

ATI Advisory Board Newsletter

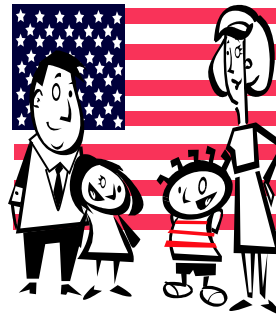
October - Domestic Violence Awareness Month

By Sarah Utter

Since 1987 our nation has celebrated the month of October as Domestic Violence Awareness month. Various programs sponsor themes to promote public awareness of domestic violence deaths, the strength of survivors and their children, as well as the need for continued education to end the cycle of violence. That cycle of violence plays an integral role in our jail population as well as our recidivism rate.

According to a study released in May 2000, by the Bureau of

Justice Statistics, approximately one million crimes were committed against persons by their intimate partner in 1998. Between 1993 and 1998, children under the age of 12 resided in 43% of the households where intimate partner violence occurred. It could be argued that children are being exposed to violence in their own homes at a much higher rate than their exposure to violent media. Approximately 50% of women who receive Temporary Assistance to Needy Family (Public Assistance)



funds cite domestic violence as a factor in need for assistance.

How do all of these statistics affect us as Alternative to Incarceration Advisory Board (ATI) members, criminal justice/social service/government officials and taxpayers? National statistics tell us that

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Message from the ATI Coordinator

By Ginny Gumaer-Muller

Well, it's been a long time since we published our last newsletter and we

have endeavored, in this newsletter, to cover all the current happenings in the ATI office so that you, the reader, can clearly see what we

at ATI have been up to.

This newsletter is being dedicated, in large part, to crime victims.

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MISSION STATEMENT

ALTERNATIVES TO INCARCERATION

The Ontario County Alternatives to Incarceration Advisory Board, an advisory board for the County Board of Supervisors, has a mission to explore, develop and evaluate alternatives to incarceration that will promote and maintain public safety and confidence, support appropriate sanctioning of offenders, provide victim empathy, reduce our reliance on incarceration and increase services to offenders, while being efficient with the use of financial resources. To that end, the ATI Board seeks to foster cooperation and coordination of activities and programs with agencies and individuals involved with the criminal justice system as well as the larger community in Ontario County.

THE PROBATION DEPARTMENT AND DOMESTIC VIOLENCE

By Fran Turk and Vivian Russell

The Probation Department plays a critical role in providing services to victims of domestic violence. It is often one of the first places victims are referred to by police agencies, attorneys, and counseling centers when domestic violence is suspected. The Probation Dept. presently provides a dedicated intake worker, one of whose primary roles is helping victims with the preparation of Family Offense Petitions. This helps ensure consistency, continuity, and quality of service to the victims.

The process necessary to obtain an Order of Protection is explained in detail to the individual. This process begins with the preparation of a Family Offense Petition. During the interview process, the intake worker gathers demographic information, information relative to the actual family offense, and information regarding safety issues such as

firearms, mental health and/or substance abuse issues. The actual Petition is then prepared, reviewed and signed by the Petitioner, then notarized by Probation staff. The petitioner is then referred to Family Court and instructed to request an immediate temporary order if appropriate and necessary.

When an individual is referred to Probation, there are several steps taken to assist that person. Appropriate referrals are provided to agencies such as Family Counseling of the Finger Lakes, Community Action Program, House of Hope, and the Salvation Army. These agencies can provide safe housing, 911 cellular phones, safety plans for escape, and can also provide for immediate needs such as food, shelter, and clothing. As mandated reporters, the Probation worker also makes Child Protective reports to Albany when

necessary to ensure the safety of children in the household.

The success of this process is reflected in the fact that all involved agencies, i.e. law enforcement, courts, and probation, now take domestic violence more seriously as witnessed by increased numbers of arrests, orders of protection, and prosecutions of offenders. These agencies now work closely together to help ensure the safety of victims of domestic violence.

Once a victim makes the decision to leave an abusive situation, it is very important to help provide a support system to this individual and their family. It is a dangerous and frightening time and simply letting the person know they are not alone and that help is available often lays the groundwork necessary for the victim's success.



MESSAGE FROM THE ATI COORDINATOR

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What better time than October, which is Domestic Violence Awareness month, that we at ATI, and our Advisory Board, acknowledge the tremendous devastation all crime can, and does, cause in victims lives. To that end, our mission statement incorporates a component that acknowledges victims' needs

and we continue to fully support the need for appropriate crime victims' assistance and resources in our county.

I also wish to advise our readers that the ATI Board has accepted the resignations of two Board members. Justice Ed Loux, Richmond Town Court, has resigned due to the work-

load in his court and David Hammond, former Undersheriff, has retired from the Sheriff's office. We appreciate the years of involvement on the board and the experience that both Justice Loux and Undersheriff Hammond brought to the Board, and we wish them well in their future endeavors.

BALANCING JUSTICE

By Scarlett Emerson

On September 25, twenty-five persons attended the second annual Balancing Justice Reunion held at the Safety Training Building in Hopewell. We heard reports from three task forces and discussed the principles of restorative justice.

The Court Watching Task Force consists of 23 people including a coordinating committee of six. They have issued four newsletters; the mailing list is now 275. With increased membership they have been able to observe court proceedings in the City and Town of Geneva, the Town of Seneca and some sessions of the Ontario county courts. The task force wants to expand their activity. Interested volunteers may obtain information by calling Heather Aten at 315-789-7387 or at aten@hws.edu.

The Task Force on Improving Services for the Mentally Ill in the Criminal Justice System has been meeting for two years and plans to continue doing so. They have been educating themselves and advocating for transitional housing for homeless mentally ill persons released from jail and for increased co-operation and communication among county agencies. Continuing concerns include the reduction in county services to the mentally ill which they believe to be a short-sighted decision. The task force will continue efforts to educate the criminal justice system and the community about mental illness and to look for ways to divert non-violent mentally ill persons away from the criminal justice system.

The Task Force on Citizen Awareness and Racial Equality reported that it has decided that, for the immediate future, they

will not meet on a regular basis but will be ready to support the efforts of the county Restorative Justice committee in educating the community about restorative justice principles. As other criminal justice issues arise, the Task Force may come together to raise awareness about them.

Ginny Gumaer, ATI coordinator, facilitated the discussion of Restorative Justice principles. A short video introduced the topic. Discussion following the video centered on ways in which the Ontario County community might be introduced to Restorative Justice and integrate its principles into existing programs and activities.

It was decided that there would continue to be annual reunions of those interested in the concept and activities of Balancing Justice. Watch for the date in 2003!

STRATEGIC PLAN OVERVIEW

By June Fisher

The ATI Advisory Board Strategic Plan has been established and is focusing on four major areas.

1. To promote a fundamental change in attitude among residents of Ontario County regarding alternatives to incarceration.
2. To develop program evaluation and assessment resources seeking the expertise of the county planning department.
3. To consider resources for re-investment, grant opportunities, and shared services, based on evaluation and assessment of needs, gaps, and existing programs.
4. To create and implement a plan for the ATI advisory board development, focusing on policy and our mission.

Each board member is working with one of these four focus areas and is now in the process of implementing the goals and strategies outlined in the plan.

October - Domestic Violence Awareness Month

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over 90% of our jail population has been exposed to some form of physical, sexual, or emotional abuse. It begins in their own home. Children in violent households can have disrupted eating and sleeping patterns. Chaotic living makes for poor school performance. These children can find it increasingly difficult to concentrate and there is little to no support at home to complete their educational tasks. As the children mature into adolescence, issues with their own anger management can become more evident. As school frustrations increase and self-esteem decreases, they become at great risk for substance abuse. If their support system (school, family, peers) becomes more dysfunctional, poor choices and criminal activity become a risk. The underlying long-term problem that becomes very hard to address is that violence is a learned behavior and breaking the cycle of violence now becomes our responsibility. We begin to burden our tax base by asking the schools, the Department of Social Services, law enforcement, our courts and our jails to fix the

problem. It is too little, too late.

Domestic violence which includes child abuse, impacts our lives every day as we face increased medical costs for uninsured/underinsured victims, the need for counseling/preventive/intervention services in schools, the increased need for substance abuse services, the overall increased impact on law enforcement, probation, foster care/juvenile detention, the court system and the jails. This past summer the ATI Board underwent a process of long term strategic planning. As part of the process we will be looking at the effectiveness of alternative programs and how best to meet the needs of the populations we serve during a time of fiscal crisis. We must be responsible in addressing the cycle of violence and how we truly end the revolving jail cell doors. Starting after the behaviors are learned, though not impossible, in an "uphill task". We need to look at how we are meeting the needs of children and families in our communities. Are we doing enough to protect children from being exposed to violence in their

own homes? Are we using the aggressive law enforcement policies already in place to prevent future violence? Are we utilizing victim services effectively to help support and restore the needs of children being exposed to our system? Are we providing the proper services to households to end the violence?

As we reflect on the month of October to increase our awareness of the problem of domestic violence, we must challenge ourselves to be more pro-active instead of reactive with our alternatives. We need to support our existing core services to deal with the problem at hand but our goal of reducing the jail population should begin to look at ways to support one of our most vulnerable populations - our children. Let's support them, listen to them, educate them and protect them before the violence becomes learned. Stopping the cycle of violence will go a long way in freeing our jail beds, our detention centers, our foster homes, our hospitals, doctors, supportive services and our taxpayer dollars.

RESTORATIVE JUSTICE UPDATE

~By Ginny Gumaer-Muller

The Restorative Justice subcommittee continues to meet and we are currently in the process of working to finalize our Restorative Justice Action Plan. This month, we will be meet-

ing with Janelle Cleary and Patti Donohue, from the Community Justice Training Institute in Albany, to develop our action plan. Janelle and Patti are able to help us, as a group, take an objective look at how our current criminal justice system functions as well as how we may begin to implement

more Restorative Justice practices in going about our day to day business within the system.

Restorative Justice focuses not primarily on the criminal offender, but on the direct vic-

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Restorative Justice Update

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tim as well as the larger community, as a victim, when crime occurs. The focus becomes how we help that victim, and the community at large, to heal from their experience as a crime victim. Often times, this process offers healing to the offender, as well, and gives the offender the opportunity to make personal amends to their victim. In doing so, the offender

then personalizes his or her crime and is able to see firsthand the damage that they have done to another human being or beings. Many times, making this personal connection with the victim will help the offender refrain from committing future crimes. That being the case, we recognize that we are going to need the support of local communities as we work to implement more restorative practices

into our criminal justice system. Our subcommittee will continue to forge ahead, in our quest to become more victim focused within our criminal justice system. If you would like to know more information about Restorative Justice or if you would like to know how you could get involved with this project, please feel free to call the ATI office at 393-3061.

JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT
JUVENILE CRIME ENFORCEMENT COALITION

By Ginny Gumaer-Muller

The end of September saw the close of the first grant year for the Juvenile Crime Enforcement Coalition. The goal of this grant project, for the first year, was to develop a unified juvenile justice system that will more effectively perform the task of early identification of chronic juvenile offenders as well as efficiently and effectively carrying out the control, supervision and treatment of these chronic offenders. By doing so, the desired impact is to see a reduction in the time it takes to develop and implement an

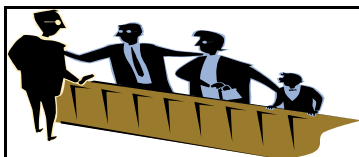
effective plan for the juvenile offender, provide more effective supervision and reduce the recidivism rate of these offenders.

The Coalition agreed that the first people who are likely to identify a child early on, as being at risk, are the schools. Thus, we relied heavily on input from the school folks represented on the Coalition, as to what they believe can and will work, in taking this approach. The Coalition voted that the Geneva North Street Elementary School model best addressed the grant objectives and needs of the identified target population. The pros and cons of this model will be studied

further as part of the Coalitions efforts in the year to come.

Being a member of the Coalition, it was great to see all the different disciplines come to one table and begin to work together on a project of this magnitude. All of the goals set forth in the grant application for the first year were met and we look forward to continuing our work in year two.

The actual second year of grant funding is currently slated to be designated for use by the Ontario County Family Drug Treatment Court, in its start up next year. Look for more about this in our next newsletter, which is due out in February, 2003.



WORKING TOGETHER



ONTARIO COUNTY FELONY DRUG TREATMENT COURT

By Judge Craig Doran

We are very pleased to report that the Ontario County Felony Drug Treatment Court, following on the coattails of the Finger Lakes Drug Treatment Court, is up and running—full steam ahead. With a healthy dose of good-old-fashioned “elbow grease” employed by a number of extremely dedicated volunteers, and the monumental work of our new coordinator, Betsey Lee, we have 12 active participants currently engaged in our program. Of those 12, two have already advanced to Phase II of the program, none have been re-arrested, 5 are supporting a total of 7 children, and 1 is sixteen years old.

The number of participants grows on an average of 3 per week. The rapid growth and success of this Court is solely due to the tremendous efforts of our Treatment Team, which meets on a weekly basis immediately prior to our Friday morning Drug Court to “hammer out” logistics and discuss whether or not a defendant is appropriate to accept into Drug Treatment Court.

As a personal note, I must say that being involved in this Court has been one of the most rewarding experiences I have had in public service. This has proven once again to me that the people who serve the residents of Ontario County as

their representatives in government (Board of Supervisors, the District Attorney’s office, assigned counsel, law enforcement officers, the Probation Department, our substance abuse treatment providers and so many others who have supported our efforts) go well above and beyond the call of duty. This is particularly commendable at a time when the County is facing such significant budgetary challenges.

With so much enthusiasm, dedication, and “out of the box” thinking, this program is showing all the signs of being a huge success, not only for the Drug Treatment Court participants, but for all of the residents of Ontario County.

VICTIMS AND PRETRIAL RELEASE

By Kevin Case

The pretrial release program is a program that attempts to determine if someone has the necessary ties and connections to the community to ensure they are unlikely to flee the area and are likely to reappear in court. Even though the pretrial release program operates on the assumption that each defendant is innocent until proven guilty we also understand, whenever appropriate and feasible, the victim’s concerns should be con-

veyed to the presiding judge before any decision is made regarding pretrial release.

In cases where a defendant is charged with a felony level sex offense or violent offense, and in some serious misdemeanor cases, prior to any notification to the judge concerning pretrial release eligibility, Sarah Utter of the Victims Assistance Program is contacted for her input on behalf of the victim. She is asked if there are

any issues or concerns that the presiding judge should be made aware of prior to making a decision on granting pretrial release. Once this information is obtained, it is passed onto the appropriate judge for their consideration.



This process of seeking input on behalf of victims could be extended to misdemeanor courts if the Victims Assistance Program was expanded.

THE FINGER LAKES DRUG COURT CELEBRATES ITS SECOND ANNIVERSARY!

By Judge Stephen Aronson

The Finger Lakes Drug Court has been operational for just over two (2) years. The dedication and commitment of the drug court team members is responsible for the success of this innovative program. Countless numbers of crimes have been prevented, thousands of dollars have been saved by avoiding incarceration for non-violent criminal offenders and, lives and families have been changed.

We have created a partnership with the Felony Drug Treatment Court. Together, we have sought out partnerships within the community to strengthen our long-term ties.

We face new challenges with a united commitment that Drug Court fits well within the criminal justice system.

ONTARIO COUNTY YOUTH COURT UPDATE

By Debbie Holland

Ontario County Youth Court has recently graduated 19 new volunteers from the eight-week training program. These young people represent five of the nine Ontario County school districts and in addition to the usual topics covered they received a special training session on Restorative Justice. This training is directed specifically to Youth Courts and was conducted by Patti Donohue, Certified Restorative Justice Trainer, with the Council on Children and Families.

Youth Court volunteers were excited at the prospect of implementing some restorative justice practices surrounding victim awareness training and offering the victims of crime opportunities to participate in the Youth Court Process.

Youth Court has been granted increased funding from DCJS in order to hire a part time assistant. A large part of that person's duties will be to contact crime victims and determine on what level they would like to

participate in the process, etc. A search will begin as soon as the court office is relocated in order to accommodate space for the assistant .

Funding has also been received from United Way and the Ontario County Youth Bureau for additional competency building sentencing options. These include Self Awareness Training, Anger Management and Family Communication Skills Training.



ATI VISION STATEMENT

The vision of the Alternatives To Incarceration Advisory Board includes a future in which:

- ◆ The focus of our work is one of systemic change
 - ◆ We are experienced in discerning which programs work effectively and are appropriate for different populations
 - ◆ A range of comprehensive, integrated programs are enhancing core services
 - ◆ Judges value the impact of alternatives as a public safety measure
 - ◆ Our role as a policy board is clearly one of analysis and research
 - ◆ We have a shared vision with the community: All people have dignity and worth. We are committed to rehabilitation, being aware that incarceration is necessary for some individuals.
-