

PUBLIC SAFETY COMMITTEE

OCTOBER 26, 1999

NOON

SCOTT HEYMAN CONFERENCE ROOM

PRESENT: C. Evans, G. Totman, M. Lane, B. Blanchard, T. Joseph

STAFF: P. Meskill, Sheriff; B. Benjamin, Deputy County Administrator; J. Beach, Stop-DWI Coordinator; R. Teasley, OAR; B. Stolp, J. Hughes, Assigned Counsel; L. Eaton, Purchasing; L. Shurtleff, Fire, Disaster and EMS

GUESTS: Judge Rowley, Georgette King, Ithaca Drug Court;

CALL TO ORDER

The meeting opened at 12:03 p.m.

ADDITIONS/DELETIONS TO AGENDA

Ms. Blanchard asked that a joint meeting be arranged between the Public Safety Committee and the Communications Capital Project Committee for a presentation on the Towers Project report.

Mr. Lane asked that a discussion be held at a future meeting about police officer training for detection of individuals driving under the influence of drugs. Mr. Evans stated that he will place this on the November agenda for discussion.

MINUTES

It was Moved by Mr. Totman, seconded by Mr. Joseph and unanimously adopted by voice vote to approve the minutes of September 28, 1999, as submitted.

DRUG COURT EVALUTION

Judge Rowley introduced Georgette King, Coordinator of Ithaca Drug Court. Judge Rowley reported that Drug Court is doing very well and in the last three weeks there has been a higher level of cases than ever before. There are currently 70 individuals in the program and the fourth graduation will be held on October 29, 1999, at 3:00 p.m. in Ithaca City Court. There will be three or four individuals graduating at that time. A total of 20 individuals have graduated since December 1998. There have been no reports of rearrests of any graduates from the program, and the program remains in contact with those who have graduated.

Judge Rowley stated that Governor Pataki will be signing legislation approving the transfer of cases from any of the courts in Tompkins County to Ithaca City Court. He stated that the infrastructure will be in place to immediately implement the transfers, the magistrates have been met with and the protocols for transfers have been developed. He stated that if a case is deemed appropriate for transfer, all of the parties involved have to agree with the transfer (the individual, District Attorney, Defense Attorney, the local judge and the Ithaca City Court judge). Judge Rowley stated that he will not have jurisdiction over the case initially. The individual will report to Ithaca City Court for one month and in that time they have to decide if they want to continue. Should they decide to continue, the transfer will then take place and the case will remain in Ithaca City Court until final disposition. Judge Rowley stated that through grant monies, a third probation officer, a half-time administrative assistant, and additional space have been added to the program. A maximum of 90 cases will be allowed into the program.

Mr. Stolp stated that with 70 participants in the program at this time and a maximum number of 90 being allowed, this will only allow the inclusion of 20 more people and this number isn't very high. Judge Rowley indicated that there are 52 contracts at this time and there are 18 participants in the stabilization phase of the program. He stated that if there is a high demand for Drug Court services, the program resources will need to be reevaluated. He noted that not all judges will transfer cases into the program.

Ms. Hughes stated that out of the 52 cases in the program, 39 of those cases are assigned. She stated that there are presently two attorneys assigned to drug court and asked if the Judge anticipates the need to expand this number. Judge Rowley indicated that this will need to be left to the attorneys and should they decide an additional attorney is needed, one may need to be added.

Ms. Blanchard asked what makes this program successful and if it was possible what changes should be made. Judge Rowley indicated that the regular probation model has weaknesses in it. He cited that when a person violates their probation it is recorded and it takes months to actually violate a person in the court system. He stated drug court surrounds the participants with resources and relapses are tolerated because those probation officers assigned to the program can monitor the participant's progress more closely and problems are dealt with immediately. He stated he is happy with the growth of the program and the resources supplied and noted the County has been very helpful. He stated he would like to see this same system set up for County and Family Court. Mr. Lane asked if there are Driving While Intoxicated cases involved in the program. Judge Rowley indicated that there are some of these types of cases in the program, but they pose a problem because alcohol is harder to detect. He stated that individuals who are heroin or cocaine users the drug remains in their systems for a much longer period of time, and it is the drug test that shows success.

Mr. Joseph stated it was his understanding that the initial funding was to be used for evaluations. Judge Rowley stated the program has a process evaluation (document planning, implementation process, and extent to which initial goals have been met). He stated that the evaluation does not cover those individuals who have graduated from the program. He stated that the process is still in draft form because a new evaluator is being hired with the new grant monies and it was recommended to have the new evaluator in the process. A state bid will be done to design the outcome evaluation locally because Ithaca City Court is part of the Office of Court Administration and they have invested in a statewide evaluation system and this should be implemented at the beginning of 2000. He stated that there are currently 14 drug court programs run in New York State.

Ms. King reported that in regards to the outcome evaluation, there is nothing to measure until a significant number of people have completed the program. At this time, measures that need to be gathered are being looked at. The impact on the Criminal Justice System, recidivism and other information is being gathered so it can be determined what changes have taken place in a person's life now and in the past. She stated that there has been a lot of work done at the national level and several national reviews have been useful to make plans in working with the new evaluator. Mr. Joseph stated that he would like to be part of the team working on the evaluation for the program to help determine what will be evaluated. He stated that future-funding decisions will be based on the evaluation of the program. Ms. King stated she will forward the national and state standards and guidelines that have been used in the process to Mr. Joseph.

Mr. Evans stated that he would like to see a comparison between this program and residential and/or outpatient programs. He stated he would also like the Substance Abuse Subcommittee of the Mental Health Services Board kept aware of Drug Court's activities.

PURCHASING

Ms. Eaton stated she is seeking authorization to renew bids for janitorial supplies, jail medical and pharmacy services for the sheriff and jail. It was Moved by Mr. Totman, seconded by Mr. Joseph and unanimously adopted by voice vote to approve the renewal of bids.

PUBLIC SAFETY BUILDIGN SPACE STUDY COMMITTEE UPDATE

Mr. Joseph reported that the next meeting of the Public Safety Space Study Committee will be held October 29, 1999, at 8:00 a.m. at the Public Safety Building.

STOP-DWI UPDATE

Mr. Beach distributed the statistics. These are on file with the original minutes. He stated that arrests continue at the same percentage with 47 percent coming from the special patrol. He stated that alcohol related crashes remain lower than the statewide average.

Mr. Beach stated that there will be a multi-agency approach to traffic enforcement the week of the Ithaca College/Cortland State football game and noted there were several arrests after that game last year.

Mr. Lane asked if there are statistics for resident and non-resident arrests. Mr. Beach stated that he will provide these statistics as well as statistics showing arrests for perimeter municipalities.

Mr. Evans stated that he has received telephone calls to raise the drinking hours in the County. Mr. Beach stated that this issue came up last year and at that time he explained the process that the Board of Representatives would have to approve the increase in hours and then it would go before the Alcohol Beverage Control Board for approval. He stated that there was an opinion piece in the Ithaca Journal about the perceived benefits. He stated that originally there was discussion about raising the hours on Thursday, Friday and Saturday nights. The argument for raising the hours is that with the going out pattern, most bars do not get a lot of business until after 10:00 p.m. Mr. Totman stated that there are some individuals that leave the bars before 1:00 a.m. and then cross the county lines to areas that have later drinking times. There was the argument several years ago that if bars are open later, you don't have people driving as far. Mr. Beach said the counter argument to that is if you are open later you are putting people on the road under the influence of more alcohol.

Ms. Hughes stated that in November a law goes into effect that prohibits one price drinking and two-for-one drink specials.

ASSIGNED COUNSEL UPDATE

Ms. Hughes stated she is working with the Tompkins County Bar Association to put together a program about assigned counsel that can be discussed at the Continuing Legal Education classes that take place each month. She stated that she has met with Judge Sherman and the Judge would like to see drug court being used for Family Court matters. She stated the Drug Court evaluation is very important if the program will be used for family court matters in the future. Ms. Hughes stated that better communication is needed between the Assigned Counsel Program and Ithaca Drug Court. She stated that it is often necessary for one individual to be assigned two or three different attorneys and it is a difficult administrative task to keep track of everyone. She stated that she has spoke with Judge Rowley about this situation and he is in agreement. She stated that the half-time administrative assistant that is being hired will be helpful in following the people through the system, and this was not done in the past. Mr. Evans asked that Ms. Hughes report on this situation in the future if it continues to be problematic.

Mr. Lane stated that there have been administrative difficulties in other areas of the assigned counsel program in the past and asked if this may be a reason to look at a public defender's office. Ms. Hughes stated that there are always going to be attorney conflicts and the possibility of needing more than one attorney on a case. She stated she is not sure if a public defender's office would be cost effective. Mr. Joseph stated that a study was done in the past and a public defenders office was determined to be more expensive. He stated that if the things that made it expensive in the past have changed, another study could be done. Mr. Benjamin stated that there are some specialization issues that have moved into the judiciary, and it may be sufficient to give this a second look.

OAR

Ms. Teasley reported that OAR is at 50 bails for the year so far. She stated that the table that has been set up in the lobby of the jail has been effective and there are more people finding out about the services of OAR as well as the rules of the jail.

DEPUTY COUNTY ADMINISTRATOR'S REPORT

Mr. Benjamin did not have a report.

PROBATION DEPARTMENT

ELECTRONIC MONITORING UPDATE

Probation staff were not in attendance.

FIRE, DISASTER AND EMS UPDATE

Mr. Shurtleff did not have a report.

TOWERS PROJECT

Ms. Blanchard asked that a joint meeting be held between the Public Safety Committee and the Communications Capital Project Committee to listen to a presentation by Mr. Dave Stevenson of Dutch Hill Consultants on his report of the towers project. Ms. Blanchard reported she has received a draft of the report and she is reviewing it to ensure that all of the questions and concerns raised by County Board have been answered.

A joint meeting of the Public Safety and COMCAP Committees has been set for November 23, 1999, at 1:30 p.m. Mr. Benjamin will distribute the agenda to the full board.

SHERIFF'S DEPARTMENT

RESOLUTION NO. - AUTHORIZATION TO ACCEPT THE BULLET PROOF VEST PARTNERSHIP GRANT ACT 1998

It was Moved by Mr. Totman, seconded by Mr. Joseph and unanimously adopted by voice vote.

WHEREAS, the Tompkins County Sheriff desires to purchase protective vests for the Sheriff's deputies, and
WHEREAS, the Tompkins County Sheriff's Office has submitted a request to the Federal Government of \$7,349.28 for protective vests, and

WHEREAS, this dollar amount of \$7,349.28 represents fifty percent of the cost of the new vests, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the County accept the federal grant of \$7,349.28,

RESOLVED, further, That the matching \$7,349.28 is in the Sheriff's 1999 budget and no new money is needed.

SEQR ACTION: TYPE II-20

RESOLUTION NO. - APPROPRIATION FROM CONTINGENT FUND FOR OVERTIME PAY AT THE SHERIFF'S DEPARTMENT

It was Moved by Ms. Blanchard, seconded by Mr. Totman and unanimously adopted by voice vote. Mr. Meskill stated that projections indicate that there should be a small amount of money left over in the Contingent Fund after this appropriation to cover additional expenses if they should arise.

WHEREAS, the County Board set aside \$200,000 in the Contingent Fund for overtime costs at the Sheriff's Department when the 1999 budget was adopted, and

WHEREAS, \$39,834 was previously appropriated with resolution #112 on the first day of June, 1999, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Quality Planning Committees, that the Director of Finance appropriate \$155,000 from the Contingent Fund to cover payroll and fringe benefit expenses throughout the Sheriff's Department budgeting units leaving a balance of \$5,166.

APPROPRIATION:

FROM:	A1990.54400		\$155,000
TO:	<u>PLANNING & COORDINATION</u>		
	A3110.51000	Regular Pay	4,000
	A3110.58800	Fringe	1,000
	<u>CRIMINAL INVESTIGATIONS</u>		
	A3112.51000	Regular Pay	50,000
	A3112.58800	Fringe	12,500
	<u>UNIFORM DIVISION</u>		
	A3113.51000	Regular Pay	12,500
	A3113-51200	Overtime Pay	20,000
	A3113.58800	Fringe	30,000
	<u>CORRECTIONS DIVISION</u>		
	A3150-51000	Regular Pay	20,000
	A3150-58800	Fringe	5,000

SEQR ACTION: TYPE II – 20

RESOLUTION NO. - APPROPRIATION FROM CONTINGENT FUND - TERMINAL PAY SHERIFF DEPARTMENT

It was Moved by Mr. Totman, seconded by Mr. Joseph and unanimously adopted by voice vote.

WHEREAS, staff members of the Tompkins County Sheriff Department retired and have received terminal pay at a total cost of \$26,738, and

WHEREAS, Section 5.03 (B) of the County Fiscal Policy describes departmental entitlements, including contingent fund requests for the unbudgeted costs of terminal pay for employees, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee and the Budget and Quality Planning Committee, that the following budget appropriation be made:

FROM:	A1990.44000	Contingency Fund	\$26,738
TO:	A3110.51000	Regular Pay	\$13,114
	A3113.51000	Regular Pay	13,624

RESOLVED, further, That this adjustment is for 1999 and does not affect the Fiscal Target for 2000.

SEQR ACTION: TYPE II-20

JAIL STATISTICS

Sheriff Meskill distributed the jail statistics. These are on file with the original minutes. Sheriff Meskill reported that Sheriff's Department has 156 DWI arrests to date, the State Police have 79 and the Ithaca City Police are in the high

50's to low 60's range. The safety guidelines for Halloween were distributed. Sheriff Meskill indicated that these were received from the Sheriff's Association and have been distributed to the area schools.

Sheriff Meskill stated that the Department submitted proposals for two state awards; one for the department and one for an officer. He stated that Deputy Joe Manning was one of 14 officers selected statewide and he will be receiving his award in November. Mr. Beach stated that Mr. Manning is the most active law enforcement officer in Tompkins County.

Sheriff Meskill stated that the department had an awards service on October 18, 1999, and recognized four officers in the jail and four deputies for a lifesaving in the lake. He stated that the awards service was paid for through the Deputy Sheriff's Association, himself and the Undersheriff Haus.

Sheriff Meskill stated that he is working on obtaining another \$1,000 grant from the state for the new bulletproof vests. He stated the department received notification of the last grant for the vests the day before the vests were received. He indicated that the new vests are lighter, more flexible, and provide a higher level of protection. He stated the new uniforms in the department will be gray.

Sheriff Meskill reported that weapons qualifications are being done for jail staff and the new shotguns have been ordered. He stated that training for expandable batons is being considered and he indicated the batons are an item that should be used in the continuum of force, beginning with pepper spray and ending with deadly force. He stated that he has one employee that is trained to teach the eight-hour course and another individual who will be trained to teach. He stated that training for the department will take place in the winter.

Sheriff Meskill stated that the population in the jail is only three lower than this time last year and isn't as dramatic as originally thought. He indicated that the jail variance has been rewritten and the jail lost some of the extra beds. He stated the state did not want to grant a variance to a county that could not demonstrate that they are near or at capacity.

Mr. Evans asked why the overtime and straight time is down for the department. Mr. Meskill stated that not as many transports are being done to other counties and time-off is not being granted if it will create an overtime situation. Ms. Blanchard asked if there have been any juveniles transported to Long Island recently. Mr. Meskill stated that there haven't been any transports of this nature done in some time and he noted that these trips seem to run in spurts. He stated that the Department of Social Services has been billed approximately \$12,000 for the first two quarters of the year and the billings for the remainder of the year will be above the contract amount and he hopes that they will pay these bills.

ADJOURNMENT

The meeting adjourned at 1:23 p.m. The next meeting will be held November 23, 1999 at Noon in the Scott Heyman Conference Room.

Public Safety Committee
October 26, 1999

Respectfully submitted by Jennifer Luu, Administrative Assistant, Board of Representative's Office.