
A Collaborative Approach to County Jailing in the Hudson Valley

Investigating the Potential for Collaboration amongst the County Jails in
Columbia, Dutchess, Orange Putnam, Rockland, Sullivan and Ulster Counties

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**Center for Research, Regional Education and Outreach
SUNY New Paltz
Joshua Simons and Gerald Benjamin**

Also Reference Sub-Report:
Sullivan County Jail: What Does the History of the State's Oldest Jail Suggest for its Future?

Hudson Valley Pattern for Progress

A Collaborative Approach to County Jailing in the Hudson Valley

Summary and Recommendations

Under the leadership of Orange County, with the collaboration of Ulster and Sullivan Counties, and with financial support of the Local Government Efficiency Program of the New York State Department of State, this research was undertaken to determine the degree to which counties in the Hudson Valley, by working together, might reduce the costs their jails.

We consider here not only the potential through collaboration to avoid newly incurred capital costs for jails in Hudson Valley, but also possibilities for controlling or diminish operating costs by this means, while continuing to fully assure public safety and the professional operation of jail facilities.

To assure that we could achieve a full regional perspective, we sought to include the five Hudson Valley counties in the region that were not sponsoring this study: Putnam, Rockland, Dutchess, Green and Columbia. Representatives of the three sponsoring counties and each of these were invited to serve on an advisory panel of regional jail administrators; All but Greene chose to participate.

Pattern for Progress was engaged as a project partner to focus in particular on how the jail situation in Sullivan County had reached the critical point where, months later, a portion of the facility had to be closed by the state Commission on Correction.

The resulting report is presented in five parts:

- Summary and recommendations
- A brief description of the state and local policy context for jail decision-making
- A comparative analysis of thirteen discrete areas of jail operation (See **Table 1**), identifying the most promising areas for potential savings through collaboration
- A summary description of the jail and jail operation in each of the seven counties under study
- A case study of how the situation of the jail in Sullivan County reached its current critical state

The Policy Context

State law requires that each county in New York “maintain a county Jail.”¹ (County Law. Section 217). The law further requires that within each county “the sheriff ... shall have custody of the county jail” and that he “receive and safely keep in the county jail of his county each person lawfully committed to his custody.”

All corrections institutions in New York State are overseen by a constitutionally created Commission on Correction (SCOC) charged with “visit[ing] and inspect[ing] or cause[ing] to be visited and inspected by members of its staff, all institutions used for the detention of sane adults charged with or convicted of crime.” Commission oversight is a critical factor in jail operations. Focus in this report, however, is largely on actions that may be taken locally, and not on altering regulations or practices at the state level.

The New York State Department of Correctional Services (DOCS) maintains 60 state facilities, 15 of these in the Hudson Valley². This invites consideration of additional state/county collaboration in jailing in the region.

The state Budget Division reported that organizational changes proposed this year for a range of state agencies concerned with criminal justice are being made to enhance “shared operations, program synergies,

¹ In Westchester County and New York City, Commissioners are responsible for county jails.

² Columbia, Dutchess, Greene, Orange, Putnam, Rockland, Sullivan, Orange, and Ulster Counties.

and the maximization of funding sources,” goals that might also be sought in the relationships between these agencies and activities of local governments, including jails.

In general, jail costs are met by counties largely from own-source revenues – sales and property taxes. There is little organized support among voters for spending on jails. Sheriffs employ mandated requirements as justification in making requests of other key county decision makers for resources they need to operate jails. There is no single office or person in charge of and accountable for the criminal justice system in counties. In addition to the sheriff, a number of the other key players are independently elected. The most important of these for jail operations are local judges.

County Jailing in the Hudson Valley

The seven counties under review for this study have a total capacity of 2175 inmates, ranging from 130 in Putnam to 753 in Orange. Each county jail’s rated inmate capacity is established by the New York State Commission on Corrections. It is useful to consider county jails in the Hudson Valley in two categories: those with sufficient capacity to meet current and expected demand, and those with insufficient capacity. The Orange and Ulster County jails, with more than half the beds in the seven-county group under study, are in the first category. The Dutchess County jail is in the second; most recently, on average, it provides over a third of the boarded out county inmates in the state.

The Variable Cost of Incarceration: In 2009, the net operating cost per day to incarcerate an inmate varies greatly across the region, from \$293.94/day in Rockland County, in the southern more suburban part of the region, to \$97.58 in more rural Columbia County. The average cost per inmate per day in the region was \$187.85. Higher cost counties tend to be those that are further south and less rural. This great range of costs suggests the need for further detailed comparative analysis to determine the basis of differences for higher cost counties.

Boarding in: Jails with an excess of space over current need may board in inmates from other counties, or even – as is now the case for Orange County - from the federal government (usually Immigration and Customs Enforcement) at a negotiated price. This generates resources to offset county jail operating costs. Revenues for jail operations are not generally reported separately by source. But for example, in Orange County, operating costs borne locally in 2009 were reduced by 16.7% as a result of total revenues generated by the jail operations. The consistent availability of reliable revenue from the federal government, at rates higher than generally paid by other counties, would understandably make Orange County reluctant to use capacity committed in this way to meet demands generated from other jails in the region.

Most counties are reluctant to make commitments of specific amounts of space over time to boarding-in inmates from other counties because of the potential of unexpected within-county increases in demand. In fact, demand generally has been increasing in recent months in some Hudson Valley facilities.

Long-term local board-in agreements within the region, in addition to introducing regularity into the board-in/board-out process, might reduce travel costs.

Boarding out: Jails with insufficient space to meet the demand upon them must either obtain an agreement from the State Commission on Corrections to allow them to incarcerate a larger number of inmates than their rated capacity (obtain a variance), or rely on boarding-out inmates.

Inmates boarded-out are usually from among those already sentenced, a relatively small proportion of the jail population. Additionally, inmates who are most likely to be offered for boarding out are those who are the lowest risk and best behaved, so as to maximize the likelihood of agreement to take them by potential

receiving jurisdictions. The current crisis in jail capacity in Dutchess County has meant that unsentenced inmates must be boarded out regularly, driving up the transportation costs associated with boarding out.

Allowing boarding in/out agreements to be reached through direct inter-county agreement, subject to audit but without prior approval of the Commission of Correction, might enhance the efficiency of this process.

Jail Capacity in the Region: In 2007, data from the SCOC indicated that there was surplus capacity in some places in the Hudson Valley that might, if it was utilized collaboratively, obviate the need to build additional capacity elsewhere in the region. Since that time the region's capacity has been diminished while the region's demand has increased significantly. If we take 80% capacity as a guideline, to allow for fluctuations in the inmate population and the inefficiencies in the utilization of space resulting from classification, we see that in 2009 the region's jail cell usage was 3.2% above its comfortable capacity. Dutchess is the only county in the Hudson Valley that regularly boards out inmates; at the current time, on average, fewer than 10 of these per day are placed in facilities within our region.

Crime Rates and Demand for Jail Space: When changes in crime rates are tracked against changes in inmate populations by county in the region, no clear relationship emerges. Jail usage relative to population size is greatest in Sullivan County, and lowest in Rockland County. Taken together, this information about county jail usage in relation to crime rates and population levels suggests that that county jail usage is subject to choices within the county criminal justice system, and is therefore amenable to local intervention.

Alternatives for meeting demand for jail space:

- *Build additions or new facilities.* Some new construction is clearly needed in the region. The Sullivan County jail is antiquated. Capacity in Dutchess is clearly insufficient. But building jails is not a popular use of public money, especially in bad times. The need to pay back borrowing costs increases county operating budgets for decades. The cost of new construction may drastically increase as a project is underway. Large jails invite filling, sometimes at the expense of good, useful Alternatives to Incarceration (ATI) programming.
- *Combine regionally based boarding agreements with a relatively centrally-placed overflow facility.* Sheriffs in counties retain full responsibility and continue to operate county jails, but with minimum increase in capacity (in Dutchess only). Remove one barrier to collaboration – fear of a spike in demand – by providing a regional overflow facility. The facility could be managed by the host county with the cost shared, and staffed in accord with need. Minimum staffing may be maintained by focusing in routine demand periods on housing subpopulations that create inefficiencies in the use of county jail space: e.g. juveniles and women.
- *Using Closed State Facilities.* The State has closed prison facilities in the Hudson Valley. There is the potential to utilize one of these facilities to meet county boarding out or overflow needs, with some rehabilitation and renovation to meet SCOC standards for county jails. One of these state facilities, the Ulster Annex to Easter Correctional Facility in Napanoch, shows promise as a potential overflow facility.

Institutional Specialization: Mandatory classification and segregation leads to inefficient use of jail capacity. In order to make the most efficient use of jail space, jail administrators will frequently board out small numbers of females (for instance) even though they are not operating at capacity. Locating all of a single subpopulation in the entire region in one facility would allow greater efficiency, especially with regard to required targeted services. Parole Violators may be treated as a special sub-population, and housed a facility adjoining a State Prison.

Staffing:

Expenses incurred for the hiring, training and deployment of corrections personnel comprise the largest portions of jail budgets. Tables of organization specifying staffing levels for each jail and training requirements are established by the state Commission on Corrections. Compensation and terms and conditions of employment for these officers are determined, within the framework of Civil Service law, through collective bargaining agreements between the county and the union that represents them.

Part time officer use: Counties that employ part-time correction officers may, in general, diminish but not avoid significant overtime costs as a result of this practice.

Senior officer preferences: Because overtime compensation rates are based upon an individual's "straight rate," insofar as this system gives senior officers first claim on overtime it increases unit costs.

Training: Training for newly hired correction officers is done as on the job training (OJT), while maintaining certification is largely done on overtime. Putnam County utilizes an innovative method of scheduling that reduces the need for overtime for training that might be considered elsewhere. Inter-county collaboration in the region to provide training also reduces over time costs. Use of computer-based training when feasible during regular duty hours to maintain officer certification may reduce overtime costs.

Worker's Compensation: Ulster and Sullivan county jail administrators reported that the use of sick leave because of injuries on the job has historically driven overtime.

Compensatory time: Dutchess County in particular has a clause in the union contract that allows officers to take comp-time in lieu of overtime at time and a half, resulting in the cascading systematic increase in overtime.

Inmate Transportation:

County jails house both those convicted of crimes, and those who are not yet convicted but are being held for trial and are ineligible for bail (or are unable to pay bail). Transportation of both of these categories of inmates out of the facility is to and from:

- Justice Courts for hearings and trial;
- doctor's or dentists' offices and hospitals for emergency and/or specialty care;
- funerals;
- other county jails (in the event of boarding out); and
- State Prisons (for sentenced felons).

Any time an inmate is taken out of a jail facility, security risks increase, as do risks of introducing contraband into the jail.

If we consider four counties for which we have data --- Dutchess, Orange, Rockland and Ulster -- we see that in November, 2009 alone 2380 inmates were transported a total of 23,773.5 miles utilizing 2595 hours and 11 minutes per officer. Making the lowest possible costs assumption - using a base salary for correction officers of \$41,348 - the monthly personnel cost for transportation exclusive of benefits is \$51,592; this amounts to about \$600,000/year. If the transports were conducted on overtime, the monthly cost in these four counties would be \$77,388.36, or about \$900,000/year.

There are two basic methods to minimizing transportation costs for County Jails: cut down on the need to transport inmates, and make the remaining necessary transports more efficient.

Using part-timers to achieve efficiency: Rockland County has for some time employed part-time, already-trained personnel retired from state service or local police departments to transport inmates. Orange County more recently adopted this practice for some but not all prisoner transportation. For illustrative purposes, using available data, we calculated that the Orange County 12 person Newburgh City Court Transportation Unit could have saved \$2,075 per officer on straight time in a typical month (December 2009) if it used part-timers for prisoner transportation, and \$4,526.31 per officer if overtime was avoided.

Collaboration with the state on transportation: Efficiencies may be achieved by contracting with DOCS to run a transportation loop, or by including the county jails in a transportation loop already run out of one of the DOCS hub facilities. Under this model, the formal transfer of state ready inmates would take place at the individual jails, rather than after arrival at the state prison. This would eliminate the need for county jails to send a car and an officer out to transport the inmates, cutting down on the personnel costs and wear and tear on county vehicles. Also, if for any reason an inmate is denied entrance into the state system, this would occur at the county jail, avoiding the transportation cost entirely.

Medical visits: There is a regular need to transport inmates outside of the jail for specialty or emergency care and dental visits. Since inmates transported for medical reasons are not taken to a secure facility, transportation costs include providing security during treatment at the health care facility. A number of alternatives are possible:

- All the jails contract with a single provider for specialty care, and then running a transportation loop.
- Have one county host a specialty clinic at their facility on a regular basis, with a transportation loop.
- Contract to use an existing specialty clinic at the DOC Downstate Correctional Facility.

Justice Courts:

Because of a judges' authority to set court schedules and command the appearance of persons under trial, and the varied distances of court facilities from county jails, justice court operations have a direct effect on the cost of transporting prisoners.

Video court appearances: One way to reduce transportation costs to justice courts is to utilize video systems in the jails so that an inmate may appear before a judge for pre-trial, evidentiary and other procedural hearings in the course of a trial without leaving a secure facility. This would also diminish security risks, allow justice courts to more efficiently manage their caseloads and permit instant transmittal of any documentation from the jail that a judge may determine is needed in the course of the proceeding.

Holding court in jail facilities: By having justices hold court for criminal matters at the county jail, rather than at the individual courts, the jail could eliminate the cost of transporting inmates. The cost of compensating justices for travel would be far less than current inmate transportation costs. This model has similar benefits for public, inmate and jail security as the use of video appearance systems.

Altering sentencing practices: In both civil and criminal matters, judges' primary consideration in making decisions is and ought to be to assure that justice is done. But this does not mean that costs and consequences for other elements of the criminal justice system need be irrelevant. For example, weekends in jail are sometimes imposed for misdemeanors, to allow offenders to maintain family and work responsibilities during the week. Jail administrators report many problems associated with weekend-sentenced inmates. It is likely more efficient, and probably more effective, to eliminate weekend sentences entirely in favor of GPS monitoring, day reporting centers, community service, fines, or some other alternative.

Coordinated court meeting dates: Currently, local judges decide independently when their courts will meet to hear criminal matters. The lack of a coordinated schedule has implications for the offices of both the District Attorney and the Public Defender in counties in the Hudson Valley region. Also, a coordinated court schedule in each county might lower jail costs by diminishing the number of transports required to the justice courts.

Mental Health:

By circumstance, rather than design, jails have become the default local institutions that must deal with persons who have serious mental health problems, many multiply diagnosed. Jail managers in our region report that as much as 80% of their inmate population is currently being treated either for mental illness or drug and/or alcohol addiction. Currently, drug and alcohol detoxification, as well as mental health treatment for all but the worst cases, is done at the jail. The most serious cases are transported to the Central New York Psychiatric Center in Marcy, NY. The costs of boarding out to this facility, as well as of transportation, are considerable.

Constant supervision: When an inmate is assessed as at risk for suicide, either at booking or at a later time, he or she is placed on one-on-one watch for his or her own protection. Once an inmate is placed on one-on-one watch, he or she cannot be taken off without the authorization of a mental health professional. Extensive personnel costs are incurred for one-on-one supervision.

A regional secure mental health facility: An intermediary secure mental health facility in the Hudson Valley might accept inmates in need of treatment that goes beyond what a jail might effectively provide (e.g. mandating medication), but not so extensive as to warrant sending the inmate to central New York. This merits consideration. However, a calculation of the costs of such an initiative against potential savings was beyond the scope of this study.

Video visitation and evaluation: Video technology might allow for inmates that are under constant supervision to be quickly evaluated by a qualified mental health professional, regardless of the day of week, or time of day. One vendor or institution might provide this service for all regional jails, or groups of jails, at a reduced cost per inmate evaluated.

Collaboration with the state in drug purchase: One final innovation that might achieve efficiencies in the treatment of mental illness (or any health care requiring medication for that matter) in county jails is the utilization of the DOCS automated central pharmacy.

Alternatives to Incarceration:

Alternatives to Incarceration programs (ATIs) for non-violent offenders focus on rehabilitation, job training, housing assistance, and restitution to victims. They reduce jail inmate populations and save money, as they are typically less expensive than incarceration.

Inter-county collaboration in ATI programs: Dutchess County offers a best practices model in the use of ATIs. Counties in the region might contract for some of the services that Dutchess County now maintains, or work together to achieve the scale needed to collaboratively emulate these initiatives.

GPS monitoring: GPS monitoring is a particularly promising for affording counties major savings. Current technology allows for these systems to be implemented at a cost of \$2 per day (after the initial purchase of equipment). Not only are there likely to be extensive initial savings, but the reduction in the jail population would help to alleviate other costs associated with incarceration.

Drug and alcohol rehabilitation programs: The Transitional House in Dutchess County is a secure correctional half way house specializing in drug and alcohol treatment run by the Probation Department. Drug Court, a less intensive program, specializes in cases involving drugs and alcohol where compliance with conditions set at conviction allows an offender to avoid incarceration. A network of correctional half-way houses in the region, run by the departments of probation, might be utilized for reentry training, and reduced sentences programs.

Importantly, though in-patient and out-patient rehabilitation eliminate the costs to the county for jailing in the Sheriff's budget, they typically increase Medicaid costs. There is a net financial benefit to the county so long as the program participant is not returned to jail for failure to comply with the terms of probation.

Medical Care:

Upon entering the custody of the Sheriff's department, an inmate is entitled to medical and dental care.

Contracting for services: Jail administrators who contract for medical services are satisfied that this is a cost-effective way of providing these services through the county. Counties that choose not to contract with a vendor for medical services in the jail provide these services with county employees. Comparative data was unavailable across jurisdictions for apples-to-apples comparison of costs, relative to the extent and quality of care provided.

Telemedicine: Through the use of a video link-up system, diagnosis and the determination of the level of care required for an inmate's injury or illness may be made by a qualified healthcare professional 24 hours a day. This may eliminate transports for emergencies that, upon diagnosis, may not be as urgent as initially thought. Also, use of this technology allows medical facilities receiving inmates to better prepare in advance of their arrival, diminishing the time during which security must be provided for these visits.

Food Service and Collaborative Purchasing:

County jails in the region need many of the same supplies: linens, soap, office supplies, etc. All jail administrators we interviewed seek to achieve the best price when purchasing supplies, and are aware of savings that might result from the economies of scale possible from collaborative purchasing. Currently, Columbia County obtains food from inmates from the DOC Cook Chill program. Other counties may consider this source of potential savings.

Video Visitation Centers:

Video Visitation Centers are another application of video conferencing technology that could make jails safer, while enabling family and friends to be in contact with inmates more frequently. Video visitation may mitigate any concerns regarding the effect of distances to the jail on the ability to visit those incarcerated, thus making more possible local boarding agreements between some of the counties in the Hudson Valley, a practice that would reduce costs. If the practice becomes widespread, the volume of inmate visitors might decrease substantially enough to reduce the staff necessary to oversee contact visitation.

Administrative Tools to Enhance Intra- and Inter-County Collaboration:

Criminal Justice Councils. The highly decentralized character of the county criminal justice system is a barrier to intra-county collaboration. Criminal Justice Councils provide a venue within the counties for effective communication between and among agencies. As others in the system become more aware of the operational and fiscal consequences of their actions for jail administration, they are likely to become more amenable to

considering changes. Such councils should be established in counties in our region that do not yet have them in operation.

A Common System for Tracking Operational Costs: The absence of a common system for detailed tracking of operating costs makes very difficult comparisons among counties that are essential for weighing the costs of potential changes against potential benefits. For example, all counties keep track of overtime expenditures, but most do not track overtime by purpose, which would be a valuable tool in assessing how best to alleviate overtime costs, as well as measuring the impact of programs designed to increase efficiency. In another example, the manner in which expenditures are reported (primarily in county budgets) prevents an accurate comparison of costs for counties that contract for food services against those that do not. A standardized data collection and recording system that focuses on key cost centers for jail operations, developed with the guidance of jail administrators themselves, would be an important tool in improving the efficiency of facility operations.

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Introduction:

Under the leadership of Orange County, with the collaboration of Ulster and Sullivan Counties, and with financial support of the Local Government Efficiency program of the New York State Department of State, this research was undertaken to determine the degree to which counties in the Hudson Valley, by working together, might reduce the costs of their jails.

As the time that this study was undertaken, Orange and Ulster had relatively recently built jails. Three others faced considerable pressure to build additional space: Dutchess, Sullivan and Rockland. At the same time, mounting pressures on the property tax in a time of economic crisis provided great incentives for local leaders to resist building jails, adding to the traditional reluctance of elected officials to spend in this area of policy. Preliminary research by the SUNY New Paltz Center for Research, Regional Education and Outreach (CRREO) published in 2008 suggested that there was sufficient jail capacity in the region to encourage the consideration of a regional approach that might reduce the need for additional construction, or allow the construction of facilities of more modest size, at lower cost.

The idea for this study evolved from this initial research. Almost from the beginning, however, it became apparent that we needed to consider not only the potential through collaboration to avoid newly incurred capital costs for jails in Hudson Valley counties, but also possibilities for controlling or diminish operating costs by this means, while continuing to fully assure public safety and the professional operation of jail facilities.

A number of state agencies oversee, influence, interact with, fund and/or hold accountable elements of the local criminal justice system. The efficient use of resources in county jail administration is affected by the actions of many other (often independent) local actors— county, city and town judges; county executives and their staffs; members of local legislatures or boards of supervisors; prosecutors; public defenders; police departments and officers; members of the private bar; probation and parole officials; providers of alternatives to incarceration programs. Gaining efficiencies in the operation of jails is often contingent upon decision making by these others in the broader local criminal justice system, and in turn affects others choices. Policies and actual and potential actions of aforementioned germane state actors also needed to be incorporated in the analysis.

To assure that we could achieve a full regional perspective, we sought to include the five Hudson Valley counties in the region that were not sponsoring this study: Putnam, Rockland, Dutchess, Green and Columbia. Representatives of the three sponsoring counties and each of these were invited to serve on an advisory panel of regional jail administrators; all but Greene chose to participate. This group was convened three times in the course of the work on this study. The study team visited the jails in these seven counties, and conducted extensive interviews with key institutional administrators. Call backs were used to clarify key points. The head of the state Commission on Correction was interviewed.

Unfortunately, repeated requests for data failed to produce the necessary information to make detailed systematic analysis for all counties under study. Moreover, counties do not collect or retain information on key matters – e.g. the purpose of individual prisoner transport trips, all-inclusive costs for prisoner meals – so as to allow meaningful comparisons. Follow-up requests did produce detailed data from four counties with which we were able to test some ideas for collaboration and reform. Pattern for Progress was engaged as a project partner to focus in particular on how the jail situation in Sullivan County had reached the critical point where, during the course of this research, a portion of the facility had to be closed by the state Commission

on Correction. On January 23rd, 2010, Commissioner Beilein closed one wing of the jail, likening it to “a dungeon³”.

The resulting report is presented in five parts:

- A brief description of the state and local policy context for jail decision-making
- A comparative analysis of thirteen discrete areas of jail operation (See Table I), identifying the most promising areas for potential savings through collaboration
- A summary description of the jail and jail operations in each of the seven counties under study
- A case study of how the situation of the jail in Sullivan County reached its current critical state
- Recommendations for action

The Policy Context:

State law requires that each county in New York “maintain a county jail.”⁴ (County Law. Section 217) The law further requires that within each county “the sheriff . . . shall have custody of the county jail” and that he “receive and safely keep in the county jail of his county each person lawfully committed to his custody.” (Corrections Law. Section 500-c, e). The office of sheriff is deeply rooted in New York’s colonial history. Under the state’s first constitution, sheriffs were appointed officials. Since the adoption of the 1821 New York Constitution, sheriffs have been county-wide independently elected officials.

In combination, these three factors - the legal obligation of counties to maintain jails, each sheriff’s legal responsibility for prisoners committed to his or her custody and the direct responsibility of each to the electorate - have the practical effect of requiring that any inter-county approaches to jailing in New York State be achieved voluntarily, with sheriffs’ active collaboration. This study from the outset therefore sought that collaboration. It was designed to consider regional options that could be achieved within the general framework of powers and responsibilities currently present in state law. It does not consider major changes in law that would remove responsibility for jailing from counties and place it in newly created regional entities.

All corrections institutions in New York State, are overseen by a constitutionally created Commission on Correction (SCOC) charged with “visit[ing] and inspect[ing] or cause to be visited and inspected by members of its staff, all institutions used for the detention of sane adults charged with or convicted of crime.” (Article XVII, Section 5) This commission regulates the physical conditions and operational practices in county jails, seeking to assure that the security of the public, the well being of corrections staff and the health, safety and welfare of prisoners are all considered and protected in the course of jail administration. Toward these ends, the Commission on Corrections seeks compliance with federal and state statutes and court decisions, and with regulations it adopts pursuant to these. (The responsibilities of the commission, and the focal points of its recent actions, were summarized in earlier CRREO research, attached as an appendix to this study.)

³ The Catskill Chronicle, January 30, 2010. <<http://thecatkillchronicle.com/2010/01/30/commissioner-calls-jail-a-dungeon/>>

⁴ . In Westchester County and New York City, Commissioners are responsible for county jails.

Table 1: Local Jail Operations

	Open Date /Renovation Dates	Capacity	Net Cost / Inmate / Day (2009)	Board-In?	Board-Out?	Transportation	Gross\$ / Capita (2010)
Columbia	1989	135	\$81.84	Yes, Mainly County, Some Federal	No	FT CO	\$62.14
Dutchess	1985 / 1995	286	\$227.22	No	Yes	FT CO	\$110.08
Orange	2001	753	\$149.10	Yes (Mainly Federal)	No	PT (Transport)	\$102.31
Putnam	1981 / 1995	130	\$231.38†	Yes (Mainly Federal)	No	FT CO	\$86.40
Rockland	1988 / 2000	256	\$282.89	Yes (Mainly Federal)	No	PT-Unit	\$83.56
Sullivan	1909 / 1958 / 1984 /1990	189	\$136.67†	No	No	FT CO	\$124.12
Ulster	2007	426	\$102.17	Yes (County and Federal)	No	FT CO	\$76.11
	Psychiatric Medicine	School	Supervision Model	ATT's*	Medical	Food Services	
Columbia	County w/ vendor for Drug & Alcohol	Yes	Mixed Direct	Yes, Treatment Court	County	County	
Dutchess	Vendor	No (GED)	Direct	Yes, County & Vendor (BII)	CMC	Vendor	
Orange	County	Yes	Direct	Yes, Drug Court and TASC	CMC	Vendor	
Putnam	Contract	Yes	Direct & Indirect	No (Only Probation and Community Service)	CMC	County	
Rockland	County	Yes	Direct	Yes, Probation and Community Service (Drug Court)	County	County	
Sullivan	County	Limited	Indirect	Yes, DWI Electronic Monitoring, Drug Court	County	County	
Ulster	Vendor?	Yes	Direct	Yes, but scaled back considerably since 2007	CMC	Vendor	

*ATT's describe programs beyond probation, and the minimum requirements to avoid the 12 category classification scheme.

† Cost Calculated using the mean ADP from 2002-2009 due to a lack of data from these Counties.

The New York State Department of Correctional Services (DOCS) maintains 67 state facilities, 15 of these in the Hudson Valley. State and county agencies compete in the same manpower pool for corrections officers and other staff. In this competition most counties are disadvantaged.⁵ However, experienced state officers may be recruited to leadership positions in county jails and retired officers provide a potential pool of trained part-time staff for sheriffs' departments.

A reorganization of state criminal justice related agencies proposed by Governor Andrew Cuomo in his 2011-2012 Executive Budget importantly affects the Commission on Corrections, the Department of Correctional Services and a number of other state agencies of consequence for county jails and their administration. The Department of Correctional Services and the Division of Parole are to be combined in the new Department of Corrections and Community Supervision. The Commission on Corrections, with the Office for the Prevention of Domestic Violence and the Office of Victim Services, is to be added to the Division of Criminal Justice Services (DCJS), recently consolidated with the Division of Probation and Correctional Alternatives. County jail administrators also come into regular contact with a number of other state agencies, including for example the New York State Police.

The state Budget Division wrote that these state-level organizational changes are being made to enhance "shared operations, program synergies, and the maximization of funding sources," goals that might also be sought in the relationship between state agencies and local governments.⁶ Though they are operated autonomously, there are regular interactions between state prisons and county jails, as prisoners frequently must be transferred among them. Common needs for the operation of facilities – e.g. food service, medical care, transportation – suggest areas of potential state/county collaboration that might reduce costs. Innovations undertaken at the state level provide potential models for similar county-level actions. Downsizing of the prison system under budget pressures, and as state-level demand for space has diminished, has made available already built secure facilities in the Hudson Valley that might be used to further collaborative goals.

In general, jail costs are met by counties largely from own-source revenues – sales and property taxes. (Counties that have space, and may therefore board-in inmates, generate significant revenues from this source. See below.) Most appointed and elected officials responsible for county budgets give priority to avoiding or minimizing property tax increases. Additionally, there is little organized support among voters for spending on jails. Levels of jail spending are, in general, driven by mandated staffing, training, physical space and operating requirements; beyond these, county leaders are usually disinclined to provide additional resources.

Sheriffs employ mandated requirements as justification for staffing, and for making demands upon other key county decision makers for other resources they need to operate jails. When possible, they also seek to develop additional non-tax revenue sources to invest in jail operational improvements. But managing jails are not the sheriffs' only responsibility. They also have civil enforcement and policing duties, functions that may be more valued both by the citizens who elect them and the sheriffs themselves compared with those connected with jailing. These compete within departments for scarce discretionary dollars.

⁵ . Corrections Officer starting salaries in Columbia (\$46,642) Rockland (\$45,653) in 2011 exceeded that for the state (\$43,867 after 26 weeks training). Those in Dutchess (\$43,222), Orange (\$40,654) and Ulster (\$39,484) were lower. State officers who work in Dutchess, Orange or Putnam Counties receive an additional \$1,126 annual Mid-Hudson adjustment. State officers also receive steps increases each year for their first 7 years, bringing their base pay to around \$57,000 with this level of seniority.

⁶ . NYS DOB. Executive Budget 2011-12, p. 64.
<http://publications.budget.ny.gov/eBudget1112/fy1112littlebook/PublicSafety.pdf>

As earlier noted, there is no single office or person in charge of and accountable for the criminal justice system in counties, though some effort is made to coordinate them through county Criminal Justice Councils in Ulster and Dutchess. Moreover, in addition to the sheriff, a number of the other key players are independently elected. The most important of these for jail operations are local judges. Though their work is overseen by the state court system and they are locally accountable to town boards or city councils, these judges act largely autonomously. New York has avoided the concentration of power to take an individual's liberty, the protection of which is a primary purpose of the polity. But one unintended consequence of dispersing power in the criminal justice system is that key decisions may be made by one actor set of actors without consideration of the costs or consequences elsewhere in the system.

The decisions of other actors in the criminal justice system are key drivers of jail-related spending by counties. Collective bargaining with corrections officer unions is conducted by County Executives' offices; resulting pay rates and other contractual requirements constitute the major source of expense in jail budgets. Overtime costs for corrections officers are a key element of jail operating expenses. These are affected by numerous factors that are out of the hands of sheriffs and their jail administrators, for example: judges' sentencing practices, local court meeting schedules, the presence of alternatives to incarceration programs, the availability of professional psychological assessment services that might forestall round the clock one-on-one watches, and timeliness in the state taking custody of prisoners remanded to it. All these extrinsic factors must be considered in the evaluation of approaches towards gaining greater efficiency in jail operations.

County Jailing in the Hudson Valley:

The seven counties under review for this study have jails ranging in capacity from 130 in Putnam to 753 in Orange. The most recently built is in Ulster; it opened in 2007. Sullivan's jail, first brought into service in 1909, is the oldest. Salient facts about jail operations are summarized in Table I. More detailed financial and operating information is given in descriptions of individual county jails and their practices in a following section of this report.

Each county jail has a rated inmate capacity, established by the New York State Commission on Corrections (SCOC). For the purposes of this summary, it is useful to consider county jails in the Hudson Valley in two categories: those with sufficient capacity to meet current and expected demand, and those with insufficient capacity. The Orange and Ulster County jails, with more than half the beds in the seven counties under study, are in the first category. The Dutchess County jail is in the second; most recently it has, on average, provided more than a third of the boarded out county inmates in the state.

There are two important distinctions with respect to these classifications:

1. Actual useable capacity and rated capacity differ. State regulation specifies a twelve-fold classification scheme for inmates, which may however be reduced to four categories if the county maintains an approved alternatives to incarceration program. Even the widely resulting fourfold classification – incarcerating women separately from men, juveniles separately from adults – results in suboptimal use of built space. (For further detail, see below.)
2. In considering long-term commitments to collaboration, jail managers must be prepared for unexpected surges in demand within the jurisdiction for which they are primarily responsible.

The Cost of Incarceration: The net operating cost per day to incarcerate an inmate (shown per county in **Table 2** below) varies greatly across the region. It is most expensive to incarcerate an inmate in Rockland County (\$289.01/day) in the southern more suburban part of the region and least expensive to incarcerate an inmate in more rural Columbia County (\$81.84/day). The costs of incarceration were calculated by taking the 2009 jail expenditures from county budgets, subtracting the 2009 revenues, then dividing by the APD for

2009. The yearly cost per inmate was then divided by 365. For Dutchess County in particular, it is important to note that the daily cost per inmate includes both fees to other counties to board out inmates and the transportation expenditures associated with boarding out. It is important to note too that revenues generated from the county jails do not go directly towards offsetting the jail operational costs, but rather are put back into the general fund. Nonetheless, these revenues were considered in the calculations of cost.

Sullivan and Putnam Counties did not provide any data for this study. To calculate the cost of incarceration, the mean occupancy of the facility from 2002 to 2007 was utilized, after comparing with February 15, 2011 data to assure that this was still reasonable.

Table 2

Net Cost per Day per Inmate (2009)							
	Columbia	Dutchess	Orange	Putnam	Rockland	Sullivan	Ulster
Gross	\$97.58	\$232.76	\$178.93	\$243.39	\$293.94	\$141.14	\$127.23
Net	\$81.84	\$227.88	\$149.10	\$231.38	\$289.01	\$136.67	\$102.17

Boarding in: Jails with an excess of space over current need may board in inmates from other counties, or even – as is now the case for Orange County - from the federal government (usually Immigration and Customs Enforcement) at a negotiated price (usually annual). This generates resources to offset county jail operating costs, and – with the agreement of other county elected officials - may provide sheriffs with money to make improvements in the jail, enhance services, or offset other departmental costs. Often facilities with space available for boarding-in are at a great distance from the Hudson Valley. Dutchess County, for example, has recently sent prisoners as far away as Warren County (see below for further detail).

Transport of inmates is usually the responsibility of the sending county. However places interested in boarding-in inmates may also negotiate to provide transportation, though this is the exception rather than the norm. Agreements to take a specified number of inmates are generally made on a case-by-case basis. Once two counties reach an agreement, permission is sought from the state to transfer the inmate or inmates. Jail administrators that are boarding out report that they prefer verbal agreements with other counties; this assures the opportunity to constantly renegotiate. Of course, when this is done, as noted below, boarding in counties retain the right to return or reject a prisoner.

Under state law, the formal power to transfer an inmate rests with the Commission on Corrections. The administrator of a facility wishing to board-out an inmate determines whether the county jail of another county is suitable. After taking into account the ability of the county to house the inmate or inmates, the ability of that facility to provide security, the proximity, the potential inconvenience to the family and friends and any potential issues regarding access to legal counsel and other resources, the administrator then provides the commission with a request for a Substitute Jail Order. Once such an order is approved by the commission, and with the assurance of the receiving facility’s administrator that the inmate or inmates will be housed, the necessary arrangements for transport are made. (NYSCRR Title 9, Subtitle AA, Chapter II, Part 7300)

Most counties are reluctant to make commitments of specific amounts of space over time to boarding-in inmates from other counties because of the potential of unexpected within-county increases in demand. In fact, demand has been increasing in recent months in some Hudson Valley facilities. For example, Ulster County was recently reported to be installing double bunks in its new facility to expand its capacity to incarcerate females. Additionally, receiving counties may, if circumstances change, require sending counties to reclaim an inmate.

County corrections officials told us that they may be compelled to take inmates back because legal responsibility to incarcerate each inmate remains with the original county of incarceration (though not liability

while an inmate is in another facility). While it is true under the current regulations that the administrator of the facility that is boarding-in an inmate has the discretion to return the inmate, “The sheriff of that county must, upon delivery of the sheriff of the county for which the designation is made, receive into his jail, and there safely keep, all persons who may lawfully confined therein, pursuant to this article; and he is responsible for their safekeeping as if he was sheriff of the county for which the designation is made”. (NYS Corrections Law, Article 20, §504.3)

Where receiving counties are willing to risk longer-term agreements, predictability is desired in return for a commitment to provide space. Orange County jail administrator Colonel Dominick Orsino commented in an interview that he prefers federal boarding-in contracts because they are reliable, but does not board-in much from other counties because the size and duration of their requirements are unpredictable.

Significantly, long term local board-in agreements among counties, in addition to introducing regularity into the board-in/board-out process and enhancing the efficient use jail space, might reduce travel costs (further discussed in detail below).

Boarding-out: Jails with insufficient space to meet the demand upon them must either obtain an agreement from the State Commission on Corrections to allow them to incarcerate a larger number of inmates than their rated capacity (obtain a variance), or rely on boarding-out inmates. The state commission must assure the health, safety and welfare of both personnel and inmates, and compliance with state and federal law concerning incarcerated persons. Variances are given at specified levels, for specified periods. The SCOC may close all or a portion of a jail facility for failing to meet required standards, as it recently did in Sullivan County. Short of requiring closure, when it has determined that a county needs to modernize its facility or requires enhanced capacity for current and future needs, the commission has sought to link issuance of variances, and/or their continuation, to agreement by local decision makers to improve existing or build new jail space.

Most inmates in county jails in the Hudson Valley have not yet been sentenced (See **Table 3**). Unsented inmates require relatively frequent access to counsel, and transportation to and from jail to court facilities. Consequently, inmates boarded-out are usually from among the minority who are sentenced. Additionally, inmates who are most likely to be offered for boarding out are those who are the lowest risk and best behaved, so as to maximize the likelihood of agreement to take them by potential receiving jurisdictions. These are the same inmates who are most likely to benefit from programs designed to diminish recidivism. When they are boarded out these inmates cannot, of course, be included in these programs. Beyond the issue of not being able to provide programming designed to reduce recidivism to those inmates who would likely benefit the most from it, the current crisis in jail capacity in Dutchess County has meant that even unsentenced inmates must be boarded out regularly, driving up the transportation costs associated with boarding out.

Table 3

February 2011 Snapshot of Hudson Valley Inmate Population																			
	Unsented					Sented					Other*	Total Inmates	Board In	Board Out	% Unsented	% Sented	Capacity	% Capacity	
	AM	AF	MM	MF	Total	AM	AF	MM	MF	Total									
Columbia	75	5	13	0	93	10	3	0	0	13	6	112	6	1	88%	12%	135	82.96%	
Dutchess	174	19	10	0	203	52	2	0	0	54	129	386	0	129	79%	21%	286	134.97%	
Orange	262	24	19	3	308	110	16	2	2	130	127	565	1	1	70%	30%	753	75.03%	
Putnam	82	6	5	0	93	10	3	0	0	13	9	115	1	0	88%	12%	130	88.46%	
Rockland	163	19	10	2	194	46	3	2	0	51	2	247	0	0	79%	21%	256	96.48%	
Sullivan	93	8	3	0	104	42	4	3	1	50	0	154	0	0	68%	32%	207	74.40%	
Ulster	209	22	18	1	250	72	17	6	0	95	3	348	22	0	72%	28%	488	71.31%	
Region	1058	103	78	6	1245	342	48	13	3	406	276	1927	30	131	78%	22%	2193	87.87%	

*Other Consists of Male and Female Federal Inmates and Board-Outs

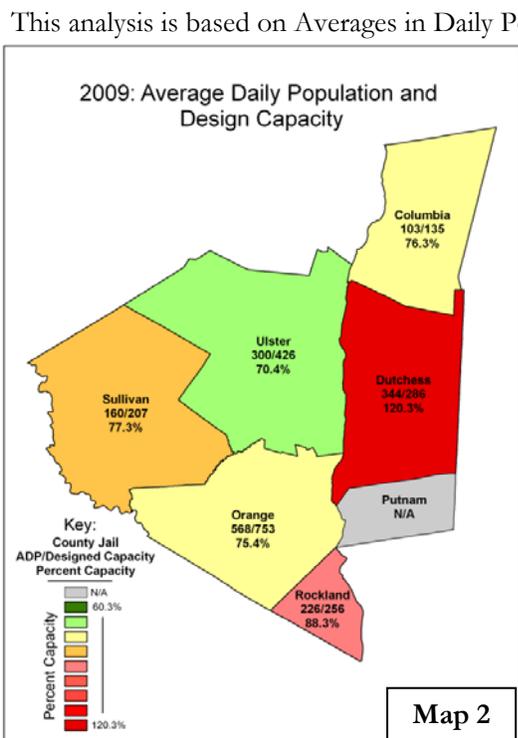
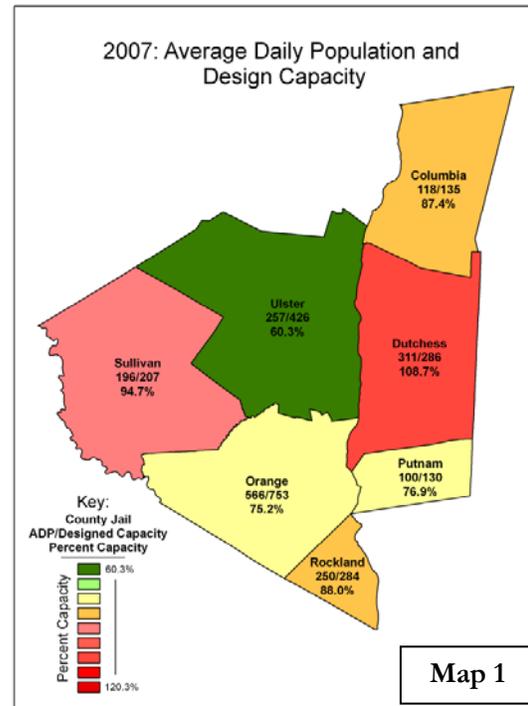
Data Source: New York State Commission of Corrections 2/15/2011 Probation Report

Table 4

February 2011 Snapshot of Hudson Valley Inmate Population															
	Unsented					Sented					Other*	Total Inmates	Board In	Board Out	
	AM	AF	MM	MF	Total	AM	AF	MM	MF	Total					
Columbia	67.0%	4.5%	11.6%	0.0%	83.0%	8.9%	2.7%	0.0%	0.0%	11.6%	5.4%	112	5.36%	0.89%	
Dutchess	45.1%	4.9%	2.6%	0.0%	52.6%	13.5%	0.5%	0.0%	0.0%	14.0%	33.4%	386	0.00%	33.42%	
Orange	46.4%	4.2%	3.4%	0.5%	54.5%	19.5%	2.8%	0.4%	0.4%	23.0%	22.5%	565	0.18%	0.18%	
Putnam	71.3%	5.2%	4.3%	0.0%	80.9%	8.7%	2.6%	0.0%	0.0%	11.3%	7.8%	115	0.87%	0.00%	
Rockland	66.0%	7.7%	4.0%	0.8%	78.5%	18.6%	1.2%	0.8%	0.0%	20.6%	0.8%	247	0.00%	0.00%	
Sullivan	60.4%	5.2%	1.9%	0.0%	67.5%	27.3%	2.6%	1.9%	0.6%	32.5%	0.0%	154	0.00%	0.00%	
Ulster	60.1%	6.3%	5.2%	0.3%	71.8%	20.7%	4.9%	1.7%	0.0%	27.3%	0.9%	348	6.32%	0.00%	
Region	54.9%	5.3%	4.0%	0.3%	64.6%	17.7%	2.5%	0.7%	0.2%	21.1%	14.3%	1,927	1.56%	6.80%	

Jail Capacity in the Region: In 2007, data from the SCOC indicated that there was surplus capacity in some places in the Hudson Valley that might, if it was utilized collaboratively, obviate the need to build elsewhere in the region (**Map 1**). This was not an argument that collaborative use of the jails in the region would eliminate the need for all new jail construction or rehabilitation. It did suggest that some pending construction projects, for example in Sullivan County, might be more modest in size if a collaborative paradigm could be developed and implemented.

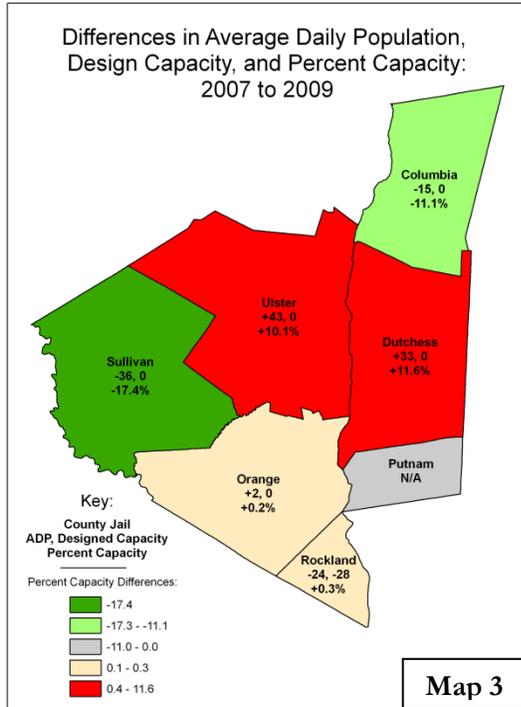
This analysis was revisited for this study utilizing 2009 data (**Map 2**). A clear change is evident. The region's capacity has been diminished (after the 2010 closing of a unit in the Sullivan County Jail). Meanwhile, the region's demand has increased significantly, in part because of the effects of increased boarding in Orange and Columbia Counties (which includes not only inmates from jails in the region, but also federal inmates), but primarily because of ballooning inmate populations in Ulster and Dutchess Counties, a trend which has continued well beyond 2009. Currently, the population in the Dutchess County Jail is over 380 inmates. The Ulster County inmate population is over 340 inmates.



This analysis is based on Averages in Daily Population (ADP) in 2009. It does not take into account peak populations because that data was not available. Using 80% capacity as a guideline, to allow for fluctuations in the inmate population and the inefficiencies in the utilization of space resulting from classification, we see that in 2009 the region's jail cell usage was 3.2% above its comfortable capacity (**Map 3**). Additionally, the region overall has had a 100 inmate increase in the ADP, despite three jurisdictions having a decrease and the current declining trend in the nation⁷.

More precisely, Ulster and Dutchess Counties have ballooning inmate populations while the remaining counties have either stable or decreasing populations. In Ulster County's case, the opening of the new jail appears to have led to cutbacks in the funding for ATI programs. In contrast, in Dutchess County the robust use of ATI's has helped to cut the need for capacity in the jail substantially. There are over 700 offenders currently in ATI programs in Dutchess County, indicating that without this commitment to ATI's the jail would need the capacity to house over 1000 inmates. In Dutchess County in 2011, the ADP increased further, to close to 380, necessitating boarding out of approximately 140 inmates per day. While ADP's are calculated to include boarded out inmates these figures may also include boarded in inmates as well. However, this will affect the figures

⁷ US DOJ, Bureau of Justice Statistics, Jail Inmates at Midyear 2009, <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=2195>



minimally in our region. Dutchess County is the only county that regularly boards out inmates, and at the current time, they board out less than 10 inmates within our region.

Crime Rates and ADP: When changes in crime rates are compared to inmate populations by county (Table 5), no clear relationship emerges. In Columbia and Sullivan Counties, the direction but not the magnitude of a change in the crime rate appears to correspond to increased jail demand (Charts 1&3). The direction of the rate of change in the ADP for the Orange County jail, in contrast, appears to be opposite that of the Crime Index (Chart 2). Perhaps when the Crime Index falls, the Orange County jail has less local demand for space for incarceration, and subsequently may board in more inmates from other jurisdictions. In the other counties in the region, a rise or fall in the crime rate generally conforms to a rise or fall in the ADP, with some years appearing to be anomalous. Some of this variation may be explained by specific events. For instance, the Ulster County Jail came online late in 2007. Subsequently, the ADP in 2008 raised substantially, and then seemed to level off in 2009 (decreasing 2.1%).

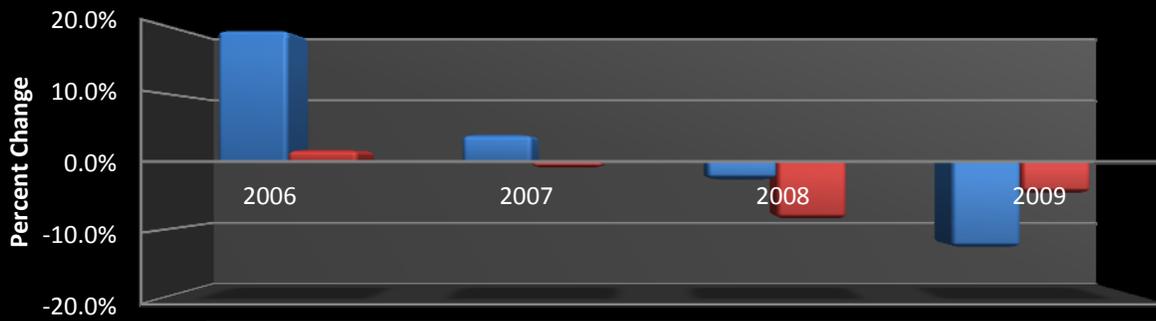
Jail usage relative to population size is greatest in Sullivan County, and lowest in Rockland County (Table 6). In general, (for mathematical reasons) less populous places are likely to show higher rates of change when social phenomena are considered in relation to population. But this is not true for jail usage in the Hudson Valley. Ulster County has a similar incarceration rate to Columbia County, despite having nearly three times the population.

Index Crimes and ADP By County						
County		2005	2006	2007	2008	2009
Columbia	Crimes	1,096	1,309	1,361	1,325	1,157
	ADP	117	119	118	108	103
Dutchess	Crimes	6,023	5,961	6,389	6,494	5,873
	ADP	330	310	312	331	344
Orange	Crimes	8,169	8,351	8,767	9,160	8,704
	ADP	596	590	566	535	568
Putnam	Crimes	1,112	962	962	1,039	953
	ADP	108	111	100	108	98
Rockland	Crimes	4,755	4,739	4,474	5,019	4,962
	ADP	258	263	251	249	227
Sullivan	Crimes	2,219	2,004	2,064	1,804	1,541
	ADP	191	202	196	195	160
Ulster	Crimes	4,062	3,918	3,473	3,665	3,883
	ADP	270	261	257	305	299

ADP Estimated for Putnam County

Columbia County: Percent Change in Index Crimes and ADP

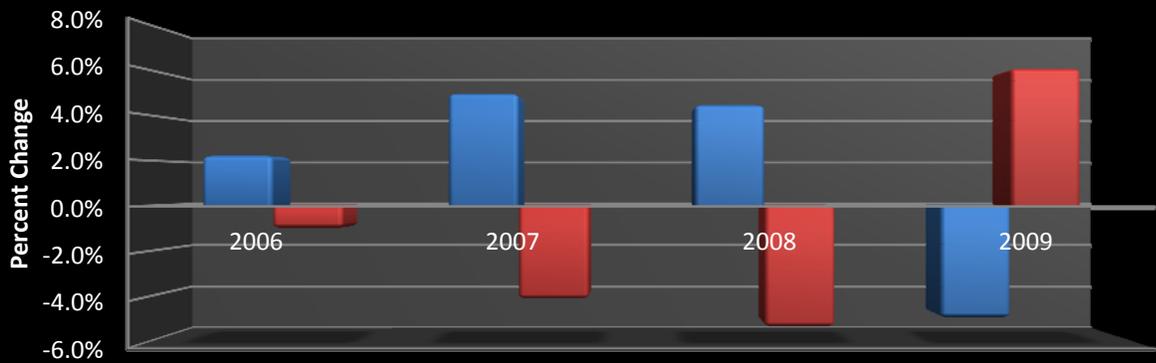
Chart 1



	2006	2007	2008	2009
■ Columbia Crimes	19.4%	4.0%	-2.6%	-12.7%
■ Columbia ADP	1.7%	-0.8%	-8.5%	-4.6%

Orange County: Percent Change in Index Crimes and ADP

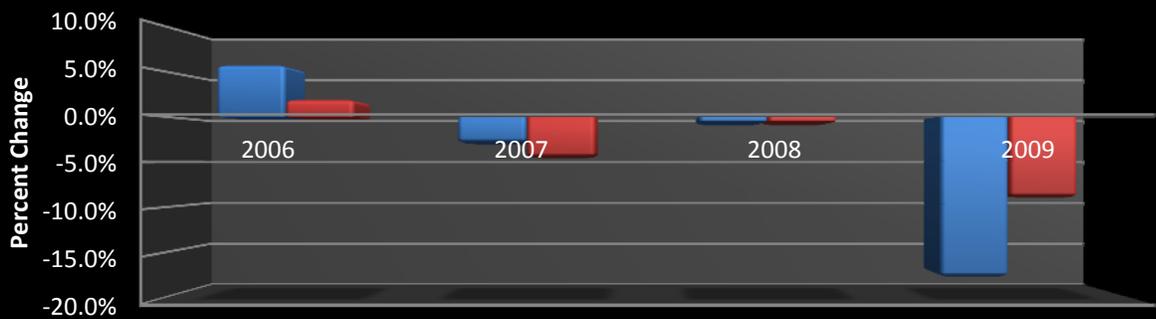
Chart 2



	2006	2007	2008	2009
■ Orange Crimes	2.2%	5.0%	4.5%	-5.0%
■ Orange ADP	-1.0%	-4.1%	-5.4%	6.1%

Sullivan County: Percent Change in Index Crimes and ADP

Chart 3



	2006	2007	2008	2009
■ Sullivan Crimes	5.8%	-3.0%	-0.7%	-17.8%
■ Sullivan ADP	1.9%	-4.6%	-0.7%	-9.0%

Rockland County has the third largest population but the lowest incarceration rate. Sullivan County has the second smallest population, and the highest incarceration rate.

Taken together, this information about county jail usage in relation to crime rates and population levels suggests that that county jail usage is subject to choices within the criminal justice system, and is therefore amenable to local intervention.

Table 6: Average Daily Population and County Population

County	2009 Population	2009 ADP	ADP/1000 Pop
Columbia	61,618	103	1.672
Dutchess	293,562	344	1.172
Orange	383,532	568	1.481
Putnam	99,265	98	1.007
Rockland	300,173	226	0.753
Sullivan	75,828	179	2.110
Ulster	181,440	300	1.653

Alternatives for meeting demand for jail space: There are several possible approaches to increasing jail capacity within the region to meet the demonstrated need:

- The first is the one traditionally used: each county builds additions or new facilities to address its current and future needs. Some new construction is clearly needed in Sullivan and Dutchess counties. In the past, the scale of new construction was typically based on requirements of the SCOC. Recently, these requirements have become recommendations, given however with the caveat that if they are ignored the county will ultimately need to live with the consequences of its decision. Determinations regarding scale of any new jail project are thus more fully in the hands of the local officials that must provide funding.

The problems with this traditional approach are well illustrated in the region’s experience. Building jails is not a popular use of public money, especially in bad times, even though ensuing neglect may lead to crisis or near crisis conditions (Dutchess, Sullivan and Rockland). The cost of new construction may drastically increase as a project is underway (Ulster). Large jails invite filling, sometimes at the expense of good, useful ATI programming (Ulster).

- One alternative to construction in each county is a combination of regionally based boarding agreements and a relatively centrally-placed overflow facility. As noted, local officials are wary of longer term contractual commitments with sister counties because of the ever present prospect of having to accommodate a sudden spike in demand at home. An overflow facility would assure that such a spike could be met. Under such an approach, financial responsibility would remain with the county of origin of each inmate. Agreements could be negotiated for periods of time, with no variance required for their daily implementation once approved. The facility could be managed by the host county, and staffed in accord with need. Minimum staffing may be maintained by focusing in routine demand periods upon housing subpopulations that currently create inefficiencies in the use of county jail space: e.g. juveniles and women. If, for instance, Orange County had a long term agreement with Sullivan County for 40 beds, Sullivan might confidently build a more modest facility. If an incident in Orange County led to a massive influx in inmates, requiring the use of that space, the overflow space could be used.

There are promising options available within the region, requiring state collaboration, that might facilitate bringing an overflow facility online:

Using Closed State Facilities: In recent years New York State has experienced decreases in the state prison population. As a result of this, and a push for reducing costs, the state has decided to closed facilities. Some of these are in the Hudson Valley. There is potential to utilize these facilities for county level incarceration. This would require some rehabilitation and renovation to meet SCOC standards for county jails. For example, a retrofit would be required to accommodate the inclusion of some individual cells, and a method of separating the facility into several units would be needed to allow the mandated segregation of inmates by class.

One of these state facilities, the Ulster Annex to Easter Correctional Facility in Napanoch, shows promise as a potential overflow facility. It is within the grounds of the state prison, but still separate and free-standing. It is a relatively new structure (built in the late 80's). It is located in southern Ulster County, within an hour's drive of the Orange and Sullivan, and Dutchess county jails, and within an hour and a half of the Putnam, Columbia, and Rockland county jails.

By way of comparison, Dutchess County now transports inmates to the Rensselaer County Jail, which is an hour-and-a-half away, and to the Warren and Washington county jails, which are both two and a half hours away. Utilization of the Ulster Annex for county overflow would require an agreement with the New York State Department of Correctional Services. In addition to the Ulster Annex, there are two other closed annexes in the region that might be utilized: the Green Haven Annex, and the Sullivan Annex.

The Sullivan Annex, located on the grounds of the Sullivan correctional facility, was closed in 2010 due to budget cutbacks at the state. A complex with several single story buildings in a dormitory style configuration, it served as a minimum security facility. This annex is being considered as the future site for the Sullivan County Jail (see the Sullivan County sub-report).

The Green Haven Annex was built in the 1980's to segregate prisoners working on the prison farm and allow them to get to work earlier in the day. It also housed prisoners assigned to grounds work and community gang work. As such, the facility was designated as a minimum security prison to house fifty inmates in dormitory style, and built with a life expectancy of twenty years. It was closed in 2009 as a cost saving measure. While there is the potential to use the Annex, it would require a major renovation/retrofitting.

Institutional Specialization: The SCOC requires that inmates be segregated on the basis of gender and age. Further segregations are made at the discretion of the individual county jails, and in accord with their physical capabilities, based upon the security classification of the inmate (e.g. Maximum or Medium). Mandatory classification and segregation leads to the inefficient use of the jail's capacity. For example, if there are only ten women in a jail, but the jail is physically organized into thirty bed modules, twenty beds in the module holding women must be left unused. In another example, inefficient use of space due to classification was reportedly experienced in Rockland County when the state began enforcing the mandatory segregation of minor males.

In order to make the most efficient use of jail space, jail administrators will frequently board out small numbers of females (for instance) even though they are not operating at capacity. This practice informs the idea that locating all of a single sub-population in the entire region in one facility would allow greater efficiency, especially with regard to the provision of required targeted services. For minors, for instance, educational services are mandated. In the case of females, there is a specific need for gynecological and obstetrics care, as well as an occasional need for a nursery and child care. Meanwhile, this kind of specialization would also allow other facilities in the region to operate without the inefficiencies generated by required segregation.

As later noted, there are some facilities in the region that are better suited than others to provide a range of specialized services to a particular sub-population. Orange County, for instance, has an excellent educational facility for minors.

Another sub-category of inmates that counties might be segregated in a separate facility are parole violators. Persons in this category are in an ambiguous situation: the new charges that they face in connection with their violation of parole must be adjudicated at the county level, but they will surely be returned to state prison as a consequence of the violation itself. It might make sense to hold these offenders in a separate facility proximate to a State Prison. On February 15, 2011, there were a total of 95 parole violators being held in county jails in the Hudson Valley.

There is already a working model for this type of facility in the State Prison System: The Willard Drug Treatment Campus, a 900-bed intensive “boot-camp” style drug treatment center for men and women. This is a voluntary program that provides an alternative sentencing option for those convicted of a drug offense, or parole violators that would have been returned to prison for more than a year. This facility is jointly operated by both DOCS, and the Division of Parole.⁸

While operating the Ulster annex as a drug treatment program is likely not feasible, the idea of processing parole violators at a shared state/county facility could benefit both the counties and the state. If, for instance, the Ulster Annex were to be opened as both an overflow facility and as an alternative housing facility for parole violators, efficiencies could be achieved, and the pressing need for space in some jurisdictions could be lessened. This would be particularly effective if the Counties were to contract with DOCS to operate the facility. Since the Annex is already connected with the Ulster Correctional Facility’s physical plant, and within its security perimeter, the State could operate the facility at a reduced cost. In addition to this state-readies and parole violators entering the state system could be easily processed through the onsite hub facility.

There are two major sets of impediments to utilizing a facility to concentrate particular jail sub-population. The first is that women and minors are regarded by jail administrators as more difficult to manage than other inmates. This makes the likelihood of a jail administrator volunteering to host either of these two a sub-populations remote. A second is that, in order for concentration schemes to be effective, the vast majority of inmates from that sub-population would need to be concentrated, regardless of their sentencing status. Without innovation in the judicial system to facilitate video appearances, or steps that might mitigate the need to transport inmates to court, the transportation costs associated with concentrating a sub-population could be considerable.

Staffing:

Expenses incurred for the hiring, training and deployment of corrections personnel comprise the largest portions of jail budgets. Except for top management positions, hiring and promotion is done in accordance with Civil Service law. A table of organization, staffing levels specific to each jail and training requirements are established by the state SCOC. Compensation and terms and conditions of employment for these officers are determined, within the framework of Civil Service law, through collective bargaining agreements between the county and the union that represents them.

SCOC mandated staffing: The SCOC minimum staffing standards specify how many corrections officers are needed to secure the jail facility. Staff increases beyond those mandated by the SCOC are rarely approved by county governments. This means that circumstances that arise that require a corrections officer to leave

⁸ The Correctional Association of New York Report, July 14, 2008.
(http://www.correctionalassociation.org/publications/download/pvp/facility_reports/Willard_7-14-08.pdf)

the jail, such as inmate transport to justice courts or to a medical facility, almost always require the payment of overtime.

Union contracts: Also, SCOC staffing requirements sometimes do not take into account the provisions of union contracts. For example and as previously mentioned, in the case of Ulster County’s new facility the SCOC staffing analysis that showed that the same number of officers that staffed the old facility would be required for the new facility was made on the basis of utilizing part-time officers to provide full-time equivalents. However, the corrections office union contract in Ulster County specifies the percentage of the jail work force that can be comprised of part-time officers (10%), and limits the number of hours that these officers may work. In reality, therefore, staffing the new Ulster County facility required hiring twelve additional full time corrections officers.

Part-time officer use: Currently Columbia, Ulster, Rockland and Orange Counties employ part-time corrections officers while Dutchess, Putnam, and Sullivan Counties do not, though Dutchess County is currently pursuing the possibility. There were mixed reactions from jail administrators regarding the use of part-time staff. While some advocated strongly for it, particularly for such specific purposes as inmate transfer, others reported that part-time staff are difficult to recruit, expensive to train, and even more difficult to retain, as part-timers often saw part-time positions as a stepping stone to full-time positions with the state, or in other counties. One innovative use of part time officers is in the creation of a separate transportation unit. Both Orange and Rockland Counties have done this, Orange with the City of Newburgh transportation unit and Rockland with a separate unit that handles all of the transportation for the jail, but is organized as an independent division of the Sheriff’s Department.

Table 7 demonstrates that the percent of a jail’s capacity actually in use each county appears strongly related to the proportion that over-time costs comprise of jail personnel costs. Counties that employ part-time correction officers may, in general, diminish but not avoid significant overtime costs as a result of this practice.

2011 Overtime Costs (Budgeted)		Total Personnel	%	Rank	PT?	% Capacity (2-15-2011)	Rank (Cap)
Columbia	N.A.	3,615,820	N.A	N.A.	Yes	91.10%	5
Dutchess	2,500,000	14,670,225	17.0%	1	No	139.50%	1
Orange	1,803,600	22,983,756	7.8%	4	Yes	81.10%	6
Putnam	460,000	4,623,585	9.9%	3	No	92.30%	4
Rockland	2,555,000	23,727,265	10.8%	2	Yes	101.60%	2
Sullivan	250,000	8,649,264	2.9%	6	No	86.80%	7
Ulster	544,244	10,462,566	5.2%	5	Yes	96.50%	3

Seniority: Also under union contracts, a system of “first refusal” for overtime work is established, as well as a system for mandatory overtime. Senior officers get preference. These contracts also provide for officers’ pay to increase with seniority. For example, the starting salary for a Corrections Officer in Dutchess County is \$47,797 per year. The same job title tops out at \$58,265 (not including longevity which, of course, rises with seniority). Because overtime compensation rates are based upon an individual’s “straight rate,” insofar as this system gives senior officers first claim on overtime it increases unit costs. But the greater driver of overtime costs is the number of hours required. Therefore, steps taken to reduce that number may significantly reduce the cost of jail operations.

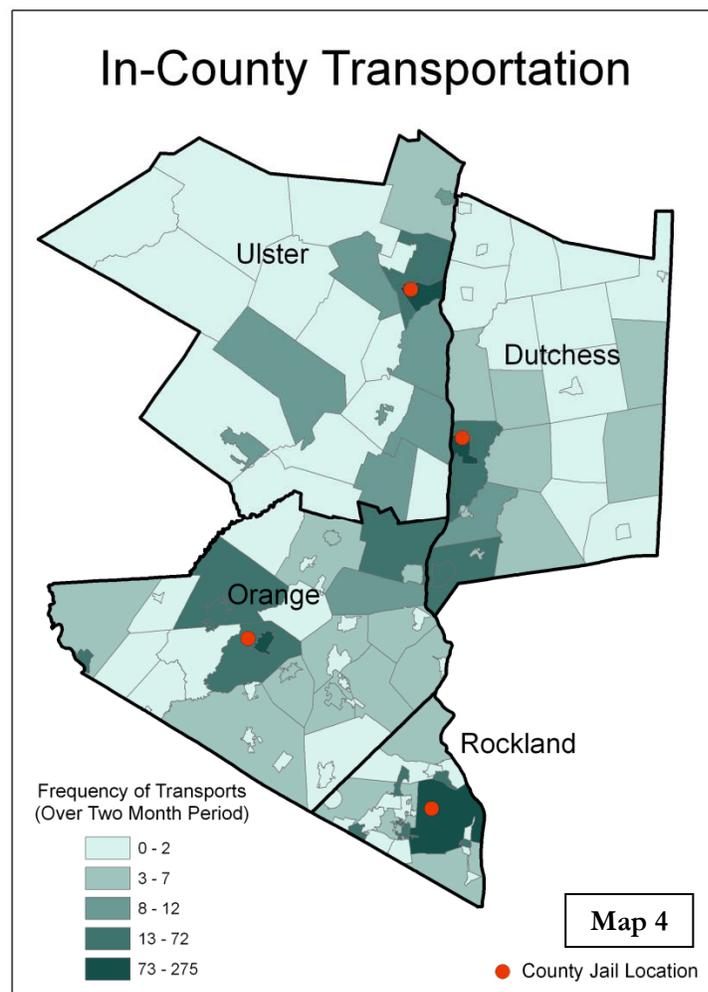
Training: Training for newly hired correction officers is done on the job with a training officer, while maintaining certification and is largely done on overtime. Putnam County utilizes an innovative method of scheduling that reduces the need for overtime for training. Corrections officers there have four days on duty and then two days off. The result of this scheduling is that at the end of the year every corrections officer effectively owes the jail one week of time, which is then used for training on straight time, thereby eliminating the need to utilize overtime for this purpose. Use of computer-based training when feasible during regular duty hours to maintain officer certification may reduce overtime costs.

Inter-county collaboration in the region to provide training also reduces over time costs. It does not make sense for the individual counties that have one or two trainees to host their own classes. Dutchess County is acknowledged by others in the region to have a good facility and training program. The Dutchess County Jail, which also usually has larger numbers of trainees than other counties at any given time, therefore often hosts training sessions that include new hires from other counties.

Worker's Compensation: Ulster and Sullivan County jail administrators reported that the use of sick leave because of injuries on the job has historically driven overtime. In Sullivan, specific reference was made to the effects of the deteriorating condition of the physical facility in generating requirements for sick leave.

Comp-Time: Dutchess County in particular has a clause in the union contract that allows officers to take comp-time in lieu of overtime at time and a half, resulting in a cascading increase in overtime (see below). When comp time is taken by an officer, another officer must fill in on overtime; that officer then may also be given time and a half in comp-time. Unless an officer opts to get paid for overtime, this spiraling effect is not

broken, and with a multiplier of 1.5 per cycle, it can get very expensive, very quickly.



Transportation:

County jails hold both those convicted of crimes, and those who are not yet convicted but are being held for trial and are ineligible for bail, or unable to pay their bail. Transportation of both of these categories of inmates out of the facility is to and from:

- justice courts for hearings and trial;
- doctor's or dentists' offices and hospitals for emergency and/or specialty care;
- funerals;
- other county jails (in the event of boarding out); and
- state prisons (for sentenced felons).

Any time an inmate is taken out of a jail facility, security risks increase, as do risks of introducing contraband into the jail. Beyond these risks, transportation of inmates, especially across large distances, is a particularly expensive venture. Often times officers on long transportation runs will need to stay overnight, and, the longer they are not in a facility, the greater the likelihood that something could go wrong.

While we did not receive data from all of the counties under study regarding inmate transportation, we can get a reasonably good picture from the information we did receive. In a typical month (November) in 2009 the Dutchess County jail reported 15,127 miles of travel over 299 trips to transport 1,040 inmates, utilizing 1030 hours of travel time for those transports (Some trips require more than one officer, thereby increasing the total man-hours substantially, but distinct data on the use of more than one officer on a trip is not kept). Moreover, recent conversations with the jail administrators in Dutchess County indicate that these numbers increased substantially in 2010 because of the previously reported high level of boarding out to other counties. In the same month, Orange County transported 600 inmates a total of 5032 miles and utilized 526 hours and 48 minutes to do so. Rockland County in a similar month (October) transported 358 inmates a total of 3614.5 miles utilizing 498 hours and 46 minutes⁹. Ulster County transported 382 inmates 5191 miles and utilized 539 hours and 38 minutes. Columbia County's statistics were less precise, so we cannot determine how many miles they traveled, or how many hours were dedicated to the transports. They did transport a total of 91 inmates in the course of the month in 74 trips. Sullivan and Putnam Counties did not provide any data on inmate transportation.

If we are to consider only the four counties for which we have data (Dutchess, Orange, Rockland and Ulster) we see that in one month alone 2,380 inmates were transported a total of 23,773.5 miles utilizing 2595 hours and 11 minutes. At the base salary of \$41,348 this amounts to a monthly personnel cost of at least \$51,592, or about \$600,000/year. If the transports are conducted on overtime, the monthly personnel cost is \$77,388.36, or about \$900,000/year. We say "at least" because these figures take no account of two factors: officers transporting inmates are likely to be more senior, and therefore compensated at higher rates, and the transportation needs of the jails have increased substantially in some counties since the end of 2009. Also, for most transports more than one officer is required. And, of course, there are in addition significant vehicular costs associated with prison transportation.

Given the costs of transportation, the increased risks to public and inmate safety while inmates are in transit and the potential negative impact on the security of the jail facilities, we conclude that anything that can be done to minimize the frequency, duration and distance of inmate transport will be beneficial to the region. As a result of interviews with jail administrators and analysis of the available data, innovative best-practices and collaborative ideas emerged that, if adopted, may reduce the costs and negative consequences of inmate transportation.

There are two basic methods to minimizing transportation costs for county jails: cut down on the need to transport inmates, and make the remaining necessary transports more efficient. We consider below means to achieving both of the goals, the second one first.

Using part-timers to achieve efficiency: Rockland and Orange counties cut down on the costs of transportation by using part-timer officers for this purpose. The former uses a transportation unit within the Sheriff's Department; the latter does the work within the Corrections Division. These officers are predominantly persons retired from state service or local police departments. They are already certified and trained in inmate transportation (or in the instances where they are trained but not certified, certification is a relatively simple and inexpensive process). They do not require benefits. And – allaying one union concern – they are already limited in the number of hours they may work by the terms of their pensions.

⁹ Rockland County utilizes a transportation unit within the Sheriff's Department that is comprised of part-time officers (More on this below).

As an example of the savings which can be achieved utilizing part-time transportation units, we calculated the potential savings that the Orange County 12 person Newburgh City Court Transportation Unit could have realized in a typical month (December 2009) had it been utilized at that time. In December 2009, transporting solely to the City of Newburgh Court and back, Orange County had inmates out of the jail for a total of 157 hours. It is reasonable to assume that many of these transports required more than one corrections officer due to the number of inmates transported (164 in groups as large as 9 at a time), but for simplicity's sake, the savings were calculated on a per-officer basis. The part-time transportation officers make \$18 per hour. The average salary for a full time corrections officer is \$31.22 per-hour. This means that in December of 2009, Orange County stood to save \$2,075 per officer by utilizing part-time officers. This calculation is made on straight time. If the transports were conducted on overtime (as is often the case), part time officers would have saved Orange County \$4,526.31 per officer. The savings become greater when factoring in employee benefits. The average hourly wage for a corrections officer in Orange County including benefits is \$42.89 per hour. Using this figure Orange County would have saved \$3,907.73 on straight time or \$6,358.50 on overtime (overtime costs do not multiply the benefits by 1.5, only the wages). This could amount to as much as \$76,302 savings per year for inmate transportation to and from just one court.

The implementation of this idea has two barriers. The first is that the use of part-time officers is limited in some counties' union contracts. For instance, the Ulster County contract for Corrections Officers states: "The employer agrees to limit the number of part-time Law Enforcement Services personnel to no more than 10% of the number of full-time Law Enforcement Services Personnel". In other counties, the use of part-timers may be placed on the table in coming labor negotiations. In Dutchess County for example, such negotiations are currently under way.

Second, there is the question of the available labor pool. Administrators suggest that counties in the southern portion of our region, closer to Westchester and New York City, have a larger number of retired NYPD officers and State Corrections Officers that may be interested in these positions than do counties in the northern portions of the region.

Contracting counties that are boarding in inmates to transport to court: Currently if an unsentenced inmate is boarded out of county, that inmate needs to be transported to and from a court facility for hearings and trial. Under the current arrangement the county which the inmate is from provides transportation for the inmate back to the jail of the county of origin, then to the justice court, back to the county jail of origin, and finally back to the jail where the inmate is boarded out. If the county which boards in the inmate were to perform the transportation, there would only need to be one round trip made, and it would also free up more space in the county of origin's jail that otherwise would need to be set aside for processing and holding of the transported inmate.

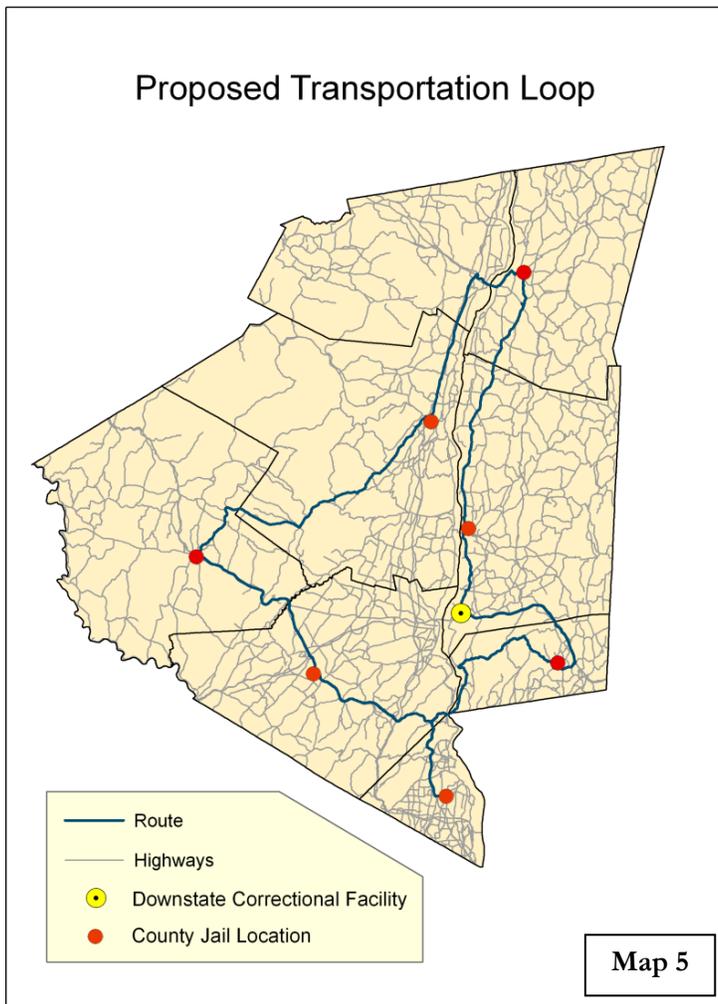
Collaboration with the state on transportation: Currently the four county jails in our region for which we have data transport state ready inmates to the NYS DOCS Downstate Correctional Facility. Downstate is a maximum, medium and minimum security facility; inmates who are entering into the state system are sent there regardless of their eventual security classification, pending their potential transfer to another facility. These transports of state ready inmates are currently done on a case-by-case basis. Efficiencies may be achieved by contracting with DOCS to run a transportation loop, or by including the county jails in a transportation loop already run out of one of the DOCS hub facilities.

Under this model, the formal transfer of state ready inmates would take place at the individual jails, rather than after arrival at the state prison. There are four advantages to this approach.

First, it would eliminate the need for county jails to send a car and an officer out to transport inmates, cutting down on the personnel costs and the wear and tear on county vehicles.

Second, if for any reason an inmate is denied entrance into the state system, this would occur at the county jail, before transportation, avoiding the transportation cost entirely. While this scenario does not occur regularly, it does happen, typically for two reasons: if the inmate is deemed at the state prison to need an infirmary, that inmate is sent back to the county to get medical treatment; if the sentencing commitment is not correct, or is under legal scrutiny, the inmate may be denied entrance into the state system, and sent back to the county.

Third, all state ready inmates from counties in the region would arrive at the state prison simultaneously, with timing coordinated with the transfer of other inmates from larger facilities such as Riker’s Island. This would allow for coordination and efficient processing of new prisoners into the state prison system, and minimize the amount of contact between prisoners that are in varying stages of orientation, cutting down on opportunities to pass contraband.



Finally, this approach allows some cost-avoidance by the state, as state law requires compensation to counties for the expense of this transportation (NYS Corrections Law, Article 22, §602).

An alternative would be to have the county jails collaborate on a transportation loop, provided for all on a contractual basis by a department with a part-time transportation unit, or in a round-robin fashion that distributes the cost of these transports over time amongst all of the participating counties. While this option would cut down on the expenses of transport, it does not yield all of the benefits of a DOCS run transportation loop.

Medical visits: When the sheriff’s department takes custody of an inmate at the jail, the county assumes responsibility for that inmate’s medical, dental, and mental health care. To the extent possible, this care is performed in the jail; however there is a regular need to transport inmates outside of the jail for specialty or emergency care and dental visits. Since inmates transported for medical reasons are not taken to a secure facility, transportation costs include providing security during treatment at the health care facility.

To more efficiently provide medical services to inmates who require a level of care that is not attainable within the jail, a regional collaboration might be established. One model would involve all the jails

contracting with a single provider for specialty care, and then running a transportation loop. For instance, one day might be designated for dental work. That day a corrections bus would travel a loop to each of the county jails, and pick up every inmate that requires dental treatment. Those inmates would be transported to a provider collectively, treated, and then transported back to the county jails that day. This would allow achieving an economy of scale in transporting and securing the inmates, and also some reduction of cost for the service through collective purchasing.

A variant of this model would have one county host a specialty clinic at its facility on a regular basis, with a transportation loop to bring inmates to and from the facility. This has the added benefit of providing the treatment itself in a secure facility, and thereby mitigates the risk of contraband as well as any security risk to the community.

A third alternative is contracting for use of an existing specialty clinic at the Downstate Correctional Facility. Treatment would be provided in a secure, dedicated medical facility, by health care professionals accustomed to treating incarcerated people. This would also open the possibility of contracting for the transportation loop that would bring inmates to and from the clinic.

Finally, some jail administrators urged the consideration of the creation of a secure location within a regional medical facility for in- and out-patient specialty care, with the costs shared by participating counties. As noted, for Orange County, every trip out of the jail for medical care carries with it a minimum of \$800 per day in security costs alone. Contracting and providing security for a small number of beds in a designated health care facility in the region might generate significant savings.

Justice Courts:

“In addition to routine traffic infractions and parking violations,” the Special Commission on the Future of the New York Courts wrote in 2008, “local justices preside over all manner of misdemeanor criminal matters, from drunken driving cases to sexual offenses, domestic violence assaults, drug offenses, and other charges. In such cases, local justices conduct suppression hearings, authorize search warrants, preside over jury trials, and impose jail sentences of up to one year. On the felony side, justice courts conduct arraignments (including on weekends, holidays and in the middle of the night) in all categories of cases, from armed robberies to homicides. Their civil jurisdiction includes not only small claims matters, but also residential and commercial landlord-tenant cases, summary eviction proceedings and other civil disputes.”¹⁰ Some city courts and county courts in the Hudson Valley region meet daily. Justice courts in rural towns may meet just once a month. (In fact, in the Town of Denning the Justice Court convenes by appointment, as there are too few cases to warrant a regular schedule.) Even within a single municipality, each court operates autonomously.

Mindful of court-driven costs throughout the criminal justice system at the state and county levels, the aforementioned 2008 state commission report recommended county level court system reviews, with an eye to reducing the number of operating courts in each county.¹¹ With specific regard to prison transportation costs, the commission wrote:

When redundant Justice Courts are dispersed throughout a county, the sheriff’s officers or state police are required to devote personnel, vehicles and other resources to transport defendants to all of these courts. Again, the state and county taxpayers are forced to bear the costs associated with this

¹⁰ . “Special Commission on the Future of the New York Courts. *Justice Most Local* http://www.nycourtreform.org/Justice_Most_Local_Part1.pdf, p. 7.

¹¹ . *Justice Most Local* (2008) p. 11.

duplication of resources or, worse; fewer resources may be available to perform duties relating to public safety and crime prevention. ... [O]ne county undersheriff remarked, it would be cheaper to hire a limousine to transport each judge to a holding cell to conduct proceedings than to repeatedly shuttle prisoners to different Justice Courts under the current system.”¹²

We make no recommendation here to reduce the number of courts in the Hudson Valley (though see ideas below for coordinating court schedules within counties). We do confirm for the region, however, that because of a judge’s authority to set court schedules and command the appearance of persons under trial, and the varied distances of court facilities from county jails, justice court operations have a direct effect on the cost of transporting prisoners to and from the courts. When a county (Dutchess for instance) must board-out inmates, especially unsentenced inmates for whom appearances in courts are more frequent, distances increase, and therefore costs to transport inmates to courts.

While judges are almost always diligent and highly attentive to their own duties, recent reform efforts notwithstanding they have little or no incentive beyond personal interest to work toward the efficient, effective interaction of all elements to assure optimal performance of the county criminal justice system as a whole, including the minimization of jail costs. In fact, Timothy E Cox, Town of Olive justice in Ulster County, recently argued that costs should not be a consideration in the operation of local courts. He wrote: “As public elected officials who have sworn to uphold the U.S. and New York State Constitutions, when public discourse on towns and village courts is under way, I believe it is our responsibility to ensure that everyone involved recognizes that our sole responsibility is to those cases and parties that come before us – to ensure that government does prove guilt beyond a reasonable doubt before we take away a defendant’s liberty.”¹³

Video court appearances: One way to reduce on transportation costs to justice courts is to utilize video systems in the jails so that an inmate may appear before a judge for pre-trial, evidentiary and other procedural hearings in the course of a trial without leaving the secure facility. There are often delays in trials while an inmate or his or her lawyer is seeking documentation or evidence. Often, too, an inmate is called to appear before a justice to “check in”. In these instances, a video system would completely eliminate the need to transport the inmate. This would also have two added benefits: it would allow the justice court to more efficiently manage its caseload, as the entire procedure could be handled from the bench; and it would permit the instant transmittal of any documentation from the jail that the judge may determine is needed in the course of the proceeding.

There has been reluctance within the region to incur the expense of establishing a pilot program to implement video appearances, however, because it is unclear that it would be utilized enough to be cost effective. Under current state law and/or regulation, an inmate has the right to choose to physically appear before the judge. As a rule, inmates prefer to leave the facility whenever possible. Therefore the routine use of video appearances would require either a change to state law and/or regulation, or the ability to sufficiently incentivize the use of video appearance by inmates to make the practice cost effective. The less formal path requires the regular cooperation of all parties involved -- inmates, their attorneys, justices, prosecutors, jail administrators – over a large number of cases in order to fully reach its potential as a cost saving measure. There is a proposed state law that would allow video arraignment at a judge’s discretion (S00837 - 2011).

The State Department of Correctional Services currently runs a system of video courtrooms throughout the state prison system. The Immigration Court at Ulster Correctional Facility in Napanoch, for instance, has been in operation for fifteen years. On November 22nd, 2010 we observed a court session during which the

¹² . *Justice Most Local* (2008) p. 51.

¹³ . Timothy G. Cox. “In Defense of Ourselves: An Open Letter to Town and Village Justices in New York State” **The Magistrate** (Summer, 2011) p. 7.

judge was sitting in Napanoch, the defendant was in the Adirondack Correctional Facility in Essex County, and the Immigration Lawyer was in New York City. The hearing was held in a very efficient manner, and all communication was facilitated through a videoconferencing system connecting the courtroom in the Adirondack facility with the courtroom in Napanoch, with the lawyer brought in via telephone. The videoconferencing system we observed includes an overhead projector type document viewer and scanner. The entire system operates on a dedicated T1 line provided by the phone company. Judge Sagerman, a federal immigration judge who runs the courtroom, reported that he is pleased with the system, that it is easy to operate, and that in almost all cases he takes care of all of the preliminary steps in a trial via video. At the final hearing (trial), the prisoner has the option of appearing in person. The prisoner also has the right to have witnesses present.

Currently in New York City:

“[t]he number of inmate video appearances continues to rise as this initiative enters its fourth year. Originally designed to enable Riker's Island detainees to "appear" in courtrooms throughout New York City, this program has expanded to include inmate "visits" with probation, drug treatment providers and attorneys. Since the program started in 2001, the total number of inmate video teleconferences citywide grew to 7,500 last year. The court system now has video installations in 35 courtrooms and video booths. The Riker's Island facility has 12 video booths. OCA is working with the commissioner of the New York City Department of Correction to expand this program even further this year.”¹⁴

In other states the use of video appearance for arraignment and procedural matters is commonplace. Maryland, Arizona, Alabama, Michigan, Maine, Illinois, Washington State, Wyoming, California, Ohio, Pennsylvania, Connecticut, Nebraska, and Georgia (and others) have all utilized video appearance at a local level with noted success. Some states have implemented widespread use of video hearings. In 2008, Pennsylvania reported that the widespread use of video hearings in county courts led to an annual \$22 million in savings. Philadelphia alone has reported a savings of more than \$30 million over five years.¹⁵

While the use of video appearance to mitigate the number of transports to and from justice courts seems to be the most efficient option, it is not without its drawbacks. The first impediment to this approach is that the infrastructure to facilitate the video system must be installed in the jail. While some of the jails in the region already have the IT infrastructure to accommodate this type of system, others do not, and in those cases an overhaul of the IT capabilities of the facility may be necessary. The same challenge presents itself in the IT capabilities of the individual justice courts. While all courts now use similar information systems to download vehicle and traffic tickets issued by state and local police, they do not necessarily utilize the high speed internet connections that are necessary for a video system.

Apart from cost savings there are numerous other benefits that arise from the use of video appearance systems. Court time would be more efficiently scheduled. The opportunity for escape (and possible further criminal conduct outside of the jail) by the inmate would diminish. Security of the inmate him- or herself would be increased, as persons who might seek retribution could not enter into his or her physical presence. Finally, the opportunity for inmates to introduce contraband into the jail environment would diminish.

Implementation of a video appearance system in all of the courts in the region (or even in just the city and county courts) would lead to cost savings and program enhancements in other areas. Consider an unsentenced inmate from Dutchess County who is boarded-out to Ulster or Orange County. A video appearance system would eliminate the need to regularly transport the inmate back and forth from the facility,

¹⁴ New York State Unified Court System Web Page, (<http://www.courts.state.ny.us/publications/benchmarks/issue1/oca.shtml>)

¹⁵ Colleen Long, Associated Press, 5/8/2011, <http://apnews.myway.com/article/20110508/D9N3F2CG0.html>

and thereby greatly reduce the transportation costs associated with boarding-out. It would also give jail administrators more flexibility in determining which inmates to board-out. Currently, the desire to minimize transportation costs dictates that most of those boarded out are sentenced inmates. If transportation costs were no longer a consideration, jail administrators might more likely retain sentenced inmates at the jail who might benefit from transition-from-jail and recidivism reduction programs.

There are opponents of utilizing video appearances for hearings. Some object to the medium because they believe that it does not meet the constitutional requirement that the accused face his or her accuser. Others object because they think that defense attorneys effectively use visual cues to communicate with the judge and jury, and their ability to do so would be diminished if they were not present in the courtroom. (When video is used the defense attorney is typically with the defendant at the jail, or conferences-in through telephone or web cam from a third location). The American Immigration Law Foundation cited an opinion of a 2002 decision of The U.S. Court of Appeals for the Fourth Circuit, raising concerns about the using video conferencing in removal hearings in immigration cases. The court observed that:

"[V]ideo conferencing may render it difficult for a fact finder in adjudicative proceeding to make credibility determinations and to gauge demeanor" and acknowledged that "an IJ's ability to judge a petitioner's credibility and demeanor plays a pivotal role in an asylum determination." The Court also noted that video hearings put the respondent's lawyer in "a 'Catch-22' situation," because he must choose between being with his client at the detention facility or at the Immigration Court with the Immigration Judge and the INS. It found that "under either scenario, the effectiveness of the lawyer is diminished; he simply must choose the least damaging option."¹⁶

However, the court did not take action to bar the practice.

Holding court in jail facilities: Ulster and Rockland counties have courtrooms in their jail facilities. Other county jail administrators in the Hudson Valley have noted that it would be relatively simple to retrofit their facilities to provide a courtroom. But the record of use of such facilities where they do exist is not encouraging. Currently the Rockland County Jail uses its courtroom for storage. That in Ulster County, it remains underutilized.

By having justices hold court for criminal matters at the county jail, rather than at the individual courts, the jail could eliminate the cost of transporting inmates. The cost of compensating justices for travel would be far less than current inmate transportation costs.

This model has similar benefits for public, inmate and jail security as the use of video appearance systems. In order for it to work, however, judges would have to consent to hold court at the jail. Some concern has been expressed regarding whether a town judge might preside outside his or her town. According to state law

"The chief administrator of the courts may temporarily assign any justice of another town or village court, or a judge of a city court, to a town or village court within the county of such judge's or justice's residence or an adjoining county. While temporarily assigned hereunder, any such judge or justice shall have the powers, duties and jurisdiction of a justice of the court to which the assignment is made." (Justice Court Act. Section 106.2)

¹⁶ J. Traci Honig. "Objecting to Video Merit Hearings." http://www.aifl.org/lac/pa/lac_pa_080902.asp citing *Rusu v. INS*, 296 F 3d 316 (4th Cir 2002). The Fourth Circuit held that *Mathews v. Eldridge*, 424 U.S. 319 (1976), should govern whether the use of video conferencing in removal hearings violates due process.

There are many possible variations on this model that could achieve additional efficiencies. For instance, if courtrooms in jail were used for arraignments, and judges within the county took turns staffing them at night, overnight arraignment could be done at the jail itself, assuring that a larger proportion of police time was used for patrol and enforcement, and a smaller proportion for “babysitting” persons already in custody. Even the utilization of a courtroom in the county jail for family court matters would yield efficiencies.

Altering sentencing practices: In both civil and criminal matters, judges’ primary consideration in making decisions is and ought to be the assurance that justice is done. But this does not mean that costs and consequences for other elements of the criminal justice system need be irrelevant. Consider the example of the use of weekend sentencing.

Weekends in jail are typically imposed for misdemeanors, to allow offenders to maintain family and work responsibilities during the week. Jail administrators report many problems associated with weekend-sentenced inmates. Substantial time and energy and a relatively high proportion of the two day sentence is required to in- and out-process them. Persons sentenced for weekends are one of the largest risks for the introduction of contraband into the jail. Since they are in and out of the jail weekly, and only stay for 48 hours at a time, inmates with weekend sentences are typically segregated from the general population, thereby creating a tiny sub-population that inefficiently uses space.

Alternatives exist. It is likely that it would be much more efficient to eliminate weekend sentences entirely in favor of GPS monitoring, day reporting centers, community service, fines, or some other alternative. (See the discussion of Alternatives to Incarceration below for further detail.)

Coordinated court meeting dates: Currently, local judges decide independently when their courts will meet to hear criminal matters. The lack of a coordinated schedule has implications for the offices of both the District Attorney and the Public Defender in counties in the Hudson Valley region. Also, a coordinated court schedule in each county might lower jail costs by diminishing the number of transports required to the justice courts. (For the Criminal Court Schedules, see **Appendix A**.)

To provide an example of how a coordinated court schedule might achieve efficiencies, we created a draft model court schedule that would allow for a local inmate transportation loop in Dutchess County. In it court times and dates were arranged to minimize the number of trips necessary to transport inmates to and from the justice courts while maximizing the number of inmates that could be transported. (Please note: This is a hypothetical schedule, developed for illustrative purposes only. There are a number of considerations that might complicate the development of a fully workable coordinated schedule, for example the unpredictable amount of time needed in any court on a particular day. Moreover, extensive consultation would be needed before any changed schedule could be adopted.)

The first table in **Appendix B** provides the current court schedule, and the number of miles traveled to transport inmates to and from the justice courts in November of 2009. The second table shows a coordinated court schedule that would allow the use of a local Justice Court Transportation loop, and the number of miles that would be traveled if this schedule were utilized. In 2009, Dutchess County traveled a total of 1787 miles transporting inmates to and from the justice courts. Using the example court schedule this number was reduced by 68% to 575 miles.

While it would be preferable from a security standpoint to hold court at the jail facility, the use of a coordinated court schedule, video appearances, or a hybrid of the three shows promise in gaining efficiency while achieving the necessary safety and ensuring that inmates are present in their own defense.

Court security: In instances where corrections officers are transporting inmates to city or county courts which have sworn court officers protecting the premises and proceedings, there is the potential to collaborate

with the courts system to have court security supervise the inmates while they are on the premises. This would assist greatly in the use of transportation loops and coordinated scheduling, because the loop could be staffed with fewer corrections officers, and the transportation to other court facilities could continue while inmates were at the larger courts.

Mental Health:

As a result of changes in policy enacted over decades, many state run mental hospitals and psychiatric facilities have been shut down or severely down-sized. This has had particular impact in the Hudson Valley. At the same time, resource constraints and shifting state and county government priorities resulted in diminished resources for community-based mental health programs. By circumstance, rather than design, jails have become the default local institutions that must deal with persons who have serious mental health problems, many multiply diagnosed. Jails are not built nor are their personnel trained for this purpose. Meanwhile, support from employing mental health professionals is limited; proposed cutbacks in Medicaid are likely to exacerbate this problem.

Jail managers in our region report that as much as 80% of their inmate populations are currently being treated for mental illness, or drug and alcohol addiction. Many are being treated for both. Mental health services in the jails are provided in a variety of ways, ranging from the use of county mental health services to contracting with a private provider for service. (See below for practices in individual facilities.)

Currently drug and alcohol detoxification, as well as mental health treatment for all but the worst cases, is done at the jail. For those cases so serious as to warrant transfer to a mental health facility, inmates are transported to the Central New York Psychiatric Center in Marcy, NY. The costs are considerable for boarding out to this facility, as well as for transportation logistics. Moreover, the ability of a jail to send a person to Marcy is subject to available space, and the inmate/patient –often under constant supervision (see below) – must be stabilized before he or she may be transported, driving up overtime costs. The Sullivan County Jail reports to recently having to wait 17 days until a bed opened up at the Marcy facility.

Constant supervision: Every inmate booked into a jail in the region is screened to determine if he or she is at risk of suicide, or to identify the presence of a severe mental health issue. Additionally, it is standard practice to isolate newly booked inmates for a period of time, keeping them under observation to ensure that it is safe to integrate them into the general population.

When an inmate is assessed as at risk for suicide, either at booking or at a later time, he or she is placed on one-on-one watch for his or her own protection. One-on-one supervision (or constant watch) means what it says: 24 hour per day supervision with one officer constantly watching one inmate. This is done almost exclusively on overtime. There are some jails in which the arrangement of physical space allows the safe constant supervision of two or three inmates simultaneously by one officer. This requires sight lines with no blind spots, with spaces usually designed specifically for this purpose.

Once an inmate is placed on one-on-one watch, he or she cannot be taken off without the authorization of a mental health professional. Depending on the mental health staffing available to a jail, and the timing of the incarceration, it may take several days before an inmate may be examined by a mental health professional to determine the degree of his or her suicide risk, and whether there is a continuing need for one-on-one supervision.

A regional secure mental health facility: An intermediary secure mental health facility in the Hudson Valley might accept inmates in need of treatment that goes beyond what a jail might effectively provide (e.g. mandated medication), but not so extensive as to warrant sending the inmate to Central New York. This

facility might also be used to detoxify and stabilize inmates without payment of overtime for one-on-one watches at county jails. It might be located either at a hospital in the region, or be free-standing, and staffed by corrections officers and mental health professionals.

This initiative has been explored on an individual county level in Rockland and Orange Counties, and in a collaborative model between Putnam and Orange Counties. In Orange County, one idea was to rehabilitate a building on the grounds of the closed Mid-Hudson Psychiatric Center in Middletown to create a secure facility that would have the authority to mandate medication. In Rockland County there was, in recent years, a proposed 60 bed addition to the county hospital as a secure health care facility. Either of these approaches might be adapted to serve the region. Due to the limits of this study, the potential savings associated with utilization of a secure medical facility could not be calculated. This is because overtime is not tracked by purpose in any county except Columbia, so that the overtime costs associated with security at a medium and long duration health care cannot be made. It does stand to reason, and the interviews bear this out, that the current practice of utilizing officers to secure an inmate in a hospital 24 hours a day on overtime is very costly. A secure facility would allow fewer officers to supervise more inmates more efficiently, while health care is provided by a medical staff that is sensitive to security requirements as well as accustomed to dealing with incarcerated persons with mental health problems.

Video visitation and evaluation: The use of video technology might allow for inmates that are under constant supervision to be quickly evaluated by a qualified mental health professional, regardless of the day of week, or time of day. One vendor or institution might provide this service for all regional jails, or groups of jails, at a reduced cost per inmate evaluated. This might seriously reduce the number of inmates on constant supervision, and the duration of this supervision where it is required.

Jail administrators report that inmates are increasingly seeking to “game the system” when evaluated for suicide risk or mental problems on intake, to gain special treatment, qualify for a trip outside the facility, or simply inconvenience the system. Telemedicine might diminish this behavior by diminishing the potential rewards for it.

Video equipment used for mental health evaluation is the same as that which is utilized in video appearances and video visitation. This suggests consideration of establishing in-jail multi-purpose video rooms that could cut down significantly on the costs associated with video systems, particularly multiple systems for specified purposes.

Collaboration with the state in drug purchase: One final innovation that might achieve efficiencies in the treatment of mental illness (or any health care requiring medication for that matter) in county jails is the utilization of the DOCS automated central pharmacy. The 60,500 square foot facility has the capability of filling over 5,000 prescriptions per day, and currently supplies all of the state prisons with medications. This has eliminated the need for individual state prisons to purchase medication from outside vendors, and has reduced the cost of prescription medications by buying in enormous quantity.¹⁷

An article in the Autumn 2010 issue of *DOCS Today* announcing the completion of this facility noted that it “has the potential to fill other state agencies’ and county jail’s needs at lower cost in the future”.¹⁸ This clearly indicates that DOCS is already interested in collaboration with the county jails, and the use of this pharmacy could be a cost saver, particularly in counties where health care is provided by the county government, and not by a vendor.

¹⁷ DOCS Today, Vol. 1, No. 13, Autumn 2010, Page 1. <<http://www.docs.state.ny.us/PressRel/DOCSToday/Autumn2010edition.pdf>>

¹⁸ Ibid.

Alternatives to Incarceration:

Alternatives to Incarceration programs (ATP's) promote public safety and ensure accountability by offering qualifying offenders the opportunity to participate in programs designed to reduce recidivism by addressing underlying factors that contribute to criminal behavior. These programs are offered to non-violent offenders, and focus on rehabilitation, job training, housing assistance, and restitution to victims. They reduce jail inmate populations and save money, as they are typically less expensive than incarceration.

Importantly, ATP's may have a multiplier effect on cost savings, particularly in counties that are overcrowded and boarding out inmates. The first savings occur simply by diverting the offender from jail. A second immediate saving occurs because a cell freed may be occupied by another inmate, thereby reducing the number of inmates that need to be boarded-out. A third cost saving, less immediate and measureable, arises from lower crime rates that follow reduced recidivism, which potentially in turn reduces the demand for incarceration.

However, ATP's become more expensive than incarceration if the offender who is diverted from jail fails to complete the terms of the program, and therefore needs to be re-incarcerated after undergoing some or all of it. This outcome may result from lower screening standards used when trying to "cast a wider net" for alternatives programming, which in turn may result from high jail demand and efforts to avoid boarding out costs.

As noted, Alternatives to Incarceration programs also qualify the county to utilize a four category classification and segregation scheme within the jail instead of the less efficient and more space intensive twelve category classification scheme.¹⁹

While every county in the region has Alternatives to Corrections Service Plans that qualify them to use a four category classification scheme, the degree to which these programs are funded and utilized and the variety of services offered varies greatly from county to county. Columbia County, for instance, has a very minimal alternatives program that primarily consists of probation, drug court, and community service. On the other end of the spectrum, Dutchess County offers a wide variety of programs including GPS monitoring, a Day Reporting Center, Drug Court, the Intensive Treatment Alternative Program (ITAP), the Transitions Program, as well as Pretrial Release and Probation.

Inter-county collaboration in ATI programs: Dutchess County offers a best practices model in the use of ATIs. Counties in the region might collaboratively contract for some of the services that Dutchess County now uses. For instance, Dutchess County currently contracts with BI Inc. to run a Community Transition Center day reporting program. Offenders are court ordered to comply with this program, under supervision of the Dutchess County Probation Department. There is further possibility of contracting collaboratively in the region for services such as Day Reporting Centers, GPS monitoring and alcohol compliance.

GPS monitoring: GPS monitoring is particularly promising for affording counties major savings. These monitoring systems establish time and place zones to which the offender is restricted. They can be set up with a great degree of flexibility. If the offender does not comply with the restrictions, the Department of Probation can be alerted immediately. Compliance can be structured in a tiered system, with restrictions gradually diminished as conditions for an alternative program are met: for example, job training, counseling, anger management, or outpatient drug and alcohol rehabilitation. This allows the offender to work, and to meet family obligations, while strictly complying with the terms established for his or her diversion program. Failure to comply with the terms of release results in incarceration.

¹⁹ NYSRRC Title 9, Subtitle AA, Chapter I, Subchapter A, Part 7013.4

Current technology allows for these systems to be implemented at a cost of \$2 per day (after the initial purchase of equipment). Not only are there likely to be extensive initial savings, but the reduction in the jail population would help to alleviate other costs associated with incarceration, such as those for medical and dental care, transportation, and boarding-out.

Drug and alcohol rehabilitation programs: There are several models for drug and alcohol rehabilitation that have a proven track record in reducing costs per inmate, and recidivism. The Transitional House in Dutchess County is a secure correctional half way house specializing in drug and alcohol treatment run by the county probation department. It is utilized in conjunction with the Intensive Treatment Alternative Program (ITAP), an outpatient rehabilitation facility specializing in the treatment of addicts that have been diverted from incarceration. Offenders live in the secure facility and are taken to ITAP 5 days a week where they are provided individual therapy, group therapy, education and treatment. Participants are regularly tested for drugs and alcohol. In order to complete the program, the offender needs to establish a plan that includes employment, education, and housing.

Drug Court, a less intensive program, specializes in cases involving drugs and alcohol where compliance with conditions set at conviction allows an offender to avoid incarceration. These conditions may include intensive in-patient rehab, out-patient follow up, completion of a program in a half-way house specializing in drug and alcohol rehabilitation, restitution to victims, and successfully maintaining sobriety. The offender is called before the judge periodically to check in and ensure compliance.

Importantly, though in-patient and out-patient rehabilitation eliminate the costs to the county for jailing in the sheriff's budget, they typically increase Medicaid costs. There is a net financial benefit to the county so long as the program participant is not returned to jail for failure to comply with the terms of probation.

A network of correctional half-way houses in the region, run by the departments of probation, might be utilized for reentry training, and reduced sentences programs. A facility adjoining the county jail might offer a less restrictive environment than the jail itself, and assist offenders in getting and maintaining jobs, learning job skills, and attaining affordable housing prior to their completion of the program. If the facility were to be located as described, it could utilize services from the jail such as food services and laundry facilities, and thereby reduce operating costs. This appears to be one solution to reduce capital costs, ease the burdens of jail overcrowding and reducing recidivism.

Medical Care:

Upon entering the custody of the sheriff's department, an inmate is entitled to medical and dental care. Ironically this may be the best care the inmate has ever received. All of the county jails in the region have an onsite infirmary with dedicated medical staff. As summarized in **Table 1** above, some counties provide for this service using county employees while others contract with a vendor, Correctional Medical Care.

Contracting for Services: Correctional Medical Care Inc. (CMC) provides correctional healthcare services to the Orange, Dutchess, Putnam and Ulster County jails. CMC services include reception screening, all medical and dental treatment, intake screening, health assessment, mental health assessment, emergency care, coordination of hospital care, specialty referrals, on site clinics, pre- and post-natal care, triage, laboratory services, radiological services, optometry, suicide prevention, pharmacy, discharge planning and continuity of care, detoxification and withdrawal, abortions, well-baby care, health education, infectious waste disposal, credentialing and insuring of employees, recruitment and retention of medical staff, and medical staff scheduling. CMC Inc. pays for physicians' malpractice insurance premiums and indemnifies all of their employees. By emphasizing on-site medical service wherever possible, they are reported to have been successful at significantly reducing outside medical trips. In addition, and significantly for jail managers, each

facility is relieved from the worry of staffing problems, particularly those related to nursing. Jail administrators who contract with CMC are satisfied that it is a cost effective alternative to the county providing medical services. Critics argue, however, that as with all privatized operations, CMC is in business to make a profit which must be factored in when considering overall costs.

Counties that choose not to contract with a vendor for medical services in the jail provide these services with county employees. They also then have to pay for liability insurance for their employees. Proponents argue that removing a profit motive from the services provided removes pressure to cut corners, or to achieve efficiencies that have a detrimental effect on the quality of care provided.

Transportation: Medical care is not only expensive because of the care itself, but also because of the transportation and security costs associated with emergency and specialty medical care. In the discussion of transportation (Page 27) the collaborative use of specialty clinics was examined, as well as the idea of a secure specialty clinic at Downstate Correctional Facility.

Telemedicine: Through the use of a video link up system, diagnosis and the determination of the level of care required for an inmate's injury or illness may be made by a qualified healthcare professional 24 hours a day. This may eliminate transports for apparent emergencies that, upon diagnosis, may not be as urgent as initially thought. If this video system incorporated communication with a local hospital or medical center, it could advance the expeditious provision of care by allowing the facility to prepare for treating an inmate on arrival with a much fuller understanding of the problem. In an emergency situation, this can shave valuable minutes off of the time required to treat a patient; in a situation which turns out not to be an emergency, it can save hours of overtime for the jail.

Food Service and Collaborative Purchasing:

County jails in the region need many of the same supplies: linens, soap, office supplies, etc. Economies of scale are achieved from collaborative purchasing that would result in savings for participating counties. An additional opportunity exists in the area of food service for inmates.

Currently there are three models for providing food service in county jails:

- prepare all of the food in-house from scratch;
- use an outside vendor to provide prepared food; or
- contract with an outside vendor to administer the entire food service in the facility.

The state DOCS Cook-Chill program falls under the second model. The Cook-Chill program was instituted in 1992, and currently provides meals to 60,000 New York State prisoners daily. Under this program, food is prepared in large quantities at the NY State DOC's Nutritional Services Food Production Center in Rome NY, and rapidly cooled immediately after being prepared. It is then bulk packaged, and distributed. The system has the capacity to serve 80,000 meals per day; DOCS has offered to contract to provide food to County facilities.²⁰ The option has thus far been taken up by one county in our region, Columbia County.

²⁰ <http://www.osc.state.ny.us/localgov/audits/swr/2010/cookchill/global.pdf>

2009				Table 8
	Food Service Costs	ADP	Average Cost / Inmate / Year	Average Cost / Meal
Columbia	\$276,751	103	\$2,687	\$2.45
Orange	\$1,029,000	568	\$1,812	\$1.65
Rockland	\$376,652	227	\$1,659	\$1.52
Ulster	\$547,407	299	\$1,831	\$1.67
Putnam	\$474,456	98	\$4,841	\$4.42
Dutchess	\$494,033	256	\$1,930	\$1.76

This figure does not include personnel costs.

As **Table 8** shows, the counties with the most cost effective food services programs utilize vendors to provide those services.

Among the counties that provide food services utilizing county employees, the cook-chill program can be utilized to decrease the cost of food and supplies (**Table 9**).

2009				Table 9
	Food & Supplies	ADP	Average Cost / Inmate / Year	Average Cost / Meal
Columbia	\$98,000	103	\$951	\$0.87
Rockland	\$376,652	227	\$1,659	\$1.52
Putnam	\$218,859	98	\$2,233	\$2.04

Utilizes the DOCS Cook-Chill Program

Video Visitation Centers:

Video Visitation Centers are another application of video conferencing technology that could make jails safer, while enabling family and friends to be in contact with inmates more frequently. This would likely have little direct effect on jail operating costs. However, video

visitation may mitigate any concerns regarding the effect of distances to the jail on the ability to visit those incarcerated, thus making more possible local boarding agreements between some of the counties in the Hudson Valley, a practice that would reduce costs.

The degree to which video visitation centers were utilized could also bear in other ways upon the potential for cost savings. If the practice becomes widespread, and contact visitation was limited to immediate family, the volume of inmate visitors might decrease substantially enough to reduce the staff necessary to oversee contact visitation. This might ultimately lead to reductions in overtime, as the staff who are freed from contact supervision could be utilized as straight time employees elsewhere in the jail.

Currently, in order to visit an inmate, a friend or family member must travel to the jail during the specified time, pass through the security protocols, and sit in the visitation room of the jail with the inmate. Transportation issues already present some difficulties for potential visitors in counties like Orange, where the jail is located at the county seat in the Village of Goshen, and not in places with a greater incidence of crime, like the cities of Newburgh or Middletown.

Video visitation requires the presence of the necessary infrastructure in the jail itself. A series of small rooms or cubicles with the teleconference software installed in video units would be necessary, possibly within a portion of each jail's existing visitation center, or installed in each housing unit. If this were done, there might be some staff savings from reduced need to oversee conventional visitation.

Under one approach, visitors might go to video visitation centers in higher demand areas. These visitation centers would have to be staffed (though minimally). There would be associated equipment costs, and the need to acquire space that would be appropriate for the center.

Alternatively, software might be provided for home computers or web cams to those wishing to visit. This cost the government less, but may exclude those who do not own a computer, or have access to the internet.

A hybrid model that sets up centers and also utilizes a software client is also possible.

The primary benefit to jail administrators of video visitation derives not from dollars saved but from added facility security. Contact visitation is one of the largest sources for the introduction of contraband into a corrections facility; it is not possible to introduce contraband through a teleconference. However, some financial benefits might, as noted, be achieved, particularly if a facility could cut down on the number of shifts required to supervise regular visitation within the jail.

Current SCOC Regulations state that an inmate has the right to contact visitations²¹. (These contact visitations may be restricted for disciplinary reasons, or because of a threat to the security of the facility.) Currently therefore, video visitation would require voluntary participation from the inmates. Jail administrators report that it should not be difficult to incentivize the use of these systems. However, to utilize video visitations on a large scale, or to limit contact visitation to immediate family members, the SCOC regulations would need to be revised.

County Jails in the Hudson Valley:

Columbia County Jail: The Columbia County Jail opened in 1989 with a capacity of 120; current maximum capacity is 135, achieved through the renovation of program space. The last renovation of the facility was completed in 2003. Dormitory housing is used exclusively.

Columbia County's Modified Direct Supervision²² model is regarded by the jail administrator there as inefficient and sub-optimal. Though not now regarded as state-of-the-art, it does work on a small scale. The Average Daily Population (ADP) of the Columbia County jail has remained relatively stable over the past ten years, varying between 122 in 2000 and 102 in 2009 (the lowest levels in ten years). It has one of the highest ratios of unsentenced to sentenced inmates in the region. 88% of the inmates in the jail in February 2011 were unsentenced. A large majority of the inmates in the jail (80.4%) are male.

On average, Columbia County boards-in around twenty inmates at any given time, primarily from Dutchess, Greene, and Putnam Counties. Boarding-in has provided average annual revenues for the county of \$437,270 in 2009, and was budgeted to provide \$400,000 in revenue 2010 and 2011. Preserving these revenues to offset fixed jail operating costs is important for jail administrators, and –they say– to county elected officials. The 2009 cost per inmate per day for the Columbia County was \$106.46.

Jail medical services are provided by county employees, including one full-time physician, and two full-time nurses. There are currently an estimated 75-80% of inmates reported to be having psychological issues; if that number is combined with those with drug and alcohol abuse, medical needs are present for virtually all

²¹ 9 NYS ADC 7008.6

²² For definition, see Glossary of Terms.

inmates. The jail has a drug and alcohol counselor on-staff who works 35 hours per week, contracted through Twin County Recovery Services.

As shown in **Table 10** and **Chart 4**, the operating budget for the Columbia County Jail in 2009 was just over \$4 million in, an increase of 31.4% since 2005, a period during which the county budget went up by about a fifth. Most operating expenditures are for personnel costs (89%). Personnel costs make up the preponderance of all jail budgets; in jails like Columbia County's that rely almost entirely on county employees rather than vendors for support functions, however, these comprise almost the entire operating budget. Personnel costs in Columbia County Jail have risen only very slightly more than total costs (32%) since 2005.

Since functions like medical and food services in the Columbia County Jail are provided by the county, contractual expenditures make up just over 10% of the jail's budget, while expenditures on equipment make up less than 1% of the budget.

The Columbia County facility now employs 47 full-time corrections officers, 8 of whom are female, as well as 8 part-time officers, almost all of whom are state corrections officers. Due to a county wide hiring freeze, administrators reported in an interview that getting approval for new hires was difficult; the jail does, however, comply with the SCOC minimum staffing requirements. Adherence to the bare minimum state-mandated staffing levels results in significant overtime costs. In 2009, 38% of overtime was generated from the use of sick time, 9.5% from the use of personal time, 33% from the use of vacation time, 9.5% from transports, and 9.5% from constant supervision. This results in over 10,500 hours of overtime per year. Additionally, all training is entirely done on overtime, resulting in 21 hours per officer, per year. Calculated at the base contractual rate, total overtime for Corrections Officers cost Columbia County a minimum of \$353,115 in 2009. Of course, experienced officers – who incurred the most overtime – were paid far above the base rate.

The cost-per-meal to feed inmates in the Columbia County jail in 2009 was \$0.87 (excluding personnel costs which were not available). To reduce these costs, the Columbia County Jail participates in the State Department of Corrections Cook-Chill program, and reports satisfaction with this service. The food service workers in the jail, as noted, are county employees. To additionally cut food costs while adding nutrition and variety to inmate diets, the Columbia County Jail has instituted a vegetable garden program that is reported to be a success.

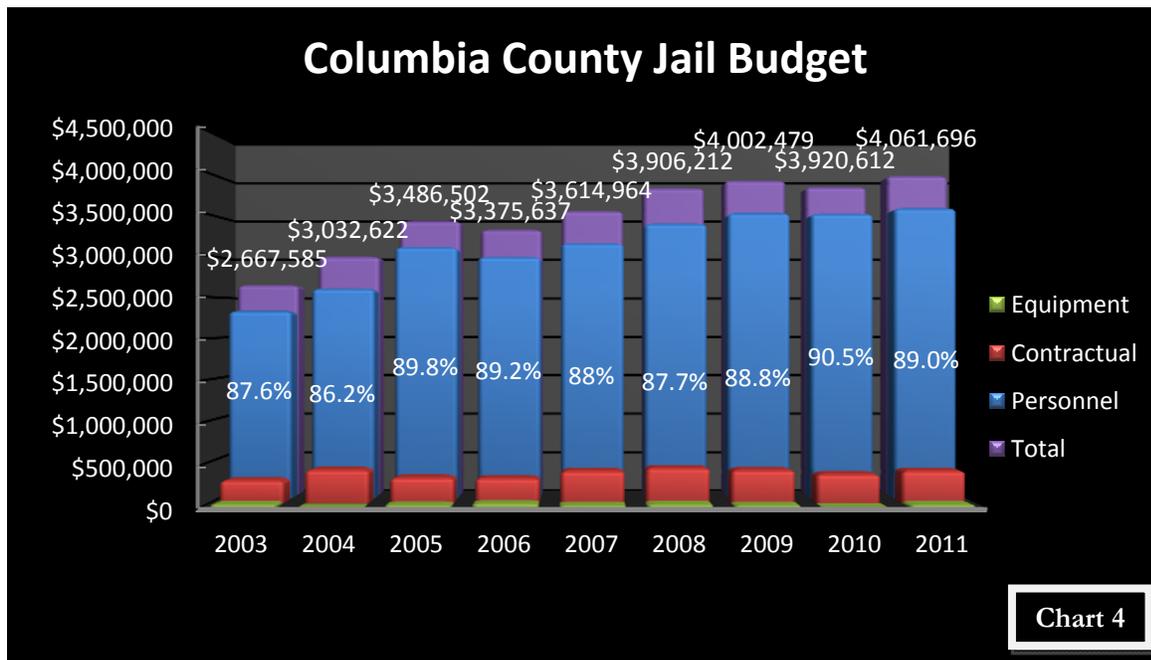
Due to the small size of the population, and since the county does not need to board-out inmates; the transportation costs of the Columbia County Jail are minimal in comparison to other counties in the region. The work is carried out by full time corrections officers, typically on overtime. In a given month there are approximately 80 trips out of the jail, transporting 90-100 inmates, primarily to the County Court in Hudson and the village and town courts throughout the County.

Columbia County maintains minimal alternatives to incarceration options: probation, community service, and drug court. The county jail also offers a modest education program for inmates under 21 to work towards the attainment of a high school education. As in all counties, this service is provided by the school district in which the jail resides.

Table 10: Columbia County Budget

Columbia	2003	2004	2005	2006	2007	2008	2009	2010	2011
Personnel	\$2,337,271	\$2,615,050	\$3,132,432	\$3,010,660	\$3,179,385	\$3,424,773	\$3,556,125	\$3,548,383	\$3,615,820
	87.6%	86.2%	89.8%	89.2%	88.0%	87.7%	88.8%	90.5%	89.0%
Contractual	\$283,789	\$411,204	\$315,989	\$310,583	\$399,035	\$434,339	\$408,854	\$359,476	\$401,972
	10.6%	13.6%	9.1%	9.2%	11.0%	11.1%	10.2%	9.2%	9.9%
Equipment	\$46,524	\$6,369	\$38,081	\$54,393	\$36,544	\$47,100	\$37,500	\$12,753	\$43,904
	1.7%	0.2%	1.1%	1.6%	1.0%	1.2%	0.9%	0.3%	1.1%
Total	\$2,667,585	\$3,032,622	\$3,486,502	\$3,375,637	\$3,614,964	\$3,906,212	\$4,002,479	\$3,920,612	\$4,061,696

Items in red are Budgeted, not Actual.



Dutchess County Jail: The current Dutchess County jail first opened in April of 1985, after the demolition of part of the old jail. (A portion of the old jail that was not demolished now serves as the Dutchess County Sheriff's office, adjacent to the current jail.) The initial jail capacity was 185 cells; within the first 2 years of its being operational, the facility was at capacity.

The original design for the Dutchess County Jail contemplated possible expansion to 500 beds, achieved through the addition of two more floors. Unfortunately the ground proved too soft, and the building's pylons could not support any additional weight. That plan was therefore scrapped in favor of one that provided less capacity. In 1995 100 direct supervision cells, 10 observation cells and 8 medical cells were added. Additionally, tunnels were built to link the original jail to the addition, and further renovations were made to the 1985 portion of the facility. There was a plan at the time to build a "mirror image" of the addition on to the back of the facility; this was never done. The overcrowding that led to the 1995 construction (at one time the jail had temporary permission from the state Commission on Correction [a "variance"] to house up to 75 inmates in the gym) resulted in the new addition being full as soon as it came online. In 2009 the ADP of the jail was 343 inmates, far exceeding the design capacity of 286. The jail has

not had an ADP lower than its design capacity since 1997. In Dutchess County, 79% of the inmates held in the jail in February 2011 were unsentenced; 87.9% of inmates were male.

Partly to reduce the demand for jail space, Dutchess County offers a robust range of Alternatives to Incarceration programs (ATIs), e.g. Drug Court, alcohol and drug rehabilitation, day reporting, GPS monitoring, house arrest, Intensive Treatment Alternative Program (ITAP), anger management and probation. The number and scope of these alternatives has been effective in diminishing the incarceration needs of the county. It is estimated by the jail administrators that roughly two thirds (66%) of those who enter into the criminal justice system in Dutchess County with a great likelihood of facing incarceration are diverted into alternatives programs, thereby reducing the need for a much larger facility. According to the department of probation there are more than twice as many people in alternatives as there are inmates in the Dutchess County Jail, which is perhaps where this estimate is derived. One unintended consequence of the aggressive use of these alternatives, noted by jail administrators, is a steady lowering of the minimum standards to qualify inmates for them. This leaves those who fail to qualify, and are therefore jailed, as a hard core of the most difficult to manage.

Despite the county's commitment to alternatives programs, the Dutchess County Jail regularly operates at capacity, and must rely greatly on boarding out inmates to other counties. From 1996 to 2005, Dutchess County Jail operated on a variance, allowing the boarding of as many as 61 inmates above the design capacity. The revocation of the variance and increase in the county's incarceration demands has led to Dutchess County boarding out as many as 180 inmates per day. In February of 2009, inmates boarded out from Dutchess County accounted for 39.5% of all male inmates, 22% of all female inmates, and 34.7% of all inmates boarded out in New York State. Since February, those numbers have grown.

This has been an expensive proposition. In 2010, Dutchess County paid \$3,522,925 to other counties for boarding fees. Currently the Dutchess County Jail houses the majority of its boarded-out inmates in the Rensselaer County Jail. Other county jails that it utilizes to board-out inmates are in Washington, Warren, Schoharie, Ulster, Putnam and Orange Counties. Transportation of inmates in Dutchess County is conducted by full-time corrections officers, typically on overtime. In November of 2009, for example, the Dutchess County Jail transported 1,040 inmates a total of 1,041 miles.

The Dutchess County Jail now operates on an annual budget of just under \$32 million. Personnel costs account for 77.3% of the total budget, an increase of 7.4% since 2006. In the same time frame the only portions of the jail budget that have decreased are expenditures on equipment and revenues that the jail generates. Contractual expenditures now account for 19% of the budget, an increase in the overall amount, but a decrease of 3.7% (from 22.7%) since 2006. Since 2007 (no data was available for 2006), employee benefits costs have increased by 77%. This, along with a 27.6% increase in overtime costs since 2006, has driven the jail's personnel costs up by 68.4%. In general, control of the jail budget has been a major focus of County Executive William Steinhaus's administration in the county, marked by his resistance to both compliance with state requirements for jail administration and consideration of construction of new jail space. In 2009, the cost per inmate per day in Dutchess County was \$232.76, among the highest in the region.

In January of 2010 there were 207 Corrections Officer positions authorized in Dutchess County; 12 of these were vacant. In addition there were 18 Sergeants, 5 Lieutenants, and 3 Administrators employed in the jail. Dutchess County does not utilize part time officers. In interviews, the Corrections division did not report any difficulty in having vacancies approved, but expressed concern over the quality of the pool of applicants to fill these positions. In November Dutchess County Executive William Steinhaus submitted a proposed budget that included the elimination of 5 positions within the Sheriff's Corrections Division²³, but funding for those positions was later restored.

²³ <http://www.dailyfreeman.com/articles/2010/11/02/news/doc4ccf8cc01c02e025113433.txt>

Jail administrators also reported that in 2010 overtime costs totaled over \$3.8 million. A large percentage of this overtime is clearly attributable to the need to transport boarded-out inmates; however, absent detail regarding the purposes of overtime staffing, this exact cost cannot be calculated.

Two other major drivers of overtime are requirements for one-on-one supervision, sometimes called “suicide watch” (this is a common issue across counties), and the effects of the use of compensatory time (comp. time) in lieu of overtime pay in accord with provisions of negotiated union contracts. Jail administrators also reported that some inmates will attempt to be placed on suicide watch in order to avoid being boarded out to another county.

In fact, under the terms of these contracts, overtime drives more overtime. This is because an officer who works overtime may, under terms of his or her union’s contract, receive payment in comp-time, at a time-and-a-half rate. This appears to reduce the immediate cost in cash to the county. But when that officer actually takes the comp time, because there are no part-timers employed and trained personnel must do the work, another full-time officer must cover, triggering more overtime. In theory, this overtime could be taken as comp time as well. This sets up a potential spiral of overtime costs that are driven by nothing more than the contractual obligation to offer overtime as comp. time.

The following table is an example of this (**Table 11**). The 1st officer works overtime, gets comp-time, and takes that comp-time. Officer 2 covers that comp-time, takes the overtime as comp-time, and so on and so forth. As the table goes down the list, each officer is effectively repeatedly covering that 1st hour of overtime: This cycle will repeat until an officer accepts monetary compensation rather than overtime pay.

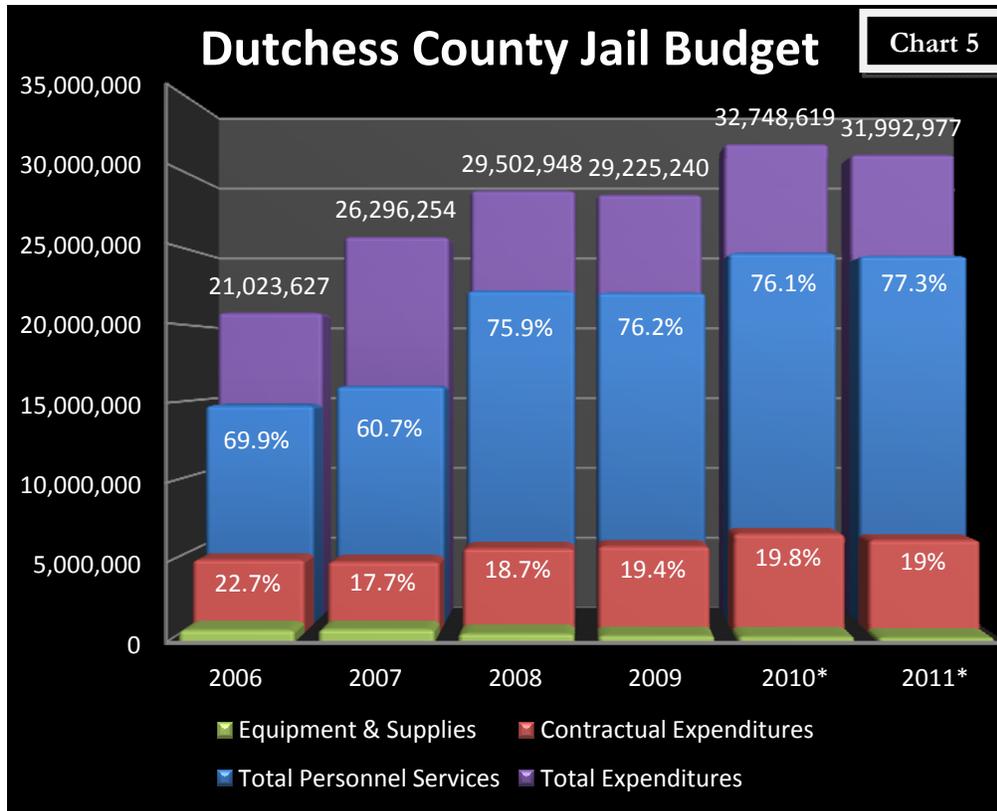
Table 11	Time Worked	Time Paid	How paid?
Officer 1	1 hour	1.5 hours	comp-time
Officer 2	1.5 hours	2.25 hours	comp-time
Officer 3	2.25 hours	3.375 hours	comp-time
Officer 4	5.063 hours	8 hours	comp-time, \$\$?
Etc...			

Dutchess Count currently contracts with a vendor, Aramark, for food services within the jail. They pay on a per meal basis on a sliding scale ranging from \$2.133 per meal for 600-675 meals per day (3 meals per inmate per day) to \$1.444 for 1251 meals per day and higher. The staff cost per meal is \$2.50. Kosher/Halal meals cost an extra 10%, as does catering.

Table 12

Dutchess County Jail Budget							
	2006	2007	2008	2009	2010*	2011*	% Increase
Salary	12,307,169	13,034,188	13,790,956	13,588,527	14,075,455	14,670,225	19.2%
Overtime	1,958,718	2,504,299	2,768,360	3,122,275	3,802,668	2,500,000	27.6%
Total Salary & Wages	14,688,661	15,962,863	17,269,248	17,229,415	18,437,547	17,699,155	20.5%
Benefits (Including Retirement)	N.A.	3,975,074	5,114,832	5,033,605	6,491,270	7,034,068	
Total Personnel	14,688,661	15,962,863	22,384,080	22,263,020	24,928,817	24,733,223	68.4%
Benefits % of Personnel	N.A.	24.9%	29.6%	29.2%	35.2%	39.7%	
Personnel % of Budget	69.9%	60.7%	75.9%	76.2%	76.1%	77.3%	
Equipment & Supplies	813,690	857,984	577,237	448,608	398,270	331,980	-59.2%
	3.9%	3.3%	2.0%	1.5%	1.2%	1.0%	
Medical Services	2,743,856	2,382,031	2,322,682	2,451,629	2,227,162	2,836,085	3.4%
Boarding-Out	1,996,645	2,146,845	2,743,284	2,545,101	3,559,050	2,600,000	30.2%
Total Contractual	4,780,680	4,655,503	5,519,197	5,662,124	6,472,281	6,065,249	26.9%
	22.7%	17.7%	18.7%	19.4%	19.8%	19.0%	
Total Expenditures	21,023,627	26,296,254	29,502,948	29,225,240	32,748,619	31,992,977	52.2%
Total Revenues	848,047	928,805	721,896	695,837	472,800	586,500	-30.8%
Net Expenditure	20,175,580	25,367,449	28,781,052	28,529,403	32,275,819	31,406,477	55.7%
* Budgeted, Not Actual							

Dutchess County also contracts with a vendor, Correctional Medical Care (CMC), to provide medical services in the jail. Due to the large demand for medical services at the jail, the contract with CMC was recently renegotiated effective May 1, 2010 at a cost of \$2,192,067. This contract includes all medical and dental treatment, as well as mental health services including intake screening, health assessment, mental health assessment, emergency care, coordination of hospital care, specialty referrals, on site clinics, pre- and post-natal care, triage, laboratory services, radiological services, optometry, suicide prevention, pharmacy, discharge planning and continuity of care, detoxification and withdrawal, abortions, well-baby care, health education, infectious waste disposal, credentialing and insuring of employees, recruitment and retention of medical staff, as well as all medical staff scheduling.



Despite the clear current need for space, and despite the Dutchess County Jail having operated under a variance from the SCOC in the recent past, there is no study on the current and projected space needs of the jail.²⁴

Recent budget cuts have eliminated the GED program for adult inmates in the Dutchess County Jail. Educational programs are still offered to inmates under 21 years old for 3 hours per day.

Orange County Jail: The Orange County Jail opened in September of 2001. It has a design capacity of 753 inmates with the potential to house 70 more if necessary. It does not operate at capacity, but uses its surplus space intermittently. Most of the space is comprised of units that operate under a direct supervision model. However, there are three dormitories: one is used regularly, one is not, and the third is utilized for inmates serving weekend sentences (5-25 per week) who are separated from the general population.

In 2009 (the most recent year for which data was available), the ADP of the jail was 568, with an average of 13 inmates out at the hospital at any given time. The ADP in Orange County has steadily risen from 447 in 2001 to its current level (still 185 inmates below capacity). This increase is almost entirely accounted for by board-ins. Since the new jail opened in 2001 the number of board-ins has increased from an average of 2 in 2001 to the current average of 113. Since 2001, the highest the ADP, 653 inmates, was recorded in September of 2006. The lowest ADP was 428 inmates, in March of 2003. Over time, there has been a decline the female population (from roughly 70 per day to about 30), and the number of inmates below the age of 19 in the Orange County jail. Sentenced inmates are about 30% of the total number.

²⁴ There are no current cost estimates on constructing a new pod, the only cost estimates are from the time that the jail was built (2001).

To avoid cost overruns during the construction of the Orange County Jail the number of pods actually constructed was reduced, with all pipes and conduits capped at the end of the building to facilitate the easy addition of more at a later time. There remains a potential for expansion of this facility.

The Orange County Jail currently operates on a \$38 million per year budget. From 2006 to 2010, the operating budget increased by 13.8%, (though 2010 was down slightly from 2009). About three-quarters (75.6%) of the budget is accounted for by personnel expenses. Because of the well crafted budget reporting standards in Orange County, we were able to examine the relationship between personnel salary costs and benefits costs. There is an interesting unexpected finding: While salary costs increased from 2006 to 2010, the percent of total personnel expenditures paid for benefits decreased by nearly 5%. Overtime has remained stable since 2006, and is budgeted at \$1,803,000 for 2011.

Because Orange County Jail contracts vendors for some services, most notably medical and food services discussed further below, over 20% of the operating budget is accounted for by contractual expenditures. Equipment expenditures currently account for 0.1% of the budget. In 2009, incarcerating a single inmate cost the Orange County Jail \$184.57 per day.

Orange County Jail contracts with a vendor, Aramark, for food services. Their contract is similar to the contract Aramark has with Dutchess County where the cost per meal is determined by a sliding scale based on how many meals are served per week.

The Orange County Jail employs 252 full time Corrections Officers, 34 Sergeants, 6 Lieutenants, 3 Captains, 1 Major, and the Colonel, as well as 12 Part-time officers that make up the Newburgh Court detail transportation unit that has the responsibility for transporting inmate to and from the City of Newburgh Court. Transportation of other inmates to local courts is done by Orange County Sheriff's Deputies. In November of 2009, Orange County transported 599 inmates a total of 5070.6 miles, taking a total of 542 hours, 49 minutes.

The Orange County Jail contracts with Corrections Medical Care (CMC) for all of the medical care in the jail with the exception of mental health care. CMC provides a similar scope of services for Orange County as it does for Dutchess County, save for mental health treatment. All of the mental health treatment in the jail is provided by the county mental health department. Coverage is 7 days a week. The jail has a psychiatrist 40 hours per week and 7 full time social workers as well.

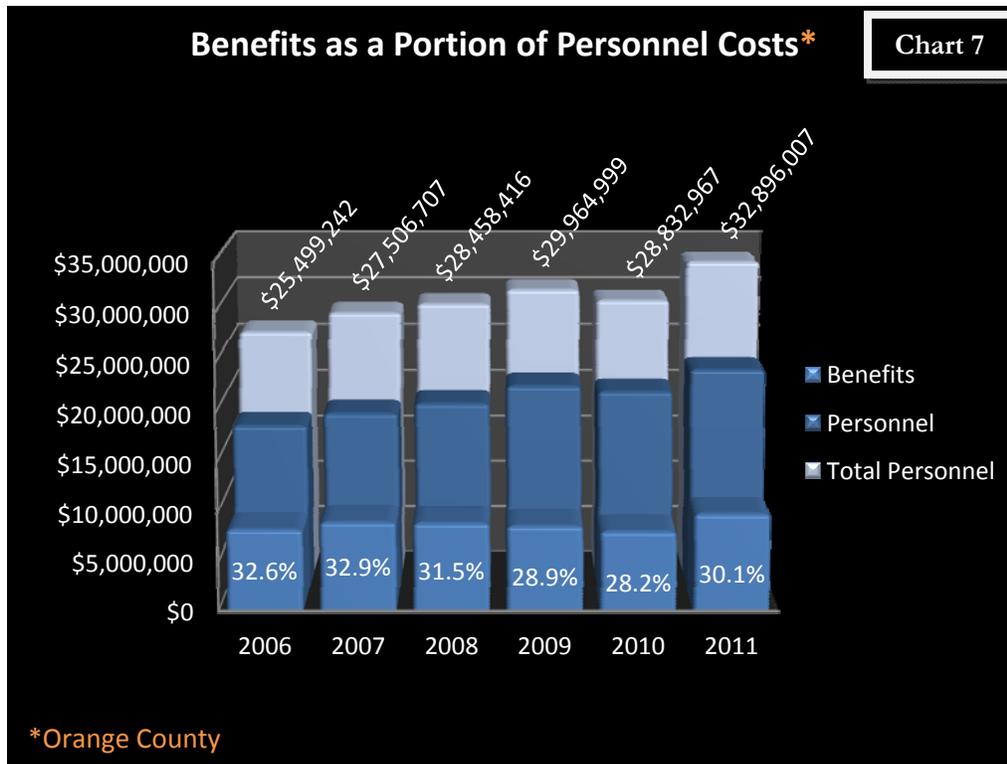
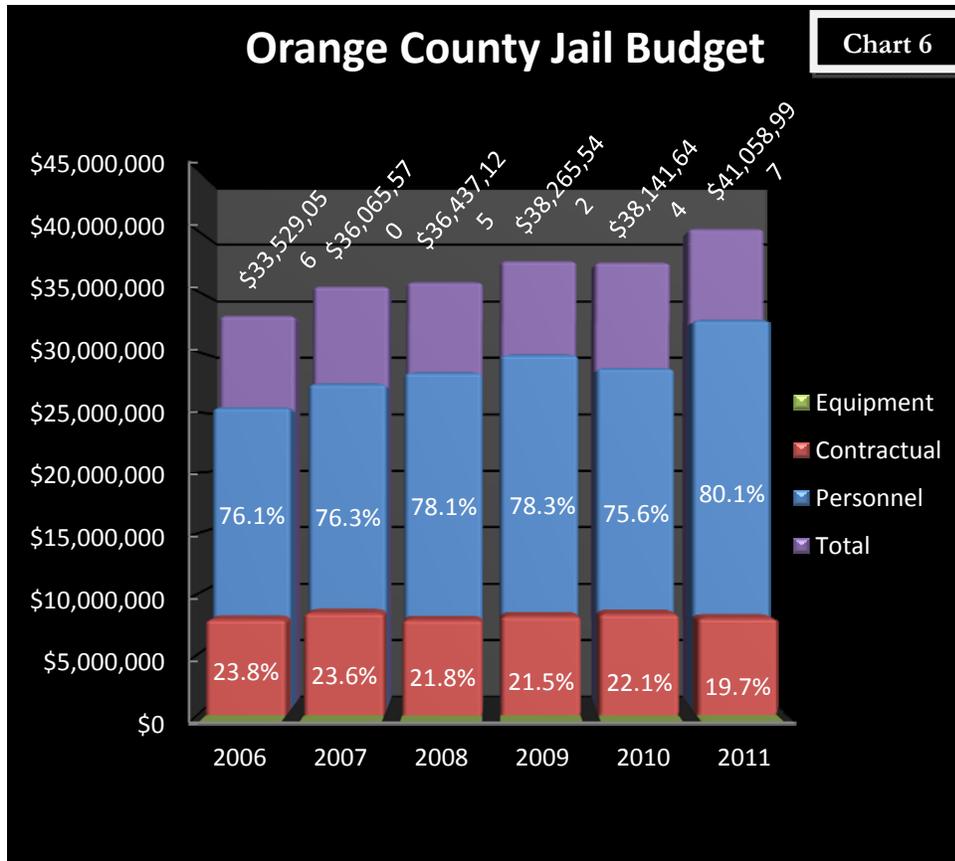
When inmates are in need of medical care that cannot be provided in house, they are transported to a hospital. The security requirements for both the transportation and in the medical facility are handled almost entirely with overtime pay for a correction officer. Every medical trip, administrators estimate, carries with it a minimum of \$800 per day in security costs alone. If a centrally located hospital could provide a 6 or 7 bed security ward where security was provided by the host county, jail officials say, "It would be a bargain for us @ \$500 / day". A similar regional approach may be taken to deal with mental health crises, with 5 or 6 beds made available (with ability to medicate over objections).²⁵ Transportation and security cost savings may also be possible if different county jails regularly host clinics for specialties like cardiology, or urology. There are also possibilities presented through the use of telemedicine, discussed elsewhere in this report.

Orange boards in inmates for the federal government to generate revenue. The contract with the Immigration and Customs Enforcement (ICE) Agency yields \$132.95/bed/day for 112 beds (with occasional increases to 140), while that with the US Marshals provides at \$95/bed/day. These contracts reliably and predictably generating over \$5 million/year (more than 13% of the jail budget), offsetting some fixed costs and diminishing the incentive for Orange county to board in from other counties.

²⁵ . Earlier collaborative efforts to produce a regional MH facility in the Hudson Valley did not come to fruition.

Table 13

Orange	2006	2007	2008	2009	2010	2011
Personnel	\$17,183,094	\$18,450,538	\$19,488,924	\$21,297,674	\$20,707,319	\$22,983,756
	51.2%	51.2%	53.5%	55.7%	54.3%	56.0%
Benefits	\$8,316,148	\$9,056,169	\$8,969,492	\$8,667,325	\$8,125,648	\$9,912,251
	24.8%	25.1%	24.6%	22.7%	21.3%	24.1%
Total Personnel	\$25,499,242	\$27,506,707	\$28,458,416	\$29,964,999	\$28,832,967	\$32,896,007
	76.1%	76.3%	78.1%	78.3%	75.6%	80.1%
Contractual	\$7,971,584	\$8,513,468	\$7,941,842	\$8,244,543	\$8,435,098	\$8,074,560
	23.8%	23.6%	21.8%	21.5%	22.1%	19.7%
Equipment	\$58,230	\$45,395	\$36,867	\$56,000	\$39,010	\$88,430
	0.2%	0.1%	0.1%	0.1%	0.1%	0.2%
Total	\$33,529,056	\$36,065,570	\$36,437,125	\$38,265,542	\$38,141,644	\$41,058,997
Benefits as a percentage of total Personnel Costs						
Personnel	\$17,183,094	\$18,450,538	\$19,488,924	\$21,297,674	\$20,707,319	\$22,983,756
Benefits	\$8,316,148	\$9,056,169	\$8,969,492	\$8,667,325	\$8,125,648	\$9,912,251
	32.6%	32.9%	31.5%	28.9%	28.2%	30.1%
Total Personnel	\$25,499,242	\$27,506,707	\$28,458,416	\$29,964,999	\$28,832,967	\$32,896,007
Items in red are Budgeted, not Actual.						



New York State mandates that education be provided in jails, by the school district in which the jail is located, for incarcerated youth.²⁶ In general, with space very short, minimal resources are provided in Hudson Valley jail facilities for this purpose. However, Orange County maintains an extensive education facility in its jail, and contracts with Orange County BOCES to operate a full time school. Minors from the age of 16-20, mandated to attend, are instructed in 3 groups defined by level of education and learning ability. Classes are held from 8-11am and 1-3:30pm. Furthermore, all inmates between the ages of 16-21 are encouraged to take vocational courses at the jail.

At any given time, the Orange County jail school enrolls 55-75 minors and 50-100 adults in its educational courses, ranging from GED and Regents high courses to Baking to Podcasting. The program boasts a 97% pass rate for the GED (due to the high recidivism²⁷ rate within the minor inmate population, this is a considerable # of students). Ironically, recidivism suggests the value of the use of technology to assure some continuity in the jail's education program. All students' work is stored on a server so that if they leave the jail before the completion of their school work, they can pick it up where they left off should they return.

Orange County had not implemented aggressive alternatives to incarceration. It has Drug Court and TASC, but lacks day reporting centers, GPS monitoring, and other measures that have been implemented in other counties.

Putnam County Jail: Despite repeated requests, Putnam County did not provide any data for this study. The following description is the result of our interview with key jail administrators, our observations from touring the facility, and ADP data previously received from the SCOC, and the budget data was taken from the county budgets available online.

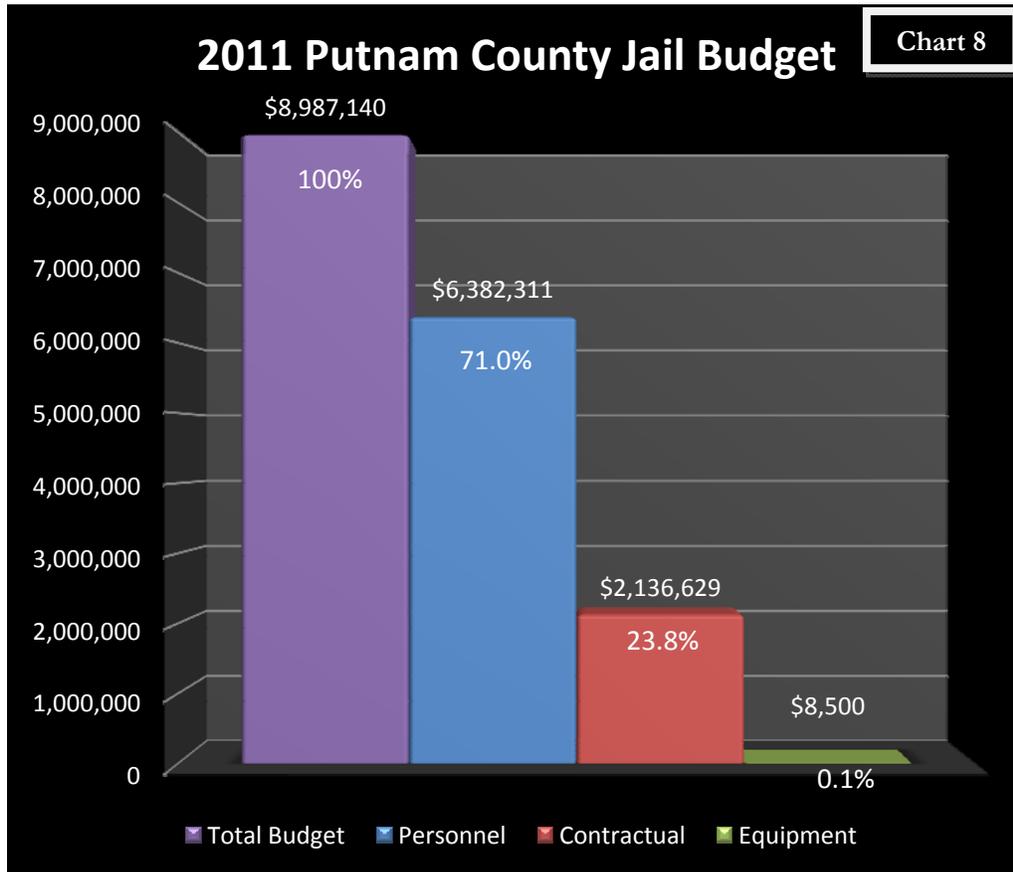
The Putnam County Corrections Facility is divided into two major sub-locations, one used for administration office space, road patrol, criminal investigators forensics and related activities built in 1981 and the other built in 1995 constituting the jail itself. The jail's current design capacity is 130 inmates. Its Administrator pointed out that the revenues from boarding in inmates since the construction of the 1995 addition are virtually identical to the cost incurred to build it (excluding interest). Those revenues were used to offset the cost of operating the jail. Currently, however; Putnam County Jail does not regularly board in from other counties. The jail does board in a small number (on average 10) of Federal inmates. From 2002 to 2007, the jail has seen a stable annual ADP, with a high of 111 inmates reached in 2006 and a low of 100 inmates in 2007. A snapshot of the inmate population from February 2011 indicates that the population has risen slightly since 2007. In that month there were 119 inmates housed in the Putnam County Jail. Of these 88% were unsentenced (amongst the highest in the region), and 81.5% were male.

The Putnam County jail operated on a \$8,987,140 budget for 2011. \$6,417,531 was allocated to general incarceration costs, \$178,570 to inmate transportation, \$254,500 to food services (provided by the county), and \$1,066,343 to medical services. 71% of the budget was comprised of personnel services. Employee benefits made up 27.6 % of personnel services costs (19.6% of the total budget). Contractual expenditures comprised about a quarter (23.8%) of the budget. Equipment expenditures made up 0.1% of the budget (almost all of the equipment needs of the jail are met through its contracts). Overtime costs make took 1 in 10 personnel dollars (9.9%). Because the Putnam County jail did not provide any ADP data, a precise cost of incarceration (per inmate day) could not be calculated. To give a rough estimate a calculation was made under the assumption that the jail had a capacity in 2009 that was the average of the capacity from 2002-2007. That

²⁶ Education Law § 3602, Article 65, Part 1, Section 7

²⁷ Recidivism is the rate at which an inmate, upon release from jail, is charged with another crime (See Glossary, Pg. 69).

calculation was 98 inmates. Based on that level of capacity, it cost \$240.83 per day to incarcerate an inmate in the Putnam County Jail during 2009.



The jail has recently updated its control room with a state of the art touch screen control and monitoring system that allows for motion capture video each time a person passes through a doorway. This \$800,000 system, paid for over four years, allows a control officer to monitor the entire jail utilizing pan-and-zoom digital cameras.

Putnam County Jail utilizes a direct supervision model that allows efficient utilization of staff. The jail employs 57 full time corrections officers, and does not make use of part time personnel. The scheduling for staff is done on a 4 days on - 2 days off basis. This allows the officers to have weekends every 6 weeks, and has the added bonus of making 7 days each year per officer available for training without paying overtime. All transportation is conducted by full time Corrections Officers.

The jail contracts with Corrections Medical Care for health care services. This helps to both mitigate and make predictable the costs of providing in house medical treatment to inmates. This contract is an all inclusive package. The one exception to this is a jail psychiatrist's overtime charges. Additional psychiatric time is billed on a door-to-door basis. In order to bring down psychiatric costs, the Putnam County Jail has initiated a pilot program utilizing telemedicine. Jail administrators report satisfactory results, and by eliminating travel time have cut costs dramatically.

In the Putnam County Jail at the time of our visit 38% of inmates were receiving mental health care, and 18% were taking psychotropic medications. Proportions like this were commonly reported by jail administrators

during the course of this research, and reflect a general shift of the burden of persons mental health needs to county jails in recent years. Jails are not mental health facilities, and the people who manage and work in them are not mental health professionals. This apparently unintended effect of state and county public policy changes is a systemic issue that fundamentally affects costs of and general operating conditions in of county jails.

The kitchen at the jail feeds the staff and inmates at an average cost of \$1.68 per meal. It maintains cost effectiveness in part by butchering its own meat, among other cost saving methods. By having county employees process and prepare most of the food on site Putnam County Jail reports being able to utilize higher quality ingredients at a lower cost. The jail considered and rejected the idea of charging staff for meals, as administrative costs was estimated to likely be higher than meal costs.

Following successes in the area of video medicine, the Putnam County jail is currently exploring the possibility of implementing video arraignment, trial, and lawyer consultation. Currently inmates have the option of declining video proceedings in favor of those that are face-to-face. Thus lower cost options must be incentivized, or state law must be changed to put the decision for video trial in the hands of the judge and DA. In the 2011 legislative session, Senator Catherine Young introduced legislation toward this end. (S00837)

Rockland County Jail: The current Rockland County Jail opened in 1988. The previous facility was mandated closed as a result of litigation in federal court challenging overcrowding. “We opened overcrowded,” one interviewee said. In the 1990’s the jail had variance permitting double bunking from the SCOC. After the variance was revoked, one administrator commented: “I think we paid for Putnam’s addition”. An additional dormitory unit was opened in 2000, bringing the facility’s capacity to 256. A limitation to expansion, one administrator explained, is that “We are land locked.” The jail was built on a property with no room for expansion, and no land adjacent that might be purchased.

In 2009, the ADP for Rockland County Jail was 227, almost 90% of rated capacity. This is the lowest the ADP has been since 2001, when it was 207. The highest ADP recent years was 263 in 2006. The female population has diminished from 10% in 2001 to roughly 7% in 2009. Currently the Rockland County Jail does not board inmates in or out. The exception to this is the occasional high profile inmate from New York City for whom there has been a determined risk in housing locally. On the day we visited the jail, the inmate population was comprised of 68% unsentenced inmates, 20% sentenced inmates, and 12% parole violators. This ratio was described as typical. In February 2011, these demographics had shifted. 79% of the inmates were unsentenced, and only 4.6% of the inmates were parole violators. 85% of the inmates were male.

The Rockland County Jail operates on a \$23.7 million budget. From 2008 to 2011 it has increased by 12.3%. Since the Rockland County Jail does not contract vendors for in house services like Medical and Food, nearly 90% of the budget is comprised of personnel expenditures. The percentage of the budget that is made up of personnel expenditures has increased by 1.5% from 2008 to 2011 while contractual supply expenditures have decreased, and equipment expenditures have been eliminated by contracting for equipment rather than purchasing. The 2009 cost on incarcerating an inmate in the Rockland County Jail was \$295.24 per day.

Rockland County Jail employs 136 Corrections Officers, 17 Sergeants, 6 Lieutenants, 2 Captains, and 1 Chief. There are 18 female CO’s, and no Part Time Corrections Officers; however there are 45-50 part time officers (primarily NYCPD retirees) employed by the Sheriff’s Department specifically for inmate transportation. In October of 2009, the Rockland County Jail transported 358 inmates a total of 3,925 miles in 118 trips. Jail managers report that they have no difficulty obtaining approval for hires to meet the minimum standards from the state.

The jail administrators cite sick calls and constant supervision as the largest drivers of overtime. There was previously a committee established to investigate the potential to devise a system to allow one corrections officer to supervise 6 inmates on constant supervision. That committee decided not to do this for suicide watches. Also, all officers’ training is done on overtime.

Medical and mental health care in the Rockland County jail is provided by county employees. The medical staff of the jail consists of one Health Administrator and two Head Nurses supplemented by per-diem workers. There is 24 hour coverage by at least one Registered Nurse. Medical call-outs require assignment of officers for security in addition to those transporting the prisoner. Mental health coverage is full time, Monday through Friday, 8:00 AM to 4:00 PM by a psychiatrist. During the times when the psychiatrist is not on duty, however, there is no one on call. (The county does have a crisis intervention center that provides emergency coverage to the jail.) Westchester County operates a secure mental health facility, but attempts to contract with it to meet Rockland’s needs have been unsuccessful. Jail administrators note that when the state’s Letchworth Village Psychiatric Hospital closed and the Rockland State Psychiatric hospital downsized, the number of inmates with mental health issues rose. This increase persists.

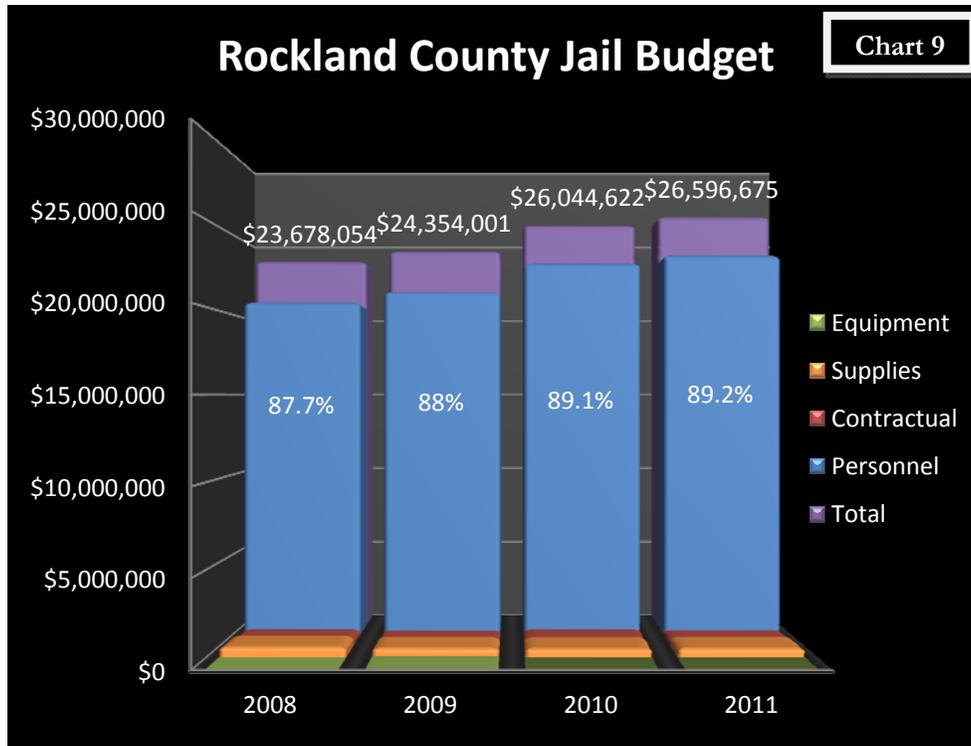
Food service in the Rockland County jail is provided by unionized county employees. Inmates assist in the food preparation, but do not touch the food. The trustees who work in the kitchen live in the dormitory unit. In 2009, Rockland County provided meals at an estimated cost of \$1.52 per meal.

Available alternatives to incarceration include weekend day work at the jail (community service), Drug Court, and GPS monitoring. An interesting practice that is unique to Rockland County is that County Judges handle bail review within 72 hours regardless of the jurisdiction of the arrest.

Rockland County Jail was constructed with a Courtroom at the jail. Due to the court system’s reluctance to utilize the courtroom, and the lack of storage space at the facility, the courtroom is currently utilized for storing records and equipment.

Table 14

Rockland Jail Budget	2008	2009	2010	2011
Personnel	\$20,777,443 87.7%	\$21,432,518 88.0%	\$23,210,067 89.1%	\$23,727,265 89.2%
Contractual	\$353,643 1.5%	\$284,662 1.2%	\$356,610 1.4%	\$321,910 1.2%
Equipment	\$21,481 0.1%	\$88,665 0.4%	\$0 0.0%	\$0 0.0%
Supplies	\$627,763 2.7%	\$562,373 2.3%	\$536,745 2.1%	\$558,800 2.1%
Total*	\$23,678,054	\$24,354,001	\$26,044,622	\$26,596,675
Items in Red Are Budgeted, Not Actual				
*Included in totals are allocated costs				



Sullivan County Jail: a case study of Sullivan County is appended to this report. Sullivan County faces a very serious problem with its jail and is sponsoring this study, but the Sherriff's Department there did not provide needed data despite repeated requests. The following description is the result of our interview with key jail administrators, our observations from touring the facility, the ADP data that we had previously received from the SCOC, as well as information gleaned from press accounts.

The Sullivan County Jail initially opened its doors in 1909. Additions were made to the jail in 1958 and 1984. A modular unit was added in 1990. Since then there have minor renovations, but no major overhauls. The capacity prior to the closure of one unit in the jail in 2010 by the SCOC was 207. Then the commission voted in June to close another 25 cells for health and safety reasons, further reducing the jail's capacity. The jail is currently rated at a capacity of 163 inmates.

The current ADP is in the 154-165 bed range. Between 25-33% of Sullivan's inmates are sentenced. The jail when we visited on January 27th, 2010 housed 10 female inmates (the range is normally 18-20) and 10-12 minors (the total sometimes reaches 30).

The need for a new jail in Sullivan County stems not from overcrowding, but from the physical deterioration of the facility itself. Additionally, the century old jail building has terrible sight lines, making the use of direct supervision impossible. This makes operation of the jail more staff intensive, and ensuring the safety of inmates more difficult. Because of these and other operational inefficiencies driven by the nature of the facility, the cost per inmate for running the Sullivan County jail has risen to \$147.32/day from \$138/day.

ATP's in use in Sullivan County are helping to lower the ADP. The Probation Department conducts electronic monitoring for sex offenders and is extending this program to include non-violent offenders (DWI in particular).

There are currently 102 full time jail personnel, 20 of whom are female Corrections Officers. The Sullivan County jail does not currently make use of any part time Corrections Officers. Eleven officers in the jail are newly hired, but vacancies persist and the jail must make extensive use of mandated overtime shifts. Administrators report a problem with the quality of the applicant pool. Then the jail has difficulty retaining new hires, in part because they compete directly with state prisons for employees. The starting salary for State corrections Officers is \$7/hour higher than that for county correction officers. This tends to make the Sullivan County Jail a stepping stone for those wanting to work in a state prison. Morale issues arise from the work environment arising as a result of the condition of the facility and the staffing shortage.

As in other counties, overtime costs are driven by one-on-one supervision, transports to court, and medical transports.

Medical services in the jail are provided by County employees. There are currently 4 Registered Nurses, and one part time physician who is at the jail 3 times per week. Administrators also report that the jail's physician is reluctant to take inmates off of one-on-one supervision. They report that this results more inmates trying to "game the system". Sullivan County sends all of its injured and ill inmates out of the county for treatment. There is no mental health specific medical coverage at the jail, despite that close to 75% of the inmates at the facility are being treated for mental health problems and/or drug and alcohol addiction by the jail physician.

Here is a true story about state/local problems in prisoner management: A parolee was in prison, being released on parole. On the way out of the facility he refuses to sign the papers acknowledging the requirements of his parole (check in with parole once a week, etc.). He was therefore arrested **in the prison** for a parole violation and taken to the **County Jail**. This person proved to be mentally unstable (perhaps a contributing factor in his refusal to sign the release papers in the first place), and subsequently had to be sent to the Central New York Psychiatric Facility in Marcy, NY (a **State** facility) at a cost to the county of **\$600/day**.

Ulster County Jail: The Ulster County Jail came online in 2007, nearly 2 years late and about \$30 million over budget. The capacity of the jail is 488 inmates; from July 2009 to July 2010, the ADP was 309. Since the new jail opened, the highest population (370) was experienced in October of 2010, while the lowest (258) occurred in the month of opening, September 2007. The jail has seen a steady rise in the inmate population since it opened. On the day that we interviewed the administrative leadership, the jail population included 63 board-ins in a daily population of 312. The Administrators that we spoke to said that it was typical to have 20% of their population (15% of capacity) be comprised of board-ins. In contrast to this, in February of 2011, the number of board-ins was 22. When the new jail opened in the fall of 2007, the county decided to generate revenue through boarding in. In its first full year of operation, the jail generated \$1,602,239 from boarding-in. The next year (2009), the revenues from boarding in were at their highest, \$2,283,539. Since then the revenues have declined to below the 2008 level. The estimated revenues for 2011 are \$1,350,000. This is partially due to the increase in the local inmate population. Ulster County now boards in modestly, primarily to Dutchess County.

There are currently 154 full time corrections officers working at the Ulster County jail, and 15 part time officers. In the transition from the old to the new jail, there was a staffing increase of 12 full-time corrections officers. The new facility has achieved a more efficient inmate to staff ratio. The old facility had 2.25 inmates per staff member, the new facility, through a more efficient supervisory model, has 3.1 inmates per staff member.

The regular employment of part-timers in the Ulster County jail was unusual for the Hudson Valley. Part-time numbers are capped at 10% of the workforce and the number of hours they may work is limited in the County's collective bargaining agreement with correction officers.

Training for new hires is done on the job with a training officer, and all CO's attend Peace Officer School.

The operating budget for the Ulster County Jail in 2011 was \$14.3 million. Since 2006, the operating budget of the jail has increased by 25.1%. This is largely attributed to the increase costs in operating the new facility. Personnel costs account for 73.2% of the operating budget, and 5% of personnel costs are for overtime. Contractual expenditures, including contracts with vendors for food services and medical services make up 23.8% of the budget. Ulster County has minimal equipment expenses. Ulster County contracts with a vendor for food service and radio communications maintenance equipment. The cost per day to incarcerate an inmate at the Ulster County Jail is \$113.32.

Medical treatment at the jail is also provided by a vendor, Corrections Medical Care, the same vendor that is utilized by Dutchess, Putnam, and Orange Counties. Mental health treatment in the jail is an issue. As the state mental health facilities were closed, more and more people with mental health issues were put in jails as a "safe place". Statistics provided by the health care vendor indicate that 16% of the inmates in the jail are prescribed psychotropic medications, and that 34% of all medications prescribed are psychotropic, accounting for 16% of all of the spending on medication in 1 month. In addition to medical care, food service, and radio communications are also provided by a vendor.

The drivers of overtime in Ulster County are the same as the other counties in the region, namely transportation of inmates to courts and medical appointments and required one-on-one supervision. Additionally, Ulster County Jail Administrators reported considerable overtime to cover for staff injured while on duty. In 2011, Ulster County Jail is budgeted to spend \$544,244 on Overtime.

Transportation is conducted by full time Corrections Officers. In November of 2009, the Ulster County Jail transported 382 inmates a total of 5,191 miles taking a total time out of the facility of 539 hours, 38 minutes.

A courtroom was built in the Ulster County jail, but to date it has not been used regularly. Even an arrangement as simple as utilizing the courtroom in the jail for arraignments could result in a substantial reduction in transportation costs. In Ulster County, as throughout the state, the choices made by local and county justices at arraignment and during case disposition affect jail utilization, and costs. Jail administrators raised questions about the value of weekend sentencing, relative to the costs of this practice. Another issue raised was the use of low levels of bail, rather than release on recognizance for persons well rooted in the community. One interviewee linked the recent rise in the Ulster County ADP directly to the election to the bench of a new county court judge.

Table 15

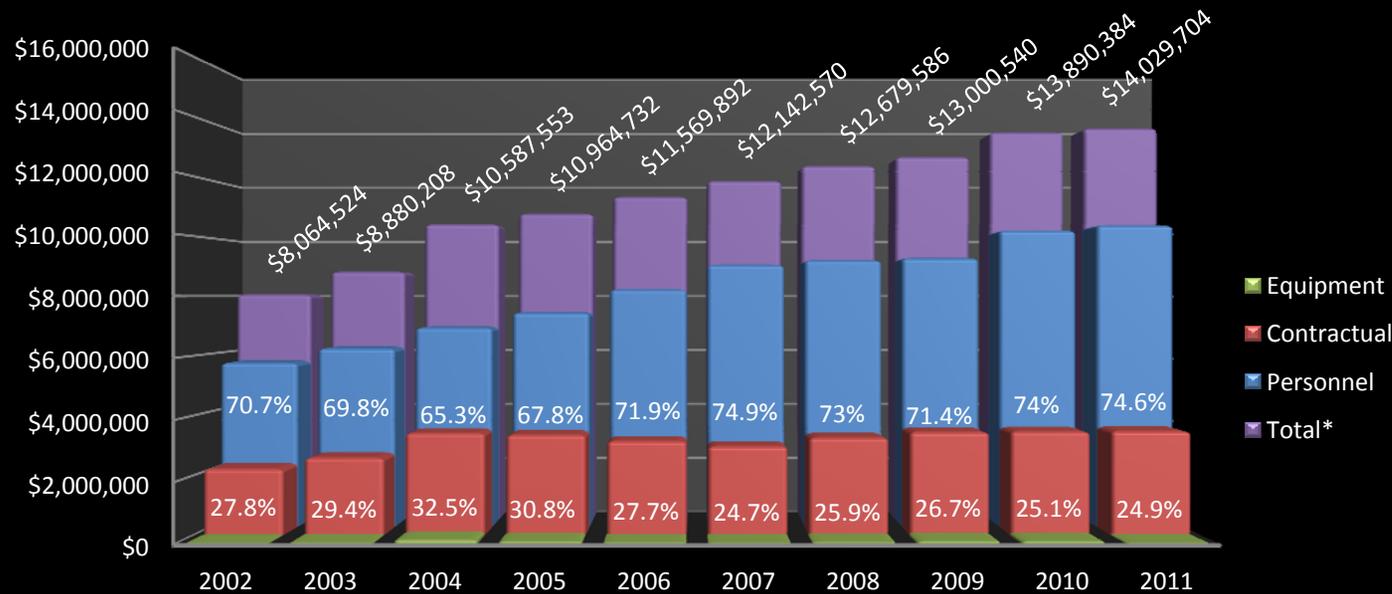
Ulster Jail Budget	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Personnel	\$5,702,650 70.7%	\$6,200,424 69.8%	\$6,918,353 65.3%	\$7,437,783 67.8%	\$8,242,385 71.2%	\$9,094,787 74.9%	\$9,258,006 73.0%	\$9,326,714 71.7%	\$10,284,618 74.0%	\$10,462,566 74.6%
Contractual	\$2,243,341 27.8%	\$2,613,566 29.4%	\$3,440,834 32.5%	\$3,379,090 30.8%	\$3,170,873 27.4%	\$2,996,496 24.7%	\$3,283,406 25.9%	\$3,475,727 26.7%	\$3,492,431 25.1%	\$3,503,813 24.9%
Equipment	\$52,154 0.6%	\$65,955 0.7%	\$157,204 1.5%	\$108,933 1.0%	\$79,962 0.7%	\$61,576 0.5%	\$91,132 0.7%	\$112,849 0.9%	\$113,335 0.8%	\$63,325 0.5%
Total*	\$8,064,524	\$8,880,208	\$10,587,553	\$10,964,732	\$11,569,892	\$12,142,570	\$12,679,586	\$13,000,540	\$13,890,384	\$14,029,704

Items in Red Are Budgeted, Not Actual.

*Included in totals are other costs

Ulster County Jail Budget

Chart 10



Sullivan County Case Study:

(Pending)

Appendix A: Criminal Court Schedules

Criminal Court Schedule	Monday	Tuesday	Wednesday	Thursday	Friday
Columbia County					
County Court		x	x		
Hudson		x	1st & 3rd	x	
Ancram			x		
Austerlitz			2nd		
Canaan		x		x	
Chatham			2nd & 3rd		
Claverack		2nd & 3rd			
Copake	Last				
Gallatin			x		
Germantown			2nd		
Ghent	x				
Greenport					
Hillsdale			x		
Kinderhook		x			
Livingston					
New Lebanon				2nd and 4th	
Stockport	x				
Stuvesant			1st		
Taghkanic				1st	
Chatham (v)		x			
Kinderhook (v)		1st & 3rd			
Philmont (v)				3rd	

Criminal Court Schedule	Monday	Tuesday	Wednesday	Thursday	Friday
Dutchess County					
County Court	x	x	x	x	x
Poughkeepsie	x	x	x	x	x
Beacon		1st			
Amenia		x		x	
Beekman				x	
Clinton				1st	
Dover	4th				
East Fishkill			x		
Fishkill		1st & 2nd	1st & 3rd		
Hyde Park		2nd & 4th			
Lagrange		1st & 3rd			
Milan				1st	
North East & Millerton (v)		x			
Pawling				2nd & 3rd	
Pine Plains	x				
Pleasant Valley			4th	3rd	
Poughkeepsie (Town)	x	x			
Red Hook				4th	
Rhinebeck				1st & 2nd	
Stanford			4th		
Union Vale			1st 1st, 2nd, & 3rd		
Wappinger					
Washington		4th			
Fishkill (v)	1st & 4th				
Millbrook (v)		1st, 3rd, and 4th			
Pawling (v)				2nd	
Red Hook (v)			3rd		
Rhinebeck (v)				1st & 2nd	
Tivoli (v)	1st				
Wappingers Falls (v)	x				

Criminal Court Schedule	Monday	Tuesday	Wednesday	Thursday	Friday
Orange County					
County Court	x	x	x	x	x
Middletown		x		x	
Newburgh	x	x	x	x	x
Port Jervis	x		x		
Blooming Grove (T & V)	x				
Chester	1st	2nd			
Cornwalls (T & V)			3rd		
Crawford	1st	1st			
DeerPark			3rd		
Goshen		1st	3rd		
Greenville			2nd	2nd	
Hamptonburgh			4th		
Highlands (T & V)		1st & 3rd			
Minisink	1st				
Monroe		1st	2nd		
Montgomery		2nd	1st		
Mount Hope & Otisville (v)		3rd		3rd	
New Windsor		2nd & 4th		2nd & 4th	
Town of Newburgh	Every Other	Every Other			
Tuxedo		2nd		Last	
Wallkill		x		x	
Wawayanda				3rd & 4th	
Woodbury (T & V)	1st		4th		
Chester (v)			1st & 2nd		
Florida (v)			x		
Goshen (v)		2nd			
Greenwood Lake (v)		2nd & 4th			
Harriman (v)			3rd		
Kiryas Joel (v)	?	?	?	?	?
Maybrook (v)		x			
Monroe (v)			1st & 3rd		
Tuxedo Park (v)				3rd	
Unionville (v)					
Walden (v)			2nd & 4th		
Warwick (v)			3rd		
Washingtonville (v)		1st	2nd		

Criminal Court Schedule	Monday	Tuesday	Wednesday	Thursday	Friday
Putnam County					
County Court Carmel	Every Other	Every Other			
Kent	1st	3rd			
Paterson				2nd & 3rd	
Philipstown			2nd		
Southeast		1st		2nd	
Putnam Valley		3rd		2nd	
Cold Spring (v)			2nd		
Nelsonville (v)			2nd		
Brewster (v)		2nd			

Criminal Court Schedule	Monday	Tuesday	Wednesday	Thursday	Friday
Rockland County					
County Court	x	x	x	x	x
Ramapo, Kaser, Montebello, Pomona & New Hempstead	x	x		x	
Stony Point		x		x	
Clarkstown	x		x		x
Haverstraw	x			x	
Orangetown		x	x		
Airmont					
Chester Ridge			4th		
Grand View-on-Hudson	Last				
Haverstraw			Every Other	Every Other	
Hillburn		1st & 3rd			
New Square					
Nyack		x		x	
Piermont			2nd		
Sloatsburgh			Last		
South Nyack	1st & 2nd				
Wesley Hills		Last			
West Haverstraw		1st & 3rd			

Criminal Court Schedule	Monday	Tuesday	Wednesday	Thursday	Friday
Sullivan County					
County Court	x				x
Bethel	x				
Callicoon, Jeffersonville (v) & Youngsville (v)					
Cocheton	x				
Deleware	1st & 3rd				
Fallsburgh	x		x		
Forestburgh	Last				
Highland		1st & 3rd			
Liberty		x		x	
Lumberland		x			
Mamakating & Wurtsboro (v)		x (every other)		x (every other)	
Neversink				x (every other)	4th
Rockland		3rd			
Thompson	x			x	
Tusten			x	x	
Bloomingburgh (v)		2nd			
Liberty (v)		x			
Monticello (v)					x
Woodridge (v)			x		

Criminal Court Schedule	Monday	Tuesday	Wednesday	Thursday	Friday
Ulster County					
County Court	x	x	x	x	x
Kingston	x	x	x	x	x
Denning	By Appointment				
Esopus	3rd	1st			
Gardiner			3rd		
Hardenburgh	By Appointment				
Hurley		Sometimes 1st		3rd	
Kingston (Town)		Every Other		x	
Lloyd					
Marbletown	1st & 4th				
Marlborough	No Set Schedule, Always Subject to Change				
New Paltz (T & V)		x			
Olive			1st		
Plattekill	1st				1st
Rochester			1st		
Rosendale		Every Other			
Saugerties			x		
Shandaken				3rd	
Shawangunk	2nd				
Ulster		x			
Wawarsing					x
Woodstock			3rd & 4th		
Saugerties (v)			x		
Ellenville (v)		x (except 2nd)			

Appendix B: Example of a Coordinated Court Schedule

Dutchess County Transports for November 2009

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Fishkill V (8:40) Town of Poughkeepsie (2:49) Town of Poughkeepsie (5:25) City of Poughkeepsie (9:18am)	Amenia (10:45)	4 Fishkill (8:30) LaGrange (3:04) Wappingers (4:53) Town of Poughkeepsie (8:50) County Court City of Poughkeepsie (9:03am) City of Poughkeepsie (1:10pm) City of Beacon (8:38am)	5 Clinton (3:20) Wappingers (5:00) Rhinebeck V (4:43) Rhinebeck (4:51) County Court City of Beacon (7:43am) City of Poughkeepsie (8:56am) City of Beacon (12:25pm)	6 County Court City of Poughkeepsie (9:20am)	7
	126.6		165	193.22	5.4	
8	9 Dover (5:30) Town of Poughkeepsie (2:54) Town of Poughkeepsie (2:55) City of Poughkeepsie (9:02am)	10 Amenia (10:45) Fishkill (8:30) Hyde Park (8:51) Town of Poughkeepsie (4:51) County Court City of Poughkeepsie (9:39am) City of Beacon (9:31am)	11 AAA	12 Beekman (5:30) East Fishkill (8:32) Pawling (6:02) County Court City of Beacon (9:00am) City of Poughkeepsie (9:31am)	13 County Court City of Poughkeepsie (9:12am)	14
	64.8	163.8		152.6	3.4	
15	16 Amernia (2:48) Town of Poughkeepsie (2:52) City of Poughkeepsie (9:30am)	17 Dover (5:50) LaGrange (3:47) Town of Poughkeepsie (4:43) Town of Poughkeepsie (4:43) County Court City of Poughkeepsie (9:23am)	18 East Fishkill (12:44) Fishkill (8:42) Wappingers (4:57) Stanford (2:58) Red Hook V (3:30) County Court City of Poughkeepsie (9:08am) City of Beacon (8:36am) City of Beacon (1:09pm)	19 East Fishkill (9:07) Hyde Park (2:00) Pleasant Valley (5:56) Wappingers (5:20) Pleasant Valley (5:46) County Court City of Beacon (7:35am)	20 City of Poughkeepsie (9:03am) City of Poughkeepsie (11:31am) City of Beacon (9:16am)	21
	63.8	86.2	223.2	121.4	38.4	
22	23 Town of Poughkeepsie (2:50) County Court City of Poughkeepsie (8:58am) City of Beacon (9:33am)	24 Dover (12:55) Hyde Park (9:00) Wappingers (6:15) Millbrook (6:05) Town of Poughkeepsie (5:03) County Court City of Beacon (10:41) City of Poughkeepsie (9:35am)	25 City of Beacon City of Poughkeepsie (9:24am) County Court	26	27 City of Poughkeepsie (9:06am)	28 Hyde Park (10:52)
	47.2	240.6	39		1.4	12
	29	30 Fishkill V (8:26) Town of Poughkeepsie (2:39) County Court City of Poughkeepsie (9:18am)				
		39.2				

Total Miles
1787

**Dutchess County Transports
for One Month Using New
Schedule**

	Monday	Tuesday	Wednesday	Thursday
Week 1	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Tivoli (3:00pm) Red Hook (4:00pm) Red Hook V (5:00pm) Pine Plains (6:00pm) Amenia (7:00pm) 46.27	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Fishkill (9:00am) Fishkill V (10:00am) Beacon (3:00pm) Wappinger (4:00pm) La Grange (5:00pm) East Fishkill (6:00pm) Poughkeepsie (9:00pm) 67.13	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Fishkill (9:00am) East Fishkill (11:00am) Poughkeepsie (9:00pm) 43.77	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Milan (10:00am) Rhinbeck (3:00pm) Rhinbeck V (4:00pm) Clinton (5:00pm) Amenia (7:00pm) 43.31
Week 2	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Hyde Park (2:00pm) Millbrook (4:00pm) Amenia (7:00pm) 57.34	County Court (9:00am-5:00) City of Poughkeepsie (9:00-5:00pm) Fishkill (9:00am) Fishkill V (10:00am) Wappinger Falls (4:00pm) Poughkeepsie (9:00pm) 35.91	County Court (9:00am-5:00) City of Poughkeepsie (9:00-5:00pm) Pawling Village (5:00) Pawling (6:00) Wappinger (7:00) Poughkeepsie (9:00pm) 61.32	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Rhinbeck (3:00pm) Rhinbeck V (4:00pm) Amenia (7:00pm) 1.77
Week 3	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) North East (10:00am) Millbrook (4:00pm) Amenia (7:00pm) 1.77	County Court (9:00am-5:00) City of Poughkeepsie (9:00-5:00pm) Beekman (3:00pm) Pawling (4:00pm) Dover (5:00pm) Unionvale (6:00pm) La Grange (7:00) Wappinger (8:00pm) Poughkeepsie (9:00pm) 68.99	County Court (9:00am-5:00) City of Poughkeepsie (9:00-5:00pm) Fishkill (10:00am) East Fishkill (11:00am) Wappinger Falls (12:00pm) Wappinger (7:00pm) Poughkeepsie (9:00pm) 36.53	County Court (9:00am-5:00) City of Poughkeepsie (9:00-5:00pm) Amenia (7:00pm) 1.77
Week 4	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Hyde Park (10:00am) Pleasant Valley (12:00pm) Washington (2:00pm) Millbrook (4:00pm) Amenia (6:00pm) 40.03	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Poughkeepsie (9:00pm) 6.98	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Poughkeepsie (9:00pm) 6.98	County Court (9:00am-5:00pm) City of Poughkeepsie (9:00-5:00pm) Pleasant Valley (3:00pm) Stanford (5:00pm) Amenia (7:00pm) 56.81

Total Miles
575

Appendix C: Best Practices

Successful inter-county collaborations and opportunities for further collaboration are the primary focus of this report. Promising Opportunities for innovation not yet adopted in the region are also discussed. An additional result of our study was the identification of “best practices” in county jails in the Hudson Valley. These are areas in which individual jails within the Hudson Valley have particularly innovative or effective programs or practices that other jails in the region may wish to consider adopting. Implementation by a single county is possible in all instances, though in some cases action may be made more effective by collaboration.

Columbia:

- **Tracking overtime by purpose** - Columbia County has a system of logging overtime by purpose allows instituting performance metrics designed to achieving targeted reductions in overtime.
- **Summer Garden Program** - Columbia county’s innovative summer garden program reduces the cost of food for the jail, provides surplus vegetables to the Food Bank to assist in feeding the poor, and because it its popularity with inmates, may be used to incentivize good behavior.
- **State Cook chill Program** - The county uses the cook-chill program. Its adoption by other counties that directly provide food services -- Putnam, Rockland, and Sullivan – may reduce costs.

Dutchess:

- **Alternatives to Incarceration** - Dutchess County offers a robust system of Alternative to incarceration (detailed in the report) that other counties in the region may wish to emulate. In particular, there is potential for collaborative contracting for such services as GPS monitoring, and cooperative alternatives programs.
- **Transitions Program.** Dutchess County also has a “Transitions” unit in the jail that seeks to diminish recidivism. This is an innovative program that has reported some success.

Orange:

- **Inmate education.** Orange County offers the most advanced educational programs in the region, with programming both for minors and adults.
- **Use of Part-time officers for prisoner transportation.** The county’s City of Newburgh transportation unit is another innovation that is particularly effective.

Putnam:

- **Scheduled training without overtime.** Putnam County has an innovative method of scheduling corrections officers, utilizing a 4 days on 2 days off rotation. This frees a week of straight time for each corrections office that may be used for mandatory training.

Rockland:

- **Separate transportation unit staffed by part-time officers.** Rockland County has instituted an independent transportation unit within the Sheriff's Department that is comprised entirely of part-time officers. This has eliminated all overtime payments for prisoner transportation

Glossary of Terms:

Alternatives to Incarceration Programs (ATI): A system of programs, typically administered through the department of probation that set terms allowing a person to avoid jail time so long as certain stipulations are met. These programs include probation, drug and alcohol rehabilitation, anger management, drug court, GPS monitoring, compliance with the use of day reporting centers, etc. Under NYS Law, the minimum of alternatives to incarceration (probation, and community service) are required for a jail to maintain the 4 category classification and segregation system. In the absence of alternatives to incarceration, a 12 category system must be used.

ADC: Average Daily Count. A statistical average of the daily head count of inmates physically in the jail facility.

ADP: Average Daily Population. A statistical average of all inmates incarcerated in a county, including those that are boarded out, in the hospital, etc.

Board-in / Board-out: the practice of housing inmates in a jail outside of their county of origin (arrest). This is typically done temporarily when a jail has insufficient capacity to meet the incarceration needs of the county, and another county has a surplus of space and desire to generate revenues. Sometimes inmates are also boarded-out to comply with the classification and segregation system, but still make efficient use of space. For instance if the addition of one more adult female inmate would require the jail to classify another section of the jail as space for adult females, that inmate might be boarded-out to avoid this.

Civil Service Law: The laws governing the employment of public employees.

Community Transitions Center: The Community Transition Center (CTC) is a Dutchess County Department of Probation day reporting/education program for young offenders. It is an alternative to incarceration program featuring services to assist offenders to successfully reenter the community as law-abiding, contributing citizens. Services include GED education resources, employment readiness, life skill, anger management as well as drug and alcohol education programs.

Contractual Expenditures: Expenditures a jail makes on goods or services that are purchased from a vendor under contract. Some common contractual services are for food service and medical services in the county jails.

Day Reporting Centers: An alternative to correction whereby a person is required to report at regular intervals, as frequently as daily. This is typically coupled with regular sobriety testing, and utilized for pre-trial release, probation and parole.

Department of Correctional Services: A New York State Department that operates the state prison system. Under the 2011 New York State Budget, the Dept. of Correctional Services and the Division of parole have been merged into the Department of Corrections and Community Supervision.

Economies of Scale: Reductions in unit costs due to increased scale of production, utilization, or purchase. In general, it can be categorized as the more you make or buy, the less each individual unit costs, and is the reasoning for buying in bulk.

Full Time Equivalents (FTE): A way of measuring the individual work levels. A full time worker would be 1 FTE, while half time would be .5 FTE.

Immigration and Customs Enforcement Agency (ICE, formerly Immigration): The principal investigation and enforcement agency within the US Department of Homeland Security. ICE contracts with local jails to house non-citizens before and during trial, or during deportation procedures.

Intensive Treatment Alternative Program (ITAP): A Dutchess County ATI. This program began operation in 1990. It is operated by the Dutchess County Department of Mental Hygiene in conjunction with the Office of Probation and Community Corrections. The services include outpatient day rehab services, forensic assessment and referral, court advocacy, intensive probation supervision, aftercare treatment, case management, vocational services, GED and residential services.

One-on-One: A known as suicide watch or constant supervision is when for an inmate's own safety it is deemed necessary to incarcerate them where one officer is assigned to watch only them. In some instances though, more than one inmate can be supervised at a time, typically in a unit that is designed with no blind spots. The maximum number of inmates that can be supervised on constant supervision by one officer is a subject of debate, but generally jail administrators agree that two or three inmates can be supervised at one time in this manner.

Peace Officer School:

Personnel Expenditures: All payroll expenditures including salary and wages as well as overtime, comp-time and sick leave.

Pretrial Release: Release from custody pending trial. This is typically conditional. Conditions include bail, house arrest, day reporting, rehab, etc...

Probation: A program administered by the county where a person is sentenced to be supervised by the Department of Probation, but is not incarcerated. Terms of probation often include continued sobriety, no contact with law enforcement as a person of interest, employment, etc.

Recidivism: When an inmate upon release is sentenced to another crime, and incarcerated. Efforts to reduce recidivism are central to the rehabilitation aspect of many corrections programs. Recidivism can be measured in absolute terms (i.e. was the person ever convicted of a crime again), or in terms of duration (if a convicted person is typically incarcerated regularly, but the duration between incarcerations increases, this is in some cases measured as reduced recidivism).

State Commission of Corrections (SCOC): The NY State agency charged with monitoring and ensuring the conditions of the correctional facilities throughout the state including both the state prisons as well as the jails. The SCOC establishes the minimum staffing requirements for each facility, inspects facilities to ensure adherence to safety and security regulations, grants temporary variances in extraordinary circumstances, assists in the planning of new facilities, and offers technical assistance to correctional facilities.

State Department of Corrections Cook-Chill Program: is run by the DOCS' Food Production Office of Nutritional Services Food Production Center. Under the Cook-Chill process, large quantities of food are cooked to a just-done state, then chilled rapidly and stored under tightly controlled temperature conditions. The food is then shipped and requires only reheating in order to be served, with an average ordering-to-consumption window of about three weeks. The majority of the food is shipped in large, sealed plastic bags and is reheated at the prisons for serving. Other cold food items, including juice and salads, are packaged in individual serving containers.

Straight Rate: The normal rate of pay for an employee. This term is used in contrast to “time-and-a-half”, or overtime.

Substitute Jail Order (SJO): A request to the SCOC to permit boarding-out an inmate at another county jail.

Supervision Models:²⁸

- **Direct Supervision:** An incarceration model whereby the design of a facility allows for the direct supervision of inmates by having an officer or two on the floor in the unit with the inmates. Units of this design are typically designed with a large central space with individual cells along three of the walls, sometimes in a semi-circular shape. A corrections officer standing at a podium at one end has a clear sight line to the entire unit. Direct supervision places the Correctional Officers Station within the inmate living area, or pod. By placing the officer in the pod he or she has immediate visual observation of inmates which allows the Officer to deal with problems before they get out of hand. This results in creating a safer environment for both staff and inmates since interaction between inmates is constantly monitored. In addition, Direct Supervision creates a more positive environment and reduces stress level on both Officers and Inmates. Maintenance costs are also reduced in Direct Supervision pods because the close supervision reduces the damage to equipment, furnishing, and walls.
- **Indirect Supervision:** Modern indirect supervision facilities have been shaped by corrections tradition, changing views of prisoner’s rights, and technology. The most highly regarded layout consists of a central, enclosed control booth with one or more officers overlooking a dayroom surrounded by single cells (often referred to as a modular or podular plan, with an individual unit referred to as a “pod”). A variation is to surround the dayroom with multiple occupancy cells or dorms. Pods usually contain 46 to 60 beds which are further subdivided into 12- to 15-bed units, though, in some cases, a single control booth may observe closer to 100 cells. Durable, vandal-resistant building systems, fixtures and finishes are commonly used. It is typical to find elaborate electronic detection, locking, and communication systems, all operated from the control station. The primary functions of the correctional officer in indirect supervision facilities is to operate the control systems, observe inmate behavior, provide limited intervention in response to minor infractions, and call for backup staff response in the event of a major incident. In many such facilities, officers communicate with inmates using a public address or intercom system. Staff safety is provided by a physical barrier placed between them and the inmates. Inmate security is provided by the use of individual cells and the ability of staff to muster a response team in the event of an incident.
- **Modified Direct Supervision:** A mixture of usage of direct and indirect models in the same facility, or the use of a unit that was designed as an indirect supervision unit that incorporates elements of the direct supervision model. This is most often times seen in facilities that pre-date the use of the direct supervision model and have made attempts to modernize, or in facilities that were constructed in a intermediary period before the direct supervision model became the standard.

Treatment Alternatives to Street Crime (TASC): a program designed to divert drug-involved offenders into appropriate community-based treatment programs by linking the legal sanctions of the criminal-justice system to treatment for drug problems. The program now serves as a court diversion mechanism or as a supplement to probation or other justice-system sanctions and procedures. The idea for the initial TASC programs derived from an analysis of the criminal-justice system indicating that many drug-addicted arrestees were released on bail while awaiting trial and were likely to continue to commit crimes. Although there were provisions for supervision of drug-dependent offenders after conviction (on probation) or after release from prison (parole), no such mechanisms were in place to provide supervision of those awaiting trial. Yet, if

²⁸ National Institute of Corrections conducted a study on the impacts of different supervision models found here: <http://nicic.gov/Library/Files/007807.pdf>

arrestees could be directed to treatment, success in treatment could be taken into consideration at time of trial.

Transitions Program: The transitions program at the Dutchess County Jail is aimed at offenders convicted of misdemeanor crimes who usually are in jail for a few months at most. It's intention is to reduce recidivism by helping individuals become productive members of the community after release.

Unified Court System: The official name for the court system of the State of New York.