

**Public Safety Committee
February 8, 2001
10 a.m.
Scott B. Heyman Conference Room**

Present: G. Totman, T. Joseph, B. Blanchard, T. Todd, N. Schuler (arrived at 11:12 a.m.)
Staff: K. Smithers, S. Whicher, B. Richmond, S. Robinson, Administration; K. Leinthall, Probation; J. Beach, STOP-DWI; J. Hughes, Assigned Counsel; P. Meskill, Sheriff; M. Pottorff, Board Office
Guests: Jim Crawford and representatives of the Community Faith Partnership; J. Saul, Community Dispute Resolution Center

Called to Order

Mr. Totman called the meeting to order at 10:02 a.m.

Addition to the Agenda

Ms. Lienthall added a discussion item to the agenda concerning the felony drug court.

Approval of Minutes

It was MOVED by Mr. Joseph, seconded by Mrs. Schuler, and unanimously adopted by voice vote to approve the minutes of December 14, 2000 as submitted. MINUTES APPROVED.

Criminal Justice

Ms. Richardson reported at the last Criminal Justice Advisory/Alternatives to Incarceration meeting she put forward her recommendations for funding from the pool and from that meeting came the two resolutions that appeared on the agenda for this meeting. The first is for funding of five different proposals and the second is for the Community Faith Partnership proposal.

Ms. Richardson said the County Attorney received a revised proposal from the community faith partners and has ruled it is allowable. She said that at this time if the Board were choose to move forward with that proposal she would not be able to provide oversight to that program due to having too many responsibilities at the current time.

It was MOVED by Mr. Joseph, seconded by Mrs. Schuler, and unanimously adopted by voice vote to approve the following resolution and submit to the full Board:

RESOLUTION NO. - APPROPRIATION FROM ATI CONTINGENT POOL – FACILITATED VICTIM/OFFENDER INTERACTIONS – COMMUNITY DISPUTE RESOLUTION CENTER; LIFE SKILLS COMPETENCY – YOUTH ADVOCACY PROGRAM; JAIL BASED TREATMENT PROGRAM – ALCOHOLISM COUNCIL OF TOMPKINS COUNTY; DEFENDER BASED ADVOCACY – OFFENDER AID AND RESTORATION (OAR); CRIMINAL JUSTICE CENTER LITERACY SERVICES – LITERACY VOLUNTEERS

WHEREAS, Tompkins County, in the 2001 County Budget, authorized the creation of a variety of programs designed to alleviate the need for jail expansion, and

WHEREAS, some of the programs were placed in a contingency pool for further consideration and development, and

WHEREAS, these five programs are now ready for implementation under the direction of the Community Justice Director, and

WHEREAS, the funding of these programs will enhance the overall goal of jail population reduction, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Capital Committees, That the County appropriate \$212,182 from the ATI Pool Contingency Fund to the ATI Budget and the County Administrator or his designee is directed to execute contracts with the designated agencies to provide these services.

FROM:	1990.44400	Contingency Fund	\$212,182
TO:	3160.54400	Program Expense:	
		CDRC-Facilitated Victim/Offender Interactions	\$ 40,177
		YAP-Life Skills Competency	\$ 29,543
		ACTC/AH In-Jail Treatment	\$ 28,125
		OAR-Defender Based Advocacy	\$ 83,475
		Literacy Volunteers-Education Services	\$ 30,862
		TOTAL	\$212,182

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RESOLUTION NO. - APPROPRIATION FROM CONTINGENT POOL - COMMUNITY FAITH PARTNERS TRANSITION HOUSING

This resolution was **MOVED** by Mrs. Schuler, seconded by Mr. Joseph.

Mr. Joseph said although he agrees that transitional housing is the biggest single gap the County's array of alternative to incarceration services, he has concerns with the Community Faith Partners proposal. He feels that government entanglement with religion in this case seems to be more than can be overcome. He said although the County Attorney has ruled that the current proposal is allowable, he does not feel the Partnership can operate its program in a secular rather than religious manner. He said the most dramatic illustration of this was when Reverend White came to one of the budget meetings that was being held by the Board to explain how they would be separating their secular work from their religious work and ended his presentation by asking everyone to pray with him.

Ms. Lienthall said she thinks that when that event took place, the Community Faith Partnership understood that unfixable damage had been done to their proposal. She said after that meeting she met with Mr. Crawford and Sheriff Meskill and came up with some ideas for how they felt this proposal would work because they strongly feel that the one big hole that exists in the County's services is any form of transitional housing. She said they believe they have come up with a way to do some joint referrals and screening and also provide agency oversight. She said they have devised the "red card/green card" technique which would give each person who enters the program the opportunity to speak or not speak about faith based issues. Ms. Lienthall said she believes that between the Department of Social Services and the Probation Department, that oversight of the program could be accomplished. She said she strongly feels that whether people come from the faith-based or secular community, it is extremely important that people come together to help fill a major gap in the County's alternative to incarceration system. Ms. Lienthall said the success of many other programs depend on this.

Mr. Totman said he heard Ms. Richmond say that she couldn't provide oversight to the program at this time but didn't rule out being able to do it in the future. He said the County cannot start all of its new programs at once and feels that during this time when other County departments are going to be asked for givebacks. Next year's budget picture looks grim and this is one area that can be trimmed from

the budget. Mr. Totman said he feels the proposal is still a religious-based program that government is being asked to run.

Sheriff Meskill said the County needs to address the recidivism rate at the Jail. He suggested that if cuts need to be made, that the Board cut another program and not the transition housing proposal. He said that the County needs to look at the root causes for people being incarcerated.

Ms. Blanchard asked how the program would operate and how monitoring would happen to ensure religion did not enter the program. Mr. Meskill said they would set up a process to interview people for the program. He said they would have a daily evaluation process to make sure that if there is a faith based issue it would be addressed.

Mr. Joseph said the solution to every problem is not governmental. He said the Community Faith Partners had been planning on doing this prior to the Board sending out a request for proposals. Since their proposal was first made it has been revised and is now at the size it was before the Faith Partners responded to the County's RFP. Mr. Joseph encouraged them to move forward on their own, and operate parallel to the County, and said he thinks they will do very well without the County's involvement. Mr. Joseph feels that County involvement would only weaken their efforts because of the kinds of restrictions that would be placed upon them. He believes the faith element is a real strength, but one that government cannot fund.

Mr. Todd said he entered this meeting prepared to vote no on this proposal but after listening to Ms. Lienthall and Mr. Meskill speak he has further questions about the program and would like to see this delayed. Ms. Blanchard said she too, would like this delayed.

Mr. Meskill noted that this proposal received endorsement from a clear majority of the Criminal Justice Advisory/Alternatives to Incarceration Board.

A voice vote on the resolution resulted as follows: Ayes - 2 (Blanchard and Todd); Noes - 3 (Joseph, Schuler, and Totman). MOTION FAILED.

A voice vote resulted as follows: Ayes - 2 (Blanchard and Todd), Noes - Joseph, Schuler, and Totman). MOTION FAILED.

WHEREAS, Tompkins County authorized, in the 2001 County Budget, the creation of a variety of programs designed to alleviate the need for jail expansion, and

WHEREAS, some of the programs were placed in a contingency pool for further consideration and development, and

WHEREAS, I the opinion of the County Attorney, the original proposal submitted to the Board by the Community Faith Partners as, in whole or in part, prohibited by law, and

WHEREAS, the Community Faith Partners submitted a new proposal that did meet with the approval of the County Attorney, with the advisement that the program be monitored to assure that it is carried out as described, and

WHEREAS, the Community Justice Director is not in a position to oversee and monitor the operation of the new program at this time, and

WHEREAS, there is consensus that transition housing services is a vital component to enhance the overall goal of jail population reduction, and

WHEREAS, if the Board chooses to approve the funding of this program that the oversight be provided by _____, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Capital Committees, That the County appropriate \$83,755 from the ATI Pool Contingency Fund to the ATI Budget and the County

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Administrator or his designee is directed to execute a contract with the Community Faith Partners for the execution of these services:

FROM:	1990.44400	Contingent Fund	\$83,755
TO:	3160.54400	ATI Initiatives Program Expense	
		Community Faith Partners Transition Housing	\$83,755

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STOP - DWI

John Beach distributed copies of the program's statistics for 2000. He said DWI arrests were down approximately nine percent from 1999. He also noted that the number of arrests of persons under age 21 was 8.76. This is the lowest percent of underage DWI arrests ever made in Tompkins County. The percentage of DWI arrests as a result of a crash was up from 1999; however, the trend for the last twenty years has been a continual decline with occasional upward movement. Mr. Beach stated the annual recidivism rate patterns has held steady, but is lower than the overall State rate.

Assigned Counsel

Julia Hughes, Program Coordinator, reported on year-end statistics. She said in 2000 there were 100 less cases than in 1999 which translates into a \$50,000 savings for the Program. Ms. Hughes alerted the Committee to a situation that could end up having a fiscally negative impact on all counties. She said Governor Pataki is forwarding a proposal to the Legislature this session in response to assigned counsel attorneys in the New York City area going on strike. The proposal is to get the payment rate for assigned counsel attorneys changed. Right now the rate is at around \$25 and may end up as high as \$75 per hour for felonies and family court and \$60 per hour for misdemeanors.

Mr. Joseph said the obligation to provide an attorney to indigent individuals has been declared by the Supreme Court is the State's responsibilities, and New York is the only state that has placed that responsibility on counties. Ms. Hughes noted that New York State has the lowest rates in the nation.

Ms. Hughes will be following up on this with local legislators and through NYSAC. She will also begin preparing a resolution to urge the State to absorb these costs and submit to the Committee for the next agenda.

Violence Against Women Act Update

Sue Robinson reported the Violence Against Women Act request for proposals have just been released. She said her position is currently funded through the Grants to Encourage Arrest and that funding runs out on June 30, 2000. She said once this grant application is received she will apply for continued funding.

Ms. Blanchard requested Ms. Robinson to make a list of agencies and organizations that are working in the domestic violence arena and provide this information to the Committee.

Mrs. Schuler left at 11:12 a.m.

Probation Department

Ms. Lienthall reported the electronic monitoring program is running smooth and said the program is averaging seven to ten participants.

She stated that Judge Sherman has relayed concerns to her about the felony drug court which began prior to the beginning of the year. The family court program has been slow to start; however, the felony drug court is now at 17 cases with the maximum of 25 cases expected to be reach within the month. Judge Sherman would like to see another probation officer to this program. Ms. Lienthall referred to the budget constraints that departments are faced with and said she is looking at either putting a hold on the felony drug court at 25 clients or expand it the way that was anticipated by cutting another program's budget.

Ms. Lienthall reported that tomorrow she will be attending a meeting of the Space and Location Committee to discuss space needs for the Probation Department. She said there is a desperate need to have an additional restroom facility at the Human Services Building so that they can conduct the court-ordered urine testing. At the present time they have to transport a client to Center Ithaca in order to do this. She said it is very disruptive programs and is not a good use of staff time. It has been proposed that they do this procedure at the Criminal Justice Center; however, service providers affiliated with the family drug court operation feel that mixing the populations of participants in these two programs would not be a good idea.

Ms. Smithers was asked to provide the Committee a proposed floor plan to accommodate this request.

Sheriff's Department

Sheriff Meskill submitted the following report:

1. Snowmobile operation is up and running. We sent four deputies to a weeklong school put on by the New York State Parks and Recreation. The school focused on law, snowmobile operations, and touched on rescue operations.
2. We just received our new speed-monitoring trailer and despite not receiving any money from the Governor's traffic Safety Committee we had to expend slightly less than what we originally anticipated because of a competitive marketplace. We have scheduled training on the operation of the equipment for next week and we will begin to deeply the machine as the weather allows.
3. Our seatbelt/child passenger safety seat and booster seat program has been well received. We inspected over 250 seats in the short four months of the program in 2000. Net week is National Child passenger Safety Week and we will be holding another safety seat inspection with the Ithaca Fire Department on Saturday, February 17 at State No. 6 on West Hill.
4. We have complete the purchase and installation of shotguns in all the cars. All of the deputies have been trained in the proper use of the weapon.
5. We have just placed an order for 13 automatic external debrillators to put in the cars as well as install one in the jail and one at the Courthouse. We have scheduled training in March and will implement the program as soon as the training is complete.
6. We have had several staff changes over the last few months that I should bring to your attention. Investigator Dan Drew retired in November and Deputy Mike St. Angelo was provisionally promoted

in mid-January to take his place. We promoted Deputy Brett George to Sergeant in October and in December John Pachai was hired as a deputy. He transferred from the Cortland City Police Department. In January, Deputy Leon Anderson transferred from the Seneca County Sheriff's Office to our Office. We are awaiting the new civil service test results to begin an interview and hiring process for the additional vacant and funded positions.

7. We received word last week that we have been approved for our COPS grant. Lots of paperwork will follow from the federal government before the deputy is hired to expand our community policing efforts.
8. I attended the State Sheriff's Training Conference in Albany two weeks ago and the association voted in unison to support the Governors proposal to relax the sentencing concerns surrounding the controversial Rockefeller drug laws.
9. All investigators and several deputies attended three-day and one day respectively, interview training schools in Binghamton sponsored by the Broome County Sheriff's Law Enforcement Training Academy.
10. We are working to repair the glitches and deal with the major operational changes that have accompanied the dispatcher transfer on January 11, 2001.
11. We have begun to use and build a database in the recently installed CRIMES record system software. This should enhance our records and management capabilities. We look forward to the interface between crimes and other software that will allow us to utilize all of our computers for this information.
12. We are purchasing a new computer for the jail to install the States latest version of the Jail Management System (JMS). Our hope is the new system will enhance our ability to get more data and information to assist us in the management of the Jail.
13. Early numbers for the 13th quarter reveal we should have in the neighborhood of \$300,000 plus available as surplus/rollover money available to assist in reducing the burden of the tax levy. The money was derived from increased revenues and unspent allocation from the 2000 budget. This money is better than double of what we did not spend or generated in excess revenues from last year.
14. We have just started a brand new K-9 program. We have purchased a German Shaped from the Onondaga County Sheriff's Office and the formal training program starts in mid March. Deputy Spencer has been assigned as the handler of our new addition. The K-9 will be trained in tracking and search operations, narcotics detection and in patrol functions as a partner to Deputy Spencer. This program will fill a major void in our County and should be very beneficial to enhancing our service to County residents. Deputy Spencer now has the K-9 and has begun the process of acclimating the dog to its new life as a police K-9.

Budget Adjustment

It was MOVED by Ms. Blanchard, seconded by Mr. Joseph, and unanimously adopted by voice vote by members present to approve the following budget adjustment:

REVENUE:	3113.42705	Gifts and Donations	\$10,000
APPROPRIATION:	3113.42705	Department Equipment	\$10,000

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**RESOLUTION NO. 18 - TO CHARGE A FEE FOR TOMPKINS COUNTY SHERIFF'S
OFFICE CRIMINAL BACKGROUND CHECKS**

MOVED by Mr. Joseph, seconded by Ms. Blanchard. A voice vote resulted as follows: Ayes - 4, Noes - 0, Excused - 1 (Representative Schuler). MOTION CARRIED.

WHEREAS, the Tompkins County Sheriff's Office performs routine Local Criminal Background checks for employers and others including various branches of Government, and

WHEREAS, the Tompkins County Sheriff's Office has policy and procedure in place to guide employees with what information can be released and to whom it may be released to, and

WHEREAS, the Tompkins County Sheriff's Office wants to accurately reflect the costs associated with providing this service, now therefore be it

RESOLVED on recommendation of the Public Safety and Budget and Capital Committees, That the Sheriff of Tompkins County can charge for the Tompkins County Sheriff's Office Criminal Background Check a fee of \$5.00 to become effective on March 31, 2001.

SEQR ACTION: TYPE II 20

Adjournment

The meeting adjourned at noon.