

**Public Safety Committee**  
 Regular Meeting Minutes  
**Monday, November 1, 2010 3:30 PM**  
 Scott Heyman Conference Room

Approved 12-7-10

Attendee Name	Title	Status
Nathan Shinagawa	Chair	Present
James Dennis	Member	Present
Leslyn McBean-Clairborne	Member	Excused
Brian Robison	Member	Present
Peter Stein	Member	Late (arrived at 3:34 p.m.)

Staff: C. Covert, Clerk of the Legislature; P. Buechel, Probation and Community Justice Director; S. Cook, Chair, Criminal Justice Advisory/Alternatives-to-Incarceration Board; W. McDermott and J. Hughes, Assigned Counsel; P. Meskiill, Sheriff; M. Lynch, Public Information; L. Shurtleff, Emergency Response Director; A. McElwee, Assistant District Attorney

**Call to Order**

The meeting was called to order at 3:34 p.m.

**Chair's Report**

*Mr. Shinagawa asked what the status is with the defibulators being installed in County buildings and requested an update on that program at the next Committee meeting.* Ms. Lynch believes it is in progress, but said she would inform County Administrator Joe Mareane of this request.

Mr. Stein arrived at this time.

**Changes to Agenda**

There were no changes to the agenda.

**Sheriff's Office**

**Report or Discussion Item (DOC ID: 2267): Jail Statistics**

Mr. Meskill said he was available to answer any questions relating to the statistics sent to members prior to the meeting. He commented that board outs are low.

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**Criminal Justice Advisory/Alternatives-to-Incarceration**

**Resolution (DOC ID: 2158): Approval of Amended Bylaws – Criminal Justice/ Alternatives to Incarceration Advisory Board**

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Stein, Member
<b>SECONDER:</b>	Brian Robison, Member
<b>AYES:</b>	Nathan Shinagawa, James Dennis, Brian Robison, Peter Stein
<b>EXCUSED:</b>	Leslyn McBean-Clairborne

WHEREAS, the Criminal Justice/Alternatives to Incarceration advisory board desires to amend its Bylaws to more accurately reflect the County Legislature's advisory board attendance policy and more accurately designate its appointed membership pursuant to the NYS Executive Law under which it

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operates, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the bylaws for Criminal Justice/Alternatives to Incarceration Advisory Board, as amended and adopted by CJATI at their September 27, 2010 meeting, be approved,

RESOLVED, further, That a Copy of the amended bylaws shall be kept on file with the Clerk of the Legislature and the Chair of CJATI.

**SEQR ACTION: TYPE II-20**

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**Assigned Counsel**

**Report or Discussion Item (DOC ID: 2265): Update on Program**

Mr. McDermott provided an update on the new law for indigent legal services. Mr. Mareane, County Administrator, was recently appointed to serve on a 15-member Committee appointed by the Governor. Mr. Mareane is attending the his first meeting today with the Governor. Mr. McDermott said he is unsure how money will be distributed by the State or how County will benefit. The monies are intended to supplement not supplant the County's money and it will be determined by a formula. The process for receiving the money has changed and starting next year 90% of the \$359,000 will be directly received; however, a grant application will have to be submitted for the remaining ten percent. By 2015, all funds received by the State will be based upon a grant application process, which is where it could become more difficult.

Mr. McDermott corrected information that was provided at a recent Expanded Budget and Capital Committee meeting concerning Maintenance of Effort (MOE) requirement. He said the MOE has not been eliminated as originally thought and it is defined clearly in the statute. The intent of the new distribution process is to improve programs that are not as effective as Tompkins County's. He is not sure what improvements can be made locally to demonstrate to the State so that the County can receive the same amount of funds as other Assigned Counsel programs. The distribution of funding will be by the Committee based on recommendations made by the State office.

Mr. McDermott reported on two trainings held recently through the Continuing Legal Education programs. One related to the Rockefeller Drug Reform Law and the other was defense ethics. The Rockefeller Drug Reform is drastic but will be a great improvement to the drug offenders who will be dealt with in the courts. The other training related to a Supreme Court case that is very "hot" right now. If a lawyer does not advise the client to make decisions with reference to the disposition of the case taking into consideration the status as an immigrant or otherwise it will constitute ineffective assistance counseling. It will be important for all the lawyers in the Assigned Counsel program to make certain they first make inquiries such as "Where were you born?". Both trainings were well attended.

Finally, Mr. McDermott reported on ways he is trying to recover some money. One of those areas is asking the Judges to oversee the monies being spent for Assigned Counsel on un-emancipated minors. When a minor is assigned a case, the Judge will ask the parent(s) to complete an application about their financial status. The intent will be to have the Judge sign the 722D order that will permit Assigned Counsel to recover the funds. Another area he has also asked Judges to consider is using the same process for bench assignments by asking the individual to complete an application to determine if a 722D order should be completed. One other area is a request made to the Judges to make suggestions on how to cut down on wasted court time. Mr. McDermott said he has had very good responses by the Judges on these items.

In response to Mr. Stein concerning measure of effectiveness, Mr. McDermott said Statute points to promptness of assignments, quality of assignments, availability of attorney, experience, etc.

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**Department of Emergency Response**

**Report or Discussion Item (DOC ID: 2266): Update on CAD System**

Mr. Shurtleff said the users of the system are in the process of training. The contract was signed in August following Legislature approval. Equipment was installed in September and intense training began in late September. Three weeks of training for the Dispatchers will begin this week. A total of 150 people will be trained. The Spillman firm has committed their staff to be here for two weeks after the training and available where needed.

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**Minutes Approval**

It was MOVED by Mr. Dennis, seconded by Mr. Robison, and unanimously adopted by voice vote by members present, to approve the minutes of the October 4, 2010, meeting as submitted. MINUTES APPROVED.

**Other Business**

Ms. Buechel reported on a training that will be held by the Probation and Community Justice Department on December 4<sup>th</sup> for the local town and village Justices on the Department's electronic equipment such as electronic monitoring, ignition interlock, etc.

Mr. McElwee reported that the District Attorney is doing well and is staying in close contact with the office. She hopes to be back in the office at the end of the month at least a couple days per week.

**Adjournment**

The meeting adjourned at 4:05 p.m.