

Mayor's Column
October 30, 2017

Approximately one year ago, I wrote of the ground breaking new program in the Bronxville Justice Court, the Community Restorative Justice Initiative. I am proud and grateful it has been a success and a model for many other progressive communities.

First conceived by our Senior Justice George McKinnis, the program was designed to give our Justices an alternative to incarceration that has a reasonable opportunity to change a criminal defendant's anti-social behavior for the better in a manner that incarceration in today's prison environment is highly unlikely to do. Studies have documented that many, many prisoners come out of incarceration more anti-social, and more dedicated to criminal behavior than when they began their incarceration.

As a result, Judge McKinnis saw the need for an alternative/substitute for prison time that offers therapies and interventions calculated to change behaviors.

As assistants to our two Village Justices, George McKinnis and George Mayer, Doris Benson and Mary Mackintosh have been made volunteer members of the Bronxville Court staff to assist in the operation of the CRJ (Community Restorative Justice Program).

With the cooperation of the prosecution, defense and the court, a candidate will be identified if a good fit for the CRJ program. The individual is usually a person who plea bargained from a felony to a Class A Misdemeanor as this takes the defendant out of the New York State State Supreme Court System and places him or her under the auspices of our Village Justice Court.

The Village received enormous assistance and encouragement for this program from the District Attorney's Office in White Plains and Janet DiFiore, now our State's Chief Justice, was instrumental in the formation of CRJ.

After a worthy candidate is identified, they are interviewed by court staff with the prosecution and defense invited to attend.

If all agree, the Court orders the defendant to meet with TASC (Treatment Alternatives for Safer Communities) staff members at the Westchester County

Department of Health which deals with drug, alcohol and mental issues that a criminal defendant may exhibit.

TASC then expands the analysis of the defendant with the aid of therapists and doctors to determine issues in their background – mental, educational or physical disabilities, drug or alcohol abuse - and if existing, whether these problems can be cured or eliminated and lead to significant change in the defendants behavior.

If a positive recommendation is received, CRJ staff and the Village Court, with TASC's aid, will draft a one year program for the defendant and circulate to the prosecution and defense. The prosecution has the authority to drop the misdemeanor charge if the defendant successfully graduates from the program. Once a month, the defendant must meet with the Village Court Justice, CRJ staff who have been mentoring them each step of the way, the Court Clerk, Assistant District Attorney, defense counsel, and a representative of TASC.

The defendant is either praised or admonished and at the end of twelve months, a private graduation ceremony is held – often the first moment of positive praise and honor for the individual.

Two defendants have already successfully graduated from Bronxville's program.

As one can see, the program is extremely labor intensive and requires unrelenting dedication on the part of many in the legal pipeline. But a human life is truly at stake, and I can think of no worthier and more rewarding endeavor.

On every level this program makes sense. If any other institution in America were as unsuccessful in achieving their ostensible goals as our prisons, we would shut them down tomorrow. America passed the point of negative return long ago. We now lock up seven times as many people as France, 11 times as many as the Netherlands and 15 times as many as Japan.

The US Department of Justice reported that national prison recidivism was at 67%. Most experts with knowledge of the field agree that the American Justice System has been reduced to a gratuitously expensive system of punishment.

Behavioral and rehabilitative therapy methods, as exhibited in the Village's CRJ program, have been proven to reduce the recidivism rate by 10-30% but according to one study, only 5% of American prisoners have access to them.

When you think about it, an inmate while confined, does not work, support his family or pay taxes. Because of incarceration, families are broken up, ex-convicts become unemployable resulting in an increase of the American poverty level by a staggering 20%.

The Village is so fortunate to have such visionary, compassionate and enormously dedicated Court team who are now setting the standard for local and state courts - yet another example of the dedicated citizenry we have in our special Village.