

Approved March 3, 2006

**Public Safety Committee
February 2, 2006
3 p.m.
Scott Heyman Conference Room**

Present: L. McBean-Clairborne, M. Robertson, M. Hattery, M. Koplinka-Loehr (arrived at 3:05)
Legislator: G. Stevenson
Staff: S. Whicher, Administration; L. Shurtleff, Department of Emergency Response; P. Meskill, Sheriff; J. Hughes, Assigned Counsel, G. Wilkinson, District Attorney
Guests: J. Schecter, Offender Aid and Restoration; S. Lin, Intern; J. Halpern, WHCU

Called to Order

Mrs. McBean-Clairborne called the meeting to order at 3:03 p.m.

Changes to the Agenda

A report from the Assigned Counsel Program was added to the agenda.

Assigned Counsel Program

Ms. Hughes said she received information from the New York State Defender's Association with regard to the 2006 budget and Tompkins County's allocation that the Assigned Counsel Program will receive on March 31 st. She said Tompkins County will receive a percentage of \$54.2 million and will result in a higher dollar amount than was expected. Ms. Hughes said next year it appears \$80 million has been approved to fund the distribution. She noted that last year was the first time Tompkins County received a payment of \$250,000 from the State. These funds will be wired directly to the County on March 31.

District Attorney

Ms. Wilkinson said she has been in office for one month and things are going well. She had no items to present before the Committee.

Sheriff

The Committee reviewed jail statistics that were distributed with the agenda.

Mr. Booth referred to a letter that was recently written to the Sheriff by the Commission of Corrections and was faxed to individuals including the County Administrator, Public Safety Committee Chair, and Chair of the Legislature. Sheriff Meskill said he has not received the letter. Mrs. McBean-Clairborne quoted a sentence from the letter in which it was stated that housing in excess of 58 inmates in the Jail would likely invite periodic violations of Corrections Law.

Mr. Booth asked for clarification on the number of inmates the County is permitted to house at the Jail. Sheriff Meskill said the letter contains the same information as other letters received by the Commission. He said the number "58" is a Commission guideline which is 85 percent of capacity; he said the figure is incorrect because the Maximum Full Capacity at the Jail was changed in November from 73 to 75. Concern was expressed over the negativity of the letter and the implications it makes. Mr. Meskill said he had a conversation with the Chairman of the Commission of Corrections today and is hopeful some issues were resolved; however, it was the consensus of the Committee that much more

discussion on this issue needs to take place. Mr. Meskill reported that the Jail has been getting good inspection reports all along, despite the correspondence from the Commission.

Mrs. McBean-Clairborne requested the Sheriff to pull together past correspondence from the Commission so that new Legislators can gain an understanding about the events that have transpired surrounding this issue.

Ms. Hughes and Ms. Leinthall both expressed concern over the impact boarding prisoners to other counties is having on the Assigned Counsel Program and the Department of Probation and Community Justice. They both are encountering problems related to attorneys and probation officers traveling to other counties and the problems they are facing. One problem is that other facilities are not making allowances for these visits and also have restrictive hours during which these visits can take place. Because other counties are not wanting to perform PSI's (Pre-Sentence Investigations) on Tompkins County's behalf, Probation Officers are having to travel.

Mr. Koplinka-Loehr asked for a clarification from the Sheriff on what the intention is to reimburse his Department for boardout costs for 2005. He asked if there would be any funds transferred or will the Department cover the cost. Mr. Meskill said Legislators need to keep in mind some of these expenses are already in the budget and some were absorbed through the Department's Rollover. Sheriff Meskill estimates the amount that will be needed from the Contingent Fund is in the range of \$220,000 to \$250,000.

Ms. Robertson said she would like to receive information about who is in the Jail and why they were (e.g. juveniles that were previously in the system). Mrs. McBean-Clairborne said she believes Ms. Robertson is asking for an evaluation of the boardouts which is extremely difficult to produce, and asked Ms. Robertson to consider if there are specific pieces of information she would like. They agreed to discuss this at a later time.

Mr. Booth urged that the County be patient and not think there is going to be a "quick fix" to the Jail situation. He believes that the current situation will not change anytime soon and that the boardout figures are going to vary greatly and are not going to be predictive.

In an attempt to provide new Legislators with a better understanding of how departments reporting to this Committee operate, it was suggested that departments prepare a presentation for the Committee. Mrs. McBean-Clairborne will speak with department heads about this. Ms. Robertson requested a presentation on drug court cases for both felony and misdemeanors.

Department of Probation and Community Justice

Ms. Leinthall sadly announced that Les Gaynor, a recently retired employee of the Department, has been diagnosed with cancer. She encouraged those who know him to send cards and well wishes.

RESOLUTION NO. - ACCEPTANCE OF ANNUAL ALTERNATIVES TO INCARCERATION CONSOLIDATED SERVICE PLAN

MOVED by Mr. Koplinka-Loehr, seconded by Ms. Robertson. Ms. Leinthall said the Department of Probation and Correctional Alternatives allocated money to support 13A of Corrections Law which allows the County to have a reduced classification system in the Jail. She said the Department is no longer able to claim reimbursement on these funds so this is the last year the Probation Department is going to apply. She said she can apply for State Aid on a full Probation Officer's salary which would produce close to the same amount of revenue, thereby allowing another agency an opportunity to apply for these funds. A voice vote resulted as follows: Ayes - 5, Noes - 0. MOTION CARRIED.

WHEREAS, the Criminal Justice Advisory/Alternatives to Incarceration Board at its January 9, 2006, meeting approved the Annual Alternatives to Incarceration Consolidated Service Plan, and

WHEREAS, a new requirement calls for the legislative/governing body approval to accompany the Plan upon submission to the New York State Division of Probation and Correctional Alternatives, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Tompkins County Legislature approves the 2006 Alternatives to Incarceration Consolidated Service Plan for Tompkins County,

RESOLVED, further, That a copy of the Plan will be kept on file at the Department of Probation and Community Justice and office of the Tompkins County Legislature.

SEQR ACTION: TYPE II-20

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Ms. Leinthall reported on the SWAP (Service Work Alternative Program) which began in 1985 and had 49 participants who completed 4,900 hours. This program has saved approximately 6,290 jail days and boardout costs would have been \$530,000.

Communications Capital Project

Mr. Shurtleff distributed a list of current tasks and responsibilities related to the Public Safety Communications Project. He highlighted the following areas:

- Bid procurement for site development work; the bid was released last week. It was an extensive document that has been distributed to three dozen potential contractors that were identified through Purchasing. It has also been advertised on various websites, including the State Office of General Services. A pre-bid meeting with potential contractors was held on January 31st. Site visits have been conducted. They will be seeing questions come in for clarifications with responses to go out the week of the February 14th. He said he expects a request to be made for an extension of the bid date due to the extensive work involved. A team will evaluate the bids and forward to the County Administrator.
- There are options on all of the properties that will be converted to leases. This will mean additional negotiations with various property owners. Ithaca College takes the lead for the rebuilding of the WICB transmitter on South Hill. Jackie Kippola, Contracts Administrator, will be working on warranty from contractor. A final plan will be presented to the Ithaca Town Board.
- Proposed final site plans are being reviewed by municipalities. Final comments will be collected from municipalities.

Mr. Booth asked that the Committee be supplied regularly with an updated timeline of this project as the process proceeds so that Legislators can follow the project and be up-to-date on all activities taking place.

Mr. Whicher spoke of the subscriber equipment and said they will be looking for more Member-item funds. They spoke with the person from Homeland Security for New York State and was told that if the County is working closely with SWN (State Wide Network) its chances would be greater. He said a letter campaign has to be done for Member-item funds soon. The issue of who pays for what will need to be resolved soon as well. He advised the Committee that he and Mr. Squires may be coming to the Committee to report the equipment will be purchased through a lease rather than bonding for the project as that may be a better method for financing and will allow the County to lock in rates sooner.

Dispatch Operations

Mr. Shurtleff said he is working on a number of issues that have been identified as needing attention. There have been a lot of major changes with the building and technology. He said there has been anxiety and concern about whether the Dispatch Center will be able to meet expectations public safety providers have. Mr. Shurtleff, Lin Hurd, Director of Dispatch, and Mr. Whicher, County Administrator, met with the Police Subcommittee of the Emergency Communications Review and Oversight Committee where specific operational concerns were outlined. Since that time there have also been meetings with fire and emergency medical service associations. Some of the areas the Committee is specifically working on include:

- Training
- Performance Reviews
- Quality Assurance
- Supervision
- Building trust and confidence in the system

Mr. Shurtleff said his biggest concern is direct supervision of staff as there are now four to five people working in the Center at a time. He said the Senior Dispatcher needs to be doing supervision but they are taking calls which doesn't allow for good supervision.

Mr. Shurtleff said immediate actions are being taken to address some concerns. There are also meetings being held between the Director of Dispatch and senior staff as well as the auditing of calls taking place. *Mr. Booth requested that the Committee receive on a regular basis a list of the calls and numbers of calls made to the Center. He would like to learn about what disciplinary measures are in place.* Mr. Shurtleff said although the number of incidents have remained the same, the number of calls coming into the Center have doubled. He said it may be worth launching a public information campaign about what information a called should give on a 911 call.

Mr. Shurtleff announced emergency response exercises that will be held. On February 21st there will be a facilitated tabletop exercise for the emergency operations center that will take place at the Public Library. An actual Emergency Operations Committee functional exercise will held in April; at that time actual procedures will be tested. A public officials conference is being planned for April as well.

Discussion of Goals

Ms. Hughes said she would like to see that new Legislators familiarize themselves with the Assigned Counsel Program before the budget process begins as that Department's budget is substantial (\$1.4 million). Mr. Koplinka-Loehr suggested that the Department be proactive in establishing meetings with new Legislators as there are many of them and it may be difficult to coordinate schedules.

Items suggested for agenda items for future meetings:

- A report from the Health Department on matters relating to public safety.
- A status report on the Building C emergency generator.
- A report on consideration of an ordinance banning structures that may interfere with the Public Safety Communications system.

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Appointment(s)

It was MOVED by Ms. Robertson, seconded by Mr. Koplinka-Loehr, and unanimously adopted by voice vote by members present, to approve the following appointments pending the verification of residency information:

Emergency Communications Review and Oversight Committee

Brian Wilbur - Ithaca Fire Chief representative; term expires December 31, 2008

Criminal Justice Advisory/Alternatives to Incarceration Board

Nancy Zahler - Youth Services Department representative; term expires December 31, 2008

Advisory Board on Indigent Representation

Terms expire December 31, 2008

Alan Hayes

Lucy Gold (residency questioned)

James Schecter, Director of Offender Aid and Restoration (residency questioned)

At this time Mrs. McBean-Clairborne introduced Stephanie Lin, a Policy Analysis major at Cornell University. Ms. Lin will be serving in the capacity as intern for this Committee.

Adjournment

The meeting adjourned at 5:10 p.m.

Respectfully submitted by Michelle Pottorff, Legislature Office