

Public Safety Committee
December 2, 2004

Public Safety Committee
December 2, 2004
2 p.m.
Department of Emergency Response

Approved 1-6-05

Present: B. Blanchard, G. Totman, L. McBean-Clairborne (arrived at 2:07 p.m.), M. Robertson (arrived at 2:07 p.m.), M. Koplinka-Loehr (arrived at 2:09 p.m.)
Legislators: N. Schuler
Staff: P. Meskill, K Leinthall, L. Shurtleff, M. Totman, J. Crance, J. Vitale
Guests: Judge J. Sherman

Called to Order

Ms. Blanchard called the meeting to order at 2:05 p.m.

Changes to the Agenda

Ms. Blanchard reported she has received requests for the following items to be withdrawn and placed on the agenda for the first meeting in January:

Report from the Local Conditional Release Program
Update on the CJA/ATI Proposal

RESOLUTION NO. - AUTHORIZATION TO EXECUTE A FIVE-YEAR AGREEMENT WITH THE UNIFIED COURT SYSTEM FOR THE PROVISION OF COURT SECURITY SERVICES AT THE MAIN COURTHOUSE

It was MOVED by Mrs. McBean-Clairborne, seconded by Ms. Robertson, and unanimously adopted by voice vote, to approve the following resolution to the full Legislature:

WHEREAS, the New York State Unified Court System has a need to insure adequate security services are available in the Supreme and County Courts, and

WHEREAS, the Sheriff's Office has historically filled this need with County staff and has been reimbursed for such services, and

WHEREAS, both the State and the Sheriff's Office have agreed upon the number of staff needed to insure adequate security, and

WHEREAS, the reimbursed dollar amount is negotiated each year of the five-year term, and the amount for year one of five is approximately \$238,000, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the County Administrator or his designee is authorized to sign a contract with the New York State Unified Court System for the provisions of court security for the period of April 1, 2004 through March 31, 2009.

SEQR ACTION: TYPE II-20

Appointment(s)

It was MOVED by Mr. Totman, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote, to approve the following appointment(s) and submit to the full Legislature:

Traffic Safety Board

Terms expire December 31, 2007

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Maria Coles - City of Ithaca representative
Fernando de Aragon - Metropolitan Planning Organization representative

Criminal Justice Advisory/Alternatives to Incarceration Board

Terms expire December 31, 2007

Judith Saul - Representative of an Agency Providing Mediation Services to the Court
Gwen Wilkison - DSS representative
Peter Meskill - Sheriff representative
Susan Cook - County Attorney's Office representative
Linda Riley - Mental Health representative
Nell Mondy - Crime Victim representative

Emergency Communications Review and Oversight Committee

Term expires December 31, 2005

Lin Hurd - Dispatch Director representative
Terms expires December 31, 2007
George Taber - Cornell Public Safety representative
Edward Abruzzo - New York State Police representative
Ronald B. Clark - Ithaca College Campus Safety representative
Leslie P. Gifford III - Volunteer Rescue/ East side of the County representative

Advisory Board on Indigent Representation

Kelly A. Damm - term expires December 31, 2007

Family Court Advisory Council

Terms expire December 31, 2007

Diane B. Withiam - At-large representative
Marie Lucile Mauboussin - School representative
Patricia M. Karr - Segal - Family and Children's representative

STOP-DWI Advisory Board

Terms expires December 31, 2007

Peter Meskill - Sheriff representative
Stu Bergman - Mental Health Substance Abuse Subcommittee representative

Chair's Report

Ms. Blanchard announced the Committee will hold its next meeting on January 6, 2005.

Presentation - Integrated Domestic Violence Court

Sue Robinson, Resource Coordinator, and Judge M. John Sherman provided the Committee with an overview of the Integrated Domestic Violence Court since it first began in Tompkins County approximately one year ago.

The purpose of the Tompkins County Integrated Domestic Violence Court is to handle related cases pertaining to a single family where domestic violence is alleged.

Previously, the parties in domestic violence cases were required to appear in front of multiple courts and judges to address their criminal, family, and matrimonial cases. In order to simplify the court process and ensure effective case resolution, Chief Judge Judith Kaye established the IDV Court, embracing a "one family-one judge" concept. This approach allows a single judge to hear a family's

related cases. In December, 2003, Judges Sherman and Rowley began presiding over the IDV Court, enabling resolution of such cases in one court.

The goals of the IDV Court include providing integrated services to families, increasing offender accountability, promoting victim safety, improving court efficiency, and enhancing informed and consistent judicial decision-making while protecting the rights of all parties.

The IDV court hears interrelated cases from throughout Tompkins County. Eligible cases are those where there is both a criminal case involving domestic violence and a pending Family Court or matrimonial action which involves:

1. The defendant in the criminal action, and/or
2. The complaining witness in the criminal action

In addition, the parties must be married, previously married, have children in common or be related in a way defined by Section 812 of the Family Court Act.

IDV Court Judges will also preside over cases alleging criminal contempt arising from a Tompkins County Family Court Order (even without the existence of a pending Family Court petition); criminal cases alleging a Violation of an Order of the IDV court, and Article 8/matrimonial overlap. All such domestic violence cases from Tompkins County Town, Village, city, Family, and Supreme (Matrimonial Part) Courts may be removed to the ID Court, unless transfer would not promote the administration of justice. Upon identification of appropriate cases, the IDV Court will issue a mandatory Transfer/Removal order notifying the parties and originating local courts that the matter has been removed to the Supreme Court, IDV Part. Once the case has been transferred, the parties need only appear in IDV Court.

The IDV Court staff is a team of specially trained professionals that includes Supreme Court Justices, a Court Clerk, Court Office Staff, and a Resource Coordinator. The Honorable M. John Sherman and the Honorable John C. Rowley, as Acting Justices of the Supreme Court, will preside in the IDV Court on alternating weeks, while carrying separate IDV caseloads.

A unique feature of the IDV Court is the ongoing judicial monitoring of cases to ensure offender accountability. A Resource Coordinator acts as a liaison to criminal justice agencies and local service providers providing up-to-date reports to the Judges before each court appearance. For example, defendants placed on probation appear regularly in the compliance part of the IDV Court. The Resource Coordinator works closely with the Probation Department so that the Judge can respond immediately to any violation of court orders.

Another important aspect of the IDV Court is the presence of a Victim Advocate, a specially-trained representative from the Advocacy Center, who is available in Court and thereafter to provide emotional support, safety planning, referrals and other services to victims.

For those parties eligible for an assigned attorney, there is a trained pool of dedicated attorneys with experience in both family and criminal courts who can be assigned in IDV court. There may also be a law guardian for children.

Judge Sherman said one problem-area they have encountered has been the identification of cases. He said the CINS (Countywide Information Network System) is not working well for them. It was suggested that there be coordination between Norma Jayne in Administration and court clerks in an effort to resolve issues relating to information gathering.

Ms. Robinson noted that meetings are held quarterly with attorneys so that they input into the process. She reported the following statistics:

48 different units
Criminal cases filed: all - 78, open 47
 Jail sentences: 9
 Probation sentences: 14
 Conditional discharges: 13
Family Cases filed: all - 165, open - 72
Family Offense Petitions - all - 27, open - 16
Custody/Visitation Petitions - all - 97, open - 42
Neglect/Abuse Petitions - all - 41, open - 14

When asked what impacts this program had on the County, Judge Sherman stated it has an impact on the Probation Department and the Mental Health DOORS Program. He said the DOORS Program screening process takes a long time.

The Committee thanked Ms. Robinson and Judge Sherman for the presentation. Ms. Robinson said she will email Q and A's to the Committee.

Transportation of Radioactive Waste

Ms. Blanchard said other New York State counties have been adopting resolutions that have requested the United States Department of Transportation to label depleted uranium shipments as "radioactive" to protect emergency responders in case of an accident during transport. She said Ms. Kiefer requested this Committee consider doing the same. *It was MOVED by Ms. Robertson, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote, to endorse the concept and to direct staff to prepare a resolution to be placed on the agenda for the next Committee meeting. Mr. Shurtleff will be asked to draft a resolution for approval by the Legislature.*

Department of Emergency Response

Mr. Shurtleff, Director, reported they are going out to bid on the integration piece for the alarm for the CAD system which is part of the Memorandum of Understanding with the City of Ithaca on the Dispatch Center.

He also reported he has heard beginning discussion in the Planning, Development and Environmental Quality Committee pertaining to open burning and said he would hope that there would be a provision that allows for fire training in the County. Sheriff Meskill asked that there also be a provision for campfires.

Adjournment

At 3:05 p.m. the meeting adjourned and the Committee joined the Communications Capital Project Committee for a demonstration of the mobile data terminal.

Respectfully submitted by Michelle Pottorff, TC Legislature Office