

# **Criminal Justice System In Dutchess County**

## **Fact Sheet prepared by the League of Women Voters of the Mid-Hudson Region**

*NY state law requires that each county in New York “maintain a county jail” and further requires that “the sheriff ... shall have custody of the county jail” and he “receive and safely keep in the county jail of his county each person lawfully committed to his custody.” The sheriff is elected county wide. All corrections institutions in NY are overseen by the State Commission on Corrections (SCOC).*

The Dutchess County Jail Budget for 2012 is \$35M<sup>1</sup> with net cost per inmate (based on 2009 data) of \$232.76, among the highest in the region. The jail has a capacity of 286 inmates, and can increase to 292 with a state variance. The average daily population based on 2009-2011 was 386; during 2011 it exceeded 400 with the result that many inmates must be “boarded out” in other county jails with the associated transportation costs. Dutchess County has a well-regarded alternatives to Incarceration program with 700 offenders currently participating, which reduces the pressure on the jail capacity.

### **Issues:**

- The capacity of the current jail is insufficient for the number of offenders in Dutchess County.
- Personnel costs account for 77.3% of the budget driven both by overtime and personnel benefits. Much of the transportation for housing-out prisoners results in overtime cost.

### **Statewide Recommendations requiring legislative action<sup>2</sup>**

- Provide the SCOC with the authority and obligation to facilitate transfer of inmates between county jails
- Allow multiple counties to jointly provide for care and housing of their inmates in a regional jail
- Clarify statutory provisions to indicate SCOC shall have the authority to approve jail plans based on current population capacity needs and not projected higher future needs
- Eliminate all mandated classifications in county jails to allow administrators to separate inmates based on the threat they present to safety and security.

### **Proposals for change to increase efficiency and cut costs<sup>3 4</sup>**

- Consideration of the needs of special sub-populations (women, youth, mentally-ill, substance abuse)
  - Locate all single-population in the entire region in one facility
  - Regional secure mental health facility and provide drug and alcohol rehabilitation programs
- Continued expansion of use of Alternatives to Incarceration programs
- Combine regionally based boarding agreements with a relatively centrally-placed overflow facility
- Inter-county collaboration to provide training and use of computer-based training
- Decrease the need to transport inmates and increase efficiency of transports
- Use part-time officers to achieve efficiency
- Provide medical clinic with necessary security for inmates requiring special care
- Use of video systems for pre-trial and procedural hearings/centralized place for arraignments and for visitation\*
- Hold court at jail facilities

### **DC Criminal Justice Needs Assessment – Draft – September 18, 2012**

The above document identifies immediate, short-term, and long term recommendations for special populations, and pre-trial assessment and arraignment programs. The report also proposes building a new jail at costs ranging from \$75.7m to \$126.2m, not inclusive of financing costs. The report acknowledges the CRREO report recommendations for regional approaches but indicates that “there has been little interest in pursuing this option.” It should be noted that the CRREO report identified opportunities for regional facilities specifically for special populations.

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<sup>1</sup> Dutchess County 2012 Approved Budget

<sup>2</sup> New York State Commission on Local Government Efficiency and Competitiveness

<sup>3</sup> A Collaborative Approach to County Jailing in the Hudson Valley, November 2011, Center for Research, Regional Education and Outreach, SUNY New Paltz; *Criminal Justice Council 2011 Annual Report* and Criminal Justice Council Operational and *Overview Dutchess County Criminal Justice Council Response to Legislature Resolution # 2011060*; Dutchess Co. Legislature Jail Study Advisory Committee, Final Report, January 2012

<sup>4</sup> Many of these recommendations are dependent on changes to State law and statutes as described under the statewide recommendations requiring legislative action.

