

Minutes
Public Safety Committee
Scott Heyman Conference Room
Monday, October 19, 2009

APPROVED 11-19-09

Attendee Name	Title	Status
Martha Robertson	Chair	Present
Michael Sigler	Vice Chair	Absent
Carol Chock	Member	Present
James Dennis	Member	Present
Greg Stevenson	Member	Absent

Staff: J. Mareane, P. Younger, M. Lynch, County Administration; P. Carey, C. Monahan, DSS; P. Buechel, Department of Probation and Community Justice; S. Cook, Criminal Justice Advisory/Alternatives-to-Incarceration Board; S. Martel-Moore, Human Rights; L. Shurtleff, Department of Emergency Response; M. Pottorff, Legislature Office

Guests: D. Dietrich, OAR

Call to Order

Ms. Robertson called the meeting to order at 2:30 p.m.

Changes to Agenda

There were no changes to the agenda.

Chair's Report

Ms. Robertson said she had hoped to receive something from NYSAC concerning the Assigned Counsel Program's maintenance of effort requirement; however, she has not received anything yet.

Sheriff's Office

The committee briefly reviewed bail statistics included in the agenda packet. Sheriff Meskill said from the time the Office began tracking bail information in 2007 to the present time, he estimates there are approximately 100 less bails now being done. He said in looking at booking statistics, the Jail is getting less people in Jail but noted that does not mean there are less people getting arrested because some people are ticketed but are never incarcerated. Ms. Robertson suggested the Committee look at the correlation between bails being set along with the crimes being committed. Ms. Dietrich said she would have additional data for the Committee to review at the next meeting.

Mr. Dennis asked what the purpose would be in having the Committee review this information. Ms. Robertson said Ms. Dietrich has been informing the Committee about a trend toward bail inflation. Although the Committee has no control over the courts or justices, the Committee can share information with the justices and/or the public. She noted trends cannot be identified at this time because the data hasn't been collected. The Committee will continue discussion at the next meeting after receiving further information from Ms. Dietrich.

Sheriff Meskill reported the total cost of boardouts in September was much less than it has been; he believes this is a direct result of the variances and the Jail implementing double-bunking. The number of recent boardouts were: 286 days in July; 292 days in August, and 80 days in September.

PAD (Public Access Defibrillator) Program

Ms. Martel-Moore said she had provided members with a timeline for this project back in May; however, there were concerns expressed about the phone system and a committee has been working to resolve concerns that arose. She said the committee that is working on this had originally agreed to purchase units that had a feature to automatically dial into the 911 system. Over the last few months the Information Technology Services Department has been working on changing phone lines from copper lines to fiber optic lines and in doing so Greg Potter, Director of ITS, discovered problems with some of the alarm systems. The Committee believes until those issues are resolved it would be better for the County to purchase the units without the automatic dial feature. She noted there is an additional cost to purchase units with the 911 automatic dial feature. Ms. Martel-Moore said for the reasons stated above, the Committee is recommending the County purchase units without the 911 automatic dial feature. The amount budgeted is \$72,000 minus the cost of the dialers (\$6,300), bringing the total cost to \$65,700.

Ms. Chock asked if purchasing the automatic dial feature would be an option in the future. Ms. Martel-Moore did not have an answer.

Mr. Dennis said he believes the recommendation is the most appropriate based on the information provided to the Committee.

Ms. Martel-Moore said the Tompkins County Public Library would be included in the list of sites to have units installed. She said the Committee will meet this Friday and will develop a new timetable that will include a list of locations and the information necessary to send to the New York State Department of Health. There will also be a draft agreement between the County Administrator and Dr. Klepeck. She will send the Public Safety Committee a revised timetable to include the next meeting agenda packet.

Report on Juvenile Justice

Ms. Cook said the juvenile population the County Attorney's Office typically deals with are juvenile delinquents who are under age 16 who get arrested for misdemeanors or felonies. PINS (Persons in Need of Supervision) are kids up to age 18 who generally have a pattern of bad behavior. The PINS kids are under the legal responsibility of the parents. She said the State is trying to move these kids out of a more formal court system and the partnership that exists in Tompkins County between the Department of Probation and Community Justice and the Department of Social Services goes a long way towards that goal. Ms. Cook explained the process by which a PINS referral is made and said it begins with a series of diversionary attempts to try to change behaviors to avoid the court system. At the present time almost 75% of the referrals in Tompkins County are diverted from the court system.

Ms. Cook spoke of the juvenile population and said New York State and North Carolina are the only two states left in the country that arrest kids at age 16 and charge them as adults; however, there is legislation pending to raise the age. She also said she has observed a big change over the years in the types of kids as well as a change in the types of crimes that are being committed. She spoke of the types of data that are being tracked that come through the County Attorney's Office and said they include whether the incident includes violence or injury, drugs or alcohol, and if the child had mental issues. She also said cases from 2002 had approximately a 25% rate of personal injury or violence element; this year they are seeing a rate of 44%. Another factor that has changed significantly is the percentage of kids with mental health issues.

Ms. Cook distributed copies of the 2005 Juvenile arrest (age 10-15) rate per 1,000 and noted the number of kids arrested per thousand in Tompkins County is the second lowest in the State. She said one

out of every ten kids who dropout of high school end up in the justice system, compared to one out of every 35 high school graduates.

Mr. Dennis asked why would one want to treat crimes as adult crimes as opposed to a lower offense. Ms. Cook said at the present time there are some heinous crimes where a child can be prosecuted through the adult court system. She also said what they have found is that younger juveniles who are put into the prison system very early do not do well. Mr. Dennis said school districts are making it harder and harder for teachers to deal with children who have problems. As a former teacher, he spoke of how difficult it is for teachers to work with children at an early age. Ms. Cook spoke of training that takes place with local school principals and said there are steps being taken to educate school personnel on ways to work with the system. Ms. Buechel commented that there is a Probation Officer that works with each public school in Tompkins County and the Department has a very good relationship with schools.

Ms. Carey said the Mental Health Department, Department of Probation and Community Justice, and DSS are working on grant that would work towards putting mental health services in the schools and training school personnel. She said there are also several early intervention programs already in place in Tompkins County, such as the COPS Program, PINS Diversion Program, and others.

Ms. Carey reported she is a member of a committee that is working at the State level on the proposal to raise the juvenile age. She said she is also a member of another Committee for OCFS (Office of Children and Family Services) and said there is interest in shutting down the OCFS facilities. She noted the cost to house a youth in an OCFS facility is \$500 per day. These are the facilities that are used in cases where secure placement of a youth is needed. She said this could have a significant impact on counties but noted Tompkins County has one of the lowest numbers across the State of counties that send youth into these facilities. The Committee will be kept informed as these efforts move forward.

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Jail Re-Entry Program

Ms. Carey introduced Casey Monahan who is part of the Re-Entry Team. Ms. Monahan said the program is set up for people who are incarcerated, have been sentenced, who are not on probation or parole, and are not being supervised by the Department of Probation and Community Justice. Generally, individuals are initially interviewed approximately two months prior to release by the Jail Coordinator to see if they are interested in meeting some of the very small requirements they are asked to abide by. Once individuals sign up for the Re-Entry Program several meetings are held to discuss what services will be needed upon release. Services can include housing, transportation, employment, public assistance, mental health services, substance abuse counseling, or any other reasonable accommodation that can assist with them becoming successful in the community. She said a lot of the offenders are individuals who are repeat offenders.

Ms. Monahan reported that since she began there have been 33 participants (March, 2008) and only three have been re-incarcerated in the Tompkins County Jail. She believes the people are grateful for the support they receive and as a whole they want to be successful in the community. It was noted that there is no way to know if any of the 33 offenders were incarcerated in a jail outside of Tompkins County. She said the individuals check in with her initially and different check-in points are established upon release. Ms. Carey said when the model was developed they looked at what was happening in larger communities and successful models pointed to engagement both at the jail and upon release to the community, and at regular intervals afterwards. She also noted that many of the individuals attend the Community Justice Center.

Criminal Justice Advisory/Alternatives-to-Incarceration Board – Strategic Action Plan

Ms. Cook said in 2007 a number of parties involved in the justice system were brought together to conduct a review of the system. There were five areas that were looked at to try to reduce the jail population and to make improvements in the system.

1. Increase the use of ATI programming through expanded education and outreach efforts (targeted specifically to local town and village justices). Ms. Buechel said she has begun working on a judge's resource manual for the judges to use a resource that will include all of the ATI information. She is also planning to attend a Magistrate's meeting. She announced Judge Poole is no longer the President of that group. Ms. Robertson noted the importance of meeting face-to-face with the magistrates.
2. Design a comprehensive reentry program plan for defendants returning to the community from jail, including services to be accessed while in the local jail.
3. Refine processes for ensuring comprehensive SA assessments at the local jail.
4. Increase the utilization and effectiveness of the Ithaca City Treatment Court (ICTC) program. Ms. Cook said the County does not have any control over the City Treatment Court; however, Judge Rossiter reported on how the court works and the number of Jail days she believes were saved.
5. Conduct an assessment of the need and feasibility of a Defender-Based Advocacy (DBA) program.

Work teams were organized by strategic objective to develop an approach toward accomplishing each of the five objectives. The process used to develop the Strategic Action Plan (SAP) was based on the ADDIE (*assessment, design and development, implementation, evaluation*) model, which is a widely used, industry-standard method for planning and instructional design.

Ms. Younger said several people participated in the production of the Strategic Action Plan and they met for several weeks. Participants included the Chair of the Legislature at that time, Tim Joseph, DSS, Department of Probation and Community Justice, CARS (Cayuga Addiction Recovery Services), the District Attorney, and others.

Mr. Dennis asked if a written status report exists on where the County is on each of these five points. Ms. Chock suggested a grid be developed that identifies each the five points along with an update on what has been done on each point. Ms. Carey agreed that a grid would be helpful. Sheriff Meskill said progress is being made on most of the six points and he thinks a follow-up report should wait until after Deana Bodnar finishes her report on the ATI evaluation.

Following a brief discussion Ms. Robertson said the Committee is interested in receiving a formal follow-up on these five points and suggested it might be a good idea for the Criminal Justice Advisory/Alternatives-to-Incarceration Board reviewing the report to see where things are at now since three years have passed.

Department of Emergency Response

RESOLUTION (ID # 1319): AUTHORIZING A PUBLIC HEARING ON PROPOSED LOCAL LAW NO. A OF 2009 - AMENDING LOCAL LAW NO. 7 OF 1993 - IMPOSING A SURCHARGE ON TELEPHONE ACCESS LINES TO RAISE REVENUES FOR THE SYSTEM COSTS ASSOCIATED WITH THE CREATION OF AN ENHANCED 911 EMERGENCY TELEPHONE SYSTEM IN TOMPKINS COUNTY

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	James Dennis, Member
SECONDER:	Carol Chock, Member
AYES:	Martha Robertson, Carol Chock, James Dennis
ABSENT:	Michael Sigler, Greg Stevenson

RESOLVED, on recommendation of the Public Safety and Budget, Capital and Finance Committees, That a public hearing be held before the Legislature at the Tompkins County Courthouse, 320 North Tioga Street, Ithaca, New York on November 4, 2009 at 5:30 o'clock in the evening thereof concerning proposed Local Law No. a of 2009 - Amending of Local Law No. 7 of 1993 - Imposing a Surcharge on Telephone Access Lines to Raise Revenues for the System Costs Associated with the Creation of an Enhanced 911 Emergency Telephone System in Tompkins County. At such time and place all persons interested in the subject matter will be heard concerning the same.

RESOLVED, further, That the Clerk of the Legislature is hereby authorized and directed to place proper notice of such public hearing in the official newspaper of the County.

RESOLUTION (ID # 1320): ADOPTION OF LOCAL LAW NO. A OF 2009 – AMENDING SECTION 110-2 AND SECTION 110-7 OF THE COUNTY CODE TO INCREASE THE SURCHARGE ON LOCAL TELEPHONE EXCHANGE ACCESS LINES IN THE COUNTY FROM THIRTY-FIVE (35) CENTS TO ONE DOLLAR (\$1.00)

Mr. Mareane explained the history behind funding for the County’s Communications System and said the State was expected to help pay for the system through the Statewide Wireless Network; however, that funding did not come through. He said this increase in the surcharge is expected to generate \$250,000 in additional revenue that would be dedicated to help pay for the system. He also explained when this legislation was brought forward they found that the 1993 local law exempted three phone lines in the Cornell system. He said the total amount exempted for these lines amount to approximately \$600 per year; however, Cornell is stilling paying the surcharge on those lines. Mr. Mareane also noted this surcharge will expire after ten years.

Ms. Chock questioned whether this is an additional tax or a fee and said she is concerned that as a County we are proposing to move forward with new elements of the communications system when the County is having trouble paying for what is already in place. She also expressed concern for exempting those who have more than 75 lines and exempting the lines of the one entity that is one of the County’s largest employers. Mr. Mareane said the exemption that applies to having over 75 lines is State law. Ms. Robertson said this is a responsible way to share the costs of a system that is already in place and if this is not approved the \$250,000 cost would be added to the property tax. Ms. Chock said she will support this at this time to allow it to advance to the full Legislature.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	James Dennis, Member
SECONDER:	Martha Robertson, Chair
AYES:	Martha Robertson, Carol Chock, James Dennis
ABSENT:	Michael Sigler, Greg Stevenson

WHEREAS, Local Law No. 7 of 1993 imposed a \$.35 per month surcharge on telephone access lines, and

WHEREAS, proposed Local Law No. a of 2009 increases said surcharge to \$1.00 per month, and

WHEREAS, a public hearing was held before the Tompkins County Legislature on November 4, 2009, to hear all person interested in proposed Local Law No. a of 2009, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Expanded Budget, Capital, and Finance Committees, That Local Law No. a of 2009 - Amending Section 110-2 and Section 110-7 of the County Code to increase the surcharge on local telephone exchange access lines in the County from thirty-five (35) cents to one dollar (\$1.00) is hereby adopted,

RESOLVED, further, That the Clerk of the Legislature shall publish in the official newspaper of the County a notice of adoption containing a synopsis of said local law and shall within twenty days file one certified copy in the Office of the County Clerk, and one copy with the Secretary of State.

SEQR ACTION: TYPE II-20

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Committee Calendar

Ms. Robertson said there are only two meetings left in 2009 and invited members to submit topics for discussion.

Approval of Minutes of September 21, 2009

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Carol Chock, Member
SECONDER:	James Dennis, Member
AYES:	Martha Robertson, Carol Chock, James Dennis
ABSENT:	Michael Sigler, Greg Stevenson

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Adjournment

The meeting adjourned at 4:30 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office