

**ONONDAGA CITIZENS LEAGUE
REPORT # 14**

**THE CRIMINAL JUSTICE SYSTEM IN ONONDAGA COUNTY:
HOW WELL IS IT WORKING?**

**Approved and Issued
by
The Board of Directors
Onondaga Citizens League**

Sept. 7, 1993

**Onondaga Citizens League, Inc.
c/o University College
610 E. Fayette St.
Syracuse, N.Y. 13244-6020
Phone: (315) 443-3291**

**ONONDAGA CITIZENS LEAGUE BOARD OF DIRECTORS
1992-93**

Wallace Conkling
Carol Cowles
Carol Dwyer (Secretary)
John Frantz
Michael Freedman
Jim Introne
Darlene Kerr (President)
John Kramer
Neil T. Letham (Treasurer)
Donald Mac Laughlin
George A. Mango
Patrick Mannion (Vice-President)
James J. Murphy
Katherine O'Connell
Margaret Ogden
Carl W. Peterson
William J. Pollard
Marc A. Rivard
Kathryn Ruscitto
Janet Starr
Anne Stewart
Donna Stoner
Miriam Swift
Philip Trainor
Burt W. Weidenkopf
Connie Whitton
Helen Zych

Levi L. Smith, Executive Vice President
Laurel Saiz, Assistant

TABLE OF CONTENTS

Executive Summary.....	5
Preface.....	7
Appreciation.....	9
I. Introduction.....	10
II. Overview of the System	13
III. Findings and Conclusions	
1. No consensus exists as to what we expect the criminal justice system to accomplish.....	20
2. We are sending more and more people to prison.....	20
3. Those who represent components of the criminal justice system believe the system is working as best it can.....	23
4. People both inside and outside of the system believe it is overextended and overworked.....	25
5. Those who serve as advocates for defendants believe the system has gross inequities and problems.....	27
6. Those both inside and outside the system recognize that it is dealing with increasingly complex societal issues.....	29
7. Substance and alcohol abuse are believed to be the single greatest driving force behind criminal activities, putting pressure on the system and impeding successful rehabilitation.....	30
8. Those in the system report that people convicted of crimes often prefer jail over probation.....	33
9. There is some debate over the relationship between crime statistics and number of arrests.....	34
10. Those both within and outside the system recognize that the correctional system does not successfully rehabilitate offenders.....	34
11. State and federal regulations and fiscal policy, as well as local policy, have a major impact on the county's criminal justice system.....	35
12. Involvement in the criminal justice system has replaced productive social and educational pursuits as a "rite of passage" for many young people.....	38
13. People both inside and outside of the criminal justice system believe that increased community awareness and involvement are needed.....	39

14. Efforts are being made to improve the local criminal justice system.....	40
15. Community programs exist that serve as advocates for both the incarcerated and victims, and deal with underlying social causes of crime.....	44
IV. Recommendations.....	48
A. System-Wide Recommendations.....	48
B. Component-Specific Recommendations.....	54
V. Appendices.....	57

EXECUTIVE SUMMARY

Many millions of dollars are appropriated for what is loosely termed the criminal justice system. Public safety costs make up fully one-third of the property tax bill for Onondaga County residents. This public safety expenditure includes Stop DWI, the Sheriff's Department and jail, the Department of Corrections, the Department of Probation, the District Attorney's Office, Hillbrook Juvenile Detention Facility, E911, the fire coordinator's office and emergency preparedness. A few of these areas, such as the county's fire coordinator, are clearly not in the realm of criminal justice. Most of these areas are components of the criminal justice. This expenditure does not include costs incurred by other parts of the criminal justice that lie outside the jurisdiction of the county, such as the New York Division of Parole and the state and federal courts. This one-third figure also does not include the cost of operating the Syracuse Police Department in the City of Syracuse or town and village police departments in some localities.

Despite the tremendous outlay of public dollars, a common perception remains that society is not getting any safer. People believe that crime is a serious threat and that the fabric of society is being undermined by drugs, violence, theft and burglary and other aberrant behaviors.

The public appears to view the criminal justice system as a convoluted and complex system, which is not easily understood by those outside the system. They realize the various parts of the system have huge caseloads and are dealing with more social problems than ever before: family dysfunction, alcohol and chemical dependency, domestic violence, child and elder abuse and other issues. At the same time, the public feels neighborhoods are not getting safer and these problems continue to exist.

Assessing the overall success of the criminal justice system in addressing these concerns is difficult, since no one consensus of opinion has been reached by the community. Those examining the system too often come from special vantage points: active advocacy groups exist for the incarcerated, as well as for victims of crime. Each brings a different perspective to any evaluation of the efficiency and success of the system.

Some trends are recognized by all parties involved with the criminal justice system and those serving as advocates for various interests. These trends include: We are sending more and more people to prison. The system is dealing with increasingly complex social issues. Drugs and alcohol abuse are continuing to be a major factor leading to criminal behavior. Youth are increasingly turning to criminal behavior, rather than traditionally-accepted routes. Rehabilitation is not successful in the great majority of cases and recidivism continues to be a major problem.

Other issues, such as whether defendants are getting adequate

representation and possible ethnic bias in parts of the system, remain a source of debate.

These ongoing issues and concerns are set against the backdrop of state legislation that is often restrictive to localities and state reductions in funding that are continually putting a greater burden on Onondaga County and other local governments. A positive sign is that many community agencies and resources are helping people who may be victims of crime, or who may themselves be involved in the criminal justice system.

Public education about the criminal justice system should be at the heart of any effort to improve the system. Only with a fuller understanding of components of the system can we, as a community, begin to assess its effectiveness and develop common goals and plans for its improvement.

The need for increased public awareness and knowledge of the system is at the core of the recommendations presented by the Onondaga Citizens League. The concept of citizens committees is urged as a means of getting people involved with and informing them about the system. Outreach efforts, combining a recognition of the diversity of the population in our county, is essential to the long-term effectiveness of such citizens committees.

An oversight board, the Onondaga County Criminal Justice Advisory Board, is currently in place. This board represents a broad cross-section of the community and has been successful in its efforts to date. The League recommends that the scope of this board be expanded, so that it can gather and disseminate information for strategic planning by components of the system.

A community-wide approach must also be given to the area of alternatives to incarceration and rehabilitation. Alternatives, diversionary programs and rehabilitation hold the key to solving an immediate problem--continued prison overcrowding and huge capital expenses incurred by building more and more prisons--and a long-term problem--recidivism. Attention must also be given to specific components of the system, such as law enforcement, the courts, and defense, while some changes must take place at the state level to insure that our localities have adequate resources without restrictive state practices.

PREFACE

In 1978, several members of the Thursday Morning Roundtable at Syracuse University's University College explored the need for, and the feasibility of, establishing a broad-based citizen organization to study and make recommendations on long-range problems facing Onondaga County. The idea for the citizens group was inspired by the successful 25-year history of the Minneapolis-St. Paul Citizens League, which has been responsible for initiating many of the progressive developments in that metropolitan area.

After much discussion, 21 people, who were active in the community and interested in the concept, were convened by University College Dean Lee Smith, to serve as an advisory board and to develop plans for an Onondaga Citizens League. They established guidelines for members, prepared and adopted by-laws, and oversaw the operations of the Citizens League in its early months.

The Onondaga Citizens League was incorporated in 1980 and received non-profit, tax-exempt status in 1981. The League's purpose is to encourage citizen education and involvement in public issues and problems. Members study all aspects of selected public issues. They review the facts, make considered judgments on approaches, alternatives and solutions, and develop recommendations to present to the community. The organization's objective is to forestall the development of problems into major crises. The League's mission is to encourage and provide civic education for local residents, not to promote specific legislation or function as a lobbying group.

The Onondaga Citizens League with a current membership of more than 200, is open to all residents in Onondaga County. While some choose to join in order to study a specific topic, others join and renew their membership annually because they support the principle of citizen education and involvement. In its 15-year history, the Citizens League has issued 14 reports.

Reports of the Onondaga Citizens League:

<u>Equality and Fairness in Property Assessment</u>	June, 1979
<u>Young People in Trouble: Can Our Services Be Organized and Delivered More Effectively?</u>	May, 1980
<u>The County Legislature: Its Function, Size and Structure</u>	August, 1981
<u>Declining School Enrollments: Opportunities for Cooperative Adaptations?</u>	July, 1982

<u>Onondaga County Public Works Infrastructure: Status, Funding and Responsibilities</u>	July, 1983
<u>Police Services in Onondaga County: A Review and Recommendations</u>	August, 1984
<u>The City and County Charters: Time for Revision?</u>	July, 1985
<u>Blueprints for the Future: Recommendations for the Syracuse Area in the Year 2000</u>	July, 1987
<u>The Role of the Food Industry in the Economy of Onondaga County</u>	July, 1988
<u>Poverty and Its Social Costs: Are There Long-Term Solutions?</u>	October, 1989
<u>Syracuse Area Workforce of the Future: How Do We Prepare?</u>	June, 1990
<u>Schools That Work: Models in Education That Can Be Used in Onondaga County</u>	September, 1991
<u>Town and Village Governments: Opportunities for Cost- Effective Changes</u>	September, 1992
<u>The Criminal Justice System in Onondaga County: How Well is it Working?</u>	September, 1993

APPRECIATION

In our community, as in many others, the dedication and active participation of volunteers is an essential ingredient in all civic enterprises. This is especially the case in regard to the work of the Onondaga Citizens League. The League is comprised of volunteers. Officers, board members, committee chairpersons and committee members give freely of their time and thought to planning and carrying out the work of the League.

This particular study on the local criminal justice system involved more volunteers than previous efforts. About 100 persons worked on this project, including advisory, study committee members, speakers and consultants. Many of these are identified in the appendix. Those who deserve special thanks are the members of the study committee. These individuals spent many hours during six months, listening to experts on some phase of the study topic, probing issues, reading documents and debating recommendations.

The League is especially appreciative of the contributions made by the leaders of this project. James Introne, Tom Letham and Catherine Richardson spent countless hours in addition to study committee sessions reviewing progress, planning strategy and future sessions, and obtaining speakers or consultants.

The OCL Board of Directors appreciates very much the work of its assistant director and its general writer, Laurel Saiz, who wrote this report.

As it has for 15 years, University College of Syracuse University provided staff support, office and meeting facilities, telephone, mailing and other forms of assistance as a community service to implement the work of the Onondaga Citizens League.

Lee Smith
Executive Vice-President

I. INTRODUCTION

In her book, The Death of the Law, Lois G. Forer, a Philadelphia Court of Common Pleas judge, notes that the public as a whole has little understanding of the components of the criminal justice system. She writes: "By the time the accused is brought before the trial judge, the long process known as criminal justice is almost half over. What precedes the trial and what happens afterward are largely ignored." In her analysis of the criminal justice system, she also calls it a "mindless, archaic system which produces results that have little to do with justice."

Those sentiments might also reflect local perceptions about the criminal justice system. Few people understand the highly inter-related agencies, departments and courts that make up the system and the complex steps an individual goes through when caught up in it. Also for many, there is a feeling that the criminal justice system somehow, is not doing the job it was originally intended to do.

In an effort to provide a means to educate the public about criminal justice and shed some light on the workings of the system, the Onondaga Citizens League selected its 1992-93 topic: "The Criminal Justice System in Onondaga County: How Well Is It Working?" in the spring of 1992. The goal of the OCL Board of Directors was to develop a report that would explain the system and also offer commentary about what is good and what needs improvement within the system. The board perceived that criminal justice was an area that required scrutiny, not only because of the resources expended, but also because of its effect on so many human lives.

This feeling about the significance of the criminal justice system was confirmed by the unprecedented response to the announcement of the study topic. The OCL Board appointed three study chairpersons: Catherine Richardson, a partner with Bond, Schoeneck and King; Jim Introne, President of Loretto; and Tom Letham, a retired businessman and active community leader. These three individuals believed criminal justice was an important topic to explore. A steering committee made up of 16 people representing a cross-section of the community further defined the scope of the study.

Eighty-one individuals from varied walks of life and backgrounds signed up as members of the study committee--a record high number for a Citizens League study. As had occurred just once before, the weekly meetings had to be moved from University College to nearby Park Central Presbyterian to accommodate the large turnout. Weekly attendance consistently was 30 to 40 people. The group met 22 times over a period of five and a half months and heard 51 speakers. The study committee had two field trips for first-hand observation: one to the Onondaga County Correctional Facility at Jamesville and the other to observe City Court, with Judge Sandra Townes presiding. The study schedule included five

discussion and review sessions, allowing committee members to analyze and react to the wealth of information presented to them about the system.

The Citizens League recognized there are many ways to define the criminal justice system. The study committee viewed it as a linked set of entities that deal with persons who are arrested for violating provisions of the criminal code. This is the instituted system and includes the components people come to think of when hearing the phrase "criminal justice." These parts include the police, courts, prosecution and defense and the aftermath to disposition of a case, whether it be probation, incarceration and eventual parole, an alternative to incarceration, or outright dismissal. From a broader perspective, the system can be understood to also embrace those factors that "feed" or "respond to" the instituted system. Any study of criminal justice must assuredly look at social conditions, such as poverty, lack of education and drug and alcohol abuse. All of these factors cause human problems and, thus, feed the system. Likewise, a broad understanding of the system should incorporate advocacy groups that call for prison reform and prisoners' rights, for victims' rights and victims' compensation, for alternatives to incarceration and for programs to reduce recidivism.

The speakers reflected these perspectives and included officials in positions of authority in various components of the system, such as Onondaga County Sheriff John Dillon, Onondaga County District Attorney William Fitzpatrick, Syracuse Police Chief Frank Sardino, Probation Commissioner Robert Czaplicki, Correction Commissioner Pat Tappan, City Court Judge Langston McKinney and Town Justice William Walsh. The speakers also included representatives of community agencies and advocacy groups, such as Father Bill Cuddy of the Jail Ministry and alternatives to incarceration expert Marsha Weissman. The League also heard from those that represent victims of crimes, family members of people in prison, and defense attorneys from the assigned counsel program and the Frank H. Hiscock Legal Aid Society, who represent people accused of crimes.

Part II of this report deals with an "Overview of the System," and offers a look at its basic components. Part III, "Findings and Conclusions," considers social conditions that may lead to criminal behavior and the way community groups and individuals are responding to the system.

Obviously, there would be no criminal justice system without crimes, and there could be no crime without a definition of criminal behavior and mandatory sentencing. Much discussion occurred during the study about the criminalization of certain behaviors, particularly those surrounding drug use. Some argued that drugs should be legalized and treated as a public health problem, not a criminal issue. At different points during the study, others felt that some behaviors, such as those relating to

domestic violence, should become more criminalized. Any weighing of the merits and negative points of legalizing drugs would entail its own complete study. Surveying the penal code for laws that should be eliminated and those that should be strengthened was beyond the scope of this study. Thus, the analysis of the system contained in this report does not contain recommendations about the penal code itself.

The League also recognized that the criminal justice system, like all other parts of the public and private sectors, is beset by increasing financial constraints. An across-the-board call for additional revenue for the various parts of the criminal justice system would be unrealistic given current circumstances. Instead, recommendations were developed using a managerial point of view, by generally trying to find ways of improving the system given the available resources. Six subcommittees tackled various parts of the system and developed pertinent recommendations over several weeks.

The Citizens League opted not to take an in-depth look at the Citizens Review Board in the City of Syracuse. For most of the length of the study, the Review Board was already receiving intense scrutiny from community groups, law enforcement agencies and elected officials. The study committee decided that no useful purpose would be served by its becoming yet another actor involved with the controversy. The League did recognize that the Review Board controversy illustrates the general problem of continuing misunderstandings and miscommunication among parts of the system.

The League recognized that in a very true sense, the criminal justice system is the end point for other public and private programs in the community. When people fail in education, employment or family stability, when a program fails them, or when there is no appropriate program, they often end up in the criminal justice system. Far too often in our community, people are born into poverty, fail to graduate from high school with a marketable skill and cannot get a job. Too often, people have home lives beset by dysfunction and violence and, too often, they engage in drug or alcohol use and resort to criminal behavior. When these things occur, these people become part of the huge machinery of criminal justice. The parts of that system, and what happens to people in it, are the focus of this report. The League does recognize that most poor people are not criminals, nor are they high school dropouts or unemployed. Criminals can be rich and can have a college education and good job, but lack values, are egocentric and lack sympathy for others.

II. OVERVIEW OF THE SYSTEM

The criminal justice system has many components at the three levels of government and these jurisdictions overlap considerably. The four functional areas of the local criminal justice system are: 1) Law enforcement 2) Prosecution and defense 3) The courts and juries and 4) Disposition, including sentencing and alternatives, as well as probation and parole.

1. Law Enforcement

The responsibility of police agencies is to forestall criminal acts, as specified under the legislated penal code, and to arrest and charge individuals for criminal misbehavior.

The newly-instituted emergency 911 network could be considered the very first part of the criminal justice system. This is the initial point at which people generally report a crime, and thus is the point of entry into the criminal justice system. Answering the calls dispatched through 911 are the various police units throughout the county. These include satellite stations of the New York State Police, the County Sheriff's Department, the City of Syracuse Police Department, and six town and three village police departments. The Syracuse Police Department alone handles 170,000 calls a year and has 422 sworn personnel and 120 civilian employees. The town and village departments receive about 88,000 calls a year and have a total of 193 full-time and 88 part-time officers. Federal law enforcement agencies include the local office of the Federal Bureau of Investigation.

2. Prosecution and Defense

The Northern District of the U.S. Attorney's Office prosecutes cases that fall under the federal criminal code. The state has regional offices of the State Attorney General who can also appoint special prosecutors to investigate such areas as Medicaid fraud. Local matters most usually concern the local district attorneys' offices. Each of New York's 62 counties, including the five boroughs of New York City, has an elected district attorney. Each DA's office has an investigating and prosecuting staff. The Onondaga County District Attorney's Office has a staff of 102, including 45 attorneys. The remaining staff are stenographers, investigators and other support staff.

The right to a fair trial is a basic right under the U.S. Constitution. It was not until the 1965 Supreme Court decision in Gideon, however, that local governments had to provide funding enabling indigent defendants to obtain defense lawyers. Now counties can choose between having a Public Defender's Office, much like the District Attorney's Office, or use legal aid societies or assigned counsel programs. Onondaga County has a configuration that is used in only one other county in the state. In this approach, the Assigned Counsel Program of the Onondaga County Bar Association

provides defense counsel services, by hiring and reimbursing local attorneys and by subcontracting with the Hiscock Legal Aid Society. The Onondaga County Criminal Justice Advisory Board has found that this configuration is superior to that of other counties. Hiscock Legal Aid handles non-felony cases in Syracuse City Court and all appeals for felonies and misdemeanors, as well as Family Court cases. The remaining cases--the felony cases and cases in town and village courts--are handled through the Assigned Counsel Program. The assigned counsel program includes private defense lawyers in the area who meet competency standards and undergo extensive training. Defense counsel for indigent defendants are assigned by the judges.

3. The Courts

A. Inferior Courts

Inferior courts are courts of limited jurisdiction and include Syracuse City Court, 19 town courts and seven village courts in Onondaga County (sometimes called justice courts). There are 45 town and village justices and six city court judges. These courts deal with minor civil and criminal matters and their jurisdiction includes traffic violations, misdemeanors and preliminary jurisdiction for felonies. While both city court and justice courts have the same legal jurisdiction, local magistrates do not have to be attorneys as do city court judges. About 80 to 85 percent of local magistrates statewide are not lawyers. Local courts statewide generate a great deal in traffic and vehicular fines and state surcharges--\$125 million in fines and \$25 to 30 million in surcharges were sent to Albany last year. Many of these fines, and the surcharge, are mandatory.

The six full-time City Court judges each spend four weeks with an assignment before rotating to the next assignment. This is to insure equal distribution of the workload and maximize judicial efficiency. The civil court has a monetary jurisdiction up to \$15,000. Civil cases are assigned on a random and equal basis to any of the six judges. Once a judge works with a particular case, he or she deals with it until its final disposition. Civil court also includes evictions. There is no limit to the amount of back rent covered in these cases. Each judge is responsible for all eviction cases filed on his or her four-week term, even after moving to the next rotation. Last year, they dealt with 9,800 eviction cases. Small claims court jurisdiction covers cases involving less than \$2,000. Housing court meets Wednesday afternoons and judges are assigned for a year at a time, because many detailed housing and enforcement codes are involved.

Criminal court includes traffic court, which convenes at 9:30 a.m. Monday through Friday. It handles routine matters like parking violations and more serious offenses, such as DWI and reckless driving. These cases remain the responsibility of the presiding judges until their closure. Criminal court includes full trial

jurisdiction on all misdemeanors and violations in the City of Syracuse and limited jurisdiction on felonies, such as murder, rape, robbery and burglary. City court deals with arraignment, setting bail and the preliminary hearing. After that it goes to a higher court. Arraignments are done seven days a week, beginning at 9:30 a.m., including holidays. Again, judges are assigned for four weeks and have full responsibility for cases arraigned in his or her court during that period.

At any one time, three of the six judges' case load is taken up with many "calendar" cases, such as traffic court, arraignments, small claims and the civil calendar. This calendar case load precludes the judges from working on civil or criminal jury trials. Three judges are left flexible for trials and contested matters, which take up more time.

Inferior courts offer the citizen an inexpensive way to get a civil dispute on the court calendar: often the filing fee is only \$5 or \$10. Superior courts, such as the Onondaga County Court, require filing fees that can be \$180 and up.

B. Superior Courts

Superior courts are courts of general criminal jurisdiction and include the New York State Supreme Court and the Onondaga County Court. The New York State Court of Appeals is the highest state court, not the Supreme Court.

C. Special Courts

Family Court is a court of special tribunal. Locally, there are five Family Court judges and three hearing examiners who presided over 18,805 cases in 1992. Hearing examiners deal only with support and paternity cases. Under state law, anyone under the age of 16 is not criminally liable for his or her conduct, except for very violent or serious offenses. Youth aged 7 to 15 fall under the purview of the juvenile justice--or Family Court--system.

D. The Jury System

A **grand jury** is made up of 23 people selected from the community. These individuals serve for one or two months and hear evidence in secret for one or two months on whether cases have sufficient evidence to warrant indictment. The **petit juries** are the trial juries and names of potential jurors are obtained from voter registration, DMV lists and other sources and are picked randomly on a periodic basis. The great majority of cases do not go to trial.

4. Case Disposition

The steps a person can go through while his or case is disposed of can include pretrial detention, release on bail or

one's own recognizance, dismissal, probation, and sentencing to a state or county facility. It can also include a diversionary program or alternative to incarceration, such as house arrest and monitoring, and probation.

A. Department of Probation

The Onondaga County Department of Probation deals with about 3,500 people at any one time, with a general population of about 5,000 over a year. Probation staff members also prepare about 4,500 presentencing reports for convicted criminals before they are sentenced and handle about 5,000 intake cases involving Family Court matters. Later in this report, noteworthy improvements in diversionary and alternative programs developed by the local Department of Probation are detailed.

B. Corrections

The Public Safety Building jail is a detention facility run by the Sheriff's Department holding arraigned persons not able to make bail, persons arrested in the City of Syracuse awaiting arraignment, arraigned persons for whom no bail is set and convicted persons awaiting transportation to correctional facilities. If an individual is arrested in the City of Syracuse, he or she may be lodged in the PSB and sees a judge within 24 hours. In Onondaga County outside the City of Syracuse, an individual must be arraigned by seeing a judge prior to being lodged. In 1992, there were 12,000 admissions to the PSB. The average time an inmate stays is 8.5 days, while 15 percent stay for more than six months.

The PSB has experienced extreme overcrowding and was the subject of a federal court order to reduce that overcrowding. Staffing and the budget for the jail are at 1987 levels, although the work load has increased by 50 percent since that time.

The new Onondaga County Justice Center is currently under construction and is looked to by people in the system as a means of dealing with overcrowding and addressing underlying inmate problems, such as mental illness and alcohol and substance abuse. The Justice Center will also serve as a pretrial and presentencing detention center. It will have 618 one-person cells, as well as several specialized areas, such as a 15-bed infirmary, a mental health unit and a drug rehab unit.

In New York State, including Onondaga County, people with an indeterminate sentence, such as one and a half to three years or five to 10 years, go to a state prison. Those with a determinate sentence, such as six or nine months or one year, go to Jamesville Correctional Facility. Sometimes there can be two determinate sentences back to back, such as two one-year sentences, for two separate convictions. As soon as the person goes through the booking office at Jamesville one-third of the time is taken off.

Time is added back on for infractions. Intermittent prisoners are sentenced for only weekends. This practice is discouraged, however, because of continued overcrowding at the facility. Specific characteristics of inmates at Jamesville are discussed in the Findings and Conclusions part of this report.

C. Parole

Probation deals with people who receive probation instead of jail or prison; parole deals with people who have been incarcerated and are released prior to the expiration of their sentence. The New York Division of Parole and its regional offices can get new cases in two ways: 1) Prisoners are released by the parole board after finishing their sentences. 2) Conditional releases--prisoners serve their minimum time due to "good behavior." The courts--not the parole board--established minimum sentences which must be met. Once a prisoner is released, he or she is required to make an "arrival report" within 24 hours of release. The parole officer monitors the activities of the parolees and works to help them change their lives for the better. The parole officer can serve in roles ranging from a "police officer" to a "social worker." The local region of the New York State Division of Parole incorporates eight counties and deals with 950 people, with 500 to 600 of these in Onondaga County. There are 17 parole officers to deal with these 950 people.

Table One provides detailed data regarding arrest numbers, case loads and inmate population for Onondaga County.

Table One: Onondaga County Criminal Justice Data* 1987-1992**						
Component	1987	1988	1989	1990	1991	1992
<u>Law Enforcement</u> <u>Total Arrests</u>	15527	18257	20508	21216	21928	NA
Arrests for Controlled Substance	1,036	1,766	2,124	2,082	2,133	
<u>Pre-Sentenced</u> <u>Facility</u> Jail Admissions	8,903	10305	11694	11759	11391	11406
Average Daily Population	243	253	293	275	279	320
<u>Local Sentenced</u> <u>Facility</u> OCCF Admissions	942	1,117	1,279	1,325	1,333	1,286
Average Daily Population	204	221	301	310	312	325
<u>Prison</u> <u>Commitments</u> Sentences in which defendants were probation eligible.	321	298	313	340	341	NA
<u>Courts</u> City Court Arraignments	6,237	6,732	9,012	8,687	9,086	10796
Justice Court Arraignments	NA	NA	NA	NA	NA	NA
<u>Probation</u> <u>Department</u> Pre-trial Release Cases	710	800	1,238	1,396	1,219	1,241
Probation Violators	729	875	1,178	1,128	1,083	1,130
<u>Defense</u> <u>New Cases</u> Legal Aid	2,105	2,453	2,794	3,130	3,250	3,498
Assigned Counsel	4,955	5,521	6,191	8,506	9,350	10196

**Table One: Onondaga County Criminal Justice Data,
1987-1992, Continued**

Component	1987	1988	1989	1990	1991	1992
<u>New York State</u> <u>Parole</u>						
Technical Violators	183	261	336	349	286	302
Inmate Days	9,861	13709	16865	15452	14839	14058

***Source:** Onondaga County Criminal Justice Advisory Board

****Note:** Total arrests include all categories of offense, except for non-DWI vehicular and traffic matters; arrests for controlled substances are included in total arrests figures.

Court data does not include vehicle and traffic matters

No centralized data is readily available for justice courts.

I. FINDINGS AND CONCLUSIONS

1. No consensus exists as to what we expect the criminal justice system to accomplish.

The criminal justice system is highly complex and made up of many interrelated, but uncoordinated, components. Other systems, such as social services, education and health, all play a role in the eventual success or failure of individuals in the criminal justice system. Many areas of human behavior, such as a person's ability to hold a job or family dysfunction, eventually impinge on the system. In addition, we, as a community, represent myriad social, economic, ethnic, racial and religious backgrounds. The complexity of criminal activity, and the interplay of social problems and the diversity of people's values, beliefs and opinions make it hard to develop one single blueprint detailing the goals and objectives for criminal justice.

For example, in talking about the purpose of the criminal justice system, some people would strive for the complete elimination of crime. Others recognize that some crime will always exist. Some citizens would expect law enforcement officers to handle every instance of household or neighborhood disputes, while others would prefer the police to solely focus on more serious crimes. Many citizens would advocate consistency, fairness and speed as important goals for the criminal justice system. Many would cite justice for the victim as well as the defendant as a priority. Others would call for accountability for all system components, while some would indicate that punishment and deterrence should be paramount.

This diversity of opinion was reflected in the wide range of attitudes expressed by speakers before the Onondaga Citizens League, as well as by the study committee members themselves. It is difficult for a community to announce, with any amount of confidence, exact expectations for this broad area called criminal justice. And without the ability to determine what we expect for the criminal justice system, it is difficult to assess how well it is working.

2. We are sending more and more people to prison.

No one believes jail provides the answer to eliminating crime. Prison, as it is now, cannot solve the problem of criminality with its complex social components. Two schools of thought regarding incarceration can be identified. Some would call for all criminals to be locked up under mandatory and severe sentences. Others contend that a great number of people in jail could be helped if only they were given a decent job and a chance. Despite these conflicting philosophies, however, it is clear that we, as a country, are incarcerating more people than ever before.

Nationally, the incarceration rate has doubled in the last

decade--from 138 people per 100,000 sent to state and federal prison to 293 people per 100,000. The number is even higher--437 per 100,000--if local jails are included along with the prison figures. In 1980 in the U.S. there were 329,821 convicted criminals serving sentences in prisons. In 1985, the number was 502,752 and in 1991 it was 823,414. Prof. Sam Donnelly of the Syracuse University College of Law and the Jail Ministry describes "the extraordinarily large and increasing prison population" as an overwhelming problem.

New York State has followed national trends in putting more people behind bars than ever before. Even in a time of severe budget crisis, New York State has been building prisons at an unprecedented rate. In recent years, more than 30,000 prison beds have been built, bringing the total in the state to 60,000. It costs \$180,000 per bed to build a prison, and in its search for funds to sustain prison growth, the state has even relied on the Urban Development Corp., an agency originally designed to earmark money for low and moderate income housing. The Correctional Association of New York and the New York State Coalition for Criminal Justice report that New York spends about \$3 billion a year to cover the state prison system's operating and construction costs--or about \$8 million a day.

In 1991, 57,862 convicted criminals were serving sentences in New York State prisons. In addition, in 1991, 426,479 people were detained in jail while waiting for their trials to begin or while their cases were pending. This compares to 158,394 detained before trial in 1978. Inadequate prison and detention capacity has been cited as a major weakness of the system. Inadequate space can mean that violent offenders are not detained pending disposition of their charges, because the jail is already full.

Onondaga County sends fewer people per capita to state prison than many other counties, yet that number increased 28 percent from 1985 to 1991. In addition, the population at the local sentencing facility at Jamesville has doubled over the last decade. Tables Two through Six detail the population at Jamesville by gender, race and classification of offense.

Onondaga County Correction Commissioner Pat Tappan noted that prison overcrowding has been a fact of life in Onondaga County. The main building at Jamesville Correctional Facility can hold 192 to 197 inmates. Five trailers, which are a very expensive way to house prisoners, can hold 54. The annex, opened in April 1989, can hold 116, for a total of 367. The overall daily population for 1992 was 403 and the highest population was in March of 1992, when it hit 474. Much of the overcrowding is due to a recent federal court case which ruled there was overcrowding at the Public Safety Building downtown, causing the overflow to go to Jamesville. Additional room for inmates at Jamesville was achieved by using double-bunking in two dorms double-bunking in two dorms and getting state variances regarding regulations about prison capacity. One such variance

**Table Two: Onondaga County Correctional Facility
Percentage of Commitments by Classification
of Offense, 1984-1992**

Year	Felony	Mis- demeanor	Violation of Probation	Traffic	Other
1984	27%	42%	13%	6%	12%
1985	25%	37%	22%	6%	10%
1986	23%	40%	23%	6%	8%
1987	17%	47%	27%	2%	7%
1988	10%	53%	30%	1%	6%
1989	12%	54%	26%	5%	3%
1990	11%	50%	28%	6%	4%
1991	11%	50%	25%	6%	7%
1992	13%	52%	26%	3%	6%
*Source: Onondaga County Department of Correction Annual Reports					

**Table Three: Top Five Offense Commitments by Number of Inmates
and Average Length of Stay***

Offense	Number of Inmates	Average Length of Stay
Violation of Probation	86	158
Petit Larceny	43	157
CPCS 7 (Controlled Substance)	14	119
Assault 3	6	146
Operating a Motor Vehicle While Intoxicated 1	9	150
*Source: Onondaga County Department of Correction Annual Reports		
Average Figures are for the month of June 1993		

**Table Four: Onondaga County Correctional Facility
Annual and Average Daily Population by Gender, 1982-1992***

Y e a r	Annual			Average Daily		
	Male	Female	Total	Male	Female	Total
82	586	98	684	138	21	159
83	562	88	650	137	20	157
84	700	128	828	166	20	186
85	739	120	859	174	22	196
86	769	86	855	180	16	196
87	835	107	942	183	16	199
88	875	142	1,017	193	28	221
89	1,135	144	1,279	271	30	301
90	1,136	189	1,325	277	33	310
91	1,146	188	1,333	278	34	312
92	1,099	189	1,286	281	44	325

*Source: Onondaga County Department of Corrections Annual Reports

allows open common areas to be used for space for beds. At a point of peak inmate population level, Tappan was forced to obtain another variance allowing half of the gym to be used to house inmates in bunk style. Two new dorms at Jamesville and the new Justice Center, now being built downtown, are viewed as solutions to overcrowding.

3. Those who represent components of the criminal justice system believe the system is working as best it can.

All speakers and committee members agreed that the system was complex and complicated, and no consensus was reached about ultimate expectations for the system. However, it was clear that people who work within the system strongly believe that it is working as best as can be expected, given the current circumstances of increased demands and reduced resources.

Chief City Court Judge Brian DeJoseph and retired State Supreme Court Justice Walter Gorman agreed that the system is working as well as it can under the circumstances. Gary Sharpe, U.S. Attorney for the Northern District, stated, "The system is overwhelmed by demands. The dedication, talent and hard work of the people in the system are what keep it going, despite a greatly increasing case load and increased complexity of cases," Sharpe

**Table Five: Onondaga County Correctional Facility
Annual Population by Race, 1991 and 1992***

Y e a r	Caucasian	African- American	Hispanic	Other	Total
91	640	594	61	38	1,333
92	585	626	37	38	1,286
*Source: Onondaga County Department of Corrections Annual Reports					

added. "Each component is driven by the knowledge that we're responsible to each segment of the community." Representatives from other components of the system, from a variety of agencies, departments and divisions, detailed some areas of weakness, but gave the system overall passing marks.

It was clear that the professionals in the system are dedicated to the functioning of the process--the flow of cases from arrest and adjudication to probation or prison and parole. Given the increased pressure on the system, this attention to process appeared to mean that accommodations might have to be made elsewhere in the system to effectuate the flow of cases in and out. For example, if arrests rates are high and cases are backlogged, then local district attorneys might less aggressively prosecute certain classes of crimes. If there are too many cases waiting for court action, then some are eliminated from the docket by diverting people out of the system. If there are too many people in jail, then more jails are built or prisoners are released early to make room for others.

An emphasis on procedure--the cogs and mechanics of the system--might show that the system is handling the cases as best as can be expected given the resources being provided. It is also logical that a person with close affiliation to a component of the system would likely believe that it was operating well. However, it has been an intent of this study to go beyond the mechanics of the system and address such issues as cost-effectiveness, equity, and rehabilitation, among others.

It was clear from the high calibre of individuals that spoke before the study committee that the system has a wealth of hard-working and talented professionals. The problems with the system do not appear to be caused by the people in it, but rather the inherent structure of the system itself. One failing of the system is that no one person or entity has a broad overview of the entire system.

4. People both inside and outside of the system believe it is overextended and overworked.

All speakers who testified before the Citizens League cited the tremendous growth in the number and complexity of cases the system has had to deal with. In just one example, City Court Judge DeJoseph provided statistics showing that the number of evictions and small claims in the city have more than doubled in the last 10 years. Serious crimes have also escalated. In 1973 in the City of Syracuse, there were 241 narcotics cases; now the city might have that number in just one or two months. In 1972 in the city, there were just three cases involving offenses against children. Now, they may have three every week. Onondaga County has a backlog of 15,000 criminal warrants for people who were released on bail, but did not show up in court. The Syracuse Police Department has just four people to help address this particular problem. One of the main problems of the system is the more recent influx of violent perpetrators.

Diane Erne, Onondaga County deputy commissioner for children's services, said the overload of the system is increasingly evident. Though not strictly part of the criminal justice system, many agencies which do child protective work have had no increase in funding in four or six years, and many have had cuts of 5 to 25 percent. Not only has there been a decrease in service dollars, there has been a state cap on foster care--after that point the localities lose the state share of reimbursement. The same may happen with the juvenile delinquent (JD) and Persons in Need of Supervision (PINS) programs. Erne described these funding losses as "the vice that closes--a dreadful inconsistency."

Syracuse City Court Justice Langston McKinney said that when he started as a judge seven years ago, he was able to take a portion of every work week to reflect on the events that had transpired. Now he has no extra time at all and an individual who comes into the system "is reduced to a file to be processed as quickly as possible."

Laura Cardone, an attorney in private practice, eloquently expressed how the huge number of cases affect those working in the system. A former assistant prosecutor in Manhattan, Cardone said she used to say she was a "maintenance worker" when asked her profession. "There wasn't enough time, money, or feeling to really make difference," she said. "After a while all I felt I did was clean up the streets, and the next day the streets would be littered with a different set of people who couldn't function in this system." Cardone added that while Syracuse has "big city problems," it is still small enough where some changes could make a difference.

Because of the backlog of cases, diversionary programs and plea bargaining appear to be necessary parts of the system. Some diversionary programs deal with people before they have a

criminal conviction and, in the process, eliminate the need for costly trials. They are placed in programs under the supervision of the probation department. Unfortunately, probation has to deal with an increase in cases with a staff that has not grown commensurately.

In order to help people and divert them from a prison sentence, many human resources must be expended. In all cases, services are being stretched to the limit. For example, each staff member of the probation department's unit that handles Family Court has a case load of 75. "It's a charade to think we're putting young people under probation supervision with that case load," stressed Family Court Judge Minna Buck.

The county's limited resources make filing and enforcing orders of protection for battered wives, children and the elderly difficult. In 1983, the county's legal division had 10 attorneys. In 1985 there were five and now there are only three--only one of whom deals with adult and child abuse. Mary Anne Corasaniti, director of the Elder Abuse Program of the Alliance Division of Catholic Charities, estimated there are 800 to 3,200 abused elderly people in the county. Her program had sufficient resources to handle only 152 cases in 1992.

In 1992, Hiscock Legal Aid handled 3,400 non-felony cases in City Court. This was a case load of 850 cases per attorney. The agency has added staff and the load is expected to drop this year to about 680 to 740 cases per attorney. That is more than double the national standard of 400 cases, said Hiscock Executive Attorney Susan Horn. Most cases are disposed of without a trial--only ten cases handled by Hiscock went to trial last year. In the county overall, only 62 of the 3,500 felony indictments last year went to trial.

Because of the waiting time and backlog in court dockets, plea bargaining is viewed as essential to the working of the system--resulting in the small number of cases actually tried. Speakers stated that there just aren't enough judges and courtrooms to handle the cases. Just 3 percent of the state budget goes toward the judiciary and the limited number of judges are dealing with a huge increase in cases. Onondaga County District Attorney William Fitzpatrick noted that an increase in plea bargaining came with an increase in felony arrests in recent years. Plea bargaining, or plea negotiating as it is also referred to, accounts for the disposition of most of the cases that enter the system. "We pretend the criminal justice system is a trial system--it isn't. Ninety percent of cases are plea-bargained and even if you quadrupled the number of judges you wouldn't change the numbers," Law Professor Donnelly said.

The overwhelming use of plea bargaining and the small number of trials is an indication of the "breakdown" of the system, Horn added. "The right to trial has broken down, largely because there

are no resources. Justice is usually obtained through plea bargaining and the end result is the feeling is that nobody has gotten any justice," she stressed.

5. Those who serve as advocates for defendants believe the system has gross inequities and problems.

A common thread throughout the presentations by advocates before the Citizens League's study committee was that the system seems to be divided between the "haves" and "have nots." Sometimes the inequities are caused by economic status, and other times by race, age, gender or lack of education. Sometimes all factors play a part.

A major issue presented by advocates for defendants is the number of minorities in jail. African-Americans make up 50 percent of the New York State prison population, but just 12 percent of the general population. More than 80 percent of the prison population are minorities, including Hispanics. Almost all are poor. In 1985, 65 whites were incarcerated for every 100,000 people. In contrast, the rate for Hispanics was 226 per 100,000, while the rate for blacks was 776 per 100,000.

The Center for Justice Education in Albany, N.Y., reports that the imprisonment rate for blacks in New York is twelve times the rate for whites. Statewide, there are three times as many whites on felony probation as in prison, while there are more blacks in prison than on probation. There are twice as many young black males under some sort of supervision in the criminal justice system in the state than there are in college, the Center reports.

A typical prisoner is young--under 25--poor, from an urban area, and a minority. People involved with the criminal justice system tend to be undereducated or illiterate, suffering from alcohol and substance abuse, under or unemployed and in many cases suffering from developmental disability or mental illness.

Onondaga County follows the state example, in that there are a disproportionate number of minorities involved in the criminal justice system. In Onondaga County, about 45 percent of the incarcerated population is African-American, while the general county population is 5 percent African-American. (The African-American population in the City of Syracuse is 17 percent.) Monique Wright Williams, the homeless and runaway youth services coordinator for the City-County Youth Bureau, was critical of the system's treatment of many individuals. "In answer to the study's question, 'How well is the criminal justice system doing?,' I would say it is doing well only if you are in the business of unfairness and bias." Much of this is due to our underlying "isms"--biases as a society--which tend to view youths, African-Americans, Hispanics and women only as "afterthoughts, addendum and amendments," she said.

An underlying problem for all of these people may be a lack of participation in the economic life of the community. A commentary on the system is that 79 percent of the defendants are represented by assigned counsel. Most people charged with serious crimes can't afford a lawyer, noted John Parker, executive director of the Onondaga County Bar Association Assigned Counsel Program. If someone does have a job, he or she often loses it when word of problems with the law gets out.

The inherent inequities of the system "are brought to life when you go in court," said Horn. "The defendants stand alone all the time, while all the resources of the state are brought to bear against them." The "others"--judge, prosecutor, police--are almost always white, while the defendants are "disproportionately persons of color," she added. The only person they have there is the defense attorney, whom they don't get until they ask for help and get one assigned at arraignment.

Because of the pressure put on people in plea bargaining, the entire precept of the justice system is contradicted, Horn said. "Our system is based on the assumption that at some point we arrive at the truth and justice. That doesn't happen in the overwhelming majority of cases," she stressed. "There is pressure from the court, the DA's office and the whole system not to try a case when it can be disposed of another way," Parker added. Injustice--the innocent being incarcerated and the guilty going free--may be happening "more than we acknowledge and more than we know," Horn said. Another result of the lack of resources for defending the indigent is the fact that Hiscock has no capacity to conduct investigations. Legal Aid attorneys must ask the judge for funding for investigatory work under the "expert services provision" and "the bottom line is that it doesn't happen," Horn said. Hiscock does not have the staff to pursue alternatives to incarceration or research treatment programs for clients.

Local Defense Attorney Emil Rossi described how justice can often be a function of the point at which a defense attorney is called into a case. Since the indigent must wait for a court-appointed lawyer, they often do not meet their lawyer until their first appearance in court. Those with resources can hire a lawyer immediately, and the defense attorney can then begin to work and negotiate with other components of the system.

The situation appears to be even more disproportionate for minority women. Fifty-six percent of the male inmates at Jamesville are minorities, while 66 percent of the females are minorities. "Is it easier to send some races to jail than others?" asked Mary Czelusniak, a Jail Ministry volunteer who works with women inmates.

Similar inequities appear for Hispanics. Local community leader Mayra Urrytia works with incarcerated Hispanics. She said their needs are "exacerbated because they do not understand what is going on." While praising the deputies for treating the inmates

with respect, Urrytia said it is hard for the Spanish speaking to understand the rules and regulations, or to communicate with the guards. They cannot file grievances or communicate their medical needs, because of the language barrier.

In addition, local defense attorney Kate Rosenthal stated that the mentally ill and youth aged 16 to 18 tend to "fall through the cracks." Many mentally ill or developmentally disabled people in the system cannot function on their own and need additional help. Similarly, services are inadequate for youths over age 16, when they don't fall under the jurisdiction of Family Court anymore.

Members of the Jail Ministry and family members of those who are incarcerated were also critical of other aspects of the system. Sheila Donovan noted that there are only 14 seats at the PSB jail and that people must often arrive at 5 a.m. in order to get a space on line. It is difficult for families who must wait for hours, often without seats and without toys to occupy their children. It is not unusual to be turned away without ever having seen the family member, she said. In addition, a local call to Jamesville Correctional Facility costs 24 cents. A collect call from Jamesville to Syracuse starts at \$1.55. This cost can be burdensome to families with serious financial problems at home.

The shackling issue at the Public Safety Building Jail arose during the study and was the subject of a CBS "60 Minutes" episode, as well as numerous stories in the media. The stories highlighted a report issued by Physicians for Human Rights, which supported allegations by prisoners that they had been painfully suspended by wrist shackles for hours at a time. Earlier this year, the state Commission of Correction criticized county jailers for inflicting excessive and unnecessary pain on inmates by restraining them in handcuffs and leg irons. The commission, however, did not find any evidence to support allegations that the shackled inmates were suspended.

6. Those both inside and outside the system recognize that it is dealing with increasingly complex societal issues.

There are long-range implications for the family dysfunction that goes hand-in-hand with poverty, substance and alcohol abuse and other societal problems. Studies have proven that 80 percent of felons were victims of childhood abuse or maltreatment. Figures concerning child abuse and other issues attests to the generational nature of these problems, which often lead to involvement in the criminal justice system.

Diane Erne, deputy commissioner for children's services for the Onondaga County Department of Social Services, said there is a continuing increase in youth with complicated problems and from poor and violent environments. Child protective services last year received 4,431 reports of suspected maltreatment. While cases reported last year leveled off, in contrast to yearly double-digit

increases in complaints for a number of years, the volume of severe cases continues to grow. Between 1991 and 1992 there was a 50 percent increase in young people labeled as JD/PINS and a 5 percent increase in young people labeled as PINS. The parents of these and other children seen by county workers demonstrate many serious problems and diagnoses. "The serious problems that accompany these children are scary," Erne emphasized.

Children entering social services are coming with special needs. A clinic for foster children run in cooperation with the State University of New York Health Science Center showed that 48 percent of the children below 5 years failed or scored low on developmental screenings. Many had sight and hearing deficiencies, 75 percent had mental health involvement and have had inadequate health care.

The Sheriff's Abused Persons Unit, a special unit in the detective division, dealt with 500 cases of child and adult abuse or sexual crimes in 1992. Seventy-five percent of the cases were child or adult sexual abuse and 25 percent were cases of physical abuse or elder abuse. The unit saw a 10 percent increase in 1992 and a 12 percent increase in 1991. The increase in cases has averaged 5 to 10 percent every year.

Many of the cases handled by the Sheriff's Department Special Unit concern elder abuse, which can include emotional, psychological and verbal abuse, physical abuse, sexual abuse, financial exploitation and passive and active neglect. Active neglect is a deliberate act of withholding resources. The Elder Abuse Program has experienced an increase in the difficulty of cases, which have become more physically violent. Eighty-five percent or more of the cases involve a family member and the families exhibit a high degree of dysfunction.

As noted earlier, the average time an inmate stays at the Public Safety Building jail is 8.5 days, which is a very short time to try to address underlying problems.

7. Substance and alcohol abuse are believed to be the single greatest driving force behind criminal activities, putting pressure on the system and impeding successful rehabilitation.

Chief Assistant District Attorney Gary Kelder stated that the abuse of and trafficking in narcotics has contributed to "every constituent part of the crime problem locally and nationally." Warren Darby, chief of police for the Town of Cicero and president of the Central New York Police Chiefs Association, said that "drugs have a tentacle in every piece of crime in the county." Local U.S. Attorney Gary Sharpe agreed that problems with drugs and alcohol are "shared across the board." Kate O'Connell, executive director of the Syracuse Rape Crisis Center, noted that alcohol or substance abuse is involved with almost all incidents of rape or sexual offenses and Correction Commissioner Tappan noted that about 70

Table Seven: Trends in New York State Prison Commitments*							
y e a r	Total Number Commit- ted	Violent Felonies (See below)	Percent Violent	Drug Offenses	Percent Drug Cases	Number Non- Violent	Percent Violent
80	7,959	4,550	57%	886	11%	2,654	33%
81	10,311	6,236	60%	1,037	10%	3,319	32%
82	10,403	6,615	63%	1,243	11%	3,146	30%
83	12,538	7,926	63%	1,625	12%	3,851	30%
84	12,248	7,324	59%	1,877	15%	4,069	33%
85	12,410	6,993	56%	2,218	17%	4,483	36%
86	14,920	7,759	52%	3,228	21%	5,966	39%
87	15,705	6,939	44%	5,106	32%	7,608	48%
88	17,374	6,751	38%	6,432	37%	9,218	53%
89	21,518	7,116	33%	9,763	45%	12,846	59%
90	23,098	7,435	32%	10,785	46%	14,030	60%
91	24,069	8,312	35%	10,766	45%	14,073	58%
92	25,099	8,628	34%	11,209	45%	14,697	59%
<p>*Note: Figures provided by the Correctional Association of New York</p> <p>Examples of violent felonies include murder, manslaughter, rape, robbery, assault and first and second-degree burglary.</p> <p>Examples of non-violent felonies include the possession or sale of drugs, forgery and third-degree burglary.</p>							

an immense national effort, such as stopping drugs at the border or going after the money of the big suppliers. At the same time, local agencies have intense pressure from neighborhood groups to stop drugs from being used locally. When local law enforcement agencies step up drug enforcement, the number of persons arrested on drug charges greatly increases, increasing the number of people detained at the Public Safety Building and sentenced to Jamesville or a state facility. Drug offenders make up the single largest group of inmates statewide and locally. The added numbers of drug offenders put pressure on the entire system. (See Tables Seven and Eight.)

Drug laws are being enforced more strictly. In 1986, there were only three local agencies involved with drug enforcement; now there are seven: the Syracuse Police Department, Onondaga County Sheriff's Department, New York State Police Department, the Task

Table Eight: Top Five Offense Commitments by Number of Inmates and Average Length of Stay*		
Offense	Number of Inmates	Average Length of Stay
Violation of Probation	117	176
Petit Larceny	39	146
CPCS 7 (Controlled Substance)	13	209
Assault 3	12	192
Operating a Motor Vehicle While Intoxicated 1	12	142
*Source: Onondaga County Department of Correction Annual Reports		
Average Figures are for the month of June 1992		

percent of the convictions for which people are serving time in Jamesville were "based on serious drug or alcohol problems."

The issue of drugs provides a dilemma for local law enforcement agencies. Any major reduction in drug use would require Force (which combines town, village and federal levels), the Combat Unit (the Sheriff's Department and Syracuse Police focusing on the Northside and Mattydale), the Neighborhood Anti-Crime Unit and C-Net (a state agency that can bring in people from other areas for undercover work). The consequence of the involvement of all these in aggressive drug enforcement is that officers are being taken away from other areas, stated Steve Thompson, Deputy Chief of Police, general service and community relations bureau. In Syracuse, 30 officers are assigned to drug enforcement. This means that there are fewer officers to take other calls. Service levels for handling other kinds of crimes can be affected.

Drug-related assaults and overall calls to the police have increased. In 1992, the Syracuse Police Department, for example, had 200,000 calls, averaging about 18,000 to 19,000 a month. Fifteen to 20 percent dealt solely with drug complaints. In 1992, there were 13,000 arrests, with 15 to 20 percent for drug charges. Since drug charges are felonies, perpetrators are dealt with more seriously in the court system and are more likely to be detained in jail, reducing jail space. These cases cannot be disposed of as quickly as others, such as burglaries and larcenies, Thompson said. While the other cases may be drug motivated, they are less likely to be prosecuted and more likely to be kicked out of the system. Since there is limited trial time, these drug cases take time away from other cases and increase the cost of law enforcement to taxpayers. This situation has gotten so onerous, the study

committee was informed, that some localities have decided to not aggressively pursue drug cases in an attempt to send a message to the state and federal levels that they cannot pursue drug cases without added resources.

In addition, substance abuse and alcoholism appears to be a major roadblock to eventual rehabilitation. Parole Supervisor Fritz agreed with Tappan that at least 70 percent of the people he deals with have committed crimes directly attributable to alcohol or substance abuse. Probation and parole can mandate that people enter a treatment program, but requiring that does not always mean they will successfully complete the program. "You can't rehabilitate people for them," Tappan said. "All we can do is provide opportunities for everyone." Probation officials also view drug and alcohol abuse as a major impediment to successful transition back to a productive way of life.

8. Those in the system report that people convicted of crimes often prefer jail over probation.

Prison and probation officials agreed that a disturbing trend is that many people want to go to jail, rather than face an extended probation or rehabilitation. "Is it because we offer such a beautiful place and it's like a resort? I don't think so," Tappan said, describing Jamesville Correctional Facility. Instead, people seem to "want probation people off their backs." Many people don't want long-term supervision, don't want being held accountable for their behavior and don't want authorities intruding in their private life. They feel no impetus to deal with their personal problems and changing the course of their life. Added to this is that fact that many people like the security of prison. It is safe, substance free, basic needs are provided and the schedule and activities have structure and regularity. "The reality is that for some it is easier than life on the outside," Tappan said.

Czaplicki agreed that the "biggest problem" he sees is that "criminals are more and more saying, 'I'd rather go to jail.'" A great number opt to spend three to six months in Jamesville, rather than serve on probation for three to five years. "It's difficult to comprehend," he said, but it seems to indicate people don't want to get serious about dealing with their problems and putting their life in order. Many find the requirement for treatment of their substance abuse, such as by attending Alcoholics or Narcotics Anonymous meetings, burdensome. The "magic solution" to solve so many problems in the criminal justice system would be "to have people motivated about changing their lives," he said.

This issue brings up another area of concern. Opinions were mixed as to the availability of treatment beds in the Syracuse area. Several experts said they have no problems getting people admitted--they do have trouble getting them to stay. Others said the problem is not bed availability, but waiting time. Often, a person may lose his or her resolve when forced to wait for

admittance. All speakers agreed that a major stumbling block is the lack of insurance coverage for resident alcohol and drug rehabilitation programs. About 70 to 80 percent of those in probation have a problem with alcoholism or substance abuse.

Lack of a desire to turn one's life around also appears evident in youth involved with juvenile and criminal justice. Bryan Ennis, a principal probation officer with the county probation department, said that a number of young people don't take advantage of available services. There are a comparatively small number of chronic, habitual offenders, with as many as 10 or more incidents on their record. The system, which has tried to divert them, "is clogged with serious repeat offenders who are a threat to the community." They are "more and more impulsive and a risk to the community and the school," Ennis said. They see no accountability in their actions, and thus have no incentive to change their behavior.

9. There is some debate over the relationship between crime statistics and number of arrests.

Just as there is no consensus about our expectations of the criminal justice system, there is no consensus about the relationship between arrest rates and crime. Some people cite statistics showing that crime was higher in the past, while other people believe crime is becoming much worse.

Senior District Attorney Gary Kelder said he has observed "a zenith of crime and concern about it today." Warren Darby of the Central New York Association of Chiefs of Police noted that it is "not coincidental" that arrests have been increasing in recent years just as crime statistics have been decreasing: there is a direct cause and effect relationship. Sheriff John Dillon said the greater number of multiple drug arrests in recent years, which have no overall effect on the figures for burglary, robbery, murder and other crimes, have escalated arrest statistics. Law enforcement personnel, while recognizing the high incarceration rate, point out that money and lives are saved when criminals are not out on the street.

10. Those both within and outside the system recognize that the correctional system does not successfully rehabilitate offenders.

"If the lack of rehabilitation is injustice, then the system has it built in," said Defense Attorney Parker. A major problem is the released person's reintegration into society. One case cited before the study committee concerned a former street person with no organized life skills. When released from a state prison, he was given a \$40 check, a new set of clothes and a bus ticket. It is unlikely that such a person could survive without some intervention.

Willie Andrews, former staff member with the Family Matters Program of the Cooperative Extension, said that in her work with the incarcerated she has seen only two young men who have been successfully rehabilitated. One young man decided to change the direction of his life when he realized that "prison's about nothing--going no place." Another decided to change when he realized that his wife had stood by him through all his problems and he wanted to repay her for her support. Generally, however, these success stories have been rare, Andrews said.

Studies show that there is less of a chance for recidivism if a person has community ties and a job. However, funds for transitional programs, such as Project Exodus, have been cut, while jail cells are still being built.

Services for people after they get out of prison are also stretched by a large case load and tightening budgets. Parole officers are stretched to the limit and the number of probation staff and the number of alternatives have not increased at the same rate as the prison population. County departments have experienced staff cutbacks, due to a continued loss of state aid.

11. State and federal regulations and fiscal policy, as well as local policy, have a major impact on the criminal justice system.

At the system's most basic level, police make arrests on the basis of prosecutable crimes under New York State Penal Law or Criminal Procedure Law. Changes in these codes have a direct effect on local law enforcement activities, just as state regulations and reduced funding constrict the effectiveness of that and other parts of the criminal justice system.

For example, as noted earlier, a young person under the age of 16 is not criminally liable for his or her conduct, except for very violent or serious offenses, and those aged 7 to 15 fall under the purview of the juvenile justice system. Thus, adolescent offenders, aged 14 to 18, overlap the juvenile and criminal justice systems. Since these are the years with the highest rate of criminal activities, these young persons account for much of the judicial caseload.

The state dictates that Family Court officials can only focus on the child, even if they know that the child comes from a troubled and dysfunctional family. They can only address family issues if there is an actual order of protection or a neglect petition filed regarding the parents or guardians. In addition, unless the parents bring the petition for Person in Need of Supervision (PINS,) the court has no jurisdiction over the parents--the statute doesn't permit that. "The system pretends to deal with treatment and assistance to families, but the legal and fiscal conditions don't make that possible," said Family Court Judge Buck.

Youth are also dealt with in an inconsistent manner, depending

on what state agency is involved. Under the Family Court Act, juvenile delinquents can be placed in a residential facility for a full 12 months. If the referral is for more than 12 months, the case is reviewed annually. Extremely troubled youths who have not been helped by Family Court are referred by the court to the New York State Division for Youth (DFY). DFY is required to accept them within 14 days of the court disposition and place them in an appropriate facility. These facilities are often overcrowded and have a large waiting list. When they must make room for a newcomer, they can send the young person back before a full 12 months is up. This is because DFY is governed under Executive Law and a youth can be sent home before that full time is passed. Buck described how many young people come back to the local community and get into trouble, again returning to the juvenile justice system.

The law also inhibits the quick protection of women and family members who are victims of domestic violence. Now, most protection orders are done through Family Court, since a person does not have to press criminal charges in that court. However, this does not allow for a rapid and effective system "for service of those protective orders," stated Sally Berry, executive director of Vera House. In addition, the law in New York State does not permit referrals from Family Court regarding treatment programs for offenders. Since this is where most of the domestic violence cases are handled, "this is a very major barrier," Berry said. There has been a 25 percent decrease in probation aid and numerous recommendations transferring parole services to the localities, thereby increasing local costs.

A problem caused by local procedures is the lack of centralized police services, stated Detective Peter Van Patten of the Sheriff's Abused Persons Unit. Many of the 22 police departments in Onondaga County have overlapping jurisdictions. When dealing with a case involving abused persons, sometimes the sheriff's department is contacted first and the special unit can go out; other times the town and village departments are called and they handle it. One case was noted during the study in which a young girl had been sexually abused by an unrelated 14-year-old boy also living in the home. Local police questioned the girl in the presence of the boy, increasing the girl's trauma and reluctance to describe what had happened. The Unit's specially trained officers would have realized the ramifications of the situation and questioned the girl privately.

Most police departments have a policy on domestic violence or abuse, but this doesn't mean that the persons will always be arrested. The Abused Persons Unit has a pro-arrest policy, geared toward protection of the victim. The suspected perpetrator is arrested in all felony cases that are reported, whether the victims want that done or not. The intent is to defuse the situation and stop the violence, at least for a while. The officer has several options, such as issuing an appearance ticket or bringing the offender in for arraignment. In the county, however, Van Patten

said that officers cannot always access a judge in some of the towns and villages. Some judges are always available; other judges are unavailable "99 to 100 percent of the time," he contended.

Only a judge--not an officer--can issue an order of protection. When the judge is not available, the officer is forced to issue an appearance ticket and cannot stop the person from returning home. The case load of most officers means that they can't waste time going "judge-shopping"--calling locality after locality to try to find a town or village justice who is available. Since orders of protection are only as strong as the judge issuing them and the law enforcement officers enforcing them, their effectiveness is heavily influenced by local policy. Some judges and police do not take them as seriously as victims advocates believe they should. Sometimes a judge puts someone in jail, in other cases the person is released. "It depends on the judge and the situation," Van Patten said. Police officers, of course, can arrest a person for harassment, assault or another harmful activity.

Senior citizens advocate Corasaniti also stressed that her program's work is affected by local law enforcement agencies. Many caseworkers require a police officer to check on a client, because the abusing family member may be prone to violence. One problem she noted is that many police unversed in the issues of abuse may accept the abuser's explanation. The abuser may convince the police that the "old lady is demented" and the officer leaves. This may happen because 75 percent of the cases occurs in middle and upper-income families and police have the misconception that elder abuse only occurs in impoverished households. Another impediment is that some local justices insist that the person requesting an order of protection must appear in court, even if the case worker has the necessary evidence. In many cases it is difficult for a housebound, elderly person to come to court.

State policy regarding reimbursement of local costs has an impact in Onondaga County. The fact that one-third of the PSB inmates are parole violators is indicative of a statewide policy. The state has tended to transfer the cost of housing these people to localities. It costs about \$100 or \$110 a day to house an inmate; NYS reimburses only \$36. In terms of probation services, a shift of the burden to localities is the expressed policy in New York State. (See Table Nine) "Criminal justice action has to do with money--nothing to do with philosophy," Czaplicki said. There has been a 25 percent decrease in probation aid and about 20 recommendations regarding parole services in the state have not been enacted.

**Table Nine : Onondaga County Probation Budget and
Changes in State Aid, 1985-1992***

Year	Total Budget	Percent State Aid	State Dollars	Local Money
1985	\$3,711,519	46.5	\$1,264,442	\$2,379,943
1986	\$3,947,242	46.5	\$1,381,912	\$2,565,330
1987	\$3,968,441	46.5	\$1,345,426	\$2,485,851
1988	\$4,480,598	46.5	\$1,577,283	\$2,751,865
1989	\$5,443,345	46.5	\$1,824,612	\$3,427,921
1990	\$5,668,212	41.5	\$1,666,366	\$3,800,943
1991	\$5,279,231	36	\$1,720,468	\$3,317,071
1992	\$5,273,475	33	\$1,267,554	\$3,719,831
Source: The Onondaga County Department of Probation				

12. Involvement in the criminal justice system has replaced productive social and educational pursuits as a "rite of passage" for many young people.

Speakers agreed that serving a prison sentence has unfortunately become a socially acceptable "rite of passage" for too many of our young people. Jesse Dowdell, executive director of the Southwest Community Center, said that there is a need for an alternate rite of passage and that, unfortunately, "school has nothing to do with a rite of passage." Youth worker Wright-Williams noted that many young people perceive the expected rites of passage--high school and college--as out of reach. Akim Spinks, a Southwest Community Center staff member, said that many impoverished children and teenagers do not have an opportunity for role models. This results in a distressing situation.

The Correctional Association of New York and the New York State Coalition for Criminal Justice state in their report, An Imprisoned Generation: Young Men in Criminal Justice Custody in New York, that it is "no accident" that a disproportionate number of minority youths fill our jails. "Prisons are a brooding omnipresence hanging over low-income, inner-city minority youth," the report states, adding:

Prisons are now the last stop along a continuum of injustice for these youths that literally starts before birth--no pre-natal care, poor health care, substandard housing, dirty

streets, failing schools, drugs, joblessness, and prison.

On any given day in New York State, nearly one in four--over 23 percent--young African-American men is under the control of the criminal justice system. This is double the number of all the full-time African-American college students in the state. On any given day, 11 percent of New York's African-American males between the ages of 20 and 29 are confined in a state prison or local jail.

13. People both inside and outside of the criminal justice system believe that increased community awareness and involvement is needed.

City Court Justice McKinney has eloquently pointed out before the OCL study committee and other forums that the public at large cannot fully comprehend an institution they know nothing about. People will not change their attitudes and actions out of fear of retribution, but will have more respect for a system when they feel it is open and understandable.

McKinney's comment's echo the theme of the book, Criminal Violence, Criminal Law by Charles E. Silberman. This book states that the effectiveness of the criminal justice system is not predicated upon a fear of going to jail or fear of punishment, but people's respect for it. When people believe the system treats them with fairness, decency and dignity, it is more likely to convince the people who come before it to adhere to positive social values. All components of the system should recognize that openness and accountability are essential.

Efforts to make the criminal justice system more open have had excellent results. For example, a highly successful example of citizen involvement was the court observers program, which was started in 1976. Concerned citizens organized a core of about 50 people who sat in on sessions of Syracuse City Court over a period of years. This had a major impact on the responsiveness of the judicial system to citizen concerns and greatly added to the feeling of openness on the part of the public. McKinney stressed that the increased presence of women and minorities in the court's professional staff and the practicing bar has had an enormous impact about convincing people of the fairness of the court system.

Another current successful model of community outreach is the Citizen Police Academy, underway in East Syracuse and Baldwinsville. In this initiative, 15 citizens at a time engage in an intensive awareness and education program involving the villages' police department and local court. People from all walks of life, including teenagers, educators, retirees and professionals, have taken part in this program to date.

However, much more work needs to be done to increase public understanding of the system. McKinney and representatives of other

parts of the system noted that the public as a whole knows little about the system and often their opinions about it are based on perceptions that may not be accurate. For example, the judge stated that few people realize the judicial system is a co-equal partner of government. Les Amann, director of the local office of the FBI, pointed out that people often don't fully grasp that law enforcement agencies do not write the laws, but only enforce laws legislated by a body of elected officials. Onondaga County Deputy Chief Charles Pirro, who heads the PSB Jail, recognized that his department has come under criticism for jail overcrowding. Most people do not realize it is the judiciary--not the Sheriff's Department--that has the legal power to release or commit a person.

Local attorney Edward Menkin pointed out that the public's perception about crime drives much of the policy decision making. The number of people actually affected by violent crime is disproportionately small when looking at the number of people who are worried about being the victims of violent crime. Often the public's attitudes about crime are fostered by the media's coverage, which may sensationalize a lurid crime without providing a comprehensive picture of the entire system.

14. Efforts are being made to improve the local criminal justice system.

Some efforts did come to the light of the Citizens League throughout this study. These improvements include:

*** Formation of the Onondaga County Criminal Justice Advisory Board**

The Onondaga County Criminal Justice Advisory Board was established by state legislation to oversee the disbursement of funds allocated to programs for alternatives to incarceration. Made up of representatives of all components of the criminal justice system, it also includes representatives of the County Legislature and county departments, as well as numerous community organizations. (See Figure One)

The board meets at the discretion of the chairperson, Lynn Shepard, Onondaga County administrator for human services. Currently meeting quarterly, the board has convened three ad hoc committees, including one on alternatives to incarceration, one on town and village courts and--the most active to date--on inmate population management.

The Advisory Board's Inmate Population Management Subcommittee demonstrated that the various components of the system could work in concerted fashion on a topical issue. The board established this subcommittee in the fall of 1990 and decision makers from every part of the system worked together to study the problem of overcrowding at the Public Safety Building jail. The subcommittee submitted its report to the board in November 1990. Some of this

subcommittee's excellent recommendations, such as holding Sunday arraignments in City Court and expediting inmates' Medicaid applications, have already been implemented. Others, such as establishing a pilot program for a bail expeditor and expanding drug and alcohol rehabilitation, still need to be implemented.

*** Reorganization of the District Attorney's Office**

Onondaga County District Attorney William Fitzpatrick cited some changes he has made since assuming office in January of 1992. The office has been reorganized into bureaus and includes a totally new bureau for "Special Victims," which is designed to deal with victims of rape, child sexual abuse and bias-related crimes. The staff for this bureau was increased. These victims are particularly vulnerable in terms of preparing their cases for court, stated Rick Trunfio, senior assistant district attorney who heads the Special Victims Bureau. The cases have a set of complex issues and dynamics, and the victims are more vulnerable, compared to cases of robbery, theft or burglary.

The DA's office has increased the prosecution of men who batter their wives or girlfriends as part of a "pro-arrest" policy. There can be no complaint withdrawal by the woman two or three days after the arrest. This eliminates an intense source of pressure on a woman to withdraw her charge. Another significant initiative is FUTURE, a school program in which staff members donate 10 hours a month and work with fifth-graders on self-esteem and values. The office is taking a strong stand on gun offenses--these cannot be plea bargained without Fitzpatrick's personal permission. and incarceration is generally recommended in these cases.

PROUD, a new program started by the district attorney, is for non-violent, medically-certified addicted offenders and is designed to divert them out of the system. Since it costs \$45,000 to \$50,000 to incarcerate someone for a year, compared to \$10,000 to \$12,000 for a year of in-patient treatment, it is expected that the program will save money as well as provide an alternative to prison. Twenty-five people are currently in the program.

*** Outreach and Education Programs by Law Enforcement**

Drug Abuse Resistance Education (DARE) is a national program that began in 1983. There are local DARE programs in all 50 states and many other nations. In 1987, Syracuse became the first municipality in New York State to adopt the DARE program. Now it is offered by the Syracuse City Police Department, the Onondaga County Sheriff's Department and six town and village police departments. The program begins in the sixth grade with a 17-week curriculum that includes identification of drugs, self-esteem and peer pressure. The program in the eighth grade runs for 10 weeks and in the 10th grade it runs for two weeks.

**Figure One Membership of Onondaga County Criminal Justice
Advisory Board, as of June 1993**

Lynn Shepard, Onondaga County Administrator for Human Services, Advisory Board Chairperson
 Elizabeth Alexander, Criminal Justice Program Representative, New York State Division of Probation and Correctional Alternatives
 Charles Anderson, Common Councilor, City of Syracuse
 Willie Andrews, former staff member, Family Matters Prison Program, Cornell Cooperative Extension
 Don Barrett, Director, Assisting Victims of Impaired Drivers
 John Brown, Director, Western New York Region Office of Funding and Program Assistance, Division of Criminal Justice Services
 David Brownell, Commissioner, Onondaga County Department of Mental Health
 Dick Burtis, Director of Residential Services, Rescue Mission Alliance
 E. Robert Czaplicki, Commissioner, Onondaga County Department of Probation
 Hon. Brian F. DeJoseph, Syracuse City Court Judge
 Patrick Donahue, Program Manager, Onondaga County Department of Mental Health
 William Dowling, Onondaga County Deputy District Attorney
 John Duncan, Assistant U.S. Attorney
 Hon. James F. Dwyer, Town of Marcellus Justice
 Bryan J. Ennis, Principal Probation Officer, Onondaga County Department of Probation
 Diane Erne, Onondaga County Deputy Commissioner for Children's Services
 Jordan Fiske, Onondaga County Assistant District Attorney
 William Fitzpatrick, Onondaga County District Attorney
 Chester G. Fritz, Area Supervisor, New York State Division of Parole
 Jerry Gilbert, Director, Syracuse Brick House
 Jean Greene, Executive Director, Volunteer Center
 John C. Harmon, Superintendent, Hillbrook Detention Facility
 Susan R. Horn, Executive Attorney, Frank H. Hiscock Legal Aid Society
 Harold Johnson, Syracuse Developmental Center
 Edward Kochian, Deputy County Executive
 Hon. Langston C. McKinney, Syracuse City Court Judge
 Leon E. Modeste, President, Urban League
 Hon. J. Kevin Mulroy, Onondaga County Court Judge
 John Parker, Executive Director, Assigned Counsel Program, Onondaga County Bar Association
 William J. Peverly, Chief, East Syracuse Police Department
 Marilyn Pinsky, Executive Director, City-County Youth Bureau
 Charles N. Pirro, Onondaga County Sheriff's Department Deputy Chief, Public Safety Building Jail
 Martha Raub, Director of Core, Rescue Mission Alliance
 William E. Sanford, Chairman, Onondaga County Legislature
 Frank Sardino, Chief of Police, City of Syracuse
 Patricia Tappan, Commissioner, Onondaga County Department of Correction
 Hon. Edward Van Der Water, Town of Van Buren Justice
 Sam Velazquez, Executive Director, Spanish Action League
 David M. Wall, Chief Administrative Officer, Onondaga County Sheriff's Department
 Kevin E. Walsh, Onondaga County Legislator
 Barry Weiss, Administrative Officer, District Attorney's Office
 Marsha Weissman, Executive Director, National Center on Institutions and Alternatives/Northeast
 Mary C. Winter, Principal Probation Officer, Onondaga County Probation Department

The emphasis in DARE programs is that popularity can be found in positive behavior and that peer pressure and the need to "belong" need not mean that young people have to abandon their values. It stresses that self-confidence and self-worth come from asserting oneself and resisting destructive temptations. National studies indicate that 90 percent of young people who have taken part in DARE believe that the program helped them avoid drugs and alcohol.

*** Special Units and Diversionary Programs Offered by the Department of Probation**

Onondaga County has a record better than the state average in terms of diverting people from prison sentences and steering them into special programs. Just 6.4 percent of those convicted in Onondaga County who are eligible for probation end up going to state prison. That is about half of the statewide average.

In addition, the Probation Department has specialized units, such as the Driving While Intoxicated Unit, which provide community safety, supervision and monitoring of DWI probationers, and the Domestic Violence Unit, which pays special attention to the treatment and monitoring of designated domestic violence offenders.

This unit, which is the first and only unit of its kind in the state, formulates policies and procedures and offers specialized training relating to sexual abuse and domestic violence issues.

The Probation Department has a number of nationally-recognized alternatives to incarceration. These include electronic home confinement, the intensive supervision program, the probation day reporting program, the residential programs at the Rescue Mission and Brick House, weekend home confinement and pretrial and conditional release programs.

*** High Impact Incarceration Program**

Early in July, 10 inmates of the Public Safety Building Jail became the first graduates of a new substance abuse counseling program sponsored by the Sheriff's Department, the state Division of Parole and Crouse Irving Memorial Hospital. The program is designed to reduce recidivism and jail overcrowding. The inmates were being held at the PSB on parole violations, which could have led to their being remanded to state prison. Instead, they completed 60 days of counseling from the hospital's Chemical Dependency Treatment Services and training in basic skills from county workers. They are required to continue substance abuse counseling after release from the program.

*** Administrative Changes to Syracuse City Court**

Judge Brian DeJoseph has introduced some positive changes in City Court, during his tenure as supervising judge. In particular,

the institution of Sunday arraignment has reduced the backlog of cases on Mondays and has meant that some people have not had to unnecessarily stay in the Public Safety Building all weekend.

*** Flexibility in Town and Village Courts**

Onondaga County is now the only county in the state that allows town and village justices to do arraignments wherever they are, not just in their official town or village courtroom. For example, a town justice from Marcellus who works in Dewitt does not have to drive back to Marcellus for an arraignment during the day. The police may bring the person to the judge or go to a neighboring judge who is available. Space is also made available in city court for local town and village arraignments, keeping the person close to the PSB and improving security. The idea is to get the police back into action as soon as possible, rather than waiting around for a judge. There is a two-year sunset provision on the state law permitting this flexibility.

15. Community programs exist that serve as advocates for both the incarcerated and victims, and deal with underlying social causes of crime.

*** Alternatives to Incarceration Offered Through NCIA/Northeast**

The National Center on Institutions and Alternatives/Northeast was founded in 1981 as a regional affiliate of the National Center on Institutions and Alternatives, and became independent in 1992. NCIA/NE is a private, non-profit agency providing direct services to professionals and clients in the criminal and juvenile justice and related human service systems, as well as training and technical assistance in those fields. It has worked extensively with "at risk" youth and youthful offenders.

NCIA/NE has established several model programs in New York State and has had exemplary results. The center's Youth Advocacy Project in Syracuse worked with 32 people in 1992. Seventy-five percent of them had prior court involvement. Only 15 percent were returned to the court for placement and, of those, none were returned for new criminal activity. The success of Youth Advocacy translates into fiscal terms--saving about \$1.2 million in placement costs in juvenile institutions. In NCIA/NE's New York City Youth Advocacy Program, only 18 percent of the youths were rearrested.

NCIA/NE began Project PROUD in 1992. This program is based on the premise that substance abuse treatment can be a cost--effective alternative to the incarceration of drug-dependent offenders. In the first demonstration year, PROUD served 30 defendants. Assuming a per bed cost for incarceration is \$25,000, the cost for imprisoning these individuals would have been \$750,000. The average cost of residential drug treatment is about \$12,000--less than half the cost of incarceration.

The Youth Advocacy Project and Project PROUD are just two of the programs and services being offered by NCIA/NE.

*** The Jail Ministry**

The Jail Ministry's active group of advocates for the incarcerated are involved in a number of efforts. The Ministry's projects include a visitor advocate program, low cash bail fund, and van trips for family members, Slocum House, the "Glory Bee" bakery and holiday baskets. It provides Sunday worship services for the incarcerated, as well as legal advocacy and care packages. There is an active visitors program, in which Ministry volunteers go into the PSB jail and Jamesville. The Jail Ministry receives support from Catholic Charities.

*** Family Matters Prison Program**

Family Matters is a community-based education and support group for families with a loved one in prison. The program was founded by Cornell Cooperative Extension, but has been severely reduced because of a loss of county funding. It is continuing in a limited fashion through the support of Trinity Episcopal Church and the Jail Ministry. Members continue to meet at Trinity Church the first and second Tuesday night as an educational support and self-help group. Family Matters works with Jail Ministry to sponsor transportation to state correctional facilities in distant areas of the state with no access by public transportation. Every Friday evening at Jamesville, Family Matters offers a program for children of the incarcerated called Child Care. Children can visit their mothers and also work with trained volunteer professionals, who are sensitive to dealing with issues of having a family member in prison. Another Family Matters program for children is the Cousins Program.

*** Project Exodus**

Project Exodus was founded in 1983 by local clergy who worked with the incarcerated and wanted to assist their entry back into productive society. Aided in part through grants and private donations, the project got most of its funding from Onondaga County. Sponsored by the Syracuse Area Interreligious Council, the project organized volunteers to go into prison to work with inmates and provided transitional and other services. From January 1991 through May 1992 Project Exodus served 821 clients. However, most of the funding for this program was cut and only a limited women's and children's program remains, run by Sister Judith Falk.

*** The Syracuse-Onondaga County Drug and Alcohol Abuse Commission**

The Commission is a community partnership that was started in 1989 under a federal grant. Five committees in the Commission deal with different aspects of the problem. A key part of their focus

is the criminal justice system.

Among the Commission's programs are Parent to Parent, which is based on a national program called PRIDE, and Syracuse Onondaga Business Against Drugs or SOBAD, which is designed to help businesses set up drug policies and procedures, as well as employee assistance programs. Another Commission-sponsored program is Youth Court, which is currently operating in Jamesville-Dewitt and North Syracuse, and will be expanded to Baldwinsville and the city. In Youth Court, young people accused of misconduct are brought before other youths. The underlying idea is that peer pressure not to use drugs will develop. Young people before the youth courts must then engage in community service. The Commission's criminal justice committee has a pilot program for non-violent offenders, in which they engage in community service in the neighborhood where their offenses took place. Other programs include the "Fighting Back" simulcast and the 472-DRUG hotline, which operates 24-hours a day.

Another important recent effort of the Commission involved two surveys--one of young people and one of adults--which assessed area residents' attitudes and habits concerned drug and alcohol use. The results indicate that people underestimate the drug problem.

*** The Syracuse Area Domestic Violence Coalition and Vera House**

Vera House runs five programs, including a shelter for about 500 women and children a year--Eighty to 90 percent of whom are victims of domestic violence. An outreach program reaches 2,500 to 3,000 people a year, mostly women and children. These people have been victims of domestic violence and need help with short-term counseling, court appearances or interaction with the police. An educational program provides training for other professionals and law enforcement officers in the community.

The Syracuse Area Domestic Violence Coalition includes a number of people who represent a variety of fields--law enforcement, probation, the Department of Social Services and others. They assess how the system is working and strive to make improvements. Vera House and the Coalition provide victim orientations for community groups, such as the DA's office, Family Court, law enforcement agencies and others, and are designed to raise awareness of the issues.

The Batterers Intervention Program works with offenders, last year working with 200 people, out of an estimated 10,000 to 15,000 incidents of domestic violence in the county.

*** The Syracuse Rape Crisis Center**

The Rape Crisis Center has 13 professional staff and 35 volunteer advocates. It provides long-term professional counseling for victims of sexual violence and their family members. Last year, the center dealt with 600 cases. Of these, more than 85 percent of

the victims were under 18 and most were "at the younger end of the scale," stated Director Kate O'Connell. The center provides a counseling program for crisis calls. Of the 1,600 calls last year, one-third were crisis. The center followed up with 150 crisis appointments--people who had experienced a violent sexual crime and needed to speak to someone urgently. The staff provides medical and legal advocacy.

*** The Volunteer Center**

The Volunteer Center has several criminal justice-related programs, include the Victim Advocate Program, Survivors of Homicide Program, Victim Witness Assistance Programs (VWAP), Assisting Victims of Impaired Drivers (AVID), Diversion to Community Service and the Dispute Resolution Center.

VWAP was started in 1976. In 1992, the program assisted 5,252 victims and witnesses of crimes. In 1990, the Volunteer Center agreed to sponsor AVID, which addresses the needs of victims of DWI and driving under the influence (DUI) accidents. The definition of a victim not only encompasses the primary victim--that person directly involved in the accident--but also the secondary victims, who may be anyone affected by the death or injury of a person involved in a DWI/DUI accident.

Mediation and dispute settlement is offered by the volunteer center, in conjunction with the District Attorney's Office, and for which VWAP acts as the principal referral source. During 1992, more than 150 cases were satisfactorily mediated and crime victims were either compensated or in agreement with a compromise. Diversion to Community Service, while not directly related to victim assistance, is part of the Volunteer Center's criminal justice component. Individuals are placed in more than 300 non-profit agencies in Onondaga County and may volunteer anywhere from 10 to more than 2,000 hours of community service. Other alternatives to incarceration include the DWI Weekend Home Confinement Program and electronic home confinement, run in conjunction with the county's Probation Department.

III. RECOMMENDATIONS

A. System-Wide Recommendations

Recommendation One: The scope of the Onondaga County Criminal Justice Advisory Board should be expanded, so that it can gather and disseminate information for strategic planning by components of the system.

The criminal justice system in Onondaga County and New York State appears to be highly fragmented. Coordination between the various components, such as law enforcement, the courts, probation and parole is hampered by the day-to-day challenges of handling an ever-increasing caseload, as well as the institutional barriers that are built into the system. Because of the day-to-day caseload pressures, the components of the criminal justice system have not been able to assemble the necessary information with which to conduct short and long-term planning. In many cases, information is not readily available and different parts of the system do not appear to agree on basic trends and characteristics figures, such as arrest, conviction and crime rates. The inability for everyone to adequately describe the system using the same set of data hampers coordination and planning.

The parts of the criminal justice system are closely interrelated, as well. What happens at one point will have ripple effects throughout all the other entities. For example, if local law enforcement officials decide to more vigorously enforce a particular law, the other parts will be equally affected by greater numbers of people for arraignment, pretrial detention, plea bargaining, trials, probation, incarceration and parole.

The state has a significant impact on the local criminal justice system and often impairs planning on a local level. Policy and funding decisions can adversely affect local planning and effectiveness. For example, if the state decides to fund a program to target low-level drug offenders, the local courts, jails and probation agencies will then have to deal with an increase in the number of people charged with those particular offenses. As seen earlier in this report, any decrease in state funding will have major local impact. Therefore, a local liaison with state-level agencies should be incorporated in any local planning effort. In addition, the Citizens League recognizes that **comprehensive criminal justice planning must also be undertaken on a statewide basis using local input.**

The Onondaga County Criminal Justice Advisory Board would be the ideal group to promote a greater flow of information and coordination between the different parts of the criminal justice system. The Citizens League recommends the Advisory Board expand its role to that of a body that facilitates information exchange between all parts of the system. An important aspect of the purview of this Board should be strategic planning, including gathering and

disseminating information about the criminal justice system. Whenever possible within the bounds of confidentiality, an exchange of information between components of the system should be promoted. Available data imply trends regarding the consumption of scarce public resources, such as personnel and jail space. The Advisory Board could make projections, ensuring that each component is working with the same set of figures, and develop plans to use these valuable resources based on those projections.

The Advisory Board has already shown it can tackle an issue and come up with helpful and viable solutions, as demonstrated by the activities of its Inmate Population Management Subcommittee. A Criminal Justice Advisory Board with a strengthened mission would be suitable to ensure that those recommendations are enacted and to study and resolve emerging problems in the system. Local history has shown that a combination of community and government involvement has always been most successful in undertaking important projects in the Syracuse area. The Citizens League believes the Onondaga County Criminal Justice Advisory Board has actors from public and private entities already in place to successfully focus on issues in the field of criminal justice.

Such an expanded role would be consistent with the intent of the executive law that called for the formation of criminal justice advisory boards. According to Executive Law Article 13-A, an advisory board should consider "but not be limited to" such factors as an analysis of jail populations, jail overcrowding and a summary of existing programs.

The Onondaga Citizens League is sensitive to current fiscal constraints and realizes that staff and resources are being scrutinized for every potential savings. The League recommends that the Advisory Board investigate the model by which the Community Health Information Planning Service (CHIPS) operates. CHIPS provides assistance to the county in health planning and, in return, receives a stipend, secretarial help and office space. When providing staff assistance to the Advisory Board, consideration must be given to the fact that criminal justice has a huge impact on local costs and would benefit from greater sharing of information, coordination and planning.

Recommendation Two: Components of the criminal justice system should establish citizens committees to promote better public understanding of the system.

As noted in Recommendation One, the Onondaga County Criminal Justice Advisory Board has representatives from governmental agencies and departments and community-based social service and advocacy groups. Even with an expanded role of the Advisory Board, however, the public at large may continue to feel uninformed about the workings of the criminal justice system.

A primary concern that emerged during the Citizens League

study this year dealt with the lack of understanding of the criminal justice system by members of the general public and a perception that they are closed off from learning more about it. The community at large remains unaware of the workings of various parts of the system. In addition, vested interests often cast different components of the system and community entities into conflict. This can translate into hostility and on-going controversy. The lengthy conflict between citizenry, elected officials and law enforcement leading up to the establishment of the Citizens Review Board is the best example of this kind of sentiment. In addition, debates continue concerning police and citizen actions during the March incident at the Landmark Theater and sheriff's deputies and inmate behavior regarding the much-publicized shackling at the Public Safety Building.

The adversarial nature of the friction between the public and parts of the criminal justice system is borne of misunderstanding and miscommunication. This underscores the need to get community groups educated about the programs, existing resources and what we expect of the criminal justice system. Education comes before involvement and involvement can eventually build confidence into the relationships. A dialogue must be established as a matter of routine between decision makers and citizens. It is not enough for members of the system to do their job--they also have to gain the trust of the people through dialogue.

The Citizens League, thus, **calls upon responsible parties in various areas of the criminal justice system to form citizens committees to bring people into the process.** These areas include law enforcement, the courts, the Public Safety Building jail, Jamesville Correctional Facility, probation and parole. These committees would engage in fact-finding on a regular basis and share the information with the community at large. The committees would also make recommendations to the County Executive and the chief officer of the relevant facility or department.

Local and national demographic trends indicate that our society is becoming more diverse. Outreach efforts are needed by all segments of the system to ensure that all groups of people are represented. A significant number of persons representing diverse populations and persons with special needs should be included as members of these citizens committees.

In concert with the citizens committees, **the Citizens League recommends that outreach efforts be undertaken whenever possible in all components of the system.** The system could only benefit from a greater informed populace--the average citizens in the community understanding what the criminal justice system does day in and day out. This should include strengthened outreach programs in law enforcement and expanded educational efforts in schools. The citizens committees could work with the various entities to help them establish programs and vehicles for education and public awareness. Such initiatives are needed to increase awareness among

people who may understand the criminal justice system the least, and who may also feel there is no justice in the system.

Likewise, the League realizes that the citizenry has an equal responsibility in becoming actively involved with learning about the system, and not sitting on the sidelines until a crisis develops.

Recommendation Three: An awareness and recognition of diverse groups and people with special needs should be a priority throughout the criminal justice system.

The Citizens League applauds the current efforts of the criminal justice system to recognize diverse populations and those people dealing with functional limitations. However, this study made clear that additional work must be undertaken to accommodate the literacy, language and mental or physical disabilities of people entering the criminal justice system.

A goal of an expanded Criminal Justice Advisory Board should be to make such awareness of diversity a priority throughout the system--from local police departments and the courts to corrections and alternatives to incarceration. This emphasis on diversity should not only include African-Americans and Hispanics, but Native Americans and Asian Americans. Some recommendations the advisory board could see were enacted include:

- * Providing interpreters, bilingual staff members and understandable documents to those inmates whose first language is not English.

- * Coordinating mental health resources to achieve increased access by those in the criminal justice system.

- * Providing additional advanced training to law enforcement officers, particularly in the area of sensitivity to diverse populations and people with special needs.

- * Maintaining a sensitivity to diverse populations in recruitment for all components--police, court personnel, probation, parole and corrections.

Recommendation Four: A community-wide approach to alternatives to incarceration, rehabilitation, transition and re-entry programs should be developed.

It is clear that the criminal justice system is carrying the burden of social problems. Persons who do not get an education, can't find or hold a job, suffer from family dysfunction or mental or emotional problems, live in substandard housing and turn to drugs and crime will likely end up in the criminal justice system. Because of this fact, the system is overburdened: the jails are overcrowded to the point where inmate population affects sentencing

decisions, probation and parole officers are overwhelmed and insufficient attention can be given to rehabilitation and transition back to a functioning role in society. Often, people who enter the criminal justice system are at a crossroads: if their problems are resolved and if they change their outlook and expectations, there is some hope for them. If not, the alternative is a life of crime and a career of involvement in the criminal justice system. With cutbacks in resources at a time when case loads are increasing, the system is increasingly strapped to find means to help these individuals.

Thus, the Onondaga Citizens League calls upon all segments of the criminal justice system, the public and private sectors and local citizens to **make a community-wide approach to alternatives to incarceration and rehabilitation a priority**. Such a community-wide approach would be in accordance with the intent of the executive law regarding the formation of criminal justice advisory boards, which calls upon counties to formulate "a comprehensive plan for the development of alternatives programs that addresses the specific needs identified... and furthers the county's long-range goals in the area of alternatives to incarceration." Some current programs exist, but the community's emphasis must be on increased formalization of such programs, rather than pursuing grants for experimental programs.

A model for such an initiative may be the Altamont program, currently in place in Albany area. The entire approach of Altamont is based on the concept of a three-legged stool. The three legs of the stool are treatment, housing, and education and employment. (Sometimes called THE program.) The idea is that all three pieces must be available for a person returning to the community or engaging in an alternative to incarceration. If any one of these "legs" is missing, the stool will collapse and the person trying to restructure his or her life will likely fail. This community-wide effort closely involves the state departments of probation and parole and various public and private entities. Results to date indicate a lower recidivism rate in those who have gone through the Altamont program. A strong indicator of success is the length of time a person has been employed in the community.

Presentations heard during this study lead to the conclusion that all components of the community need to work together to provide half-way houses, a support network, employment opportunities and mentors. Ideally, workable discharge planning should be done for every individual--no one should be released back into the community without a plan with periodic follow-up. Certainly improved access to drug and alcohol treatment programs is crucial. A community-wide approach is the only way to ensure that the limited resources available are utilized most effectively--stressing inter-agency coordination and avoiding duplication.

Recommendation Five: A county-wide coordinator of alternatives to incarceration, rehabilitation, transition and re-entry should be designated.

Several efforts are currently in place in Onondaga County regarding alternatives to incarceration. The National Center on Institutions and Alternatives/Northeast, the District Attorney's diversion programs and the High Impact Incarceration are noteworthy. However, all speakers before this study agreed that alternatives to incarceration and transitional services after incarceration are limited--serving only a small portion of the population that can be helped. A related factor is the high percentage of people suffering from alcohol and substance abuse. Appropriate and timely placement in drug and alcohol rehabilitation programs is essential for long-term success. While there is some evidence that there are enough available beds in treatment centers, testing and referral staff is limited, making it difficult to enable those eligible to enter these programs.

The Onondaga Citizens League calls upon the County Executive to designate one person to act as a **county-wide coordinator and facilitator for alternatives to incarceration, rehabilitation, transition and re-entry programs so that optimum effective use is made of all available community resources.** This person's responsibilities should include:

- * Overseeing the inmate testing and identification programs now being developed in the PSB and planned for the new Onondaga County Justice Center.

- * Coordinating the efforts of county government and local agencies in connecting eligible individuals with the appropriate program.

- * Seeing that employment programs among local businesses are actively developed.

- * Acting as an information source regarding alternatives to incarceration and rehabilitation for all components of the criminal justice system.

Thus, the person would serve as an independent coordinator to bring together all the different components--to ensure that people are working on pertinent tasks and facilitating the flow of information to make sure that this happens. This person should have the ability to cut across all agencies and works cooperatively with community organizations, bridging the gap between these independent agencies and translating information in a neutral way.

Currently, no one person appears to have the authority to facilitate the flow of information from entity to entity and end any roadblocks that may inhibit a person from gaining access to a program. Even if only a small proportion of repeat offenders could

be diverted from continuing involvement with the system, substantial savings could be gained. Designating a person for this job would require some initial resources and staff reorganization and the Citizens League recognizes the current budget problems in which line service staff have been cut back. However, the evidence shows that alternatives to incarceration provide substantial long-term savings. As noted earlier in this report, the National Center on Institutions and Alternatives/Northeast last year saved taxpayers \$1.2 million in placement costs for their youth program alone and \$750,000 for drug-dependant defendants.

The Citizens League recognizes that governments are faced with the yearly task of developing budgets and can issue bonds for investment, such as new jails, but not diversionary programs. However, local governments should not lose sight of the potential for cost-savings and the positive impact on human lives of investment in prevention and rehabilitation programs.

B. Component-Specific Recommendations

Law Enforcement

1. Continue and expand partnerships and communication between the police and community. Law enforcement officers are our public servants, not our enemy. They need our help in order to effectively do their jobs. To this end, the DARE program and other school programs, Neighborhood Watch and similar community education programs, and neighborhood patrols should be expanded.

2. Implement the recommendations of the 1984 OCL study on police services and the 1992 OCL study on local government services. A central theme of the first report was that police departments develop a more coordinated pattern of patrol activities, although elimination of local departments was not urged. In the later report on local government services, it was recommended that, whenever possible, village departments be consolidated with the town departments.

3. Expand the purview of the Sheriff's Abused Persons Unit. The Citizens League recommends that only police officers who have received special training in handling sexual, child and elder abuse deal with these cases. Town and village police officers should be cognizant of the special nature of these crimes and call in the Abused Persons Unit, rather than handling these cases individually.

4. coordination of drug investigations between all law enforcement agencies in Onondaga County. There are a variety of agencies involved with drug enforcement in the county and any coordination that exists is not based on any formalized method, but each agency's initiative.

The Courts

1. Study the possibility of moving traffic and vehicular cases out of the city court system. Throughout this study, it was clear that the local criminal justice system is swamped with cases ranging from traffic tickets to those of greater magnitude, such as rape and murder. Serious study should be given to moving traffic and vehicular cases from the local courts to the administrative hearing component of the state Department of Motor Vehicles. Advantages and disadvantages to this approach should be weighed.

2. Ensure the availability of community service as a sentence alternative for persons who cannot pay traffic and vehicular fines.

3. Ensure that weekly inmate status information to local justices and bi-weekly inmate status information to the supervising judge be provided by the Sheriff's Department. This recommendation was included in the Inmate Population Management Subcommittee's 1990 report to the Onondaga County Criminal Justice Advisory Board and is designed to ensure the timely processing of cases involving defendants detained for case disposition.

4. Seek a permanent waiver from the state, permitting town and village justices to arraign defendants on charges emanating from their jurisdiction in any location within the county. The current state waiver is due to expire due to a built-in sunset provision. Local courts should not have to periodically turn to the State Legislature to continue a practice that greatly increases flexibility and has had great success.

5. Establish a rotation system for town and village justices. A local justice should be available at all times to issue an order of protection, since judges are the only entity that can do this under current state law. In emergency situations, a 24-hour order of protection, issued by the police officer in charge, might be an effective alternative, although a state waiver would have to be pursued for this option.

6. Ensure that the judicial branch is included in the current consolidation of the county computer system.

7. Utilize the use of "Plain English" in judges' instructions to the jury, to make the technicalities of the law more understandable and to avert the possibility of unnecessary mistrials.

The Defense

1. Provide Hiscock Legal Aid Society and the Onondaga County Assigned Counsel Program the necessary resources to perform their task. Onondaga County is fairly unique in New York State in that it has an organized assigned counsel program working in a coordinated fashion with a legal aid society. (Only Erie County has a similar defense counsel arrangement.) Our local program has proven to be highly effective and is a valuable resource. In order to preserve

this laudatory program and guarantee that there is equal justice, necessary resources must be provided to defense counsel. This includes providing resources enabling the defense to conduct investigations where deemed appropriate.

New York State

1. Stop cutting funding for local probation programs and discontinue the transference of parole services to localities. Local governments, already strapped by decreases in many areas of state aid and local budget problems, have had to handle more than their share of costs that should fall under the New York State Division of Parole. Local alternatives to incarceration and diversionary programs cannot be formalized if state assistance to probation continues to be in jeopardy.

Youth

1. Study the special problems of youth in the judicial system. A growing concern in our community involves criminal activity among young people. Under the law, anyone under the age of 16 is not criminally liable for his or her conduct, except for very violent or serious offenses. Youth aged 7 to 15 fall under the purview of the juvenile justice system, which is hampered by restrictive state regulations. Adolescent offenders, aged 14 to 18, overlap the juvenile and criminal justice systems and may not be dealt with in the most effective way. The Onondaga Citizens League study committee on criminal justice strongly recommends that the community undertake a study focusing on the special problems of youth in this age group who are involved with the judicial system.

V. APPENDICES

A. Chairpeople

M. Catherine Richardson
James E. Introne
Tom Letham

B. Steering Committee Members

Les Amann
Don Barrett
Hon. Minna Buck
Dick Carbery
Robert Czaplicki
Carol Dwyer
Bea Gonzales
John Kramer

Edward Menkin, Esq.
Kate O'Connell
Marilyn Pinsky
Rosayn Syp
Ed Van Der Water

C. Study Committee Members

Anne Alhert
Virginia Attridge
Allene Ayling
Helen Anderson
Don Barrett
Rose Bernthal
Sally Berry
Don Boudov
Peter Burkin
Leo Capria
Dick Carberry
Ginny Carmody
Max Casper
Doris Chertow
Peter Christ
Mary Anne Corasaniti
Gary Costello
Bill Cuddy
Ian Cuthill
Bob Czaplicki
Warren R. Darby
Pat Davies
Kelly Davis
John Eklund
Kay O. Ellis
Larry Freedman
Michael Freedman
Bill Fletcher
Maria Galvin
Rietta Gantter
Richard H. Gerber
Amy Gillenson
Suzanne Good

Walter Grody
Bob Harris
Joe Heath
Pamela Kerwin Heintz
John Henning
Mary Henning
Susan Horn
Joan Johnson
Reina Penny Judd
Stewart Koenig
Peter LaRue
Dora Lee
James Lewis
Donald J. MacLaughlin
Kathy MacRae
Sarah Stuart McIlvain
Tore Mita
Philip S. Moses
Nancy Murray
John Nicholson
Kate O'Connell
Sharon Patterson
Kevin James Reilly
Tom Roehm
Kathleen Rompf
Mary Anne Ruff
Margaret Sawmiller
Kay Benedict Sgarlata
Henry Schisler
Bill Stack
Jim Starr
Janet Starr
Eleanor Steinholtz

Rosalyn Syp
 Pat Tappan
 Gene Tinelli
 Phil Trainor
 Ed Van Der Water
 David Wall
 Kevin Walsh
 John T. Warren
 Judith West

Marcy Winter
 Elaine Wolf
 Frank Woolever
 Carol Worman
 Wilson Worman
 Marsha Weissman

D. Presentations

Les Amann
 Regional Director
 Federal Bureau of Investigation
 P.O. Box 7001
 Syracuse, N.Y. 13261
 April 28, 1993

Willie M. Andrews
 1324 Madison St.
 Syracuse, N.Y. 13210
 March 10, 1993

Don Barrett, Director
 AVID (Assisting Victims of
 Impaired Drivers)
 c/o The Volunteer Center
 115 E. Jefferson St.
 Syracuse, N.Y. 13202
 Jan. 27, 1993

Jeffrey Bellamy, Program Director
 Youth Services and Advocacy
 National Center on Institutions and
 Alternatives/Northeast
 430 E. Genesee St.
 Suite 205
 Syracuse, N.Y. 13202
 March 24, 1993

Sally Berry, Executive Director
 Vera House
 P.O. Box 365
 Syracuse, N.Y. 13209
 Jan. 27, 1993

Ollie Birden
 1524 E. Genesee St.
 Syracuse, N.Y. 13210
 March 10, 1993

Hon. Minna Buck
 Family Court Judge
 Onondaga County Court House
 Montgomery Street
 Syracuse, N.Y. 13221
 Feb. 17, 1992

Laura Cardone
 Attorney-at-Law
 P.O. Box 162
 Syracuse, N.Y. 13206
 Feb. 10, 1993

Mary Anne Corasaniti, Director
 Elder Abuse Program
 Alliance Division
 1654 W. Onondaga St.
 Syracuse, N.Y. 13204
 Feb. 24, 1993

Rev. Bill Cuddy
 The Jail Ministry Office
 208 Slocum Ave.
 Syracuse, N.Y. 13204
 Feb. 3, 1993

Robert Czaplicki
 Commissioner of Probation
 Onondaga County Civic Center
 421 Montgomery St.
 Syracuse, N.Y. 13202
 Jan. 13, 1993
 April 14, 1993

Mary Czelusniak
 The Jail Ministry Office
 208 Slocum Ave.
 Syracuse, N.Y. 13204
 Feb. 3, 1993

Warren Darby
 Cicero Chief of Police
 207 Melrose Ave.
 North Syracuse, N.Y. 13212
 Dec. 9, 1992

Sharon Davis, Program Director
 Assigned Counsel Evaluation
 and Referral
 National Center on Institutions and
 Alternatives/Northeast
 430 E. Genesee St.
 Suite 205
 Syracuse, N.Y. 13202
 March 24, 1993

Hon. Brian DeJoseph
City Court Judge
Public Safety Building
511 S. State St.
Syracuse, N.Y. 13202
Jan. 6, 1993

Sheriff John Dillon
Onondaga County Sheriff's Department
407 S. State St.
Syracuse, N.Y. 13202
Dec. 9, 1992

Sheila Donavan
1407 South Ave.
Syracuse, N.Y. 13207
March 10, 1993

Sam Donnelly, Professor of Law
SU College of Law and
The Jail Ministry Office
208 Slocum Ave.
Syracuse, N.Y. 13204
Feb. 3, 1993

Jesse Dowdell, Executive Director
Southwest Community Center
406 South Ave.
Syracuse, N.Y. 13205
Feb. 10, 1992

John Duncan
Assistant U.S. Attorney
900 Federal Building
100 S. Clinton St.
Syracuse, N.Y. 13260
March 31, 1993

Brian Ennis, Principal Probation
Officer
Onondaga County Department of
Probation
Onondaga County Civic Center
421 Montgomery St.
Syracuse, N.Y. 13202
Feb. 17, 1993

Diane Erne, Deputy Commissioner
for Children's Services
Onondaga County Department of Social
Services
Onondaga County Civic Center
Syracuse, N.Y. 13202
Feb. 24, 1993

William Fitzpatrick
Onondaga County District Attorney
Civic Center
Montgomery St.
Syracuse, N.Y. 13202
Dec. 16, 1992

Chester Fritz, Supervisor
NYS Division of Parole
State Office Building
E. Washington St.
Syracuse, N.Y. 13202
Jan. 13, 1993

Walter Gorman
O'Connor, Gacich and Pope
Marine Midland Place
P.O. Box 1964
Binghamton, N.Y. 13902
Jan. 6, 1993

Susan Horn, Executive Attorney
Hiscock Legal Aid Society
351 S. Warren St.
Syracuse, N.Y. 13202
March 3, 1993

Gary Kelder, Chief Assistant
District Attorney
District Attorney's Office
12th Floor, Civic Center
421 Montgomery Street
Syracuse, N.Y. 13202
Dec. 2, 1992

Peter J. Lawn
Victim/Witness Coordinator
U.S. Attorney's Office
900 Federal Building
Syracuse, N.Y. 13260
Jan. 27, 1993

Richard Luciani, Program Director
Client Special Planning
National Center on Institutions and
Alternatives/Northeast
430 E. Genesee St.
Suite 205
Syracuse, N.Y. 13202
March 24, 1993

Hon. Langston McKinney
City Court, City of Syracuse
511 S. State St.
Syracuse, N.Y. 13202
April 28, 1993

Thomas Maroney, Professor of Law
Syracuse University College of Law
E. I. White Hall
Syracuse, N.Y. 13244
Dec. 2, 1992

Edward Menkin, Esq.
Suite 909
State Tower Building
109 S. Warren St.
Syracuse, N.Y. 13202
April 28, 1993

Kate O'Connell
Executive Director
Rape Crisis Center
423 W. Onondaga St.
Syracuse, N.Y. 13202
Jan. 27, 1993

John Parker, Executive Director
Onondaga County Bar Association
Assigned Counsel Program
1006 State Tower Building
Syracuse, N.Y. 13202
March 3, 1993

Chief Charles Pirro
Public Safety Building Jail
511 S. State St.
Syracuse, N.Y. 13202
April 12, 1993

Richard Rioux, Investigator
Syracuse Police Department
Youth Division
Public Safety Building
511 S. State Street
Syracuse, N.Y. 13202
Feb. 17, 1993

Kate Rosenthal, Esq.
108 W. Jefferson St.
Syracuse, N.Y. 13202
Dec. 16, 1992

Emil Rossi, Esq.
108 W. Jefferson St.
Syracuse, N.Y. 13202
Dec. 16, 1992

Frank Sardino
Syracuse Chief of Police
511 S. State St.
Syracuse, N.Y. 13202
Dec. 9, 1992

Gary Sharpe
U.S. Attorney, Northern District of
New York
Hanley Federal Building
S. Clinton St.
Syracuse, N.Y. 13202

Richard Stempien, Director
HEOP Program
Auburn Correctional Facility
University College
Room 211C, Reid Hall
Feb. 3, 1993

Pat Tappan
Commissioner of Correction
6660 E. Seneca Tnpg.
Jamesville, N.Y. 13078
Jan. 13, 1993

Steve Thompson, Deputy Chief of
Police
General Services and
Community Relations Bureau
Syracuse Police Department
511 S. State St.
Syracuse, N.Y. 13202
March 31, 1993

Domenic Trunfio
Senior Asst. District Attorney
12th Floor, Civic Center
Syracuse, N.Y. 13202
Jan. 27, 1993

Mayra Urrytia
The Jail Ministry Office
208 Slocum Ave.
Syracuse, N.Y. 13204
Feb. 3, 1993

Ed Van Der Water
Van Buren Town Justice
Town Hall
7575 Van Buren Road
Baldwinsville, N.Y. 13027
April 14, 1993

Peter Van Patten
Onondaga County Sheriff's Department
Abused Persons Unit
407 S. State Street
Syracuse, N.Y. 13202
Feb. 24, 1993

William Walsh, Esq.
Geddes Town Justice
1000 Woods Road
Solvay, N.Y. 12309
Jan. 6, 1993

Marsha Weissman, Executive Director
National Center on Institutions and
Alternatives/Northeast
430 E. Genesee St.
Suite 205
Syracuse, N.Y. 13202
March 24, 1993

Monique Wright Williams,
Runaway and Homeless Youth
Services Coordinator
City-County Youth Board
Onondaga County Civic Center
Syracuse, N.Y. 13221
Feb. 10, 1993

Frank Woolever
Onondaga Pastoral Counseling Center
324 University Ave.
Syracuse, N.Y. 13210
March 10, 1993