

Establishing The Ulster County Criminal Justice Reform Task Force

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Eckert and Legislators Collins, Haynes, Heppner, and Ronk)

Legislator David B. Donaldson offers the following:

WHEREAS, the State of New York has aggressively pursued legislation to reform the state's criminal justice system to ensure social and economic justice for all New Yorkers; and

WHEREAS, in furtherance of that mission the New York State FY 2018 Budget included legislation to raise the age of criminal responsibility from 16 years of age to 18 years of age; and

WHEREAS, in Ulster County, currently only 10% of criminal matters involving 16 and 17-year-olds are handled through the Ulster County Probation Department; and

WHEREAS, as a result of this important reform measure the Ulster County Probation Department will have some involvement with all of these youth, approximately 200 per year, to provide programs and services that were previously not offered but will be required in October 2019 for 16-year-olds, and in October 2020 for 17-year-olds; and

WHEREAS, the 2018-2023 Capital Improvement Program included funding to create the Ulster County Restorative Justice and Community Empowerment Center in the Ulster County Department of Probation to facilitate the delivery of these programs and services; and

WHEREAS, Ulster County seeks to provide additional evidence based programs and services built around Restorative Justice processes intended to change the trajectory of a youth's life to have a long-term, lasting impact on the community, and break the cycle of generational poverty; and

WHEREAS, statewide, 67% of the people incarcerated in New York's county jails are legally innocent and overwhelmingly detained pretrial because they cannot afford bail; and

WHEREAS, in an effort to address this inequity in the criminal justice system, the New York State FY 2020 Budget provided for the elimination of cash bail for most misdemeanor and non-violent felony offenses; and

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WHEREAS, as a result of this important reform measure, the Ulster County Probation Department will see a dramatic increase in the number of individuals requiring pre-trial services, guidance about the process, and assistance in utilizing twenty-first century technology to ensure timely reporting to court appearances; and

WHEREAS, the Ulster County Legislature fully supports efforts to assist those effected by bail reform and Raise the Age legislation, including the One80 program and the Brighter Futures Initiative; and

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

RESOLVED, that the Ulster County Criminal Justice Reform Task Force is hereby created to evaluate all abovementioned efforts and programs for efficacy, efficiency, and compliance with state requirements, to ensure the best and most cost-effective delivery of services, and to explore opportunities for program expansion to help the greatest number of county residents who may be in need of services but do not meet the extremely narrow qualifying criteria; and, be it further

RESOLVED, that the Task Force shall consist of eight members, one member appointed by the District Attorney, one member appointed by the Public Defender, one member appointed by the County Sheriff, one legislator chosen by the majority leader, one legislator chosen by the minority leader and two members chosen by the Chair of the Legislature that shall come from a local organization with knowledge of restorative justice and criminal justice reform and/or an educator with knowledge of restorative justice and criminal reform; and, be it further

RESOLVED, that the Criminal Justice Reform Task Force shall meet no later than 30 days after the appointments to said Task Force are made; and be it further

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

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

RESOLVED, that the Criminal Justice Reform Task Force shall be dissolved upon filing its findings and recommendations with the Clerk of the Legislature, and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

Passed Committee: Law Enforcement and Public Safety

FINANCIAL IMPACT:

NONE