

Public Safety Committee
February 1, 2007

Public Safety Committee
February 1, 2007
3 p.m.
Scott Heyman Conference Room

Present: L. McBean-Clairborne, R. Booth, M. Koplinka-Loehr, M. Robertson, M. Hattery (arrived at 3:42 p.m.)

Legislators: J. Dennis, D. Kiefer

Staff: J. Hughes, Assigned Counsel Program; P. Meskill, Sheriff; P. Younger, S. Whicher, County Administration; S. Cook, County Attorney's Office; P. Carey, DSS; K. Leinthall, Department of Probation and Community Justice; L. Shurtleff; Department of Emergency Response; M. Pottorff, Legislature Office

Guests: N. Schuler, former Legislator; C. Manning, Family Treatment Court

Called to Order

Mrs. McBean-Clairborne called the meeting to order at 3:04 p.m.

Changes to the Agenda

The resolution entitled Appropriation from Contingent Fund – Terminal Pay – Department of Probation and Community Justice, was withdrawn as it was approved on January 16 by this Committee and the full Legislature.

It was MOVED by Ms. Robertson, seconded by Mr. Koplinka-Loehr, and unanimously adopted by voice vote by members present, to add a resolution to the agenda entitled Authorization to Accept a Grant from the New York State Office of Homeland Security – Sheriff's Office.

Public Comment

No member of the public wished to speak.

Approval of Minutes of January 16, 2007

It was MOVED by Mr. Booth, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the minutes of January 16, 2007 as submitted. MINUTES APPROVED.

Sheriff – Jail Statistics

Mrs. McBean-Clairborne asked if anyone wished to comment on the Jail statistics provided in the agenda packet. Ms. Hughes noted there was a drug bust on December 20, 2006, which is one of the causes of the increased population at the Jail.

Ms. Robertson said while the numbers are staggering, the Jail population is not unprecedented. She noted the Jail did experience high numbers of inmates prior to the variances being pulled by the Commission of Correction.

Sheriff Meskill said in 2006 the population numbers were the highest he has seen in his nine years as Sheriff. He noted the boardout costs presented to the Committee for 2006 in the amount of \$779,251.59 does not include all medical and boardout charges.

Mr. Booth said the Jail population figures cannot be correlated with any other factors, it simply goes up and down. Ms. Leinthall noted the number of individuals participating in the Day Reporting Program is also high.

There was a brief discussion about an article that recently appeared in the Ithaca Journal relating to Jail statistics without advance knowledge Committee members. Mr. Koplinka-Loehr said he would like to receive information prior to it being released to the press. Mr. Booth said there are going to be times when the press will obtain information prior to the Committee because they have an independent right to get information that is held by public offices. Mrs. McBean-Clairborne requested that at any time in the future the Sheriff is requested to provide information to the media that he provide the Committee with a "heads up" if possible that a particular topic may appear in the news.

It was MOVED by Mr. Koplinka-Loehr, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the following resolution and submit to the full Legislature:

RESOLUTION NO. - AUTHORIZATION TO ACCEPT A GRANT FROM THE NEW YORK STATE OFFICE OF HOMELAND SECURITY - SHERIFF'S OFFICE

WHEREAS, the Tompkins County Sheriff's Office has been notified of a grant award from the New York State Office of Homeland Security's Grant Program in the amount of \$29,500, and

WHEREAS, the New York State Office of Homeland Security grant represents a project for a providing interoperable communications equipment (800 MGHZ) for the County's incident command bus, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the County Administrator or his designee be authorized to execute all contracts related to this award for the period of July 1, 2006 through June 30, 2008,

RESOLVED, further, That the Director of Finance is authorized and directed to make the following budget adjustment:

REVENUE:	3113.43089	Other State Aid	\$ 29,500
APPROPRIATION:	3113.52222	Communications Equip.	29,500

SEQR ACTION: TYPE II-20

EXPLANATION: Funds will be used to but additional radios for the command buses. This is the third installment of Homeland Security monies.

Commission of Correction

Mrs. McBean-Clairborne asked Sheriff Meskill if there was a response from the Commission of Correction following their last visit to the Public Safety Building. Mr. Meskill the facility received a good inspection and that there were no outstanding issues.

Assigned Counsel Program

Christine Manning, Family Services Coordinator for the Family Treatment Court, stated there is a new initiative at Family Court. For anyone who files a petition with the Family Court for custody and/or

visitation they will come through a family services assessment. During her meetings with individuals since September it was found that in the first few months many people were appropriate for mediation or dispute resolution. A portion of the referrals result in cases being diverted out of the court system through alternative dispute resolution. The next phase is to add in the referrals for collaborative law attorneys for when parties aren't necessarily appropriate for mediation or could have complexity of issues. At the present time there are very few attorneys in Tompkins County who are trained in Collaborative Law. She said the judges have looked at this and would like to have this pool of attorneys increased. A local attorney and one from out-of-state will be conducting an intensive training session in March.

During Ms. Manning's explanation of the Collaborative Law approach she explained the Collaborative Law attorneys work with the parties to come to some resolution that is in the best interest of the family and to negotiate that process through to the best interest of the children. The ultimate goal is to keep people away from the courtroom. A contract is signed at the onset to not come to the courtroom and if they have to come to court because an agreement cannot be reached, the parties have to retain new attorneys. With the collaborative approach, attorney time is much reduced because adversarial pleadings, motions, depositions, and court hearings are eliminated. Also, since the parties agree to the open exchange of information, the expensive process of pre-trial discovery is eliminated. Finally, experts and consultants are retained jointly, so duplicative, repetitive, and adversarial expert opinions are eliminated. All of this makes the collaborative settlement process substantially less expensive than going to court.

RESOLUTION NO. – AUTHORIZATION TO PAY FOR ASSIGNED COUNSEL TRAINING AND APPROPRIATION FROM CONTINGENT FUND – ASSIGNED COUNSEL

It was MOVED by Mr. Booth, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the following resolution and submit to the full Legislature. *Mr. Booth requested that Ms. Manning prepare a summary explaining this and why a request is being made from the Contingent Fund and not the Assigned Counsel Program's budget.*

WHEREAS, attorney fees for custody cases in the Assigned Counsel program exceed \$300,000 annually, and

WHEREAS, the Assigned Counsel program believes that a "collaborative law" model will result in better outcomes and eventually reduced costs for custody cases, and

WHEREAS, Judge Rowley has requested funding to initiate a "collaborative law" model for custody cases, and

WHEREAS, training to initiate a "collaborative law" model in Tompkins County will cost \$7,500, and

WHEREAS, estimated fees derived from training participants will reduce the cost of the training to \$5,000, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Director of Finance is hereby authorized and directed to make the following budget appropriation:

FROM: A1990.54440	Contingent Fund	\$5,000
TO: A1170.54412	Assigned Counsel Training	\$5,000

RESOLVED, further, That this contingent fund appropriation will not affect the Department's 2007 rollover allocation.

SEQR ACTION: TYPE II-20

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Assigned Counsel Program Statistics

The Committee reviewed 2006 voucher statistics for the Assigned Counsel Program. Ms. Hughes stated costs related to Family Court were \$619,821, which is \$35,452 more than 2005. There was an increase in felony cases in the amount of \$69,930, and an increase in misdemeanor cases in the amount of \$58,761. Ms. Hughes noted the County had its biggest drug bust in over 30 years in 2006 with a total of 35 people arrested.

Ms. Robertson requested that Ms. Hughes also provide the information in the form of a graph. Ms. Hughes said she will look into this.

Ms. Hughes said she is hopeful that when she submits figures to the State that they will receive more funding from the State than was originally budgeted.

Ms. Hughes also reported there is legislation that is going to be introduced by Judge Judith Kaye that would result in the elimination of some assigned counsel offices. The bill proposes to make programs fall under the State auspices. There are 13 different regions within the State that would have an office and manage all public defenders and assigned counsel programs. She said Judge Kaye would like to have this begin with the next two years. Ms. Hughes said Tompkins County would have an office here with a regional office in Syracuse. She said Judge Kaye has been working on this for four years and she believes it is highly likely that it will happen. She will keep the Committee updated on the status of this.

Mr. Hattery arrived at 3:42 p.m.

Criminal Justice Advisory/Alternatives-to-Incarceration Board (CJA/ATI)

Ms. Cook, Chair of the CJA/ATI Board, briefly described the Criminal Justice/Alternatives-to-Incarceration Service Plan for 2007 which is submitted to the NYS Department of Probation and Correctional Alternatives and stated that the Plan typically proposes to use funds for the same use each year. This year, however, the funds will be used towards a Substance Abuse Counselor and will require no matching County funding. This proposal is to provide evaluations in the Jail in collaboration with the Community Dispute Resolution Center and the Alcoholism Council of Tompkins County. The services will be contacted for through the Department of Social Services.

Department of Probation and Community Justice

**RESOLUTION NO. — - AUTHORIZATION TO ACCEPT AN AWARD OF A GRANT FROM
THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE
SERVICES**

It was MOVED by Mr. Koplinka-Loehr, seconded by Mr. Booth, and unanimously adopted by voice vote, to approve the following resolution and submit to the full Legislature:

WHEREAS, the Probation Director has been notified of a grant award from the New York State Division of Criminal Justice Services in the amount of \$35,600 and referred to as the STOP grant, and

WHEREAS, the STOP grant, represents a collaborative effort between Tompkins County, Cayuga Medical Center, The Advocacy Center of Tompkins County, Cornell University Police Department and Human Services Coalition, and will fund the Sexual Assault Nurse Examiner (SANE) program, Self-Defense Training, and a lock change program for victims of domestic violence and sexual assault, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the County Administrator or his designee execute all contracts related to this award,

RESOLVED, further, That the Director of Finance is directed to make the following adjustments to his books for 2007:

BUDGET ADJUSTMENT

Revenue	A3996.43389	State Aid	\$35,600
Appropriation	A3996.51000754	Admin Svc Coord	\$ 5,000
	.58800	Fringes	\$ 1,950
	.54442	Professional Services	\$28,650

SEQR ACTION: TYPE II-20

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Department of Emergency Response

Mr. Shurtleff, Director of Emergency Response, provided the Committee with the following update on the Tompkins County Public Safety Communications System:

Current Civil Contract (awarded summer of 2006):

Construction nearing completion

Tower Structures:

- (7) New/Replacement – all up
- (2) Modifications, Groton/Dryden East – Complete
- (1) Newfield North – structural evaluation underway

Shelters & Foundations

(10) Installed at all sites – includes generators to provide back-up power, propane tanks have been set-up along with foundations they set on.

Roadways:

- Complete at seven sites
- One temporary road will be regraded in the Spring
- Through an agreement with the Town of Danby South, 800 ft. of Curtis Road will be upgraded to meet town specifications in the Spring.
- A landowner has expressed concern about roadway access; this is being addressed. There is access to the site at the present time.

Site Completion.

The following activities have been taking place.

- Grounding. NYSEG is turning on power on a weekly basis.
- Fencing
- Utility Extension
- Grading, seeding (Spring)
- Generator load test

- Electrical Inspections. Being done at most of the sites.
- Antenna Installations, Cable
- Ice bridges, cable trays

Current Systems Contract:

Staging & Shipping

- Factory Inspection Complete 12/06/06 (Inspection, Demo)
- Site Equipment Shipped & Staged at Mid-State Headquarters
- ERC Equipment – Delivered and placed (911 Center)
- Site by Site Equipment Delivery & Install

Coordination & Project Pieces (Parallel and Concurrent). These are projects they are working on as they go.

Microwave Radio Network (late Spring)

- Dish install & alignment – (“hop-by-hop”)
- Electronics Installation & Optimization (System). By the end of March they will be able to go live and conduct the acceptance testing. This is a lot less stringent than the 800 mhz system. Licenses have been received and there have been no problems to this point.
- Testing & Acceptance

Paging System (late April/May)

- Designs & Projections complete
- Dependant on Microwave functionality
- Install & integration
- Acceptance Testing

Legacy Systems (late April/May)

- Paging (low band) will continue. Even though new voice paging will be implemented, they will continue to operate the low-band paging system for a period of time so that those who are transitioning have the adequate time to do so.
- A determination needs to be made on what needs to move or not move as far as inner-connections to the state.
- Demobilization plan needs to be put together. There are five tower structures that have been replaced and will have to be disposed of. There are at least six old generators that may or may not be good for future operations as well as old shelter structures.

Mobile Data

- Restore function. This is an immediate goal once the microwave system is operational. The current microwave system has been a problem because it cannot handle the volume of traffic and the interference that is caused by mechanical issues.
- Microwave dependant.

- Future applications. They are looking at what future applications might exist and be desired by the public safety community. The Emergency Communications Review and Oversight Committee will have a subcommittee that will study this.
- Compatibility with current infrastructure. There are some mobile data solutions that exist that would allow use of the current infrastructure.
- Frequencies – Capacity. The 800 mhz frequencies that have been used in the past don't provide Countywide coverage. There are only two of them and the it would be very difficult to obtain additional licenses at the present time. There are some potentials for using UHF frequencies that we would be abandoning; however, they would only work at lower speeds. Mr. Shurtleff said they are beginning to look at 700 mhz, which the FCC is getting ready to put out to public safety communities for licensing and using.
- Proposal. All of the following are being looked at; however, implementing mobile data is going to be based on getting the operational component of the microwave system going.

Options
Timeline
Costs

800 Megahertz System (**October**)

- Microwave needs to be operation. Once complete all sites will be connected.
- ATP agreed to in contract
- Install, optimize, test through Summer

Planning

Talk Group Planning (determines capacity needs)

- Draft plan received consensus on 01/25/07

Operational Policies and Procedures

- Sub-committees' next focus

Training

- Establish plan & format, based on Ops Plan
- Train-the Trainer, agency format

Other Affiliates. Mr. Shurtleff and Mr. Whicher will be working with the following organizations to get a level of participation and to further partnerships:

- SWN
- Cornell/IC
- Hospitals
- Region

Subscriber Equipment. There will be policy issues this Committee will need to address in the next month.
Components

- Mobile Radios – in vehicles
- Portable Radios – handheld
- Control Stations – stationary/stations
- Pagers

Inventory – Refine (Subscriber Committee – Mr. Shurtleff, Sheriff Meskill, and Brian Wilbur)

Talk Group Configurations – Operations (complete)

Features – Meet operational Needs (Surge capacity)

- Examples (scanning, display, encryption, emergency operation status)
- February 15

Plan – March 1, Emergency Communications Review and Oversight Committee, Chiefs Association, and Public Safety Committee

Finance. The project is within budget. There have been some changes that have resulted in increased costs but there are also other areas where costs have been reduced. They have looked at functionality of systems and whether there some things that can be done on the mobile data systems that don't need to be done on radios. If there are some things can be shifted to the mobile data project there may be a possibility of obtaining some State funding. Mr. Shurtleff said there has been a lot of progress made with the users over the last couple of weeks.

Subscriber Considerations:

Meet Agency Needs
Equitable Distribution – capacity
Cost of Equipment

Ownership (County, Combined, Subscription, combination). This is something the County will need to discuss.

Replacement – Upgrades
Standardization
Front initial purchase
Plan – Options – March decisions

Mr. Shurtleff said mobile radios have typically been provided in the emergency response vehicles by the County and he thinks there has been a consensus that in the law enforcement vehicles, at minimum, those that are dispatched through the closest-car concept that would be part of the system and covered by the County. Portable radios in the past have been bought by the departments and added to over a period of time; this is expected to continue. He said Pagers have been purchased exclusively by the agencies. Mr. Shurtleff said collectively the expense for subscriber equipment is going to be approximately \$2-\$3 million.

Mr. Booth asked Mr. Shurtleff if he is comfortable with the figure contained in the Motorola contract for user equipment. Mr. Shurtleff responded the figure was \$1.9 million and he is still comfortable with that. Mr. Booth also asked if there has been consideration given to the possibility of a conflict among the different groups who will be using the system. Mr. Shurtleff said the subcommittee is working on establishing the operational policies and procedures and he expects the Emergency Communications Review and Oversight Committee will address that question.

Mr. Hattery asked for an update on the status of funding for subscriber equipment. Mr. Shurtleff said there are two \$500,000 grants that have been earmarked and there are some other smaller grants that

are being looked into. They are also looking at reimbursements that might be available. There is a close working relationship with Senator James Seward's office. The Senator is working with the other two State Senators and Assemblywoman Lifton to see if they can come up with additional funding. Mr. Shurtleff said they are also looking at seeking donations from private organizations.

Fire, Disaster and EMS

A resolution entitled "In Support of Changing the County Fire Advisory Board Bylaws to modify Membership" was presented to the Committee for information only. This resolution was adopted by the Tompkins County Council of Government at its January 25 meeting. Mr. Shurtleff has been meeting with Jonathon Wood, County Attorney, to discuss moving this forward to the Legislature.

Committee Goals

Mrs. McBean-Clairborne will be meeting with Paula Younger, Deputy County Administrator, to review responses to proposed 2007 Committee goals on February 5th. She encouraged anyone who has not done so to submit their responses before that date.

Chair's Report

Mrs. McBean-Clairborne reported she sat in on the Ithaca Police Department's promotion ceremony and was honored to see a historical number of men of color moving up in rank.

Appointment(s) to Advisory Boards

It was MOVED by Mr. Booth, seconded by Ms. Robertson, and unanimously adopted by voice vote, to approve the following appointment:

Advisory Board on Indigent Representation – term expires 12/31/09
Michael Koplinka-Loehr - Legislator

It was MOVED by Mr. Koplinka-Loehr, seconded by Mr. Booth, and unanimously adopted by voice vote, to approve the following appointment:

Criminal Justice Advisory/Alternatives-to-Incarceration - term expires 12/31/09
Martha Robertson – Legislator

No appointment was made to the STOP-DWI Advisory Board.

It was MOVED by Ms. Robertson, seconded by Mr. Booth, and unanimously adopted by voice vote, to approve the following appointment:

Emergency Communications Review and Oversight Committee – term expires 12/31/08
Leslyn McBean-Clairborne – Public Safety Committee member

It was MOVED by Mr. Booth, seconded by Mr. Koplinka-Loehr, and unanimously adopted by voice vote, to approve the following appointment:

Traffic Safety Committee – term expires 12/31/09
Martha Robertson – Public Safety Committee Member

Liaison Assignments

The Committee agreed to the following liaison assignments for 2007:

Advisory Board on Indigent Representation - Michael Koplinka-Loehr

Family Court Advisory Council - Martha Robertson

Fire, Disaster and EMS Advisory Board - Michael Hattery

Emergency Communications Oversight and Review Committee - Leslyn McBean-Clairborne

Criminal Justice Advisory/Alternatives to Incarceration Board - Martha Robertson

Magistrates Association – Richard Booth

Local Emergency Planning Committee - Leslyn McBean-Clairborne

Offender Aid and Restoration – Martha Robertson/Mike Hattery

Adjournment

The meeting adjourned at 5:05 p.m.