1.3%
Eleven	0	0.0%	2	0.1%	3	0.2%	27	1.6%
12 or more	9	0.5%	4	0.2%	11	0.7%	218	13.0%
TOTAL	1,677	100%	1,677	100%	1,677	100%	1,677	100%

The following table displays all inmates' histories of a prior incarceration: sentenced within a class. Approximately 80% of pretrial felons had no prior incarcerations (sentence).

Prior Incarceration: Sentence

	State Ready	Family Court	Sentenced County Time	Parole Violator	Writs to SCCF	Pretrial Family & Misdemeanor	Pretrial Felon	Not Sentenced with Other Charges	TOTAL
None	32	19	516	94	30	254	499	1	1,445
One			29	1	1	1	38		70
Two		1	20	1	1	1	20		44
Three			11	1		1	17		30
Four			16			4	14		34
Five			4				6		10
Six			7			2	6		15
Seven						4	4		8
Eight			1				3		4
Nine			2			1	1		4
Ten			2				2		4
Eleven									-
12 or more			4			2	3		9
TOTAL	32	20	612	97	32	270	613	1	1,677

Prior Incarceration: Felony

	State Ready	Family Court	Sentenced County Time	Parole Violator	Writs to SCCF	Pretrial Family & Misdemeanor	Pretrial Felon	Not Sentenced with Other Charges	TOTAL
None	32	19	474	93	30	252	479	1	1,380
One			38	1		5	50		94
Two		1	32	1		3	24		61
Three			22		1	3	12		38
Four			20	1	1	3	17		42
Five			8				14		22
Six			5	1		2	5		13
Seven			3				9		12
Eight			3				2		5
Nine			1			1			2
Ten			2						2
Eleven			1				1		2
12 or more			3			1			4
TOTAL	32	20	612	97	32	270	613	1	1,677

Prior Incarceration: Misdemeanor

	State Ready	Family Court	Sentenced County Time	Parole Violator	Writs to SCCF	Pretrial Family & Misdemeanor	Pretrial Felon	Not Sentenced with Other Charges	TOTAL
None	32	19	504	93	32	253	508	1	1,442
One		1	41	2		2	36		82
Two			17	1		3	18		39
Three			13	1		1	8		23
Four			5			1	18		24
Five			4			2	5		11
Six			11			2	6		19
Seven			5			2	3		10
Eight			2				4		6
Nine			2			1	1		4
Ten			3						3
Eleven			1			2			3
12 or more			4			1	6		11
TOTAL	32	20	612	97	32	270	613	1	1,677

Prior Incarceration: Other									
	State Ready	Family Court	Sentenced County Time	Parole Violator	Writs to SCCF	Pretrial Family & Misdemeanor	Pretrial Felon	Not Sentenced with Other Charges	TOTAL
None	16	9	345	36	16	124	345		891
One	1	3	55	12	6	24	78	1	180
Two	3	2	33	11	2	14	37		102
Three	2	1	31	4	1	11	22		72
Four		1	7	2	1	7	9		27
Five	1		14	3	1	5	7		31
Six	1		14	3		7	10		35
Seven		1	4	4		7	8		24
Eight			4			1	5		10
Nine	2		19	1	1	5	10		38
Ten	1		8	2		2	9		22
Eleven		1	10	2	2	4	8		27
12 or more	5	2	68	17	2	59	65		218
TOTAL	32	20	612	97	32	270	613	1	1,677

Bail:

The following table displays all bail amounts of all inmates *eligible* for bail. Consequently, this table does not include sentenced offenders or parole violators since they would not fall within a class eligible for bail.

Almost 50% (n=419) of inmates either have no bail or \$20,000 or more bail.

Almost 20% (n=154) have bail of \$1,000 or less.

Please note percentages are rounded.

Pretrial Bail				
BAIL AMOUNT	Pretrial Family & Misdemeanor	Pretrial Felon	TOTAL	% of pre-trial (n=883)
NO BAIL	16	155	171	19%
\$25 - \$500	95	12	107	12%
\$501 - \$1,000	39	8	47	5%
\$1,001 - \$1,500	27	1	28	3%
\$1,501 - \$2,500	23	13	36	4%
\$2,501 - \$5,000	25	59	84	10%
\$5,001 - \$7,500	2	19	21	2%
\$10,000 - \$15,000	20	89	109	12%
\$15,001 - \$20,000	3	29	32	4%
\$20,000 or more	20	228	248	28%
TOTAL	270	613	883	100%

Bail Categories for all inmates are shown below:

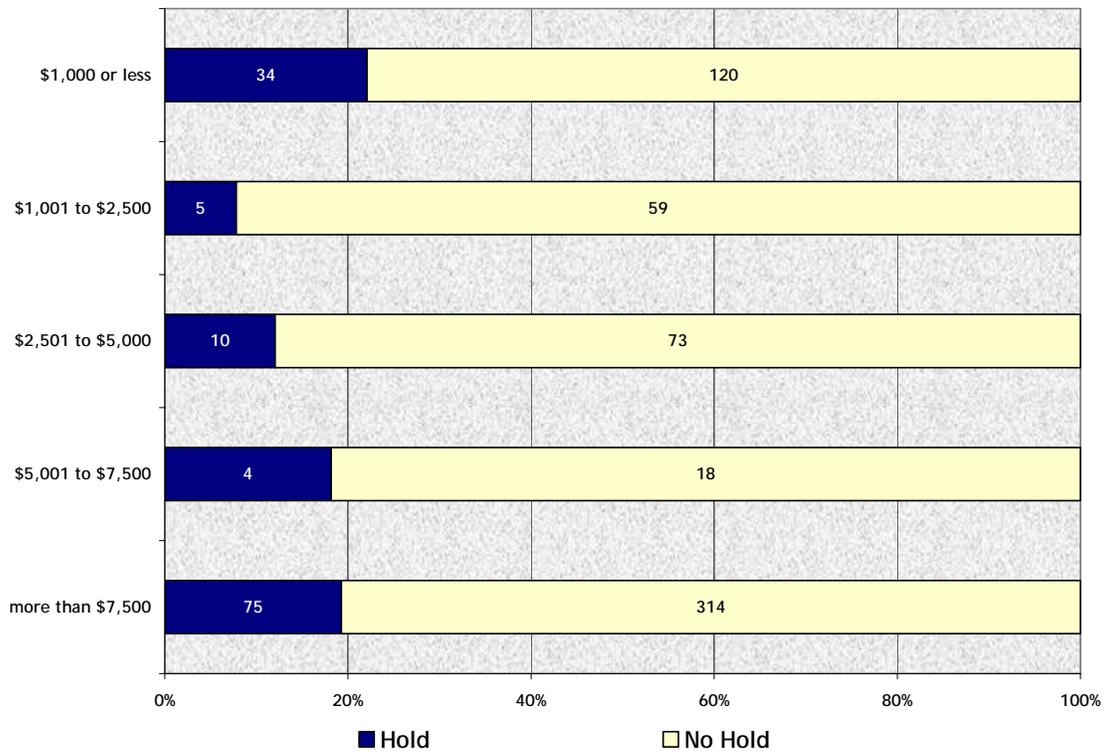
Bail Categories:		
Amount of Bail	Frequency	Percent
No Bail	295	17.6%
\$1,000 or less	154	9.2%
\$1,001- \$2,500	64	3.8%
\$2,501 - \$5,000	83	4.9%
\$5,001 - \$7,500	22	1.3%
More than \$7,500	389	23.2%
Not Applicable	670	40.0%
Total	1,677	100.0%

22% of inmates with bail \$1000 or less had a hold.

7% of inmates with bail \$1000 to \$2500 had a hold.

Bail amounts and the percentage of inmates with holds are shown in the following table:

Bail Amounts and Holds			
Amount of Bail	Number of Inmates with a Hold	% of Inmates with a Hold within the Bail Category	Total Inmates within Bail Category
No Bail	127	43%	295
\$1,000 or less	34	22%	154
\$1,001 - \$2,500	5	8%	64
\$2,501 - \$5,000	10	12%	83
\$5,001 - \$7,500	4	18%	22
More than \$7,500	75	19%	389
Not Applicable	138	21%	670
Total	393	23%	1,677



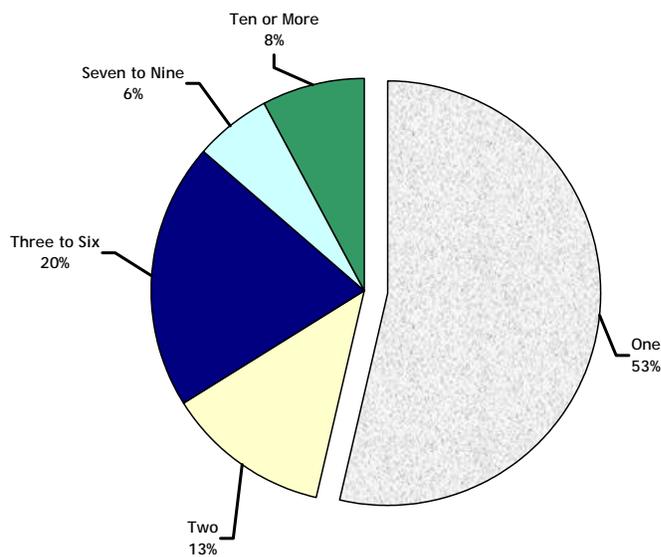
Number of Charges

This variable includes all charges the inmate is being held on including the current charge. Over half (53%, n=898) of all inmates are being held on one charge. *See table and chart*

Total Population: Number of Charges								
Number of charges	Sentenced-Ready NYS DOC	Sentenced by Family Court	Sentenced to County Time	NYS Parole Violators	Writs to SCCF	Pretrial Family & Misdemeanor	Pretrial Felons	Total
One	14	19	535	83	19	47	181	898
Two	9		28	7	5	55	107	211
Three	1	1	20	3	3	33	70	131
Four	3		6	2	2	37	50	100
Five			7			19	30	56
Six			5			14	31	51
Seven			4			11	26	41
Eight						9	20	29
Nine	1			1	2	7	19	30
Ten or More	4		7	1	1	38	79	130
Total	32	20	612	97	32	270	613	1,677

Total Population: Number of Charges

Number of Charges- All Prisoners (N=1,677)



Number of Offenders in Each Category and Whether They Have Additional Charges

Category	Number that Have More Charges and Within Category	Number that have No Additional Charges	Total
Violent	197	166	363
Sex	22	30	52
Property	121	141	262
Drug/Alcohol	253	268	521
Public Disorder	132	144	276
VIOL FCA VIOL	2	20	22
Youthful Offender	3	22	25
Viol of Parole	14	83	97
Unknown		3	3
Mat Witness		1	1
V. O. Prob (Fel)	19	7	26
V.O. Prob (MIS)	9	5	14
Other	7	8	15
Total	779	898	1,677

Inmates with no Additional Charges:

(Being held on one charge)

Over half of all inmates (n= 898) were only held on one charge. Of these inmates 26% (n=232) had holds. 60% of these inmates were sentenced offenders.

Inmates with No Additional Charges (Being Held on One Charge)		
Category	Frequency	Percent
Violent	166	18.5%
Sex	30	3.3%
Property	141	15.7%
Drug/Alcohol	268	29.8%
public disorder	144	16.0%
VIOL FCA VIOL	20	2.2%
Youthful Offender	22	2.4%
Viol. of Parole	83	9.2%
Unknown	3	0.3%
V. O. PROB (FEL)	7	0.8%
V.O. PROB (MIS)	5	0.6%
Other	9	1.0%
Total	898	100.0%

25% (n=228) of inmates with one charge, no additional were pre-trial.

Inmates With One Charge		
Category	Frequency	Percent
Sentenced-Ready NYS DOC	14	1.6%
Sentenced by Family Court	19	2.1%
Sentenced to County Time	535	59.6%
NYS Parole Violators	83	9.2%
Writs to SCCF	19	2.1%
Pretrial Family & Misdemeanor	47	5.2%
Pretrial Felons	181	20.2%
Total	898	100.0%

Type of Inmate & One Charge

Inmates With One Charge & Holds			
Category	Number with one charge	Number & % within Category of Charge with Holds	
		Holds yes	No Holds
Violent	166	25 (15%)	141(85%)
Sex	30	4 (13%)	26(87%)
Property	141	33(24%)	108(76%)
Drug/Alcohol	268	58(22%)	210(78%)
Public Disorder	144	32(23%)	112(77%)
Youthful Offender	22	2(10%)	20(90%)
Viol. of Parole	83	76(91%)	7(9%)
Unknown	3	1(34%)	2(66%)
V. O. Prob (FEL)	7	1(15%)	6(85%)
Violation FCA	20	0	20(100%)
V.O. Prob (Mis)	5	0	5(100%)
Other	9	0	9(100%)
Total	898	232(26%)	666(74%)

Inmates held on One Charge with no additional charges:

- 85% (n=141) of offenders being held on one violent charge had no holds.
- 76% (n=108) of offenders being held on one property related charge had no holds.
- 78% (n=210) of offenders being held on one drug alcohol related charge had no holds.
- 77% (n=112) of offenders being held on one public disorder related charge had no holds.

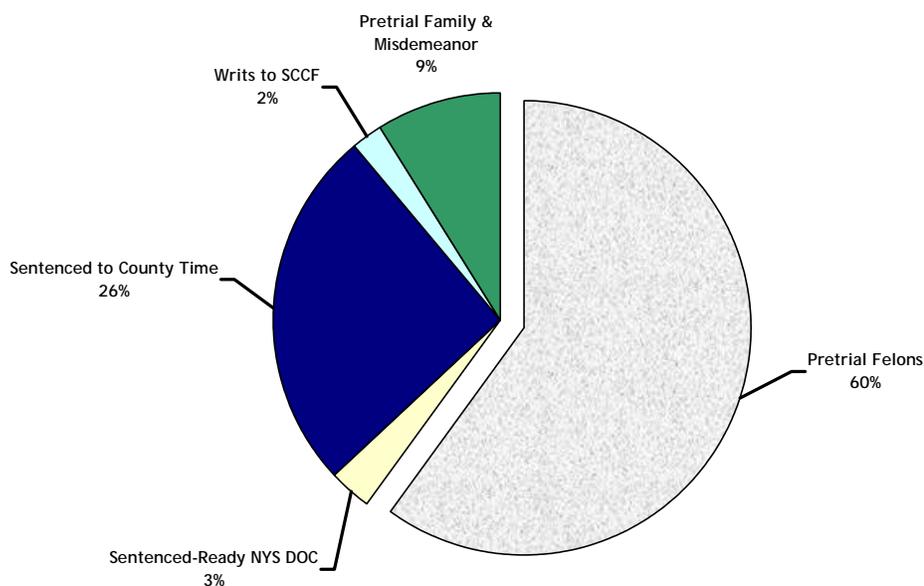
Bail Amounts & Inmates being held on One Charge:		
	Frequency	Percent
No Bail	145	16.1%
\$1,000 or less	24	2.7%
\$1,001 to \$2,500	9	1.0%
\$2,501 to \$5,000	25	2.8%
\$5,001 to \$7,500	7	0.8%
More than \$7,500	119	13.3%
Not Applicable	569	63.4%
Total number of inmates with one charge	898	100.0%

Violent Offenders:

In this section inmates are identified as violent if their "charge held on" falls into the violent category. 22% (n=363) of all offenders were being held on charges that fell within the violent category. Almost 80% of offenders in the jail were held on charges that did not fall into the violent category. 60% (n=218) of those within the violent category were pre trial felons. 26% (n=96) were inmates sentenced to county time.

See next chart and table.

Type of Offender- Violent Category (N=363)

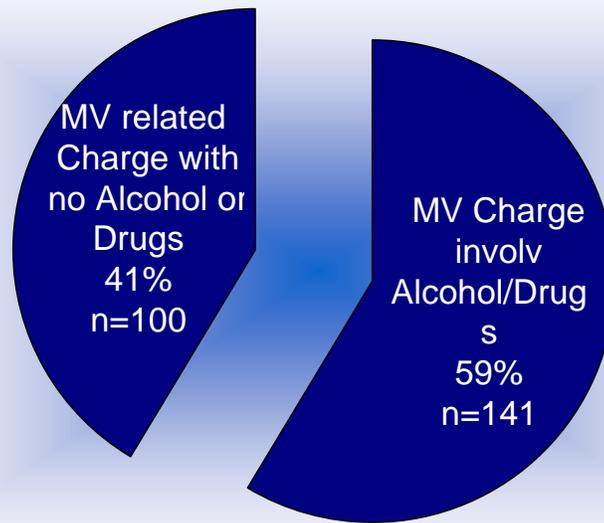


The chart below displays all charges within the violent category and the number of inmates within each classification that committed the offense listed. The total number of inmates within the violent category is 363. Approximately one quarter (n=87) of those in the violent category committed an assault. Approximately one quarter (n=88) committed Robbery.

Classification of Inmate						
Charge Inmate Held On	Sentenced-Ready NYS DOC	Sentenced to County Time	Writs to SCCF	Pretrial Family & Misdemeanor	Pre-Trial Felons	Total
Assault 1	1	1			12	14
Assault 2	2	10			27	39
Assault 3		25		9		34
Burg 1					13	13
Burg 2		11			33	44
CPW 2	1				1	2
CPW 3	2	9			18	29
CPW 4		4		2		6
Manslaughter 1			2			2
Menacing 2		5		9		14
Menacing 3		1				1
Murder 1					1	1
Murder 2	2		4		39	45
RECK ENDANG 1		2			4	6
RECK ENDANG 2		2		2		4
Res Arr		9		10	1	20
Rob 1		1			50	51
Rob 2	2	8			9	19
Rob 3		8	1		9	18
Vehicle Assault 1					1	1
Total	10	96	7	32	218	363

Motor Vehicle Charges:

Over 14% (N=241) of all inmates were held on a charge that involved a motor vehicle related offense. Of these charges, almost 60% (n=141) were related to drug/alcohol use and operation of a motor vehicle.



Charges Involving Drugs/Alcohol & a Motor Vehicle

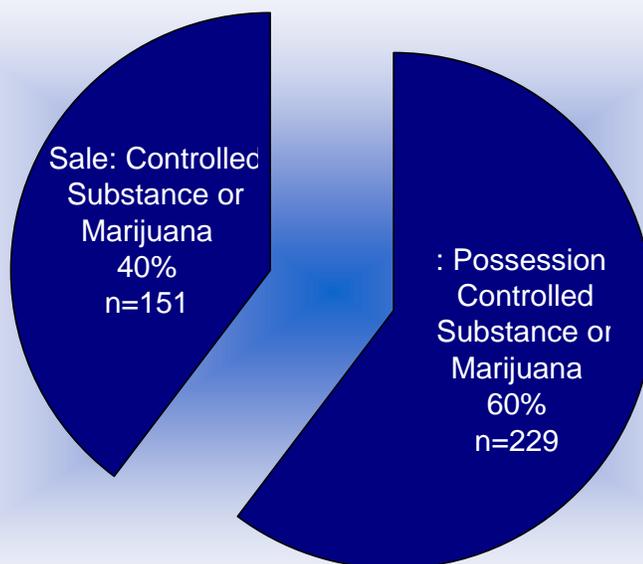
Charge held on	Percentage of Total population (N=1,677) and Number
DWI (FEL)	3.7% (n=62)
Op MV Intox 1	1.1% (n=18)
Op MV III% Alc 1 SPI	1.0% (n=16)
Op MV Intox 2	1.0% (n=16)
DWI (MIS)	0.7% (n=11)
Op MV III% Alc 2 SPI	0.5% (n=9)
Op MV Drugs 2	0.24% (n=4)
Op MV Drugs 1	0.18% (n=3)
2 nd Conv 1192.3	0.12% (n=2)
OF TOTAL	8.4% (N=141)

Charges Involving a Motor Vehicle Related Offense (Not Alcohol or Drug Related)

Charge held on	Percentage of Total Population and Number (N=1677)
Agg Unl Op 2	2.2% (n=37)
Agg Unl Op 1	1.8% (n=30)
UUMV 3	1.3% (n=22)
Agg Unl Op 3	0.4% (n=7)
Lv Scn Accdnt	0.18% (n=1)
Reckless Driving	0.12% (n=2)
TOTAL Population	6.1% (N=100)

Drug Charges:

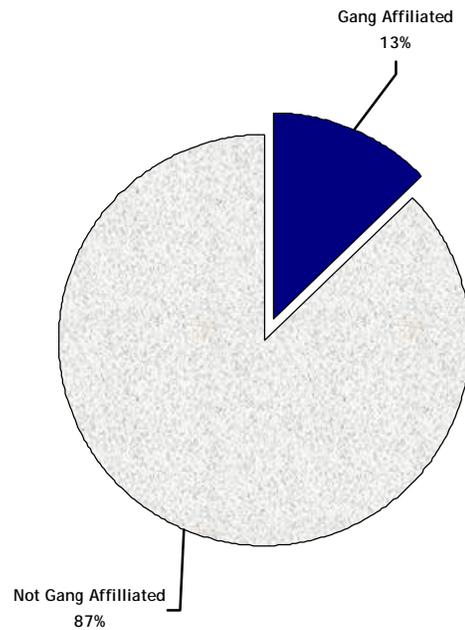
Almost a quarter, 22.7% (n=380), of prisoners were held on drug charges. Of these offenders a majority 60% (n=229) were charged with/held on criminal possession of a controlled substance or criminal possession of marijuana. 40% (n=151) of prisoners were being held on criminal sale of a controlled substance or sale of marijuana.



All Offenders Held on Drug Related Charges

Charge held on	Percentage of Total population (N=1,677) and Number
Criminal Possession of a Controlled Substance 7	9.4% (n=157)
Criminal Sale Controlled Substance 3	6.6% (n=110)
Criminal Possession of a Controlled Substance 3	1.7% (n=29)
Criminal Sale Controlled Substance 1	1.2% (n=20)
Criminal Sale Controlled Substance 2	1.0% (n=16)
Criminal Possession of a Controlled Substance 4	0.6% (n=10)
Criminal Possession of a Controlled Substance 2	0.54% (n=9)
Criminal Possession of a Controlled Substance 5	0.48% (n=8)
Criminal Possession of a Controlled Substance 1	0.4% (n=6)
Criminal Possession Marijuana 1	0.24% (n=4)
Criminal Possession Marijuana 5	0.18% (n=3)
Sale Marijuana 1	0.12% (n=2)
Criminal Possession Marijuana 4	0.12% (n=2)
Sale Marijuana 3	0.06% (n=1)
Criminal Sale Controlled Substance 4	0.06% (n=1)
Criminal Sale Controlled Substance 5	0.06% (n=1)
Criminal Possession Marijuana	0.06% (n=1)
TOTAL	22.7% (N=380)

Drug and Alcohol Related Gang Crime and Gang Members
(n=521)

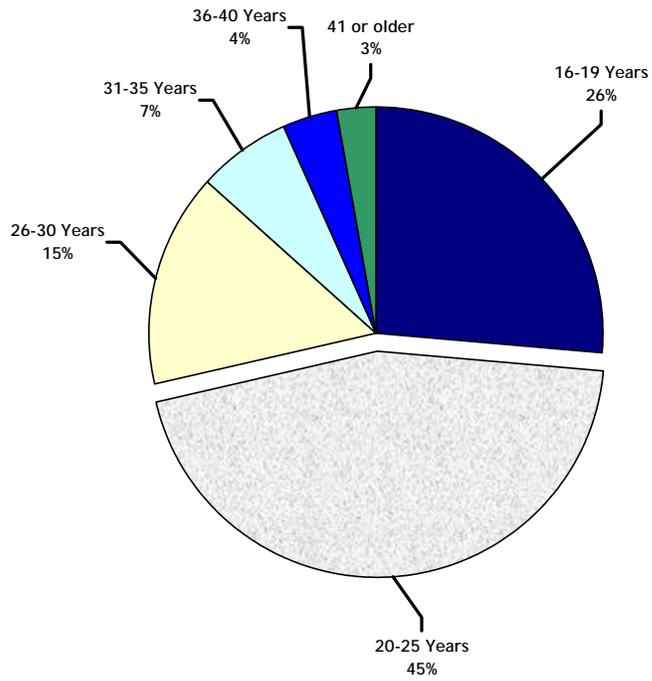


Gang Affiliation:

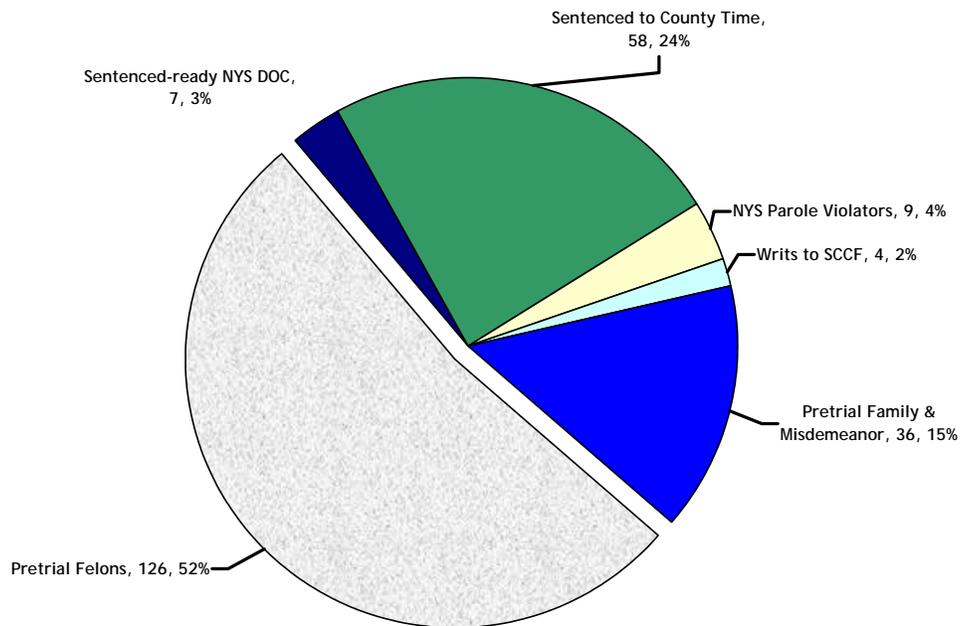
Jail Administrators identify gang members upon entry to Suffolk County Correctional Facility. Gang affiliation is determined by self admission or if there are indicators of gang membership such as tattoos, clothing etc.

14.3 % (n=240) of the jail population were identified as gang affiliated. 97% or 232 were males. The age range was from 16 years up to age 48.

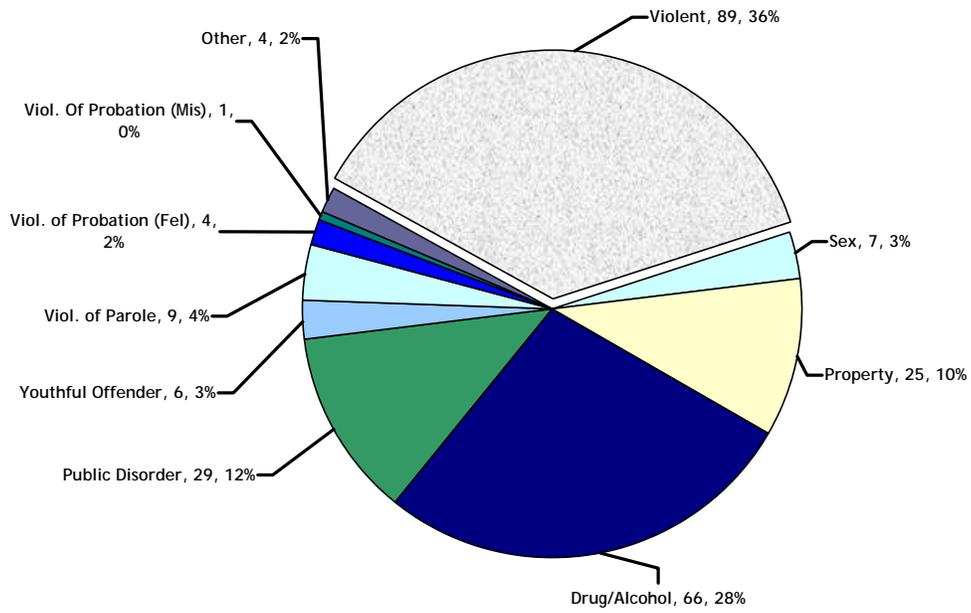
Gang Affiliated Inmates (n=240)



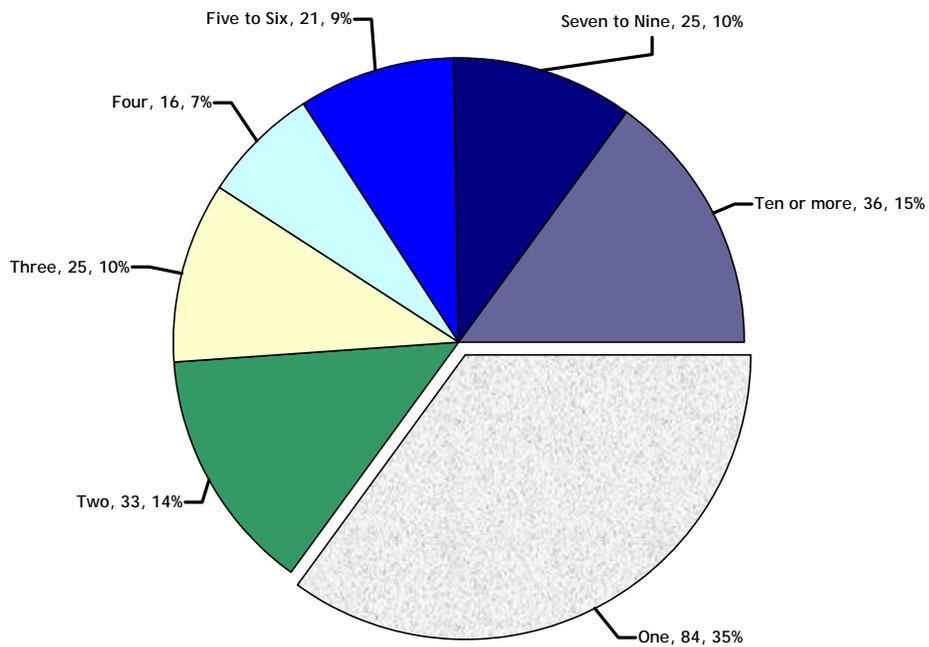
Classification and Percent of Inmates Gang Affiliated



Inmates Gang Affiliated & Category of Crime (based on charge held on)

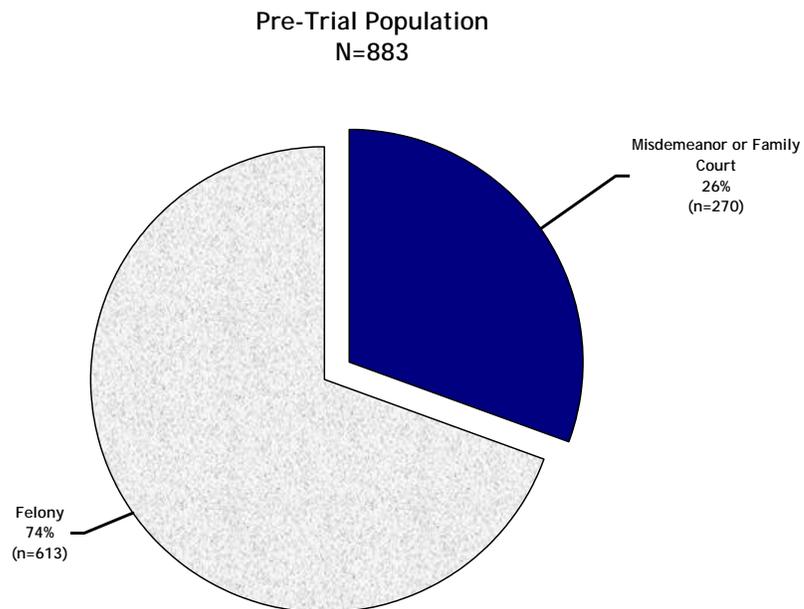
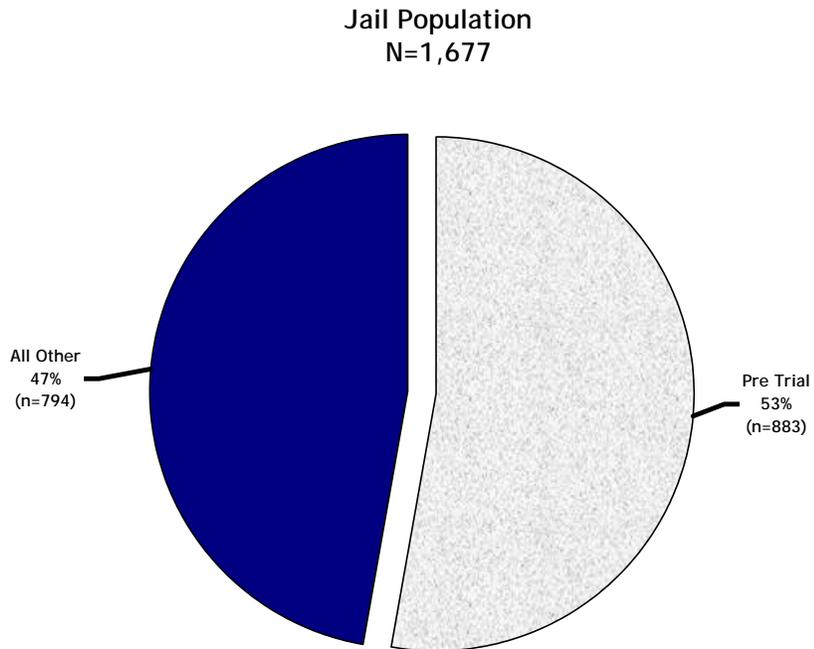


Number of Charges & Inmates Gang Affiliated



Pre-Trial Population:

Over half (n=883) of all inmates in the Riverhead jail were pre-trial. Approximately three quarters of the pre-trial population were pre-trial felony.

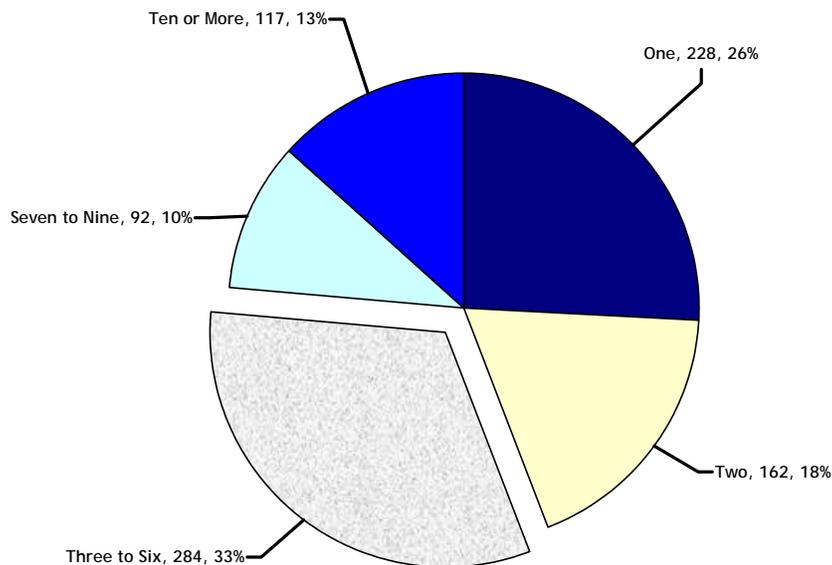


Pre-Trial & Number of Charges

This category consists of all charges including the current charge. A quarter of all pre-trial inmates were only being held on one charge.

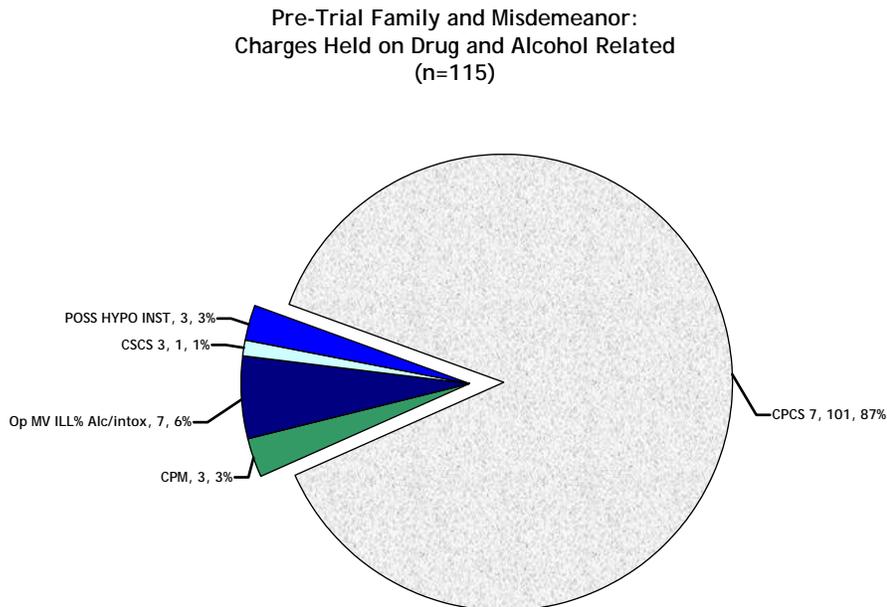
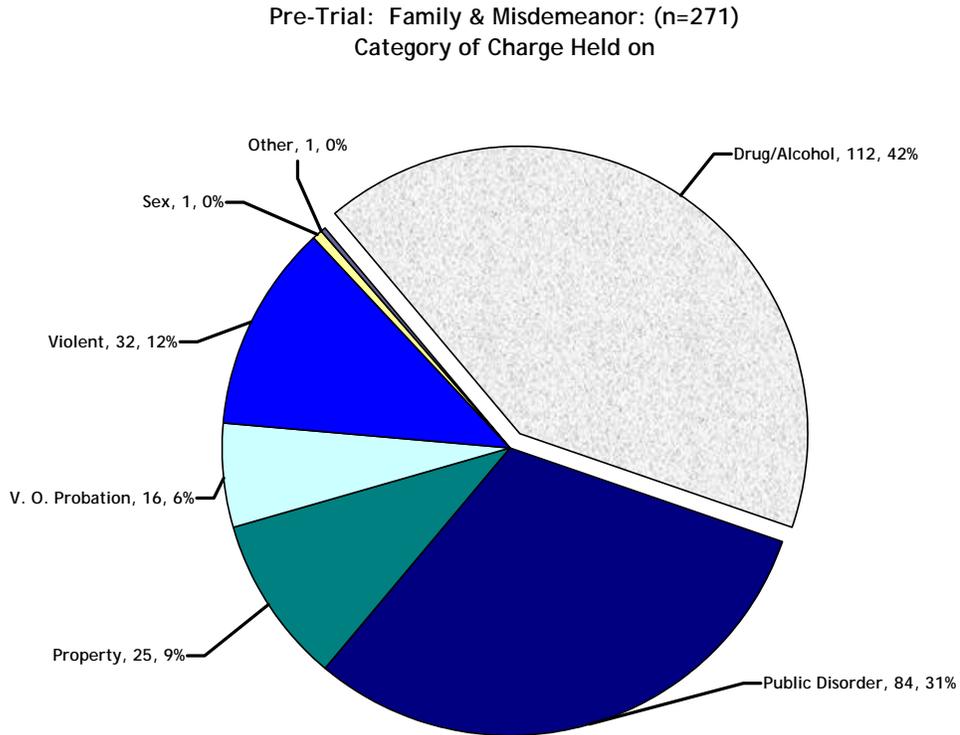
Number of charges (morecrgs)	Pretrial Family & Misdemeanor	Pretrial Felons	Total
One	47	181	228
Two	55	107	162
Three	33	70	103
Four	37	50	87
Five	19	30	49
Six	14	31	45
Seven	11	26	37
Eight	9	20	29
Nine	7	19	26
More than 10	38	79	117
Total	270	613	883

Pre-Trial Number of Charges
(N=883)

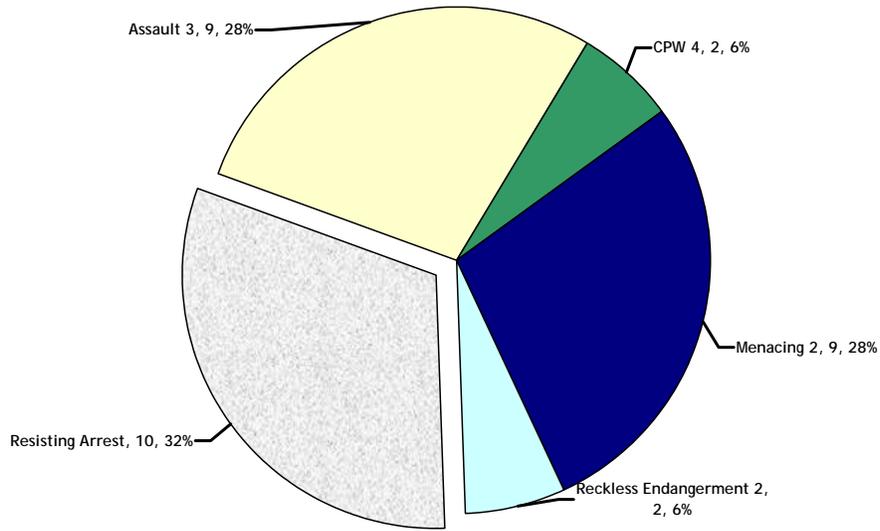


Pre-Trial: Family & Misdemeanor

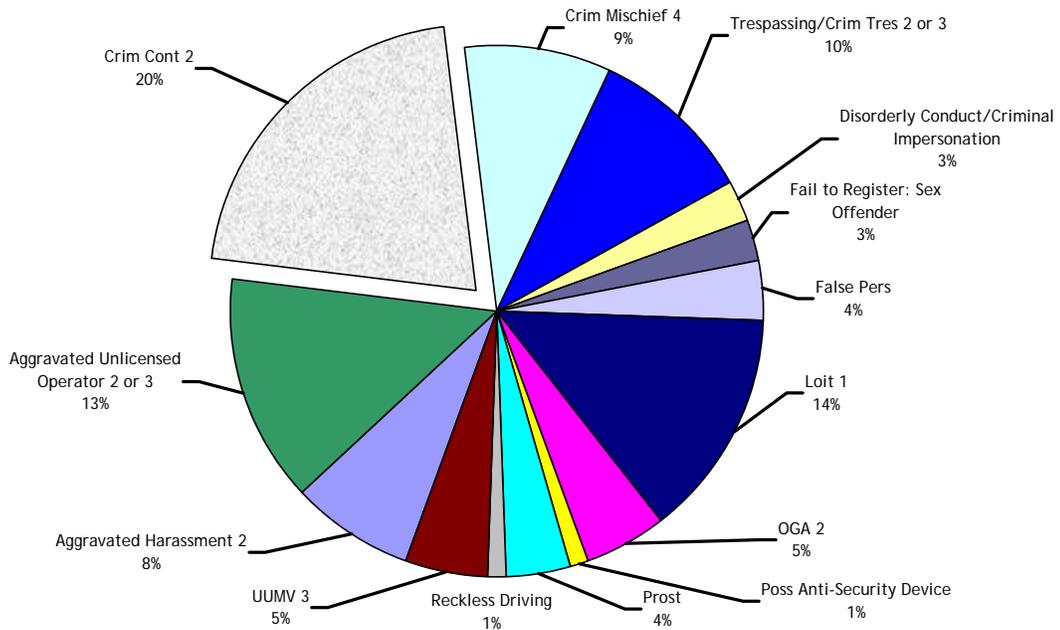
42% (n=115) of inmates within the pre-trial family misdemeanor category (n=270) were being held on drug/alcohol related charges. Almost, 90% of those charges were criminal possession of a controlled substance.



Pre-Trial Family and Misdemeanor:
Charges in Violent
(n=32)



Pre-Trial Family and Misdemeanor:
Public Disorder Charges
(n=80)



Public Disorder Charge	Number within Pre-Trial & Misdemeanor
Agg Har 2	6
Agg Unl Op 2or 3	11
Crim Cont 2	17
Crim Misch 4	7
Trespassing/Crim Tres 2 or 3	8
Dis Conduct/Criminal Impersonation	2
Fail to Register: Sex Offender	2
False Pers	3
Loit 1	11
OGA 2	4
POSS ANTI-SECURITY DEVICE	1
Prost	3
Reckless Driving	1
UUMV 3	4
TOTAL	80

Number of Pre-Trial Offenders with Additional Charges:

	Frequency	Percent
Yes	223	82.6%
No	47	17.4%
Total	270	100%

Number Additional Charges Pre-Trial Family and Misdemeanor:

	Frequency	Percent
One Charge Only	47	17.2%
Two	55	20.1%
Three	33	12.1%
Four	37	13.6%
Five	19	7.0%
Six	14	5.1%
Seven	11	4.0%
Eight	9	3.3%
Nine	7	2.6%
Ten	8	2.9%
Eleven	3	1.1%
12 or More	30	11.0%
Total	273	100.0%

Holds: Pretrial Family & Misdemeanor

Hold	Frequency	Percent
Yes	45	16.7%
No	225	83.3%
Total	270	100%

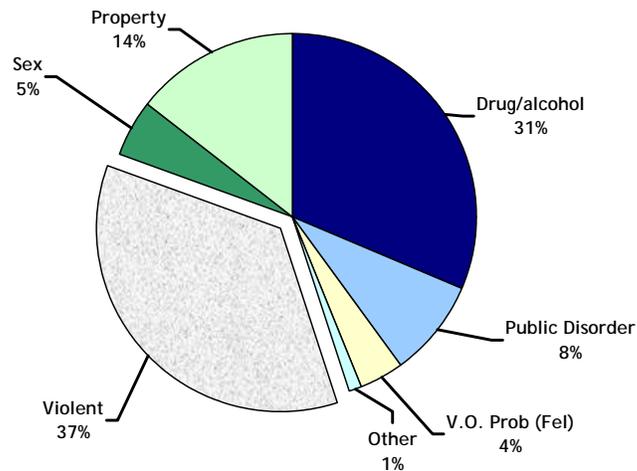
Bail Amount & Percent within Pre-trial Family Misdemeanor

	Frequency	Percent
No Bail	16	5.9%
\$1,000 or less	134	49.6%
\$1,001 to \$2,500	50	18.5%
\$2,501 - \$5,000	25	9.3%
\$5,001 to \$7,500	2	0.7%
More than \$7,500	43	15.9%
TOTAL	270	100.0%

Pre-Trial Felony

Almost 40% (218) of the pre-trial felony inmates were being held on charges that fell within the violent category. A third (n=193) were being held on charges that fell within the drug/alcohol related category.

Pre-Trial Felony (N=613)
& Category of Charges Held On



Number of Charges for Pretrial Felons:

Almost a third (n=181) pretrial felons only had one charge.

Number of charges	Frequency	Percent
One	181	29.5%
Two	107	17.5%
Three	70	11.4%
Four	50	8.2%
Five	30	4.9%
Six	31	5.1%
Seven	26	4.2%
Eight	20	3.3%
Nine	19	3.1%
Ten	16	2.6%
Eleven	15	2.4%
12 or more	48	7.8%
Total	613	100%

Category of Charge and Charges within the Category

Violent Crimes

Assault 1	Criminal Sale Firearm 3	Reckless Endangerment 1
Assault 2	Leaving Scene With Personal Injury	Reckless Endangerment 2
Assault 3	Manslaughter 1	Resisting Arrest
Burglary 1	Menacing 2	Robbery 1
Burglary 2	Menacing 3	Robbery 2
CPW 2	Murder 1	Robbery 3
CPW 3	Murder 2	Vehicle Assault 1
CPW 4		Vehicle Assault 2

Sex Related Crimes

Forcible Touching	Sex Abuse 1
Poss Sexual Perform	Sex Abuse 2
Rape 1	Sexual Misconduct
Rape 2	Sodomy 1
Rape 3	Sodomy 2
Rape Intercourse: Forcible	Sodomy 3

Property Crimes

Arson 2	Forgery 1
Arson 3	Forgery 2
Burglary 3	Forgery 3
CPFI 1	Grand Larceny
CPFI 2	Grand Larceny 2
CPFI 3	Grand Larceny 3
CPSP 2	Grand Larceny 4
CPSP 3	Identity Theft 2
CPSP 4	Insurance Fraud 4
CPSP 5	Issuing Bad Check
Enterprise Corruption	Petit Larceny
	Trademark Counterfeiting 3

Drug/Alcohol Related

2nd Conviction 1192.3	CPM	DWI (FEL)
CPCS 1	CPM 1	DWI (MIS)
CPCS 2	CPM 4	Op MV Drugs 1
CPCS 3	CPM 5	Op MV Drugs 2
CPCS 4	CSCS 1	Op MV ILL% Alc 1 SPI
CPCS 5	CSCS 2	Op MV ILL% Alc 2 SPI
CPCS 7	CSCS 3	Op MV Intox 1
	CSCS 4	Op MV Intox 2
	CSCS 5	Possession Hypodermic Instrument
		Sale Marijuana 1
		Sale Marijuana 3

Public Disorder

Agg Har 2	Criminal Trespassing 2	OGA 2
Agg Unl Op 1	Criminal Trespassing 3	Patronizing Prost 4
Agg Unl Op 2	Disorderly Conduct	Perjury 2
Agg Unl Op 3	Fail to Register: Sex Offender	Poss Anti-Security Device
Criminal Contempt 1	False Personation	Prostitution
Criminal Contempt 2	Harassment 2	Public Lewdness
Criminal Impersonation	Loitering 1	Reckless Driving
Criminal Mischief 3	Loitering for Prostitution 1	Trespassing
Criminal Mischief 4	Leaving Scene of Accident	UUMV 3

All Other

ABC Violation	Intim Vic/Wit 3
FCA Violation	Mat Witness
Coercion 2	Tamp-Phys Evd
Conspiracy 2	Unlawful Dealing With Child
Conspiracy 4	Unknown
Endangering Welfare of Child	Violation of Parole
Escape 3	Violation of Probation (Felony)
Fugitive From Justice	Violation of Probation (Misdemeanor)
Indec Mat Minor 1st	Youthful Offender

JUSTICE SYSTEM ASSISTANCE TEAM (JSAT): AN EXAMINATION OF JAIL POPULATION ISSUES (2001)

Summary of JSAT

The following is the actual executive summary from the JSAT report. Justice System Assistance Team (JSAT), a joint project of four New York State government agencies: the Division of Parole, the Division of Criminal Justice Services, the Division of Probation and Correctional Alternatives, and the State Commission of Correction. JSAT's purpose is to assist counties in the development of more purposeful, cost-effective, and coordinated systems of criminal justice sanctions and punishments. This report is provided for use by the Suffolk County JSAT Policy Team in its continued system planning efforts.

Executive Summary

In September 1999, Suffolk County began the Justice System Assistance Team (JSAT) process, designed to assist counties in the development of more purposeful, cost-effective, and coordinated systems of criminal justice sanctions and punishments. Consistent with the JSAT model, the county assembled a *JSAT* Policy Team, comprised of key criminal justice system decision-makers. At the first meeting of the Policy Team, it was determined that the jail-overcrowding situation took precedence over other concerns. Policy Team discussions and JSAT data analyses accordingly addressed jail population issues.

Over the course of eighteen months of analyses of a "snapshot" sample of inmates in the jail, the county Policy Team gradually narrowed the focus of its planning from the entire population, to a category representing 13% of the entire population. First, it was determined that the more than 1,500 cases in the jail sample fell into four major categories:

1. pre-trial (44%),
2. sentenced (41%),
3. parole violators (10%),
4. and those awaiting transfer to state prison (5%).

The latter two categories were eliminated from consideration because the numbers of parole violators and state prisoners have decreased since the sample date, and appear to be holding steady. A close examination of the sentenced cases revealed that more serious offenders (e.g., those convicted of violent offenses and sex offenses) had longer lengths of stay

than less serious offenders (e.g., property offenders, such as petty larceny). The policy team determined that this finding reflected purposeful sentencing on the part of judges, and saw little reason to further examine this group. This left the 44% who were pre-trial detainees.

Within the group of pre-trial detainees, three different types of courts were represented. Offenders ordered detained by town and village courts comprised 4% of the total population; offenders detained by the county court comprised 7% of the total population; and offenders detained by the district court comprised 33% of the total population. Based on the relative size of the latter sub-group, the policy team narrowed its focus to examining this 33% of the total population in its search for strategies to reduce the jail population.

Within this group of pre-trial offenders detained by the district court, a number were ineligible for pre-trial release because of a hold on their cases (e.g., a parole warrant, or warrant from another jurisdiction). Removing these cases left a group that represents 28% of the total population.

Within this group of pre-trial offenders with no holds detained by the district court, the policy team believed that those charged with serious crimes (i.e., Class C felonies or higher) should not be targeted for alternative strategies, for reasons of public protection. Removing this group leaves the sub-population targeted for further analyses: pre-trial detainees remanded by the district court, with no holds, and charged with a Class D felony or lower.

To further refine the analyses and determine the extent to which pre-trial detention decisions contributed to admissions to the jail, a cohort of cases screened by the Suffolk County Probation Department ROR Unit was examined. Those accused of sex offenses, drug offenses, and assaults were less likely to be released on recognizance than other types of offenses, and domestic violence cases were more likely to be released than other offenses. Release rates for types of crimes were generally consistent with the average ROR screening scores for those types.

Prior incarceration was also strongly related to the detention decision; those with a prior history of detention and/or an incarcerative sentence were much more likely to be detained. Also more likely to be detained were those who were neither employed nor in school full or part time, those with a prior history of substance abuse treatment, and those with a prior history of mental health treatment.

It was recommended that Suffolk County pursue three courses of action to address the findings of these analyses:

- 1) convene the *Resource Team* to suggest viable program and/or policy initiatives for pre-trial and sentenced cases for consideration by the Policy Team;
- 2) conduct an *outcome* study to complement this *process* study; and
- 3) perform *population projections* to determine the extent to which these findings will apply to the system in the future.

ASSESSING THE NATURE AND PREVALENCE OF THE MENTALLY ILL IN SUFFOLK COUNTY'S CRIMINAL JUSTICE SYSTEM

(2000)

In the year 2000, the MICA (Mentally Ill/Chemically Addicted) Subcommittee of CJCC completed an empirical study on the nature and prevalence of the individuals with mental illness in Suffolk County's Criminal Justice System and produced our first report: *The Nature and Prevalence of Individuals with Mental Illness in Suffolk County's Criminal Justice System*. As a result, the empirical data confirmed what we already suspected, we had significant numbers of individuals with mental illness within our local criminal justice system. Our findings were consistent with the problems faced at a national level. Some major findings from the our first report included:

- In one year, (1999), there were over 1,320 admissions to Suffolk County's jail mental observation unit.
- On an annual basis, 10.4% of the probation population, 7.7% of the pre trial population, 7.1% of parolees and 16% of the jail population are individuals with mental illness.
- 75% of those in the criminal justice system committed non-violent crimes.
- Over 35% were charged with alcohol or drug related charges.
- Almost 65% of the individuals with mental illness individuals were identified as substance abusing.

MENTAL HEALTH AND THE CRIMINAL JUSTICE SYSTEM IN SUFFOLK COUNTY:

A PROGRESS REPORT TO THE 2000 REPORT

Our first report documented the nature and prevalence of individuals with mental illness in the criminal justice system and we also developed effective responses that would reduce crimes committed by this population and provide this population with the treatment necessary to address their mental illnesses. Suffolk County has made significant progress in understanding the nature of the crimes committed by individuals with mental illness and how to best to reduce those crimes. Within the second report we identified gaps in the current system and made recommendations for change. The systemic gaps identified are listed below and the table following lists the recommendations and the status of each recommendation.

Gaps in the System

To help identify the gaps in services, a small survey was conducted with members of Suffolk Probation Intensive Mental Health Unit. The unit was developed in response to a recommendation in the first report. The survey asked probation officers to identify areas of program improvement based upon their experiences with probationers with mental illnesses. From that survey these gaps/problems were identified:

- Lack of complete psychiatric history in case records
- Medication compliance is a problem. Treatment agencies need to supervise the medication of clients.
- Psychiatric conditions of probation are sometimes too general and need to be more specific and include psychiatric evaluation, therapy as required, and compliance with taking medication as prescribed.
- Lack of communication between treatment providers (substance abuse and mental health) and the Probation Department. Some agencies don't send progress reports for clients unless constant requests are made. Mental health providers do not provide information regularly on changes in treatment including medication or problems with compliance. More contact with case managers is needed.
- Waiting lists for substance abuse treatment can be too long.
- Reductions/limitations in coverage for both mental health and substance abuse treatment have created problems for clients seeking treatment.
- Lack of services is a problem. Not enough treatment providers- especially long-term in-patient. Locating outpatient treatment for MICA, also very few substance abuse agencies address mental health and substance abuse.
- Turnover rates and need for more experienced staff in the treatment programs specifically MICA programs with staff who understand mental illness.
- Poor discharge planning
- Infrequent drug testing
- Transportation
- Access to controlled, decent, and affordable housing

Although strides have been made to improve the system, gaps still remain.

A major problem identified by several agencies is the lack of suitable and safe housing for the individuals with mental illness. Currently, much of the housing that exists is unsuitable. It has been suggested that one of the reasons for recidivism among this population stems from the lack of safe housing. We know that transitional housing is an integral part of most successful programs nationally and clearly in Suffolk this still remains an area which improvements need to be made.

Regarding Medicaid, there still are considerable problems, more specifically if a client misses one visit during the application process they have to start all over again. Officials assert that Medicaid Presumptive Eligibility is needed. In addition, while the Medication Grant certainly improved the likelihood that those in jail would be able to attain medication when they were unable to afford it, this problem needs to be expanded to include both probationers and adolescents.

From these identified gaps and problems with the system comes recommendations to help bridge these gaps.

Recommendations

Planning/Research:

- Full involvement of the key actors across the full spectrum of the justice system in the planning process
- Continue to conduct empirical research and statistical analysis of the nature and prevalence of the individuals with mental illness in Suffolk County Criminal Justice System
- Conduct Evaluation of the specialized programs (Transition Jail Linkage/Probation ISP)
- Conduct a systemic analysis of the individuals with mental illness in the criminal justice system in order to determine suitable levels of diversion and where that diversion should take place. The study should include a review of existing protocols of all criminal justice agencies.
- Best Practices and exemplary programs should be identified and evaluated

Systems Improvement:

- Create Enhanced Pre Sentence Investigations
- Explore development and potential funding for a Mental Health Court

- Expand Pretrial Services
- Expand Expeditor and Supervised Release Services in order to reduce the number of individuals with mental illness detainees in jail
- Diversion at pre-booking
- Establish Precinct House intervention
- Initiate a Stigma Reduction Campaign (research funding sources)
- Expand the development of specialized intensive supervision caseloads for probationers and parolees with serious mental illness.
- Provide more specific psychological treatment conditions of probation
- Provide drug testing to monitor individuals for medication compliance
- Create a standardized or universal progress reports that could be used across agencies - (mental health & criminal justice)
- Enhance the correctional treatment model by enhancing communication and cross training between mental health professionals and criminal justice professionals
- Expand the Day Reporting Center to include a psychiatrist and treatment consultants to work with individuals with mental illness on probation

Client Services:

- Support the timely development of Building 55 in Pilgrim State
- Create appropriate and adequate safe housing for the individuals with mental illness.
- Expand MICA services for adults and adolescents
- Develop vocational counseling and job placement services for the individuals with mental illness.
- Expand case management services

Training:

- Continue implementation of the specialized training programs for all relevant members of the criminal justice and social services treatment systems regarding the appropriate response to and intervention with the seriously individuals with mental illness in criminal justice.

- Provide clinical supervision in addition to caseload review, for the people in the specialized units who work with individuals with mental illness.

Legislative/Policy:

- Expand the Medication Grant to include other populations including probationers and adolescents
- Support the State Medicaid Presumptive Eligibility bill
- Support Insurance Parity for individuals with mental illness
- Current policy should be amended so that benefits and support services for individuals with mental illness are put in abeyance while they are incarcerated and then reclaimed upon release.
- Identify alternative funding sources and secure additional funding for systems improvement with this population.

In April 2005 the CJCC systems planning subcommittee updated and provided a status report on the recommendations developed in the 2000 report *Assessing the Nature and Prevalence of the Mentally Ill in the Suffolk County's Criminal Justice System*. The following table lists the recommendations from the previous report and lists progress as well as tasks accomplished.

Recommendations from the 2000 Report	2005 Update of Recommendations
<p>(1) Further research is needed concerning available program statistics in order to determine suitable levels of diversion and where the diversion should occur (i.e. pre-booking, post-booking). A systematic analysis is required with an accompanying description of cases at each diversion discretionary decision point. This study must include a review of existing protocols of the police and others in the criminal justice system.</p> <p>(8) Continue to conduct empirical research and statistical analysis of the nature and prevalence of the mentally ill in the criminal justice system.</p>	<p>Update: To date no formal analysis has been conducted. According to the National Institute of Corrections jail overcrowding report (page 11), "changes in criminal justice discretionary decision making can also significantly affect the demand for jail beds." It is recommended that an ongoing systemic analysis be conducted to track data that impacts the jail population.</p> <p>Some research has been conducted in response to this recommendation. This research includes:</p> <ul style="list-style-type: none"> • An analysis of the Stony Brook University Hospital's Comprehensive Psychiatric Emergency Program (CPEP) population and their involvement in the criminal justice system and a review of police emotional disturbed persons responses was conducted (chapter 3 of MICA follow-up report) • A study of female offenders with mental illness and convicted of prostitution was completed (chapter 3). • A study of the relationship between mental illness, substance abuse, and encounters with the criminal justice system was completed using data from the Suffolk County Mental Health Project (chapter 3). <p>A literature review of mental illness and individuals within the criminal justice system was completed (chapter 2).</p>

Recommendations from the 2000 Report	2005 Update of Recommendations
(2) Develop and implement a jail linkage program for mentally ill inmates detained at Suffolk County's Correctional facilities. Linkage case managers meet potential mentally ill clients while they are incarcerated and develop a comprehensive discharge plan prior to their release from confinement.	Update: A jail linkage program connecting individuals with mental illness to services in the community when they are released was implemented. An assessment of how that program is functioning is recommended.
(3) Increase services for MICA individuals at all levels of the criminal justice system	Update: Services for the MICA population were expanded, although they still need to be expanded due to the magnitude of the population.
(4) Develop and implement specialized intensive supervision caseloads for seriously mentally ill probationers and parolees.	Update: Probation established a specialized unit to serve those probationers with serious mental illnesses. The unit is only able to supervise a small percentage of probationers with mental illnesses. An expansion of the unit is recommended.
(5) Expand available housing for mentally ill offenders including the MICA population.	Update: Housing continues to be a problem for this population. As was said in the follow-up report, "currently much of the housing that exists is unsuitable. It has been suggested that one of the reasons for recidivism among this population stems from the lack of safe housing. We know that transitional housing is an integral part of most successful programs nationally and clearly in Suffolk this still remains an area which improvements need to be made."
(6) Develop and implement a specialized training program for all relevant members of the criminal justice and treatment systems regarding the appropriate response to and intervention with the seriously mentally ill.	Update: We developed and completed training titled; <i>Working with Individuals with Mental Illness</i> . In 2001-02 the training was offered to all criminal justice personnel in the county.
(7) Identify alternative funding sources and secure additional funding for systems improvement with this population.	Update: No funding has been secured for systems improvement specific to this population.

**Additional Recommendations from the Mental Health & Criminal Justice in
Suffolk County Progress Report - 2003**

Planning/Research Recommendations	2005 Update of Recommendations
(1) Full involvement of the key actors across the full spectrum of the justice system in the planning process	Update: Staffing of the CJCC has been approved and will help facilitate the full involvement of key criminal justice staff in planning.
(2) Conduct Evaluation of the specialized programs (i.e. probation Intensive Specialized Probation Unit, Transitional Jail Linkage Program)	Update: an evaluation of the probation specialized unit was conducted and appears in the follow-up report.
(3) Conduct a systematic analysis of the individuals with mental illness in the criminal justice system in order to determine suitable levels of diversion and where that diversion should take place. The study should include a review of existing protocols of all criminal justice agencies.	Update: Has not occurred to date.
(4) Best practices and exemplary programs should be identified and evaluated.	Update: The probation department continues to update the literature review on programs and services for mentally ill offenders. It is recommended that some of the identified exemplary programs be further explored and evaluated for possible replication in Suffolk.
Systems Improvement Recommendations	
(5) Create enhanced pre-sentence investigations	Update: no change to date
(6) Explore the development of and funding for a Mental Health Court	Update: A mental health court is planned for Fall of 2005. Funding has been applied for and we are awaiting notification if monies are to be awarded.
(7) Expand pre-trial services	Update: no change to date
(8) Expand Expeditor and Supervised Release Services in order to reduce the number of individuals with mental illnesses in the jail.	Update: no change to date

Planning/Research Recommendations	2005 Update of Recommendations
(9) Diversion at pre-booking	Update: no change to date
(10) Establish Precinct house intervention	Update: a pilot program was implemented in selected precinct through Community Mental Hygiene.
(11) Initiate a stigma reduction campaign (research funding sources)	Update: no change to date
(12) Expand the development of specialized intensive supervision caseloads for seriously mentally ill individuals on probation and parole.	Update: The probation unit has not expanded to date. The unit is limited in the number of probationers it can handle. Many more would qualify if the unit were expanded. No change in parole to date.
(13) Provide more specific psychological treatment conditions of probation	Update: no change to date
(14) Provide drug testing to monitor individuals for medication compliance	Update: no change to date
(15) Create a standardized or universal progress report that could be used across agencies (mental health, criminal justice)	Update: no reporting mechanism has been established.
(16) Enhance the correctional treatment model by enhancing communication cross training between mental health professionals and criminal justice professionals.	Update: The 2001/2002 training on offenders with mental illness helped to enhance communication between agencies. A more formalized method for ongoing communication is recommended.
(17) Expand the Day reporting Center to include a psychiatrist and treatment consultants to work with individuals with mental illness on probation	Update: no change to date
Client Service Recommendations	
(18) Support the timely development of building 55 at Pilgrim State Hospital	Update: no change to date
(19) Create appropriate and adequate safe housing for the individuals with mental illness	Update: see housing update above
(20) Expand MICA services for adults and adolescents	Update: Services for MICA population were expanded although they still need to be expanded further due to the size of the population in need of services.

Planning/Research Recommendations	2005 Update of Recommendations
(21) Develop vocational counseling and job placement services for the individuals with mental illness.	Update: no change to date
(22) Expand case management services	Update: no change to date
Training Recommendations	
(23) Continue implementation of the specialized training programs for all relevant members of the criminal justice and social services systems regarding the appropriate response to and intervention with the mentally ill offenders.	Update: no training has been conducted since 2002.
(24) Provide clinical supervision in addition to caseload review for the people in the specialized units who work with individuals with mental illness.	Update: no change to date
Legislative Policy Recommendations	
(25) Expand the medication grant program to include other populations such as probationers and adolescents	Update: no change to date
(26) Support the state Medicaid Presumptive Eligibility Bill	Update: no change to date
(27) Support insurance parity for individuals with mental illness	Update: no change to date
(28) Current policy should be amended so that benefits and support services for individuals with mental illness are put in abeyance while they are incarcerated and then reclaimed upon release.	Update: no change to date
(29) Identify alternative funding sources and secure additional funding for systems improvement with this population.	Update: no funding has been secured to date.

PROFILE OF HOMELESS SINGLES IN EMERGENCY HOUSING (2004)

The following is a brief synopsis of a research report initiated by the Department of Social Services. The research findings are included in this chapter because this population has a high level of criminal justice system involvement. Consequently, review of this study can provide us with another facet of the criminal justice system population

Overview of the Study:

This legal history is taken from a report produced by the Stony Brook University School of Social Welfare describing the characteristics of 75 homeless singles that used the Department of Social Services Emergency Services in Suffolk County, New York between December 2003 and January 2004. Interviews with a non-representative sample of homeless individuals who use the emergency shelter program were conducted for the purpose of providing the Suffolk County Department of Social Services with a profile of individuals who use the emergency housing program.

Legal History

Homeless singles using Suffolk County's emergency housing program have had significant involvement with the criminal justice system in their lifetimes. Based upon those interviewed, we found that as many as 76% had some form of contact with the criminal justice system.

Arrest History

- 55 (73%) had been arrested at some time in their lives.
- 18 (24%) reported having been arrested within the last 6 months of the interview
- 20 (36% of the 55 ever arrested) were arrested 1 or 2 times in their lives
- 19 (35% of the 55 ever arrested) had been arrested 10 or more times in their lives

Table 6. Mean (Average) number of arrests, by gender and race.

Demographics of Homeless	Mean Number of Arrests
Gender	
Male	8
Female	3
Race	
Black	9
White	5
Native American	2
Hispanic	1

Males tended to be arrested more times in their lives than females. Also blacks were arrested almost twice as much as whites in this population of homeless.

Probation/Parole

- 12 (16% of 75 interviewed) reported that they were on probation or parole at the time of the interview - 11 males and 1 female.

Reported Crimes

- 45 (60%) reported that they had been convicted of a crime in their lifetime.

Types of Offenses

- We asked those homeless singles who reported ever having been arrested about the types of crimes they were arrested for. In looking at the types of offenses that this group of homeless singles was arrested for, most (76%) were arrested for non-violent crimes.
- We categorized the charges according to the Justice Department's classification of charges. Crimes are divided into four categories: **violent offenses**, **property offenses**, **drug offenses**, and **public-order offenses**. *Violent offenses* include murder, negligent manslaughter, kidnapping, sexual assault, robbery, and other face-to-face assaults. *Property offenses* include burglary, larceny, theft, and fraud. *Drug offenses* include possession and trafficking. *Public-order offenses* include weapons possession, drunk driving, and other public order violations.
- We combined all of the reported crimes for each individual and categorized them according to the four crime categories listed below.

Table 7. Category of Charge.

Charge Category	Frequency
Any Violent Offense	18
Any Property Offense	10
Any Drug Offense	18
Any Public Order Offense	20
Total	66

Incarceration

- Over half (57%) of the homeless individuals interviewed had spent at least one day in jail at some point in their life. More importantly, the median number of days spent in jail by those interviewed was 391 days. This means that of the individuals who reported having been in jail or prison, 22 had spent more than one year in jail or prison. Of those 22 who spent more than one year in prison, 16 spent 1 to 6 years in prison and 6 spent from 6 to 19 years in prison.
- Twenty (27%) reported that they had gone to jail in the past six months. Six (8%) homeless singles reporting that they were released directly from jail or prison into Suffolk County emergency housing.

CHAPTER 5

ALTERNATIVES TO INCARCERATION & RECIDIVISM REDUCTION

A keystone to effective program development is knowledge and application of “best practices” or evidence based programs. This refers to programs that have been researched and proven to be effective. As such, the following section gives a brief overview of the literature available regarding Alternative to Incarceration and Recidivism Reduction programs. Please note that there is a large body of research available for review but for the purposes of this report we have provided only a brief summary.

FACTORS ASSOCIATED WITH RECIDIVISM

Employment and Education

- Joblessness has been broadly linked to recidivism. A 1997 study found that 1/3 of all prisoners were unemployed in the month prior to their arrest.³
- Post-incarceration employment rates for ex-inmates are estimated between 25% and 40 %⁴
- Nineteen percent of adult state prisoners are illiterate and 40% are functionally illiterate.⁵

Substance Abuse and Mental Health

Research broadly documents that substance abuse and mental health issues significantly contribute to poor educational levels, un-employability, and return to criminal behavior.⁶

³ Petersilia, Joan, 2002, When Prisoners Come Home: Parole and Prisoner Reentry

⁴ Rubinstein in Petersilia

⁵ Rubinstein in Petersilia

⁶ federal register, April 2005

Effectiveness

Recidivism Reduction & Alternative to Incarceration Programs: Evidence Based Evaluations

Felony-level charge offenders sentenced to seven NYC ATI programs were less likely to be rearrested within one year of discharge than a comparison group sentenced to jail. The seven ATI programs were:

- Court Employment Project - educational and vocational services to 16-19 year old felony offenders
- Freedom Program - Fortune Society's educational and vocational services to adult felony offenders
- El Rio Day Treatment - Osborne Association's substance abuse treatment program for adult felony offenders
- Flame Tree - Fortune Society's substance abuse treatment program for adult felony offenders
- DAMAS - Fortune Society's educational and vocational services program for female felony offenders
- Women's Day Treatment - Project Return's substance abuse treatment for female felony offenders

In a research brief by the NYC Criminal Justice Agency (April 2003), ATI participants were less likely to be arrested within one-year of completion.

Close to 53% of cases in jail were re-arrested within one year of their discharge while only 44% of those felony-level offenders in ATI's were re-arrested within 1 year of discharge.⁷

Their report concluded that felons released from jail are more likely to be rearrested within 1-year of release than those who completed an ATI program.

"To the extent that they are viewed as alternatives to a jail sentence, these ATI programs can be recommended as more effective in reducing recidivism"

⁷ NYC Criminal Justice Agency Research Brief, April 2003

Jail Diversion For Persons with Substance Abuse and Mental Illness

The GAINS Center reports that seven outcome studies have been done on jail diversion programs. All of these studies reported similar findings - that jail diversion programs resulted in fewer people being re-arrested during long term follow-up periods.

According to the GAINS Center's TAPA center for Jail Diversion⁸, jail diversion for persons with substance abuse and mental health issues is effective in reducing time spent in jail. Jail diversion does not increase public safety risk.

According to Steadman, et. al.⁹ comprehensive community based programs for mentally ill, substance abusers, and those in need of housing, are critical for the effectiveness of jail diversion programs.

Supervised Pretrial Release

In 1979 the National Institute of Justice¹⁰ found that

- supervision during pretrial release had a positive effect on court appearance rates.
- defendants with more serious charges did not pose any greater risk of re-arrest pending trial than others.
- Jail population reductions occurred after implementing supervised pretrial release.

Adult Drug Court Effectiveness

In the 2003 evaluation of NYS adult drug courts, the Center for Court Innovation evaluated the Suffolk County Drug Treatment Court.¹¹

⁸ GAINS Center, What Can We Say About the Effectiveness of Jail Diversion Programs for Persons With Co-Occurring Disorders? April 2004

⁹ Steadman, Morris, Dennis, The diversion of mentally ill persons from jail to community based services: a profile of programs, American Journal of Public Health, 85, (12) 1995.

¹⁰ Pretrial Services Resource Center, The Supervised Pretrial Release Primer, August 1999

¹¹ Center For Court Innovation, The New York State Adult Drug Court Evaluation , October 2003

The evaluation report noted that the participants in the Suffolk County Adult Drug Treatment Court were much less likely to recidivate within a three year period than a comparison group of offenders.

Suffolk County Drug Court participants had substantially lower rates of recidivism than non-drug court participants in a comparison group. After one year, 20% of drug court participants had a new conviction as compared to 41% of the comparison group. After two years it was 32% and 54%, and after three years it was 40% and 65%.

Day Reporting

Day Reporting, which includes substance abuse treatment, education and employment skills programs, case management, and supervision, has been looked to as a way of reducing jail crowding while reducing recidivism. One such model in Davison County, Tennessee¹² found Day Reporting to be more cost effective than jail. Their per diem rate for day reporting was \$10.33 compared to \$37 for the jail.

The Bureau of Justice Assistance¹³ reported on the effectiveness of Salt Lake City's Day Reporting Center. Finding revealed that the Day Reporting Center produced a recidivism rate of 33%. Two thirds of all offenders who received services from the day reporting center remained crime free at the time of evaluation or 1 year later.

Suffolk Probation's Intensive Correctional Treatment Supervision Model

As illustrated in a February 1992 report released by the U.S. Department of Justice, Probation plays a critical public safety role, especially with 'high-risk', felony probationers. This report, entitled, *Recidivism of Felons on Probation, 1986-89*, documented the recidivism rate of felony probationers nationally. The results showed that although Suffolk probationers had a recidivism risk level comparable to the national average, Suffolk's actual recidivism rate was much lower at 30% compared to the national 43% rate, or a 30.2% reduction. In addition, only 4% of Suffolk's felony probationers were re-incarcerated during the three year follow-up period as compared to 23% of the national sample.

¹² Large Jail Network Bulletin, Davison County's Day Reporting Center: An Effective Alternative, 2000

¹³ BJA, Creating a New Criminal Justice System for the 21st Century Findings and Results from State and Local Program Evaluations, April 2000.

Substance Abuse Correctional Treatment

During 2004, there were 14,505 individuals receiving probation supervision in Suffolk County, with 1,749 re-arrests by 1,373 probationers or 9.5% of the populations, including high, medium and low recidivism risk levels. The Probation Alcohol Treatment (PAT) programs for 'high-risk' offenders had a 6.8% recidivism rate as compared to 14.5% with the regular probation supervision population - or less than half.

Education & Vocational Training

Recent studies have found that participation in prison education, job training, and placement programs is associated with improved outcomes, including reduced recidivism. (Gaes, 1999, Adams, 2003).

Recidivism rates of participants in prison education, vocation, and work programs have been found to be 20 to 60 percent lower than those of non-participants. (Tracy, 2001)

Participants in work programs are more likely to be employed following release and have higher earnings than non-participants. (BJS, 2001)

Recidivism Reduction Programs at Suffolk County Correctional Facility

Prepared by the Suffolk County Sheriff's Office

In an effort to reduce recidivism, the Suffolk County Sheriff's Office has begun a vocational training program. This program was launched in September 2003. The Sheriff hopes to reduce criminal recidivism by providing a multi-dimensional, educational and vocational program through community partnerships with the goal of preparing non-violent offenders for gainful employment upon leaving the county facilities. The Sheriff currently has several programs at the county facilities.

- The Building and Construction Trades Council of Nassau and Suffolk Counties provides an intense eight-week Pre-Apprenticeship Painting Program called "Built on Pride." This program is a pre-apprentice painting program where inmates are taught painting skills as well as math skills and OSHA requirements.
- The Plumber's Union Local 267 from Onondaga County presents an 8 session Plumber's Maintenance Program. This course is designed to teach basic plumbing skills and prepare those inmates with a pre-apprentice certification for entry into a plumbing apprenticeship with local unions.

- The Board of Cooperative Education Services is working in conjunction with the vocational training programs to offer several training programs. We currently have a Baking Pre-Apprenticeship Program. This program trains our inmates to be ready to work as bakers when they leave the facility.
- We have also instituted a Basic Computer Skills Program in conjunction with BOCES. This program teaches basic keyboarding as well as Microsoft Office and Excel.
- We also have a Pre-Apprentice seamstress program in our facility. The inmates are taught basic sewing as well as bridal work and quilting.
- We currently have a Meat Processing and Commercial Evisceration program. Inmates completing this program in butchering receive certification for meat processing and evisceration through Cornell cooperative.
- We currently have a landscaping program which teaches basic landscaping, gardening, plant and lawn care.
- In addition we have a Horticulture program which teaches basic gardening, plant care, soil basics, and garden maintenance.

Since the inception of these programs approximately 110 inmates have attended programs. Of the 110, 20 are still in custody. A study conducted in April of 2005 indicates that only 3 of the 60 who attended programs in 2004 have returned. Of those who attended programs in 2005 and have been discharged none have returned.

Alternatives to Incarceration Programs in Suffolk County

Pretrial and correctional alternative programs are often referred to as Alternative to Incarceration or ATI programs.

Currently, Suffolk County has 17 ATI programs designed to reduce reliance on pretrial detention and/or incarceration and operate in a manner consistent with **public safety**. The following are examples of alternative to detention and incarceration

1. PROBATION (BAIL) EXPEDITOR PROGRAM

Contact: Leslie Bell

631-853-5007/853-4939

Purpose: To facilitate a defendant's ability to make bail and avoid pre-plea incarceration, which is due to lack of financial resources.

Criteria: Bail set at \$2,500 or less, not likely to be able to post bail due to lack of financial resources.

Exclusions: Outstanding warrants or holds: refusal to be interviewed.

Referral Process: Probation Investigator (Bail Expeditor) sets up in-custody interviews at the Riverhead Correctional Facility.

2. SUPERVISED RELEASE PROGRAM

Contact: Leslie Bell

631-853-5007/853-4939

Purpose: Facilitate the release of pre/post-plea defendants, including those with drug, alcohol, mental health problems, or quality of life issues, for pre/post-plea supervision by Probation and referral to community-based resources.

Criteria: Ineligible for Release on Recognizance, willing to sign conditions of release and accept pre-trial Probation supervision and services.

Features: Weekly visit with P.O. Drug and alcohol testing, when necessary. Electronic monitoring if appropriate.

Exclusions: Eligible for Release on Recognizance: has warrants or holds: poses threat to public safety.

Referral Sources: Judges, prosecution, defense counsel, Probation Department.

3. INTERIM PROBATION

Purpose: This program was initiated to capture a specific portion of the offender population; those most likely to receive a jail sentence.

Criteria: This program requires defendants to enter a guilty plea before starting a period of interim probation supervision. If the defendant demonstrates stable and lawful behavior for the full term of interim probation, they may be eligible for a reduction in their plea when they return for sentencing.

Exclusions: Must be probation eligible crimes.

Referral Sources: Judges, prosecution or defense counsel, Legal Aid, Probation Department.

ELECTRONIC MONITORING

Contact: Leslie Bell

631-853-5007/853-4939

Purpose: A 24-hour monitoring of defendant's activities that can be ordered as an alternative to incarceration in conjunction with the Supervised Release Program, Drug Court, or in conjunction with a sentence of probation.

Criteria: Offender for whom jail is a likely, but not a mandatory outcome, and who is not perceived as a violent threat to family or community. Candidates must be screened in advance by Probation. Must sign conditions to comply.

Exclusions: Candidates must have a permanent residence and a home phone with no customized features.

Referral Sources: Judges, prosecution or defense counsel, probation officers.

4. DAY REPORTING CENTER

Contact: Sue Schneck

631-853-6295

Purpose: An intermediate sanction for offenders who need highly structured, intensive supervision. Participants report to a specialized center, which provides a full range of on-site services, evaluations, drug, alcohol, and mental health treatment, educational and vocational skills training. They will be monitored for drug and alcohol use. All participants are required to attend daily and participate in all phases of the program, and in the initial stages, may not be employed.

Target Population: Pre/post-plea defendants: probation violators, newly sentenced offenders.

Exclusions: Severely violent offenders: defendants whose offenses call for mandated imprisonment.

Referral Sources: Courts: District Attorney's office: defense attorneys, Probation Officers.

5. **DEFENDER BASED ADVOCACY PROGRAM**

Contact: Renee Bysheim Cappiello
or Sabato Caponi

631-853-5226
631-853-5212

Purpose: The project provides the criminal courts with individualized treatment and supervision plans for selected non-violent defendants to alleviate long-term pre/post-plea detention.

Criteria: Non-violent individuals who may be eligible for an alternative sentencing other than incarceration.

Target population: Pre/post-plea Suffolk County Legal Aid Clients.

Exclusion: Accused violent offender or past history of violent acts.

Referral Sources: Probation: TASC.

6. **COMMUNITY SERVICE PROGRAM**

Contact: Hope Colazzo

631-853-5182

Purpose: To provide an alternative to jail sentencing, in a supervised program in which participants perform various positive and constructive services for towns, government agencies and not-for-profit community organizations. The American Red Cross, a contract agency operates the program under the auspices of the Probation Department.

Criteria: Participant referred to the Adult CSP must be a non-violent offender who is at least 16 years old.

Exclusions: C Felonies and Sex Offenders are not accepted into the Adult Program. Offenders with a charge in which a weapon was used may not be accepted into the program (dependent on the weapon and its use during the offense).

Referral Sources: District: County: Village and Supreme Courts.

7. **PRE-PLEA PROGRAM**

Contact: Barbara Welborne

631-853-6120

Purpose: To offer an opportunity for defendants to give back to the community, by performing community service at an approved, supervised, non-profit agency. We provide a 3 hour alcohol education class, mandated by the court, to all defendants assigned 35 hours or more of community service, for any alcohol or drug related driving offense, (including boating, biking and ATV's).

Criteria: Defendants must have been at least 16 years of age when the crime was committed.

Target Population: Pre/post-plea defendants only, no post sentenced.

Exclusions: Defendants mandated to prison: extremely violent offenders.

Referral Sources: Community service is assigned by the DA's office, and must be completed prior to any plea agreement.

8. **EAC/SUFFOLK TASC**

Contact: Elba Garcia

631-853-5777; EGarciaMarmo@aol.com

Purpose: Alternative to incarceration for those charged with crimes causally related to a substance abuse problem. Screening, assessment, substance abuse treatment referrals and comprehensive case management are provided for those facing 60 days or more incarceration. Case Managers act as a liaison to the Court to update progress or lack thereof. Ancillary service referrals available i.e.: housing, educational/vocational services, etc.

Criteria: Must adhere to a substance abuse treatment plan for a minimum of one year. Must comply with Case Management requirements i.e.: frequent and regular office visits and telephone contact, urinalysis and breathalyzer testing. Must attend all scheduled court dates. Must remain substance free for a minimum of 6 months prior to successful completion. Must have legal representation at time of screening. Must be charged in Suffolk County.

Target Population: Substance abusing pre/post-plea jail bound offenders facing 60 days or more of incarceration; recidivist DWI offenders, 1st or 2nd felony (2nd felony with D.A's approval only) drug sale or possession and other non-violent charges causally related to the offender's substance abuse.

Exclusions: Current or past history of violence: severe psychiatric disorders: current or past history of arson or sex crimes.

9. **SUFFOLK COUNTY DRUG TREATMENT COURT**

*Contact: Edward Gialella (Cohalan Complex) 631-853-5435;
egialell@courts.state.ny.us*

Purpose: An interdisciplinary team focus in a Drug Court setting designed to provide early intervention with the drug-using offenders and to provide case management, intensive supervision, immediate treatment and education as an alternative to incarceration.

Criteria: Non-violent offenders over the age of 16 charged with drug possession and/or drug addiction-driven offense(s) and willing to enter a guilty plea, sign a contract which details participation requirements and the alternative sentence (time in jail/prison) for voluntary termination or non-compliance.

Exclusions: Any individual with a record of violent crimes: a severe and persistent mental health history, or medical condition, which would interfere with drug court requirements.

Referral Process: The Drug Court Coordinator selects those cases that appear appropriate by the arresting charge to Drug Court for arraignment. Referrals can also come from judges: the defense bar: the District Attorney's office: and Probation Officers.

10. **EAST END REGIONAL INTERVENTION COURT (EERIC)**

Contact: Denise Carroll 631-852-1901

Purpose: A drug treatment court in the Riverhead and Southampton Town Court that is an alternative to incarceration using an interdisciplinary team approach in helping substance-abusing defendants with drug-related charges develop healthy drug-free and crime-free lifestyles.

Criteria: Non-violent offender over the age of 16 with drug-related charges in the East End local courts. Must be willing to enter a guilty plea, sign a contract that details participation requirements as well as the alternative sentence (incarceration) for voluntary termination or non-compliance.

Exclusions: DWI charge; drug charge that is proven to be more for profit than for personal drug habit: history of violent crimes: severe and persistent mental health history: medical condition that interferes with drug court requirements: currently enrolled in methadone program.

Referral Process: East End local court justices: prosecution or defense counsel: probation officers: family members: self-referral.

11. SHERIFF'S DWI ALTERNATIVE FACILITY

Contact: Jonathan Scherr

631-852-4750

Purpose: A Correctional Treatment program designed for the jail bound multiple DWI offender and female defendants with a drug/alcohol background. The program provides addiction treatment in a correctional setting staffed by Addiction counselors and Correctional staff. Upon completion, offenders who receive a split sentence continue on probation supervision under the direction of the Probation Alcohol Treatment (PAT) unit, all others receive some form of mandatory aftercare.

Target Population: Jail bound multiple DWI offenders who are newly sentenced: violators of probation: females with drug/alcohol backgrounds who have not succeeded in prior treatment.

Mandatory Eligibility Criteria:

1. Male defendants must be jail/prison bound and receive split sentence.
2. *Males:* DWI conviction, including Vehicular Assault or Manslaughter as a result of DWI. VOP's are accepted.

Females: Charges are not limited to DWI. Must be alcohol/drug involved. VOP's accepted. Remanded/sentenced females also accepted from Drug Court, Domestic Violence Court, Family Treatment Court, and Defender Based Advocacy (Legal Aid).

3. Must be a Suffolk County resident and remain in County after sentence.

Exclusions:

(1) Actual sentenced time to be served totaled less than thirty (30) days - not enough time to complete program. (Credit for time served will reduce time in program.)

(2) Medical needs cannot be met in the Alternative Facility (e.g. insulin by injection diabetics).

Referral Procedures: Referrals for screening should be made at the time of plea or conviction. The court will be notified of eligibility via letter attached to PSI Report. Specialized courts can contact the DWI Facility Coordinator with any questions regarding referrals and/or eligibility.

Referral Sources: Suffolk County Judiciary: Attorney: Substance Abuse Treatment Program: Probation: Parole: and Private

12. PROBATION ALCOHOL TREATMENT PROGRAM

Contact: Andrea Neubauer 631-852-5069; andrea.neubauer@suffolk.ny.us

Purpose: To reduce recidivism through a combination of intensive probation supervision and community based treatment provided by credentialed counselors working in direct partnership with Probation Officers.

Criteria: In general, offenders who serve the incarcerative portion of their sentence at the Suffolk DWI Alternative Facility will be assigned to the PAT program upon their release from custody. Therefore, the criteria for inclusion parallels the criteria for the STOP DWI program. Typically, offenders sentenced to the PAT program have a history of three or more DWI's, were previously supervised by Probation and/or TASC, and have a history of alcohol/substance abuse.

Target Population: Newly sentenced multiple DWI offenders, as well as probation violators, who receive a split sentence.

Features: Small caseload size: no cap on the number of participants.

Exclusions: Participation limited to Suffolk residents, who agree to maintain their residency until treatment completion.

Referral Process: Judicial or ADA referrals: probation may also screen and refer either at the PSI level, or prior to the submission of a VOP.

13. INTENSIVE SUPERVISION PROGRAM (ISP)

Contact: Andrea Neubauer

631-852-5069

Purpose: To provide a more intensive form of supervision and specialized services to high-risk, repeat offenders.

Criteria: Probation eligible felons and selected misdemeanants who are jail/prison bound. The misdemeanants must have been originally charged with a felony offense before the plea/conviction for the misdemeanor, and the individual has a prior felony conviction, which could precipitate a second felony offender determination. The sentencing must take place in a County or Supreme Court.

Referral Sources: Sentencing court (usually in response to Probation recommendation in pre-sentence investigation): prosecution or defense counsel (may urge use of program during plea-bargain negotiations): assignment to program may be utilized as disposition of a Violation of

Probation: eligible probationers can be considered for assignment to ISP via departmental internal transfer as an intermediate sanction.

14. SOBRIETOR MONITORING

Contact: Leslie Bell

631-853-5007/853-4939

Purpose: To monitor pre-plea and post-plea defendants' compliance with alcohol restrictions on a daily basis through the use of voice recognition/on-demand sobriety tests through a Sobriotor device. Available in English and Spanish.

Criteria: Pre or post-plea alcohol conditions and willingness to accept Sobriotor conditions.

Referrals: Judges; prosecution and defense counsel; probation officers.

15. BATTERERS (PARTNER ABUSE) PROGRAM

Contact: SPO June Kenny:

631-853-5622

Purpose: To modify the batterer's behavior through a correctional intervention program, which combines Intensive Probation Supervision with orientation groups and 52-week program group. Bilingual.

Target Population: Intimate partner abusers includes: Assaults: Menacing: Aggravated Harassment: Criminal Contempt of Court: issued Order of Protection.

Exclusions: Untreated mental illness: those unable to benefit from group process.

16. MENTAL HEALTH UNIT

Contact: Patricia Williamson

631-853-5479

Purpose: To provide specialized services to Mentally Ill offenders with emphasis on treatment and interaction with other involved agencies.

Criteria: The probationer must have a recent (within the past year) AXIS I psychiatric diagnosis and the special psychological/psychiatric conditions of probation must be imposed by the Court.

Features: Caseloads are smaller with more numerous contacts.

17. IGNITION INTERLOCK PROGRAM

Contact: Andrea Neubauer

631-852-5069

Purpose: To reduce the incidence of drunk driving and to promote public safety, eligible offenders will be required to install a Breathalyzer in their motor vehicle(s), the results of these tests will be reported to and monitored by the Probation Department.

Target Population: Recidivist DWI offenders.

Criteria: For some offenders, participation in the Ignition Interlock Program is mandatory under the law: for other offenders, participation in the Ignition Interlock Program will be at the Court's discretion and shall be implemented in accordance with the policy and procedures of the Probation Department.

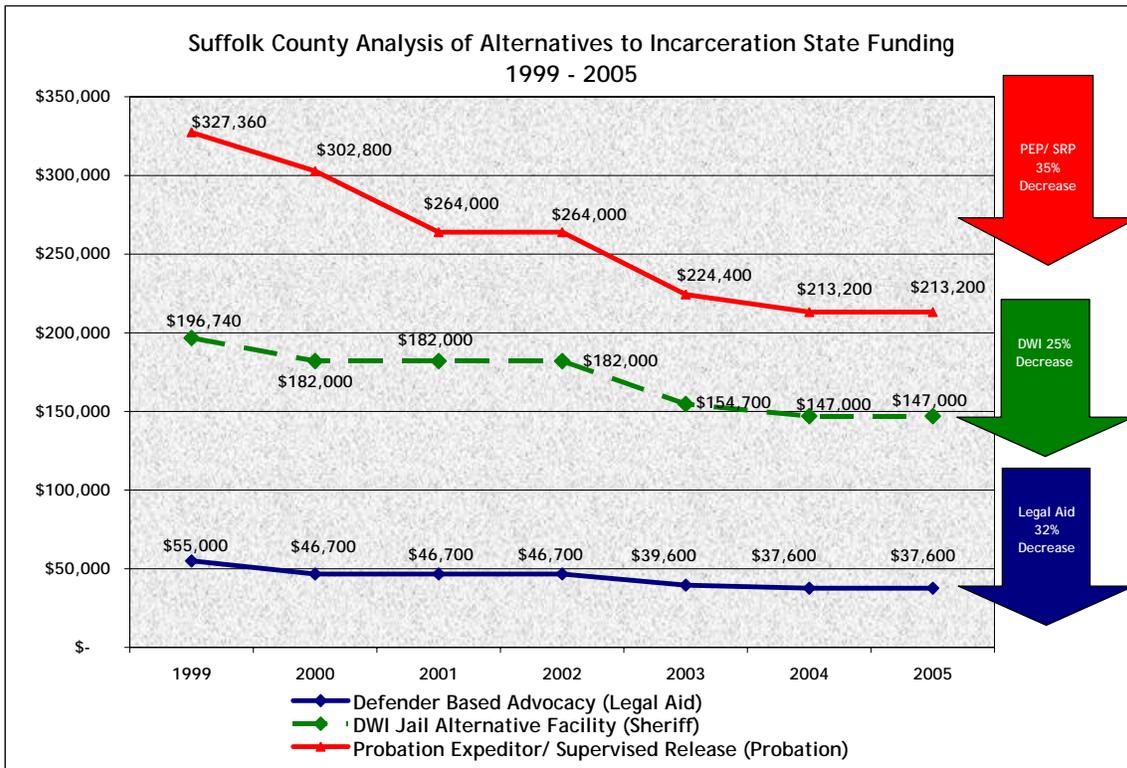
Programs by point of intervention:

- **Pre-plea** - Bail Expeditor, Supervised Release, Drug Court, EERIC, Interim Probation
- **Pre/Post-plea** - T.A.S.C., Pre-plea Program, Defender Based Advocacy.
- **Sentenced** - Batterers, Intensive Supervision, Ignition Interlock, Mental Health Unit
- **Post-plea & Sentenced** - Sheriff's DWI Facility, Probation Alcohol Treatment, Sobriety Monitoring
- **Pre/Post-plea & Sentenced** - Electronic Monitoring, Day Reporting Center, Community Service

HISTORICAL & FISCAL ANALYSIS

In recent years, Suffolk County has experienced a decrease in state and federal funding to criminal justice programs. The following section provides a historical perspective of the fiscal support the County has received for criminal justice programs.

The following graph details the funding levels to Suffolk County's Alternative To Incarceration Service Plan.



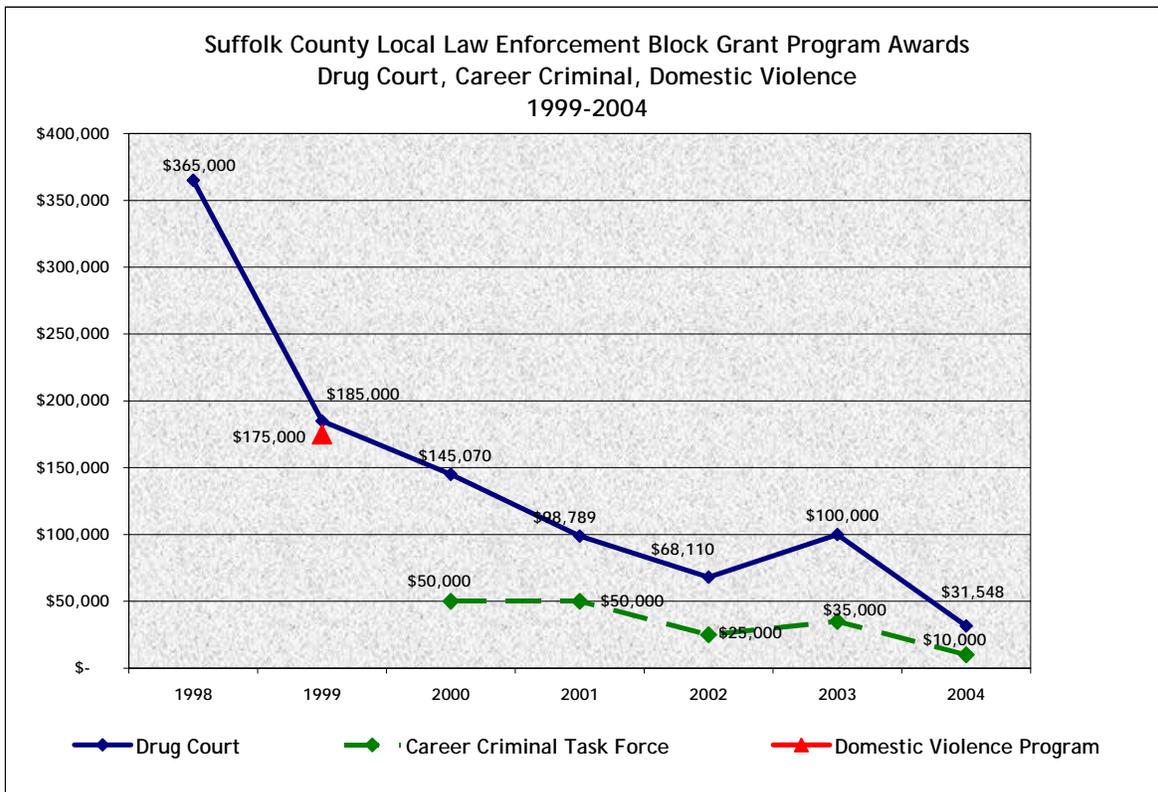
The County's Alternative to Incarceration Service Plan includes funding from the New York State Division of Probation and Correctional Alternatives for three programs to divert offenders from jail and/or reduce recidivism and future incarceration:

1. The Probation Expeditor/Supervised Release Program identifies non-violent defendants and assists them in obtaining bail or recommending probation supervision rather than jail. From the period 1999 to 2005, this program has experienced a 35% reduction in funding.

2. The Sheriff's DWI Jail Alternative Program strives to reduce recidivism and is an alternative to the next incarceration. This program has experienced a 25% reduction in program funding since 1999.
3. The Defender Based Advocacy Program advocates for community-based supervision for Legal Aid (public) defendants. The Defender Based Advocacy program has experienced a 32% cut in funding.

In the seven year period from 1999 to 2005, New York State has reduced its financial support to Suffolk County's Alternative to Incarceration programs by more than 25% in the last seven years.

The following graph and information below depicts the decrease in Federal funding of Suffolk County's Local Law Enforcement Block Grant (LLEBG).



The Local Law Enforcement Block Grant is provided to eligible municipalities to fund programs which enhance public safety and reduce crime. Suffolk County has used this LLEBG funding to develop and implement new and innovative programs such as the Drug Court program, Campus Community Intervention Program, Domestic Violence Program, Career Criminal Task Force, Mentally Ill Offender Program and Sexual Predator Surveillance Project.

The Drug Court Program is a cooperative effort between the judiciary, prosecution, probation and health departments to provide intensive probation supervision, mandatory drug testing and substance abuse treatment services to non-violent drug offenders. From Federal Fiscal Year (FFY) 1998 to 2004, the successful Drug Court Program, has gone from \$365,000 in Federal funding to \$31,548; a **91.3% reduction**.

Under the Career Criminal Task Force, Police and Probation officers conduct surveillance, monitor and enforce the conditions of probation of identified high-risk probationers that are likely to re-offend. Probationers are monitored during high-risk time frames of weekend and late night hours, which enhances community supervision and public safety. Since this program's inception in FFY 2000 to FFY 2004, this program funding has been **reduced 80%** from \$50,000 to \$10,000.

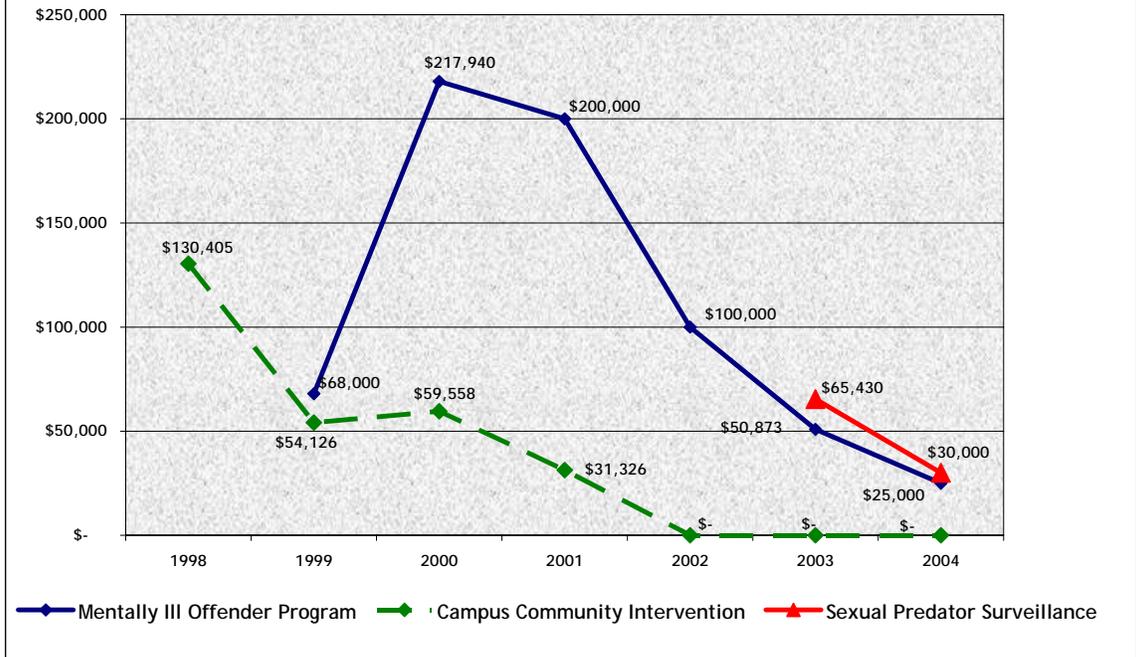
In 1999, LLEBG funding was utilized for research and planning efforts for the Mentally Ill Offender Program. This program was formally implemented utilizing LLEBG FFY 2000 funds in the amount of \$217,940. The primary goal of this project is to promote public safety through a reduction of crime by the mentally ill population in Suffolk County. As of FFY 2004, the LLEBG funding allocated to this project is \$25,000; an **88.5% reduction in funding within five years**.

Along with the Drug Court Program, the Campus Community Intervention Project was one of the first initiatives funded with Federal LLEBG funds. The Campus Community Intervention Project coupled a Police and Probation Officer in a high risk School District to enhance safety in and around the school. This program received \$130,405 from FFY 1998 LLEBG funds. Funding for this project ended with FFY 2001 funds in the amount of \$31,326; a **76.1% reduction**.

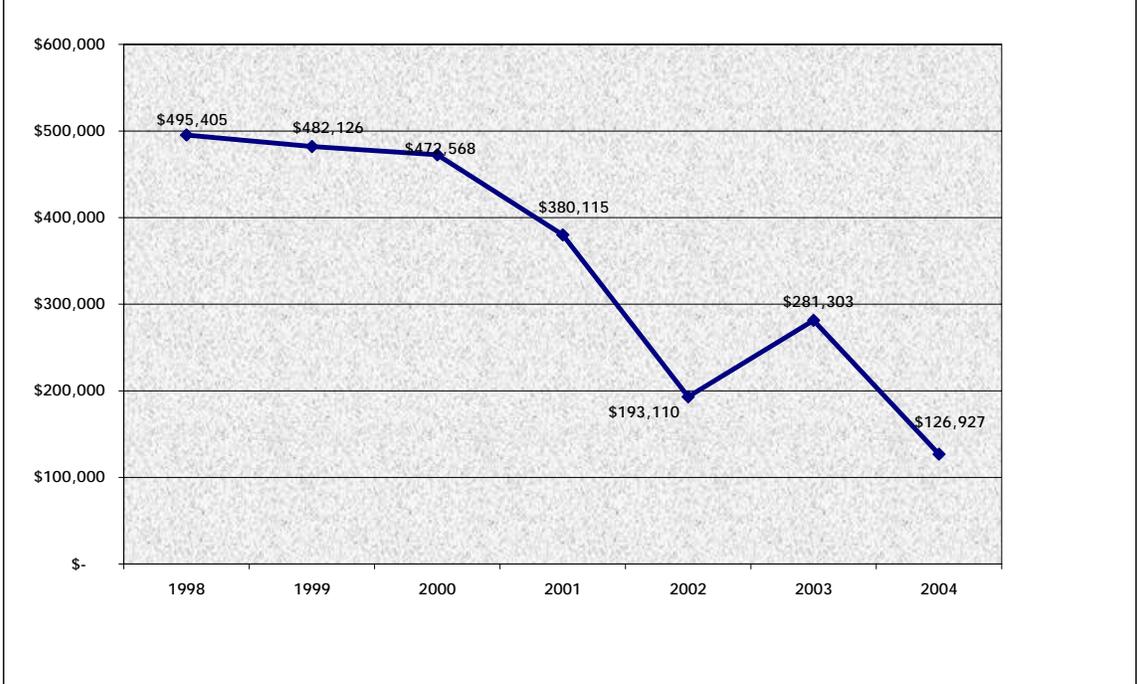
Federal, state and local authorities have established sex offenses as one of the highest priority areas for adults, as well as juveniles. The Sexual Predator Surveillance Project was developed using FFY 2003 funds to address these crimes. The Sexual Predator Project is a joint effort between Police and Probation in cooperation with other law enforcement agencies to conduct surveillance on probationers that may be engaging in deviant sexual behavior. This program received \$65,430 in 2003 and by the FFY 2004 the funding level dropped to \$30,000; **nearly a 55% reduction in funding**.

In summary, from FFY 1998 to FFY 2004, Suffolk County's allocation of Local Law Enforcement Block Grant funding has dropped from \$495,405 to \$126,927; a **74% reduction in Federal financial support of public safety and crime reduction program funding**.

Suffolk County Local Law Enforcement Block Grants: Mentally Ill Offender Program, Campus Community Intervention, Sexual Predator Surveillance
1999 - 2004



Suffolk County Local Law Enforcement Block Grants Amounts Awarded
1998 - 2004



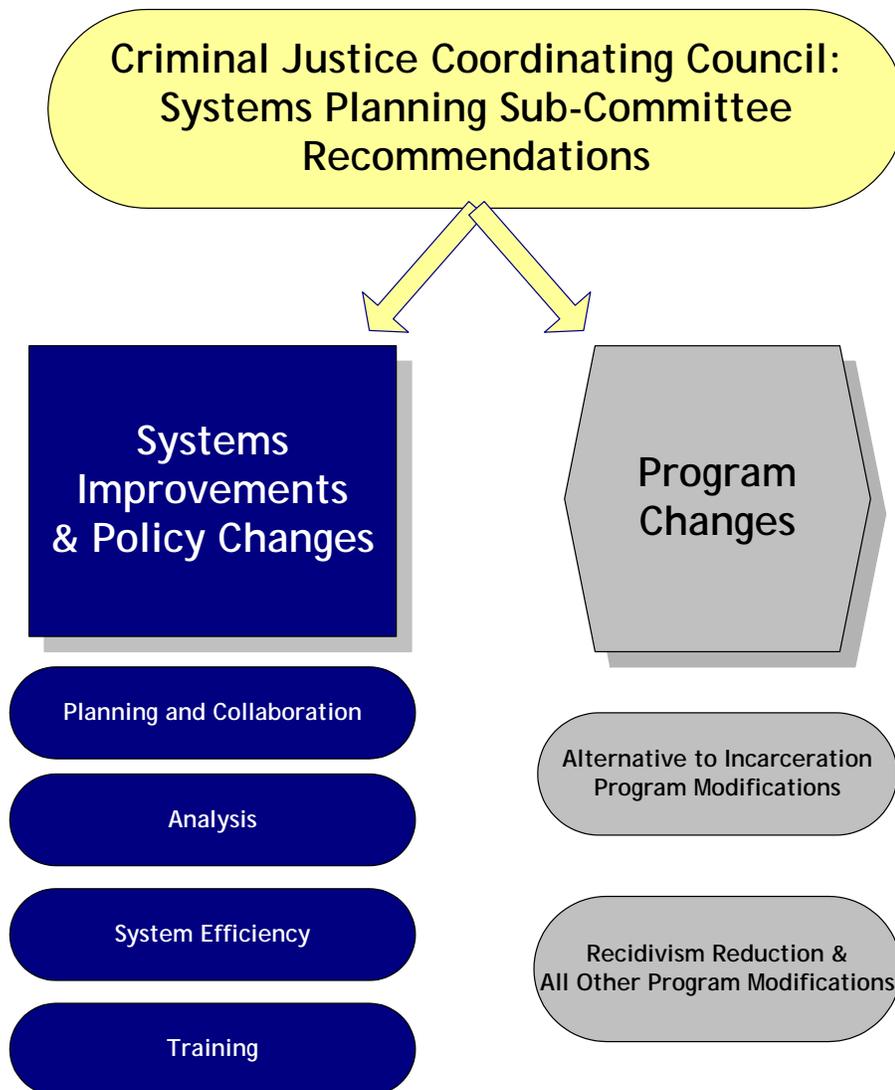
ATI PROGRAM CAPACITY AND UTILIZATION			
Status Report - 3/15/2005			
ATI Programs	Current Program Capacity	Current Census	Available Capacity
Supervision			
Pretrial Supervised Release Program (SRP)	140	44	96
TASC	290	265	25
Day Reporting Center (DRC)	120	120	0
Intensive Supervision Program (ISP)	210	164	46
Drug Courts			
A. East End Drug Court	40	15	25
B. Drug Treatment Court (Cohalan)	250	199	51
Community Service	200+	155	45+
SUBTOTAL	1,250	962	288
Residential			
DWI Jail Alternatives Facility	44	23	21
Pre-Sentence (Monthly)			
PEP (Pretrial Expeditor)	168 mos. Face-to-Face Interviews	168 mos.	0
Expedited Pre-sentence Investigations	25	10	15 Investigations
Electronic Monitoring	65	44	21
Alcohol Sobrieter	25	19*	6
<i>*4 individuals out of 19 have both the EM and the Sobrieter.</i>			

CHAPTER 6

RESULTS

Recommendations

After careful analysis and review of all the major issues identified in the brain storming sessions, the Systems Sub-Committee developed a series of 29 recommendations. Public safety, cost containment and alleviating jail overcrowding were the cornerstone of all recommendations. The recommendations fell into two domains: Systems Improvements and Policy Changes and Program Changes. Each of the recommendations is followed by a rationale and the potential impact upon the jail population if implemented as designed.



The following is an in depth description of the 29 recommendations formulated by the CJCC subcommittee.

SUB-COMMITTEE RECOMMENDATIONS WITH RATIONALE

The first and foremost responsibility of this sub-committee is to ensure public safety. The following recommendations reflect the work of the Sub-Committee in identifying actions that would **reduce crime, contain costs, and reduce jail overcrowding.** An evidence-based, 'systems analysis' approach was employed throughout the Sub-Committee process, and the results are presented within two categories: Systems Improvements and Policy Changes. The impact of some of the recommendations could be estimated based on past experience, but others are 'to-be-determined' when more information becomes available.

Systems Improvements and Policy Changes

Planning and Collaboration

- 1. Establish a full-time, Criminal Justice Coordinating Council (CJCC) with the primary task of conducting rigorous and ongoing, system analyses of the Suffolk County Criminal Justice System.**

Rationale:

The purpose of the Criminal Justice Coordinating Council (CJCC) is to improve communication, cooperation and coordination among agencies in the criminal justice system through:

- a. The development of an annual comprehensive plan for the Suffolk County criminal justice system.
- b. Conducting countywide systems planning in an effort to develop, and implement innovative programs that will reduce recidivism, jail overcrowding and the mandated costs of the justice system.
- c. Acting as the alternative to incarceration (ATI) advisory board and reviewing quarterly progress reports for ATI funded programs.
- d. Operating the Mentally Ill Offender Sub-Committee, the Juvenile Justice Advisory Commission Sub-Committee, the Stop Violence Against Women Sub-Committee and the Systems Planning Sub-Committee.

The CJCC staff must have substantial expertise in systems and strategic planning, program design, research and evaluation methodology, automated technology, grantsmanship, and predictive technology. The role of the CJCC is not only to analyze existing systems and programs, but to assist in implementing required change. In order to accomplish these objectives the optimum staffing should include the following: one Chief Planner, one Principal Research Analyst, one Senior Programmer Analyst, and one Program Coordinator.

2. **Adopt and implement an ongoing, CJCC systems planning process which mandates the participation of high level representatives from all key stakeholders of Suffolk County's criminal justice system.**

Rationale:

The CJCC is required to conduct an annual Criminal Justice Comprehensive Plan and should adopt systems planning methodology in completing this objective. Systems planning is the recommended method for improving public safety, maintaining cost, and reducing jail overcrowding by the National Institute of Corrections and the U.S. Department of Justice.

The Sub-Committee recommends securing available federal resources, supported by the Bureau of Justice Assistance', such as the 'Criminal Courts Technical Assistance Project' (CCTAP) at the Justice Program Office at American University to assist the initial systems case flow analysis from point of entry to discharge. (Refer to Appendix A.)

Impact:

- Improved public safety
 - Improved analysis of criminal justice problems
 - Improved coordination and cooperation
 - Clearer goals, objectives, and priorities
 - More effective allocation of resources
 - Improved criminal justice programs and services
 - Improved capacity and quality of personnel
 - Reduction in overall cost of services
3. **Establish a formal CJCC Supportive, Safe Housing Committee to explore the critical issue of supportive, safe housing for the mentally ill, chemically dependent, and MICA populations.**

Rationale:

For decades members of the CJCC have identified the lack of supportive housing in Suffolk County as a key factor of jail overcrowding. The Sub-Committee believes that supportive housing for mentally ill and substance abusing individuals would have an immediate and significant impact on jail overcrowding. If more supervised housing existed for the mentally ill offender, many more inmates could be released to SRP (Pretrial Supervised Release Program) which would result in a lower jail population. The current housing situation is more conducive to the mentally ill re-offending.

There is some progress in this area which may begin to alleviate this problem in the near future. CRSROs or Community Residence Single Occupancy Dwellings are currently being developed as follows:

- a. East-End Township - 50 bed capacity, operated privately and funded by NYS OMH (Office of Mental Health) under development;
- b. West-End Township - 100 bed capacity, transitional, temporary housing for individuals who are mentally ill with a maximum stay of 18 months. Not permanent housing.

A Sub-Recommendation is to explore the use of innovative methods in the development of supportive housing, including contributing County owned land in order to receive federal assistance, and using 'emergency housing' funding as a stream of revenues for this effort.

Impact:

- An increase in funding to the County from State, Federal and private sources.
- An increase of supportive safe housing to Suffolk County residents.
- A reduction in the County's homeless population.
- A substantial reduction in jail overcrowding because suitable offenders with mental health and substance abuse problems would be released to appropriate ATI and Recidivism Reduction programs.
- A reduction in crime (recidivism reduction).
- The actual number of jail beds saved within an accurate timeframe is yet to be determined.

4. Establish a formal CJCC Grant Collaboration Committee in order to increase the ability of Suffolk County to secure additional system funding from federal, state, private and non-traditional funding sources.

Rationale:

Once systems problems are identified and empirically documented, securing additional resources to implement required changes becomes critical. Unfortunately, the task of writing grants for interagency efforts is limited, and unusually becomes the responsibility of a small group of employees, as time permits. Substantial expansion of Suffolk County's grantmanship capability is an essential component of the strategic planning overall approach. Utilizing university students, especially those conducting research practicums and field placements, as well as securing small planning grants are some of the strategies that would be used in this effort.

Examples include the following:

- The STOP Violence Against Women (SVAW) CJCC grant submission that has secured over 1.2 million dollars.
- Targeted Capacity Grants for Jail Diversion Programs: Substance Abuse and Mental Health Services' (SAMHSA), Deadline: May 24, 2005; \$400,000 (CFDA) No: 93.243.
- Re-entry grant Available for Faith-Based and Community Organizations for Department of Labor-Proposals Due July 13, 2005- Average award- \$660,000 for first year of project.

Impact:

- The potential impact is to secure millions of dollars of additional resources for the County.
 - Federal, state and private funding can be leveraged to provide substantial savings to the taxpayer while improving public safety.
5. Establish a formal CJCC Motor Vehicle Crimes Sub-Committee that will conduct a systems analysis of this population and identify systems changes and program interventions that would improve public safety and system efficiency, while containing cost.

Rationale:

District Court's statistics indicate in 2004 there were 3,777 Driving with a Suspended License (511) charges in Nassau County, while Suffolk County had 23,634. In that particular category, the 511 issue is unique in the entire state to Suffolk County. From a local level, it must be determined: What is so unique about Suffolk County that we have such a huge difference in numbers?

If you look at the underlying charges, most of the people that were cited were driving with a suspended license. The suspended license is in the State Adjudication Bureau. How many other municipalities have State Adjudication Bureaus and what does the municipality in the State Adjudication Bureau do with driving privileges that other municipalities don't. By looking into this situation, the County may discover what the root of the problem is in Suffolk County.

This may be a systemic problem that is unique in Suffolk County because of the way the moving violations, 23,634, 511s are treated. Most municipalities give the defendant back his\her driving privileges while he is making partial payments. The Adjudication Bureau assigned to Suffolk County will not release the driving privileges until the debt is completely paid.

The overtime implications of having the Police Officer appear in court, the recidivism of the 511s and the affect on the jail should be investigated to determine if there is a need for a systemic change. There is a forfeiture statute in the legislature that states that if an individual is convicted of a specific number of motor vehicle violations, he/she could lose their automobile.

There is legislation pending to increase the criminalization of 511s. This entire area needs comprehensive planning.

District Court statistics indicate that there was a 17,542 or 61% increase in V & T Misdemeanor Charges filed between 2000 and 2003. Of that number, offenses involving Driving with a Suspended License (511s) increased 40% or by 7,497 during that period. In the one-day, October 25, 2004 profile of the inmates at the Suffolk County Correctional Facility over 14% (241) of all inmates were held on a charge that involved a motor vehicle related offense. Of these charges, 141 inmates or 59% were related to drug/alcohol use and operation of a motor vehicle. One hundred inmates (100) or 46% were held on a motor vehicle related charge with no alcohol or drug involvement. (Primarily aggravated unlicensed operation- see full report)

At a conservative cost of approximately \$203 a day for incarceration at the jail, this population costs the county over \$20,000 a day or over \$142,000 a week for inmates held on motor vehicle related crime that are not drug or alcohol related.

Probation has also experienced a dramatic increase in probationers sentenced for 511s as follows:

- On 4/1/2005, Probation supervised a total of 11,688 cases. Of these, 681, or 5.8%, were under supervision for the charge of aggravated Unlicensed Operator (511). Of these 681 cases, 199 or 17.5% were for felony 511s, and 482 were misdemeanors.
- During calendar year 2004, a total of 5,482 new cases were sentenced to probation supervision by the criminal courts. Of these, 262 or 5.2% were under supervision for the charge of Aggravated Unlicensed Operator (511). Of these 262 cases, 32 or 12.2% were for Felony 511s.
- During calendar year 2004, a total of 17,009 cases were supervised by the Probation Department. Of these, 1,070 cases of 854 individuals were under supervision for the charge of Aggravated Unlicensed Operator (511). Out of these 1,070 cases, 177 or 16.5% were Felony 511s.
- Out of the 854 individuals receiving probation supervision for 511s in 2004, 91.3% remained arrest free for finger printable offenses according to the NYS Division of Criminal Justice Services, while 74 or 8.7% were rearrested a total of 92 times. There were 38 or 4.4% felony recidivists, 34 of which were non-violent felonies. The majority of the arrests were drug and alcohol related with 4 or 0.5% for violent felony offenses.

Additional research is needed to determine if there are other 'evidence based' programs to effectively deal with this population. What alternatives exist, and what recommendations for that population would be effective in increasing and improving public safety while reducing jail overcrowding? It is also very important to seek out additional program funding for addressing this problem.

6. Develop and Maintain a Jail Population Management System.

Rationale:

The Sheriff should be properly resourced with adequate staff, including a Principal Research Analyst, to develop and maintain a Jail Population Management System. The staff should include someone with the ability to analyze and complete reports including a profile and trends within

the jail population. The system should be designed with input from the National Institute of Corrections and CJCC stakeholders to include essential data elements that will allow the designated staff person to provide the policy makers and the CJCC with descriptive information and trend data on who is in the jail, for what length of time, for what offenses, and the impact of legislative, judicial and societal changes on these factors. Reports should be submitted on a regular basis to the Sheriff, CJCC and policy makers. The data will be the basis for informed decision making on systemic improvements, and short-term and long-term capacity needs.

7. Develop and maintain an ongoing system that will increase the utilization of existing Alternatives-to-Incarceration (ATI) programs.

Rationale:

A number of factors contributed to the reduction in the use of ATIs during the last few years.

- The criterias for many of the programs had not been updated for more than a decade. This is especially problematic with regard to criteria for bail (i.e., \$2,500) for PEP (Pretrial Expediter Program) and SRP (Pretrial Supervised Release) programs.
- Reduction in CJCC from five full-time to two part-time staffers. This impacted the criminal justice system as a whole as communication and collaboration between departments was significantly reduced.
- As staff in the courts (judges, ADAs), Legal Aid and defense attorneys turned over, awareness of existing ATIs diminished.

Some of the judges who had familiarity with the ATIs and used them routinely, either retired, were reassigned or left the bench.

Discussions with the various key stakeholders revealed that since so few of the present staff of the courts, legal aid, and the defense bar had ever been to a conference on ATIs, a good deal of their information about the programs was erroneous or limited. As one legal aid attorney disclosed, his use of a particular program ended because on a couple of occasions he had contacted the program to find no space available. He made the assumption that the program was regularly at capacity and never tried again.

- An Article 78 brought on by a defendant against a judge over release status created an atmosphere of heightened caution surrounding the use of Pretrial Supervised Release.

Planned System Improvement Methods include the following:

- A. Establishing a properly staffed, Criminal Justice Coordinating Council with the tasks of developing and maintaining this system.**
- B. Development and operation of an ATI Intranet/Internet Website maintained by the CJCC.** Resolution No. 298-2005 was approved by the Suffolk County Legislature. This measure would provide program descriptions, current capacity, criterion, services, exclusions, outcomes, and key contact staff. All of this information will be updated frequently.
- C. Conducting Annual Evaluations of all ATI Programs in Suffolk County with dissemination of the results to all key stakeholders.**
- D. Improving ATI Training and Information Dissemination for Key Stakeholders.** A recommendation was made to substantially improve communication among all stakeholders regarding ATI and related programs. Training and information dissemination about the current status of Suffolk County's ATI programs should be developed and implemented on an ongoing basis for all stakeholders including the Courts, Defense Bar, ADAs Legal Aid and others. A video version of this material should also be made available for those who cannot attend the training sessions.
- E. Improved Predictive Risk Assessment Technology.**
- F. Expanding Services and Providing ATI Training to Justice Courts.** A recommendation was made to Administrative Judge Leis to extend invitations for any training programs provided to the District Court to the town, village and local Justice Courts, and was so ordered.
- G. Increase in ATI Bi-Lingual Staff.** The need for this is great for both pre-trial defendants and sentenced offenders.

Impact:

As the program improvements are completed and the existing programs are re-introduced by conferences with judges, Legal Aid, DA's office and defense attorneys, and as the key features of the programs are made available by intra/internet on a daily basis, past CJCC history indicates that the available ATI programs will increase utilization significantly.

For example, TASC (Treatment Alternative to Street Crime) has an available capacity of 25, Drug Courts: East End - 25, Cohalan - 51, the Probation Intensive Supervision Program - 46, and the DWI Jail Facility and Program - 21. Not counting the DWI Facility or Community Service, there are 147 community-based ATI service units available; and 21 residential beds at the DWI Facility. Current estimates indicate at least 125 or 85% of these daily community-based units can be filled on a daily basis; and an additional 21 residential units at the DWI Facility. Community Service options are also available.

ANALYSIS

8. Conduct a Systems Analysis of the Transportation Processing Between the Jail and the Court.

Rationale:

Each time an inmate moves from one place to another from the jail under supervision from Correction Officers, then to Deputy Sheriffs to be transported on the bus to Court, then to another group of Deputy Sheriffs, and then finally to Court Officers in the Court, processing is required. Each time an inmate changes hands, a search and count are conducted. There is a direct correlation between the total number of inmates transported to Court and the time the individual will actually appear in Court. The lower the number, the earlier the defendant is seen and the better opportunity for the Judges to spend more time on those cases, which hopefully will result in a better use of ATI programs.

This whole area could be the topic of exploration, including how this process is conducted in other jurisdictions. The Courts are constantly discussing how the cases are assigned and how the process can be improved. Does the defendant have the right to be in Court every time the case is on the calendar or does he not need to be there? Systems improvements in this area would be welcomed.

9. To conduct comprehensive planning in collaboration with the ATIs (Alternative to Incarceration Programs) to develop and identify available beds for both MICAs (Mentally Ill Chemical Abusers), and substance abusers to ensure there would be a resource (immediately accessible) to get individuals out of the jail and into drug/alcohol treatment.

Rationale:

The following two examples illustrate the potential outcome on recidivism/crime reduction if this recommendation is implemented: Suffolk Facility A, which has treatment services and related housing, is ready to send a staff member to the Court lock-up during the pre-trial phase to screen the defendant for eligibility for their services. If the defendant is found to be a suitable participant for their facility and is placed on Supervised Release, the facility's driver would transport the defendant from the court to the treatment program, where immediate housing would be provided and a treatment plan initiated.

Suffolk Facility B, which also has treatment services and related housing, would provide the same services for the pre-trial defendant as would Suffolk Facility A. However, the screening would be conducted over the phone.

Impact:

- Prevents offenders suitable for diversion from ever entering the jail.
- Reduces the jail population.
- Provides an opportunity to avoid high cost of emergency housing (\$4,500-\$6,000 per month).
- Intensive treatment begins immediately, resulting in reduced crime.

10. **Conduct a Comprehensive Analysis of Automated Technology in the Criminal Justice System in order to Identify Areas for Improved Efficiency.**

Rationale:

The current pre-trial case processing system, the inmate transfer system, and other areas all must be evaluated for the applicability of using automated technology wherever possible in order to reduce delays and costs, and increase efficiency. Improving overall systems

efficiency is one effective way of improving public safety, reducing cost and reducing jail overcrowding.

Impact:

- Streamlining system
- Reducing the cost and duplication of services
- Enhancing operational efficiency

11. Secure the technical assistance of the National Institute of Corrections (NIC) in analyzing the dynamics of mentally ill defendants and in recommending possible solutions and systems improvements that will improve public safety while providing effective program approaches.

Rationale:

- In March 2000 and August 2003, the CJCC published the results of two research studies that analyzed the nature and prevalence of individuals with mental illness in Suffolk County's criminal justice system. The reports were entitled, "Assessing the Nature and Prevalence of the Mentally Ill in Suffolk County's Criminal Justice System", (March 2000), and "Mental Health and Criminal Justice in Suffolk County: A Progress Report," (August 2003). The Bureau of Justice Statistics confirmed Suffolk's findings by estimating that the number of mentally ill in the criminal justice system is 16%. The CJCC estimated that 6,365 individuals with mental illness were processed in Suffolk County's criminal justice system in 1999, with 1,756 in the Jail. Also, between 1991 and April 27, 1999, there were 10,168 admissions to the jail mental observation unit in Suffolk County, and 1,320 admissions in 1998. **Out of the total 1999 population of mentally ill, 75% were non-violent offenders and many were continually readmitted to the jail for non-violent offenses.** Over 35% of these offenders were charged with alcohol or drug related charges. Almost 65% of the individuals with mental illness were identified as substance abusing.
- Jails are not designed to provide mental health treatment. Once released, mentally ill inmates do not have access to safe, transitional or supportive housing. Without such supports, they often discontinue their medication, don't seek support services, and are more likely to be rearrested and returned to jail.
- Many systemic factors contribute to the incarceration of individuals with mental illnesses. They include deinstitutionalization, more rigid criteria for civil commitment,

lack of adequate community support and lack of access to treatment.

- The NIC has been providing effective technical assistance to Suffolk County for decades, and has agreed to continue this tradition in 2005. In May 2005 the NIC has agreed to analyze the dynamics of mentally ill offenders and provide recommendations to the County.

Impact:

- A reduction in the jail population as non-violent mentally ill offenders are identified earlier in the system and placed in appropriate programs.
- A reduction in the rate of recidivism as the special needs of this population are met through program services.
- A reduction in cost by developing less costly, accountable, and effective recidivism reduction, diversion and ATI programs.

TRAINING

12. Provide all relevant criminal justice personnel with appropriate training for working with the Mentally Ill and the MICA populations, especially those personnel working in specialized correctional treatment programs.

Rationale:

Criminal justice personnel do not have to be diagnosticians or pseudo-mental health professionals - but they can help stabilize a situation, work to keep all involved parties safe, make effective referrals when appropriate, and improve the lives of people with mental illnesses and their loved ones by keeping them out of a system ill-equipped to meet their needs.

Impact:

- Increase in safety for criminal justice personnel as well as the public.
- Better training means better screening which leads to more appropriate referrals and placements, reduction in jail population and inevitable reduction in the rate of recidivism for this population.

- Better training/screening will also lead to more accurate information flowing from point of initial intervention through all subsequent criminal justice agencies and personnel.

SYSTEMIC EFFICIENCY

13. Explore the feasibility of reducing the number of inmates sentenced locally to multiple, consecutive one-year sentences, instead of State Prison.

Rationale:

A. Inmates remanded to the jail in excess of one year, have received consecutive sentences and are prime candidates for State prison. According to the Pulitzer/Bogard study, although inmates sentenced to 366-571 days in the jail in 2002 were only responsible for .6% of the admissions, they used 9.3% of the total available jail days. For 2002, the average jail population would have been reduced by 138 jail inmates were this practice eliminated.

B. On 10/25/04, 39 inmates were serving local jail time for two or more consecutive one year sentences and were responsible for 14,235 days of care annually. Of these inmates 35% (15) were housed out at the time of the study.

Impact:

- Potential reduction of jail population from 39-138 inmates.

14. Expedite the removal of NYS Parole Violators currently housed in Suffolk County's Correctional Facilities by supporting the proposed legislation requiring that state parole violators be housed in a state facility while awaiting parole violation hearings.

Sub-objective: Until legislation mandating removal of parolees is passed, steps should be made to speed up parole hearings in order to reduce jail overcrowding and costs to the County.

Rationale:

A. PENDING LEGISLATION

A recent bill has been introduced in the NYS Legislature that requires parolees who violate the terms of their release to be placed in the custody of the Correctional Services. This proposed legislation is supported by the New York State Sheriff's Association.

TITLE OF BILL: An act to amend the executive law, in relation to requiring persons in violation of parole to be placed in the custody of the Department of Correctional Services; and to repeal subparagraph (ii) of paragraph (a) of subdivision 3 of section 259-l of such law relating to the placement of such persons in local correctional facilities.

JUSTIFICATION: New York State Executive Law was amended to give counties responsibility for lodging alleged state parole violators who are arrested within the county in a county facility. At the time this was done, state prisons were overcrowded - at 120% capacity. Allowing state parole violators to be held in county facilities helped to ease the strain, even temporarily, on the state prison system. The state's inmate population has since undergone a dramatic decrease. Overall inmate population as of January 2, 2004 was 65,387; declined to 64,022 on January 2, 2005; and is expected to continue to drop substantially, while the state prison system can house a maximum of 70,710 inmates.

B. In the Pulitzer/Bogard Study of the 2002 jail population, the average daily population consisted of 162 violations of parole inmates. They were a significant component of the jail population with 753 admissions, a 78.9 day length of stay and 162.7 average daily beds.

C. The 2001 JSAT study's April 28, 1998 snapshot showed 160 parole violators on that date with an average length of stay of 97 days.

D. The most current jail population snapshot profile on October 25, 2004 indicated that 97 state parole violators were incarcerated at the SCCF. These 97 parole violators cost Suffolk County over \$590,730 a month. If all (97) of these parole violators stay within SCCF for two to four months the cost to the County would be millions of dollars. *This number increases when you consider that state parolees are taking beds away from county prisoners who are in turn housed out.* The JSAT report 2001 (pg. 4-4) indicates that most parole violators length of stay is approximately 100 days.

Impact:

- Removal of state parole violators from the Suffolk County Jail would result in a reduction of the overcrowding problem by 97-162 inmates on a typical day (1998/2002/2004). (The parolees could be held in a regional, state run facility at no construction or operational cost to Suffolk County, together with inmates awaiting transport to a State prison.)

15. Update and improve the Pre-trial Predictive Assessment System.

Rationale:

The current Pre-trial screening and risk assessment instrument needs to be replaced and (or validated) by the most predicatively powerful assessment instrument possible.

- During the past twenty-five years, there has been considerable research in the development of objective (or actuarial) offender risk assessment instruments. These instruments measure the risk of an offender committing a new crime or some behavior, such as failure to appear in Court as required, based on social, personal-demographic, and legal information. The ability to reliably differentiate higher risk offenders from lower risk offenders is tremendously important for public safety and effective programming.
- A risk assessment can be described as a probability calculation that a harmful or undesirable behavior or event will occur, and involves an assessment about its frequency, likely impact, and who it will effect. There are two basic approaches to risk assessment and prediction for offenders: the actuarial; and the clinical. The Actuarial risk assessment is based upon statistical calculations of probability. The Clinical method is essentially a diagnostic assessment derived in part from the medical and mental health fields and is based upon detailed interviewing and observation by the clinician in order to collect information on the social, environmental, behavioral and personality factors that have resulted in harmful behaviors in the past.
- Risk scales developed under highly controlled research conditions can be successfully implemented into real world, correctional settings. **The research is also unequivocal in that research-based risk scales improve offender predictions of risk beyond traditional methods.**
- In probation, the risk and needs instruments are designed to assess probationers according to risk and needs factors, and to standardize the decision-making process for determining appropriate sanctions and correctional treatment approaches.

The primary goal is to control recidivism through improved case management decision making.

- In the jail setting, valid, prediction instruments improve the classification of inmates by specifically measuring the likelihood of serious violent behavior.
- In pre-trial screening, valid, predictive instruments predict the probability that individuals will return to a scheduled Court appearance as required.
- Although the current pretrial, predictive risk assessment was implemented and validated with excellent predictive power, it has not been revalidated in over ten years.
- Predictive technology in the field of criminal justice has improved considerably as has the availability of additional, verifiable predictive factors that make prediction more accurate. Suffolk's pretrial system needs a complete evaluation and overhaul and Suffolk Probation has begun the necessary vendor research regarding improved technology.

Impact:

- Greater confidence in pre-trial release decisions when the probability is based on current evidence-based research.
- A more accurate and **timely** assessment of defendants for appropriate Alternative-to-Incarceration programs.
- Improved management of high-risk offenders.
- Improved public safety.
- A reduction in jail overcrowding, although the impact is difficult to measure individually.

16. Explore Teleconferencing and 'Paper Appearances' Between the Criminal Court and the Jail. Teleconferencing is used in Brooklyn with a room designated in the Jail for this purpose. **In Nassau County they do not produce a defendant unless they are ordered to by the Court.** In Suffolk County, many times the defendant is brought to the Courthouse, but does not always make it into the Courtroom. However, security procedures and protocol must still be met whether they appear in Court or not.

Rationale:

Many times inmates are brought to Court to meet with their attorney. **The option of 'paper appearance' rather than producing the defendant should be further explored.** The District Court has in the last year used this method more often and has made some 'in-house' adjustments to accomplish this. The process of moving an inmate is very long and tedious. An inmate from the jail is awakened at 5:00 a.m., but by the time he/she actually makes it into the Courtroom its 11:00-11:30 a.m. With the large number of inmates from the jail brought to Court within this time frame, the Judges sometimes do not have the opportunity to pursue different options. Reducing the number of inmates transported to Court in a given day would possibly make the system more efficient, reduce cost, and increase the use of accountable ATIs for appropriate defendants, while safeguarding public safety.

17. Expedite Initial Pre-trial Defendant Assessment and Processing.

Rationale:

In New York City the Risk Assessment and Accusatory Instrument come over from the precincts with the prisoners. This speeds up processing considerably. A suggestion to deploy a Probation personnel to the police precinct to do a preliminary investigation and background check as the offender is being processed was made in order to assist in preventing backlogs in Court. A recommendation is to assess the feasibility of this approach. This initiative would improve the efficiency of the current system.

18. Explore whether or not the cost for mental health services in the jail should be moved to mandated expenditures in the County Budget or remain in the discretionary expenditures.

Rationale:

The Sub-Committee asked the question: "What is the practical difference between inmate's medical health and mental health?" Approximately five years ago, Jail medical was moved to the "mandated" side of the annual County operating budget from the "discretionary" side of the budget. Expenditures categorized as discretionary are under different spending restrictions per Suffolk County Charter requirements, so it is thought that moving jail mental health to the mandated side of the budget may allow for expansion of jail mental health services.

Correctional Law No. 137.1 basically requires among other things, consideration of physical, mental and emotional conditions of the inmate. Correctional Law Section 137.6 empowers the facility to segregate based upon the needs of the facility to do so for the preservation of order. Correctional Law Section 500.B states inmates should be afforded personal safety and welfare and Section 500.B6 section 148 basically calls for the Commissioner of Correction to insure Mental Hygiene establishes and operates psychiatric and diagnostic clinics within the Correctional Facilities. The Civil Rights Act of 1971 calls for provision of medical care. For community safety, crime reduction and a host of other reasons, the Sub-Committee expresses the importance of insuring that appropriate mental health services be made available to jail inmates as needed. The consensus of the committee is to explore the feasibility of having mental health services classified as mandatory in the County Budget, the same way that medical services are.

Program Changes

ATI Program Modifications

19. Probation Expeditor Program (PEP)

RECOMMENDATIONS:

A. Expand and Improve the Pretrial Expeditor Program

The Sub-Committee recommends that two (2) Probation Investigator positions be added to the Probation Expeditor Program (PEP). Interviews should be conducted 7 days a week with day and evening shifts added.

One Probation Investigator is currently assigned to the Bail Expeditor program. Initially, two Probation Investigators were assigned to the program but as a result of retirement, the other position was abolished. The purpose of the Bail Expeditor Program is to assist the individual in making bail by contact with family members, or others who can post bail.

B. Expand Pretrial Expeditor Services to Justice Courts

A recommendation was made to target the Justice Courts and provide information to those Courts regarding the ATI programs.

C. Improve Expeditor Data Sharing

Improve the expeditor MIS (Management Information System) process so that the staff in Probation in Cohalan can access the same inmate information list that the bail expeditor looks at.

D. Provide Follow-up Expeditor Services

Probation's bail expeditor is now going to continue to try to reach inmate's families or other possible sources that would enable the inmate to make bail. The expeditor will try to revisit cases as time allows. Everyday the expeditor will check the list to see if the inmate is still incarcerated.

E. Provide Postal Follow-up for Justice Court Expeditor Cases

Follow up with the bail expeditor cases by sending a letter with a signature of release from the defendant to significant others with the same information that would be given over the phone. The Justice Courts meet only once or possibly twice in a month. The Sub-Committee was in agreement that sending a letter may be practical when dealing with the Justice Courts.

Rationale:

The SCCF profile of Inmates revealed that 53% (883) of the SCCF population is pre-trial. 270 inmates were identified as pre-trial family & misdemeanor and 613 were identified as pre-trial felony.

The profile of Inmates also revealed that 179 inmates had no outside "holds" and a bail of \$2,500 or less.

Another 73 inmates with no outside holds had bail from \$2,501 to \$5,000.

In total 252 inmates with no outside "holds" had bail of \$5,000 or less.

If these 252 inmates each are held in SCCF for one week it costs the county approximately \$400,000.

It cost the county approximately \$24,000 a day for the 120 offenders with no outside holds and a bail of \$1,000 or less. (*\$203 a day for each inmate*)

Another 18 inmates have no outside holds and bail between \$5,001 to \$7,500.

The Probation Department currently has one (1) Pretrial Expediter working in the Suffolk County Jail in Riverhead. At one time Probation had 2 expeditors but since August 2002 due to limited funding, the

Department has been able to maintain only one expeditor. The expeditor's main functions are to screen and interview inmates and attempt to contact family members and other sources that might provide bail for the inmates.

In 2004 the Pretrial Expediter screened 3,154 inmates and interviewed 2,533 inmates. Of the 2,533 inmates that were interviewed, 2,393 were released prior to their plea or sentencing. Out of the 2,393 released with the one expeditor, at least two to three per day were released due to the direct assistance of the pretrial expeditor. Assume that the expeditor works 48 weeks per year at five days per week for a total of 240 days. Two releases per day by 240 days is therefore equal to 480 releases per year per investigator; or 960 for the 2 new investigators at an estimated average of a 10 day detention saving per release $9,600/365 = 26.3$ beds.

Impact:

- Currently, 25% of pretrial population is screened. Adding two pretrial expeditors which would screen 85% of the appropriate pretrial population as opposed to 25% currently screened and result in a 26-bed inmate reduction.

20. Supervised Release

Recommendation: A Key Stakeholders Problem-Solving Meeting should be convened immediately in order to review the pre-trial system, criteria, bail, exclusions and operations.

Rationale:

It is generally agreed that the goal common to all of the key stakeholders of Suffolk County's criminal justice system is community safety. There are laws common to all stakeholders that bring them together in this endeavor. An updated agreement among the stakeholders about the use of the Supervised Release Program; its criteria, exclusions and operations, can enhance the application of this program for the most appropriate pre-trial population in the most efficient and judicious manner.

Supervised Release provides an alternative for offenders who might otherwise be incarcerated pre-trial, to be released with restrictions, into the community. It decreases the need for pre-trial incarceration of this population, while freeing up space for other offenders within the correctional facility. It affords the judiciary the option of releasing

offenders into the community with supervision and services. Supervised Release participants will receive supervision from the Probation Department, referrals and access to community-based resources to meet their particular needs; with the goal of reducing their recidivism and increasing their appearances in court until disposition of their charge(s). SRP has a current caseload of 44 individuals, although its capacity is 140. The pending Article 78, plus other factors has reduced the daily caseload of 96 on 12/31/03 to 31 on 12/31/04. Once these problems are worked out by the key stakeholders, the program should realize full capacity, especially since having a staff person in D-11 has resulted in 5 new cases in the first six days.

Impact:

Ninety-six (96) additional individuals should be released to the supervised release program decreasing the daily jail census by that number.

21. Expand Expedited Presentence Investigations (PSIs) for Inmates

Rationale:

The judiciary has just begun reducing plea periods for jail detainees from four weeks to three weeks, requiring pre-sentence investigations to be completed one week earlier. Expedited PSIs have already started.

In conjunction with the Administrative Judges the Probation Department will provide expedited Pre-Sentence Investigations for inmates of the County Jail. Instead of the usual 4-week turnaround period for the PSI, the Probation Department will produce the report in three weeks and the judges have agreed to schedule the cases in the same expedited fashion.

Impact:

This could result in a 7-day reduction in the amount of time the subject spends in the County Jail prior to his sentence being imposed. In the year 2004, the Probation Department completed 1173 PSIs on inmates at the jail. The vast majority of these cases resulted in sentences other than jail. In 2003 over 5400 felony cases were presented to various courts in Suffolk County and only 1500 or about 27% resulted in sentences to jail. If the number of PSIs completed in 2004 is multiplied by 27% it results in 293 people remaining in jail and 793 people leaving the jail in some fashion, including state prison. These 793 people would leave a week early resulting in a saving of 5651 bed days or **16 daily beds**.

In the first quarter of 2005, Probation had completed 356 inmate PSIs that would result in 1,424 PSIs for the year. This would result in 1,040 inmates being released a week (7 days) earlier and result in a saving of 7,280 bed days.

Based on the more conservative 2004 statistics, current estimates indicated that **16** jail beds will be saved daily with the full implementation of this program.

22. Expansion of Non-Treatment Pre-trial Options

Rationale:

It was observed that the current ATI programs are very much treatment oriented. Possibly some programs that are less treatment intensive for non-violent offenders would be the answer for those individuals who do not necessarily need to be incarcerated.

The profile revealed that 132 pretrial inmates were being held on public disorder charges.

23. Expand the utilization of the Day Reporting Center (DRC) for both pre-trial and sentenced individuals by increasing the staff with additional substance abuse counselors, and staff able to prescribe medication; improve transportation options.

A. One limiting factor of Day Reporting is the number of substance abuse Counselors available. If additional counselors and mental health treatment providers were employed, DRC could handle another 50 participants a day.

B. Another significant factor limiting the use of Day Reporting is **transportation**. The judiciary is reluctant to sentence an individual to this program because the lack of transportation, especially from the East End, sets the participant up for failure. When DRC was fully staffed and had access to a van, participants were transported by Probation personnel. These are the issues that must be identified and addressed. In order for ATI and Recidivism Reduction programs to be successful, it is critical to have the resources required such as adequate staff and equipment. It is recommended that DRC's transportation situation be investigated and improved accordingly.

Rationale:

The Day Reporting Center was established in 1994 as an Alternative To Incarceration program to address the pretrial population in jail and to provide a treatment oriented approach to the drug and alcohol abusing offender population. The Day Reporting Center approach combines intensive supervision of the offender with comprehensive diagnostic and treatment services at one central location.

In addition to mandatory treatment and almost daily contact, the offender's movements and behavior are monitored as needed with electronic surveillance technology (curfew), telephone contact, and drug testing. At its inception in 1994, the program was staffed with 18 Probation staff positions and as well as staff from BOCES and the Health Department. By 1996, the program began to add mental health treatment consultants to its staffing in order to address the burgeoning cases with mental health or mental health/ substance abuse issues. At its peak staffing in 1997, the DRC had 18 full time probation positions, full time educational staff provided by BOCES, and part-time physical health staff provided by Suffolk County Department of Health Services. Additionally, there were four part-time mental health/substance abuse treatment consultants and one educational consultant. In 1997, this staff of 19 full time positions and 6 part-time staff provided intensive supervision and treatment services to 202 participants.

In 2001, the Day Reporting Center began to take referrals of probationers with serious Axis 1 mental health diagnosis, often coupled with substance abuse issues (MICA). To address this increase in population with serious mental health diagnosis, the part time mental health component was increased and included a psychiatrist (eight hours per week), three certified social workers (max. of nine hours per week), one nurse practitioner (six hours per week) and one mental health assistant (ten hours per week). During this peak period of 2001, the program provided services to 217 participants.

As of 2004, the number of full time probation staff was reduced to 13 positions (four less than 1997) and two part time consultants; a psychiatrist working eight hours per week and a social worker at seven hours per week. This diminished number of staff positions in 2004 ultimately resulted in only 152 participants being served in 2004; **65 fewer participants than in 2001**. Not only were fewer offenders served, but the program was not able to serve the number of offenders with serious mental health diagnosis. It can be construed that the mental health population not being served in the DRC was likely to be detained in the Suffolk County Correctional Facility.

In an effort to address the significant jail-overcrowding problem in Suffolk County, the Probation Day Reporting Center should be returned to its **previous 1997 staff levels** which should include two (2) additional substance abuse counselors as well as staff that can prescribe and monitor medications of the non-violent jail population. The population targeted includes the Chemically Abusing/Mentally Ill (CAMI) offenders that are often detained in jail and receive little to no treatment while in jail. The result is that the offender re-offends and is reincarcerated soon after release. **To break this cycle of recidivism**, the County must employ other supervision and treatment options to address the needs of the offender while maintaining a high level of public safety. The Day Reporting Center is the perfect venue to accomplish this task and would also function as the ideal program for referrals from the Mental Health Court Part which is being planned. The need for vehicles and transportation staff to ensure that participants can attend the program should also be evaluated.

Impact:

In addition to the present 2005 staffing (13 Probation full time positions and one part time psychiatrist), this program needs to add two Senior Probation Officers, two Drug Counselors, one Sr. Psychiatric Social Worker, one nurse practitioner, and one clerical for a total of 20 full-time positions. Additionally, one half time (17 hours per week) psychiatrist, and two to three part time social workers need to be hired. This would bring the number of full and part time Probation positions to 23 staff; and back to the 1997 levels. **This staff would provide the necessary resources to supervise and treat an additional 50-55 jail detainees on a daily basis, including the CAMI and other serious mentally ill populations.** The result will be a reduction in the number of jail beds when the alternative sentence and recidivism reduction impacts are calculated. Furthermore, an analysis of the transportation situation needs to be investigated to determine the most cost effective means for providing transportation to program participants. This may result in the purchase of vans/buses and hiring bus drivers or contracting for these services. Either way, the DRC budget needs to have adequate funding to enhance its transportation capabilities.

24. **Increase criminal justice mental health and substance abuse staffing in the jail.**

Rationale:

The following staffing needs were identified by the Sub-Committee: **two Clinical Nurse Practitioners (CNPs) who are licensed to prescribe**

medication: one to be assigned to the Riverhead Correctional Facility primarily as a Mental Health intake screener, and the other to be stationed primarily at the Yaphank Correctional Facility, but also to serve and support the Riverhead facility as well. Currently, all inmates enter and are medically screened through the Riverhead Correctional Facility, where they are first assessed by a medical nurse to determine their medical status/problems. As part of this screening, the nurse will also ask questions and review the mental health history/conditions. This initial screening when the inmate enters the jail is not currently done by a mental health professional. It would be more efficient and functional if the mental health assessment was completed by a mental health professional, such as the licensed Clinical Nurse Practitioner (CNP), who would be better able to assess the inmate's condition, and, if necessary, immediately prescribe medication and direct mental health care at time of screening.

Regarding adding an additional CNP to the Yaphank facility, currently individuals who have mental health problems are excluded from being housed at Yaphank, because there is no mental health prescribing staff stationed there. A prescribing provider to work in Yaphank could allow inmates with mental health problems to be housed there, possibly helping some of the overcrowding problem in the Riverhead facility and giving the Sheriff's Office and Correctional staff more flexibility with inmate housing. Additionally, this prescribing CNP, who would function primarily in the Yaphank role just described, would serve as the backup to do mental health screenings in the Riverhead facility, in support of the other CNP staffing recommendation.

Two Drug Counselors that would be primarily focused on intervention, counseling, transitional and discharge plans for the substance and alcohol abuse population. The New York State Office of Alcoholism and Substance Abuse Services, as well as the Bureau of Justice Statistics and the National Center on Addiction and Substance Abuse, estimate that from 60% to 83% of the nation's correctional population have used drugs at some point in their lives. The estimates of *substance abuse for adults at the time of their arrests* have been noted to be as high as 70% nationwide. In the Riverhead and Yaphank Correctional Facilities, staff dedicated to the general population treatment of alcohol and substance abuse issues is currently limited to two Drug Counselors and one Clinic Coordinator. This complement of staff is ill prepared for the amount of work necessary to treat those inmates with substance abuse problems. Two additional Drug Counselors will allow for the expansion of group treatment into the general population, as well as clinical services such as ongoing individual counseling and community advocacy. It will allow for a **much more comprehensive approach to treatment and will create the**

opportunity to impact more positively on recidivism and relapse by offering more in-depth services to individuals while still incarcerated. This is the basis of a successful crime reduction strategy that will stop the cycle of incarceration, release, rearrest, and reincarceration.

25. **Expand Recidivism Reduction Programs**

Recidivism Reduction Program Recommendations

A. Expansion of the DWI Jail Alternative Facility and Program

Rationale:

The Subcommittee was advised that the DWI Jail Facility is not an ATI. These participants are included in the day to day jail population. However, the DWI Facility has received ATI funding for over 10 years because it reduces recidivism, and is an alternative to the next incarceration saving both pre-trial and sentenced jail space.

B. Expand the Split-Sentence Substance Abuse Treatment Program

Rationale:

If there was appropriate space in the new or old jail, similar to the DWI facility, individuals with chemical dependency, in lieu of straight sentences, could be sentenced to split-sentences and receive substance abuse treatment while incarcerated.

A CJCC grant and program design, entitled "Suffolk County Split-Sentence Drug Alternatives (SDA) Project" was prepared in 1990, by Probation, the Sheriff's Office and Alcohol and Drug Abuse Services. The design and concept was approved by the State Department of Probation and the Commission on Corrections. This program was not implemented, due to an inability to secure required resources. However, as a recidivism or crime reduction program for both male and female offenders, this model is recommended.

C. Expansion of the Probation Mentally Ill Offender/MICA Intensive Supervision Program.

Rationale:

All components of the criminal justice system are trying to cope with a significant number of mentally ill offenders who frequently are multiple recidivists. There is a general consensus that this population presents

serious problems to the Criminal Justice System. The CJCC's MICA/Mentally Ill Offender Sub-Committee secured grant funding to address this problem. The first report is titled "Assessing the Nature & Prevalence of the Mentally Ill in Suffolk's Criminal Justice System" (March 2000), and has documented that the problem is larger than previously estimated and corrective measures are needed.

- One of the major CJCC MICA/MI Sub-Committee's recommendations was to develop and implement specialized intensive supervision caseloads for serious mentally ill probationers and parolees. The rationale for this recommendation was that Suffolk Probation implemented a successful correctional-treatment model for Special Offenders in 1985 which received partial federal funding for this population. Expansion of this highly accountable community-based model was strongly recommended as an effective way to reduce serious crime in Suffolk County.
- MICA Offenders - While 64% of all mentally ill offenders used substances, a higher percentage of those with depression (76.6%), bipolar disorder (73.9%) and schizophrenia (73%) were more likely to be identified as substance abusers. Males and females did not differ in use of substances.
- The Mentally Ill Offender Unit was established and maintains a caseload of 150 probationers. The probationers are presenting with bipolar disorders, schizophrenic/schizoaffective disorders and major depression. The lack of available housing and in-patient treatment facilities in the County are major obstacles for this population. In 2003, a recidivist study was conducted on this population and found that out of 141 probationers reviewed, 21 (Or 14.9%) re-offended. However, nearly half (n=13) was for public disorder, a misdemeanor offense, and only four were for violent felony offenses. These findings show that the intensive probation supervision provided by the Mentally Ill Offender Unit has successfully reduced the number and severity of crimes committed by this population.
- The 2004 recidivism analyses indicates that 90.8% of the 207 offenders with mental illness remained arrest free for fingerprintable offenses in 2004. Nineteen (19) individuals were arrested, committing 26 arrest incidents, with six or 2.9% for felonies and five out of six felonies being non-violent.

- The recommendation is to increase the capacity of the Probation Mental Health unit by two Senior Probation Officers which would increase services to 75-80 mentally ill offenders at any one time, and 95-100 annually.

Impact:

Based on the excellent results of this program, it is reasonable to believe that, based on their risk levels, between 50-65% of these offenders would become recidivist without effective intervention. Expansion of this program would help reduce the jail population by 20 inmates when considering pretrial, sentencing and recidivism reduction factors.

D. Develop a Mental Health Residential Alternative to Incarceration Program.

Rationale:

Approximately 64% of the mentally ill offenders used substances, according to the CJCC's report "Assessing the Nature and Prevalence of the Mentally Ill in Suffolk's Criminal Justice System" (March 2000), within this population, the most at-risk are persons with depression (76.6%), bipolar disorder (73.9%) and schizophrenia (73%). Approximately 16% of the persons incarcerated in Suffolk County have a severe mental illness. According to the CJCC report: "Mental Health and Criminal Justice in Suffolk County" (August, 2003) approximately three-quarters of the persons with mental illness in the correctional facility are single adults, most of whom no longer have family or community supports. About 34% have less than a high school education, virtually ensuring that their incomes hover about the poverty line.

The Division of Community Mental Hygiene Services contracts and supervises the Single Point of Access (SPA) for adult mental health housing across the provider agencies, with a less than 5% vacancy rate at any given point in time. Quite simply, there is not sufficient supervised housing for persons with mental illness in the community.

According to the experience of the SPA, there is a significant negative impact of being involved within the criminal justice system upon the acceptance rates of persons with mental illness. Forensic involvement virtually precludes acceptance into community housing by the voluntary agencies. Instead, these individuals typically reside in homes operated by a cadre of providers where sub-standard conditions are the norm,

increasing their proclivity to relapse with substances, cease taking medications and repeat their offenses.

In those instances where persons with co-occurring disorders gain admission to substance abuse housing, there is a disconnect between the structures and techniques that are effective with substance abusers without mental illness and those that are required by persons with mental illness. The net effect is frequent program failure and relapse.

Impact:

It is reasonable to expect that the provision of supervised housing monitored by Mental Health Probation Officers would reduce the recidivism and relapse of the mostly single mentally ill population, particularly those with a high school diploma and less. It is estimated that jail beds could be reduced by this effort at a substantial savings, given the difference between a supervised bed in the community with appropriate supports compared to that of the correctional facility.

E. Develop and maintain a Correctional Treatment Narcotic Recidivism Reduction Program, which includes MICA offenders.

Rationale:

The 2005 Adopted Budget includes funding for a new 21% NYS DPCA (Division of Probation and Correctional Alternatives) eligible initiative, Jail Overcrowding/Recidivism Reduction Plan. The objectives of this program are as follows:

- Target high-risk substance abusing probationers in an effort to reduce jail overcrowding from recidivism and incarceration of this population.
 - Provide increased supervision through a multidisciplinary 'Correctional Treatment' model that offers specialized treatment for this target population.
 - Reduce Probation's existing caseloads that are larger than eighty-seven cases.
 - Focus on high-risk, drug-abusing and mentally ill probationers.
 - Caseloads for this new initiative will be limited to a maximum of 45-50 probationers.
1. As illustrated in a February 1992 report released by the U.S. Department of Justice, Probation plays a critical public safety role, especially with 'high-risk', felony probationers. This report,

entitled, *Recidivism of Felons on Probation, 1986-89*, documented the recidivism rate of felony probationers nationally. Suffolk County was one of thirty-two probation jurisdictions analyzed and the local results were reported in a report entitled "Variations on Felony Probation" by the National Association of Criminal Justice Planners in March 1991. The results showed that although Suffolk probationers had a recidivism 'risk-level' comparable to the national average, Suffolk's actual recidivism rate was much lower at 30% compared to the national 43% rate, or a 30.2% reduction. In addition, only 4% of Suffolk's felony probationers were re-incarcerated during the **three year follow-up period** as compared to 23% of the national sample.

2. At the time of this study, Suffolk Probation had **82 out of 123** specialized caseloads or **66.7%**, including **20** specialized Narcotic caseloads with caseloads between 65 and 78 individuals. Due to budget constraints, as of August 1991, specialized narcotic caseloads were eliminated, and the total number of specialized correctional treatment caseloads was reduced, to **38 out of 107** or **35.5%**, instead of **66.7%** and caseloads began to increase rapidly.
3. Probation staffing in the Regular Probation Services was **341** in 1994, but was reduced to **319** positions in 1997 causing diminished supervision services. 1997's remaining staff level of **319** positions was reduced even further by an additional **38** positions to **281** positions in 1998 which represented the lowest level for regular probation services 01-3140 in 28 years. Delays for services increased further while jail overcrowding and residential placements soared. Major violent felony offenders were routinely supervised on caseloads of over 100 probationers. In 1999 there were still **30** caseloads with over 100 offenders per caseload.

The average jail daily census increased from **1,460** in 1997 to **1,613** in 1998 and **1,696** in 1999.

4. During 2004, there were **14,505** individuals receiving probation supervision in Suffolk County, with **1,749** rearrests by **1,373** probationers or 9.5% of the population, including high, medium and low recidivism risk levels. The PAT - Probation Alcohol Treatment (PAT) programs for 'high-risk' offenders had a **6.8%** recidivism rate as compared to **14.5%** with the regular probation supervision population - or **less than half (-54%) of the recidivism**.

5. The Probation 'Narco Recidivism Reduction' Project which will use the PAT model, is targeting 500 high-risk and medium-risk offenders with Narcotic, and Narcotic and Psychological Conditions of Probation. These populations have higher recidivism rates than the regular probationer population. During 2004, there were 727 probationers with narco conditions rearrested, a total of 922 times, which represents a 17.4% one year recidivism rate, as compared to a 23.5% rate for those with both narcotic and psychological conditions. The 'high risk' population's recidivism rate is 23.5% and higher for one year and would approximate 43%-45% over a three-year follow-up period.

6. The Narco Recidivism Reduction Project objective is to reduce the recidivism rate of 500 narco offenders by 30%; and to reduce the recidivism for the regular probation caseloads by 15% because of the reduced caseload size, resulting from 500 high-risk narco offenders being removed from their caseloads; and because of the job placement, treatment services, and closer supervision component.

7. Calculations/Assumptions:
 - 500 'high risk' narco cases with an average 23.5% annual recidivism rate in 2004
 - 500 x 23.5% recid. = 118 recidivists
 - 500 x 16.5% = 83 recid. or a 35 recidivist reduction
 - A 15% reduction in 4,794 narco offenders or 804 arrests x .15 = 121 rearrest reduction
 - Combined 35 + 121 or 156 recidivist reduction
 - 156 probationers x 30 day pretrial avg. = 4,680 days care
 - 156 probationers x 90 days sentenced 14,040 days care
 - Total 18,720 days care
 - 18,720 days saved/365 days = 51 beds saved
 - Year 2 - additional 10% reduction or 51 + 5 = 56, in recidivism = 55 jail beds

F. Develop Vocational Training and Job Placement services for both pretrial and sentenced programs.

Rationale:

National research shows that employment is one of the key factors for reducing recidivism.

Recent studies have found that participation in prison education, job training, and placement programs is associated with improved outcomes, including reduced recidivism. (Gaes, 1999, Adams, 2003).

Recidivism rates of participants in prison education, vocation, and work programs have been found to be 20 to 60 percent lower than those of non-participants. (Tracy, 2001)

Participants in work programs are more likely to be employed following release and have higher earnings than non-participants. (BJS, 2001)

Offender prison and jail re-entry programs have demonstrated crime reduction through effective treatment with some evidence-based results as follows:

1. A two-year follow-up of federal offenders who participated in the Adult Basic Education (ABE) Program after a two year follow-up period indicated that those receiving the education ABE-10 program had a 21.3% reduction in readmissions to prison.
2. A Canadian "Prison Work Program and Post Release Outcome" (COR CAN) program followed a national sample of paroled offenders after 1.5 years and recorded a 27.8% reduction in readmission to prison.
3. The City of Memphis Second Chance Program has served over 1,500 ex-offenders over the past three years with only four returning to prison.

Impact:

Specific measurement to-be-determined:

- Recidivism/crime reduction
- Cost reduction
- Jail Population Reduction

G. Expand the Suffolk Options for Female Offenders Program

Rationale:

- Resolution 129-1998 of the Suffolk County Legislature accepted and appropriated funds into the Probation Department from the New York State Division of Criminal Justice Services to develop and implement an interdisciplinary correctional/treatment model to address the gender specific needs of the high-risk female adolescent on probation. The "Suffolk Options for Female Adolescents" program (SOFA) received these federal pass-through funds from resources available through the Office of Juvenile Justice and Delinquency Prevention for a three-year funding cycle from 4/1/98 through 9/30/01. 100% funding in the amount of \$58,250 was provided for the first two funding periods and 50% funding for the third and final grant period.
- During the grant period from April 1998 through September 2001, the Suffolk Options for Female Adolescents Program was successful in achieving its contractual goals and objectives. A total of 164 female adolescents received comprehensive services including intensive probation supervision, counseling treatment services and health educational services. Probation staff identified a total of 66 girls at-risk of being placed in a residential facility. Staff also successfully diverted 25 female adolescents to the SOFA Program, which were ordered by the court to be remanded in residential placement. This saved the County nearly \$1.5 million in residential placement costs per annum. Due to budget constraints, the program was reduced in scope.
- The Sub-Committee recommends expanding this successful program to adult women offenders, in addition to the adolescent population. Funding for treatment services is required.

Impact:

Based on the results with juveniles and adolescents, current estimates indicate that the population at the jail will be reduced by at least two to three women inmates daily.

H. Mental Health Court

Rationale and Impact:

The Suffolk County Mental Health Court is expected to begin operations in September 2005. Based on the experience with Suffolk's Drug Court

initiatives, the Mental Health Court is expected to result in a statistically significant reduction in recidivism or new crimes of its participants, and a reduction in jail overcrowding. The specific measurable impact will be evaluated on an ongoing basis and are to-be-determined.

26. The Jail Transition Case Management Program should be expanded for individuals with severe mental illness.

Rationale:

This program provides assistance to individuals with serious and persistent mental illnesses who are returning to the community after periods of incarceration in the correctional facility and upstate prisons. Case managers are assigned to clients prior to their discharge from incarceration in order to begin a working relationship that involves establishing applications for financial and medical benefits (Public Assistance, Social Security benefits, Medicaid); linking clients to appropriate mental health care, substance abuse treatment, medical care, and housing providers; and ensuring that clients will have all needed prescribed medications immediately upon release.

Impact:

- Reduction in rate of recidivism as the elements that contributed to criminal behaviors (homelessness, substance abuse, untreated, mental illness) are adequately addressed.
- Increase in public safety.
- Cost reductions as care is streamlined.

27. Expansion of the Use of New Technology for Both Pre-trial and Sentenced Offenders

A. Electronic Monitoring

Currently Probation has 44 probationers using electronic monitoring. The technology is advancing at a fast rate.

B. Alco-Sensor/Sobriator

Rationale:

Another valuable ATI tool is an alco-sensor device, the Sobriator, used by the probationer in the home. It can be used in conjunction with the Electronic Monitoring device so that when a probationer leaves the home and returns he can be breathalyzed and the reading will be transmitted

to give the Probation Officer the information. It also has the capability of telling if the person who is supposed to be doing the testing is being tested. These devices provide a higher level of security for the Courts, knowing that these individuals are actively being monitored as opposed to just being on house arrest. There are currently 19 out of 25 of the sobriety units currently in use.

C. Global Positioning Systems (GPS)

Probation will be testing GPS devices in house in spring, and by the end of this year, will probably begin using the device on probationers. Probation is already using GPS technology in other areas, as well as active electronic monitoring technology. GPS units do not require a telephone hookup and also have real-time tracking ability. The benefit is that you can red line areas. For example, if someone lives in Ronkonkoma and works in Babylon, you can red line so that at 9:00 if he is not in Babylon, it will set off the alarm to whoever is monitoring this and it can be investigated. Most of the new systems have a way to signal the person to make contact. The cost of the units to rent has gone down considerably.

Rationale:

These technological innovations have great potential to reduce the jail population, by offering the courts solid release options. The Judiciary would have to have confidence in this technology but the advances are significant and it looks very promising.

Expansion of New Technology:

Probation has begun testing of GPS technology and by October 2005 should have operational units. Current projections indicate that approximately 25 jail beds could be reduced the first full year of operation, 100 or more the second year, and considerably more the third year, depending upon available funding. Limitations would be based upon staffing levels. The primary target populations include the 252 inmates with bail under \$5,000; and the split-sentenced (jail and probation) sentenced population. Within pre trial, 40% of the 252 would be the population targeted for supervised release, with the remaining 60% that require a more intensive and dynamic supervision being the target population for this GPS/ SRP program. For the split-sentenced population, one month or more of the jail portion of the sentence could be substituted with GPS monitoring in the community.

Impact:

- 25 individuals with SPS during first year
- 100 individuals with GPS during second year

28. Explore the Expansion of the Mental Health Diversion Program

Rationale:

Expand and strengthen the “MORRE Program” of the Mental Hygiene Division at the 1st, 3rd, and 5th Precincts, to identify the mentally ill as quickly as possible when they come into the system and develop treatment plans and stabilize them so that their time in the jail would be shortened. The “MORRE Program” provides precinct level intervention where the Police identify individuals who are mentally ill and are in danger of getting involved in the criminal justice system. This program should be evaluated and if favorable should be expanded.

Impact:

Diverting low risk, mentally ill offenders into more appropriate services (to prevent future crime), instead of jail.

29. Provide additional resources to Interim Probation so that more Criminal Court cases can be supervised in an effective, accountable manner.

Rationale:

This program was initiated to capture a specific portion of the offender population; those most likely to receive a jail sentence.

Interim Probation requires defendants to enter a guilty plea before starting a period of probation supervision. If the defendants demonstrate stable and lawful behavior for the full term of probation, they may be eligible for a reduction in their plea when they return for sentencing.

IMPACT ANALYSIS: SUMMARY

Each recommendation contains both the evidence-based rationale for the recommendation, as well as its estimated impact on the criminal justice system, including jail overcrowding. Some of the proposed improvements are systemic (S) in nature which may not be easily measurable, but contribute to overall outcomes. The impact of other changes may be quantifiable at a later date, when more information becomes available, but for now are considered in the 'to-be-determined' (TBD) category. And finally, the impact of some recommendations are currently measurable or predictable based on past experience or valid research and are considered measurable (M).

The Impact Analysis: Summary Table presents outcome estimates over a three-year period: Year One (7/1/05-6/30/06); Year Two (7/1/06-6/30/07); and Year Three (7/1/07-6/30/08). Some items may not be measurable during the first year, but will be quantifiable during the second and third years.

IMPACT ANALYSIS TABLE			
Recommendations	Year One (7/1/05- 6/30/06)	Year Two (7/1/06- 6/30/07)	Year Three (7/1/07- 6/30/08)
Systems Improvements & Policy Changes			
	Impact		
1. Full-time CJCC	Systemic	Systemic	Systemic
2. CJCC Systems Planning Process	S	S	S
3. CJCC Supportive Safe Housing Committee	TBD	M	M
4. CJCC Grant Collaboration Committee	S	S	S
5. CJCC Motor Vehicles Crimes Subcommittee	S	M	M
6. Jail Management System	S	S	S
7. Increase Utilization of Existing ATI's	M-125	125	125
8. Jail Transportation Between Jail and Courts	S	S	S
9. ATI Beds for MICA and Chemical Dependency	TBD	M	M
10. Analysis of Automated Technology	S	S	S
11. NIC Study of Mentally Ill Defendants	TBD	M	M
12. Training	S	S	S
13. Consecutive One-Year Sentences	M-39-138	39-138	39-138
14A. Removal of NYS Parole	TBD	97-162	97-162

	Year One (7/1/05- 6/30/06)	Year Two (7/1/06- 6/30/07)	Year Three (7/1/07- 6/30/08)
14B. Expedite Parole Hearings	TBD	M	M
15. Pre-trial Predictive Risk Assessment Instrument	S	S	S
16. Teleconferencing & Paper Appearances	S	S	S
17. Expedite Initial Pre-trial Assessment	S	S	S
18. Explore Moving Jail Mental Health to Mandated Expenditures	S	S	S
19. Pretrial Expeditor Program (PEP)	M-26	26	26
20. Pretrial Supervised Release (SRP)	M-96	96	96
21. Expedited Presentence Investigations (PSI's) for Inmates	M-16	16	16
22. Pretrial Non-Treatment Options	S	S	S
23. Day Reporting Program (Pretrial & Sentenced)	M-50	55	55
24. Increase Jail Mental Health and Substance Abuse Staffing	TBD	M	M
25. Expand Recidivism Reduction Program	M	M	M
A.DWI Jail Alternative Facility and Program	M-In-Jail Residential	M	M

	Year One (7/1/05- 6/30/06)	Year Two (7/1/06- 6/30/07)	Year Three (7/1/07- 6/30/08)
B. Expand Split-sentence Substance Abuse Treatment Program		M	M
C. Probation Mentally III Offender Program	M-20	20	20
D. Mental Health Residential ATI	TBD	M	M
E. Probation Narco/Including MICA Recidivism Reduction Program	M-51	56	56
F. Develop Jail Vocational Training and Job Placement Services	TBD	M	M
G. Expand Options for Female Offenders	M-2	3	3
H. Mental Health Court	TBD	M	M
26. The Jail Transition Case Management Program Expansion	TBD	M	M
27. New Technology (GPS)	M-25	100+	100++
28. Mental Health Diversion Project	TBD	M	M
29. Interim Probation	TBD	M	M
TOTAL	450	633+	633+

S - Systemic (Not immediately measurable, but contributes to overall outcomes.

TBD - To be determined at a later date when more information is available.

M - Measurable or predictable impact on jail population.

Concluding Remarks

The Systems Planning Approach has been extremely valuable during the current study in identifying areas that would improve public safety, contain costs, and increase the efficiency of Suffolk County's criminal justice system. Continuation of this planning process, integrated with implementation and evaluation efforts would be beneficial.

As illustrated in Chapter 6, the potential for improving public safety and reducing jail overcrowding is significant if systems planning is continued with the assistance of a properly staffed Criminal Justice Coordinating Council. Hopefully, the next phase, which includes implementation of the recommendations, will begin immediately.

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