

Public Safety Committee
March 16, 2009
2:30 p.m.
Scott Heyman Conference Room

APPROVED

Present: M. Robertson, J. Dennis, C. Chock (arrived at 2:37 p.m.); M. Sigler (arrived at 2:37 p.m.)
Excused: G. Stevenson
Legislators: M. Koplinka-Loehr
Staff: P. Buechel, Director of the Department of Probation and Community Justice; P. Meskill, R. Tubbs, Sheriff's Office; G. Wilkinson, DA; M. Lynch, J. Mareane, County Administration; M. Pottorff, Legislature Office; A. Fitzpatrick, Personnel Commissioner; S. Cook, Criminal Justice Advisory/Alternatives-to-Incarceration Board Chair; D. Squires, Finance Director; L. Shurtleff, Director of Emergency Response; G. Potter, Director of Information Technology Services

Call to Order Ms. Robertson called the meeting to order at 2:37 p.m.

Chair's Report

Ms. Robertson said the Assigned Counsel Task Force is moving along; a Cornell graduate student has been hired for 5 to 10 hours per week to collect data. She anticipates a report to be presented to the Public Safety Committee in June, 2009.

Sheriff's Report

Ms. Chock questioned daily admissions statistics increase from 2008 to 2009, although there was a decline in years 2004 through 2008. Mr. Meskill had no explanation for the spike. Ms. Robertson noted the large variability in these statistics.

Grant Proposal

Sheriff Meskill said this COPS grant proposal is part of the American Recovery and Reinvestment Act of 2009 that includes funding to allow for the hiring of new law enforcement officers. There is \$4 billion nationwide available. He said up until now the COPS grant program has had a \$75,000 per person maximum on a sliding scale with a requirement of a County match. The proposal put forth today includes funding to hire an employee at an entry-level wage plus benefits; he noted this is the primary difference from COPS grants in the past. Mr. Meskill said this will be a fairly competitive process and grant applications must be submitted by the close of business on April 14th. They made it very clear that if any part of the application is incomplete it will not be accepted.

The Sheriff outlined the current proposal and said he is proposing to add three deputy positions that would allow the Sheriff's Office to answer and handle calls in a more timely fashion. He said these positions would allow the Department to do more solid work rather than running on a triage basis as it currently does. He said these positions are significantly less than what the Department needs but the addition of these three positions would be adequate for now. Mr. Tubbs noted that although the funding is for three years, the County would have to agree to pay for the fourth year for each of the positions with County tax dollars. He said all of the figures include a fourth-year projection.

Mr. Mareane said he and the Sheriff have been working on this proposal over the last few days. He distributed a spreadsheet (below) outlining the estimate of the net local cost of the COPS grant. He said currently all deputies are being paid according to a 2005 wage scale and there is an assumption being made that in the relatively near future that will be brought up to a higher level following an arbitration award. For the purposes of this discussion the spreadsheet contains an assumption that there will be an average of three percent wage rate growth per year.

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Estimate of Net Local Cost, COPS Grant					
Assumes 3% Average Annual Salary Growth, and a COPS Reimbursement Based on Adjusted Entry Wage					
Administration Projection: Cost of 3 Deputies					
	Year				
Cost Item	One	Two	Three	Four	4-Year Total
Salary (use 3% adjusted salary)	154,515	172,920	178,108	183,451	688,993
Overtime (Year 1 at 50% of Normal)	12,000	24,000	24,720	25,462	86,182
One Time Uniform/Equipment Cost	12,000	-	-	-	12,000
Clothing Allowance	1,500	1,500	1,500	1,500	6,000
Vehicle Replacement (Sinking Fund) 1 Vehicle	6,000	6,000	6,000	6,000	24,000
Fringe at 36% of Salary and 25% of OT	58,625	68,251	70,299	72,408	269,583
Total Cost	244,640	272,671	280,626	288,820	1,086,758
Less					
COPS Grant (entry level salary and fringe)	(210,140)	(210,140)	(210,140)	-	(630,421)
Net Local Cost, Three Deputy Plan	34,500	62,531	70,486	288,820	456,337

Notes and Assumptions:

Wage growth averaging 3% per year: \$51,505 Hire Rate in 2009; \$57,640 Work Rate in 2010; \$59,369 in 2011; \$61,150 in 2011
Fringe rate of 36% on wages; 25% (Retirement, FICA, Misc) on Overtime
Overtime estimate is based on Sheriff's proposal that overtime for new hires can be limited to \$8,000 per year
Overtime costs for new hires will be low in first year due to time in academy. Assumes 1st year OT at 50% of normal
Vehicle estimate based on addition of one vehicle, with costs spread over four years

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Sheriff's Overtime Reduction Plan--Adjusted for 3% salary growth

Straight time rate (Work Rate/2080)	\$26.90	\$27.71	\$28.54	\$29.40	
Overtime rate (straight time x 1.5)	\$40.36	\$41.57	\$42.81	\$44.10	
x Number of reduced hours per Deputy	27.75	55.50	55.50	55.50	1387.5 Hours Saved/Year
= OT Savings per Deputy	\$1,120	\$2,307	\$2,376	\$2,447	
x Number of Deputies	25	25	25	25	
= Total Savings, Overtime Wages	\$27,997	\$57,675	\$59,405	\$61,187	\$206,264
x Fringe Rate	25%	25%	25%	25%	
=Fringe Savings	\$6,999	\$14,419	\$14,851	\$15,297	\$51,566
Total OT Wage and Fringe Savings	\$34,997	\$72,093	\$74,256	\$76,484	\$257,830

Net 4-Year Local Cost of 3 Deputies, With OT Reduction Plan

\$198,507

Assumptions:

Wage growth averaging 3% per year: \$51,505 Hire Rate in 2009; \$57,640 Work Rate in 2010; \$59,369 in 2011; \$61,150 in 2011
Fringe rate of 36% on wages; 25% (Retirement, FICA, Misc) on Overtime
Overtime estimate for new hires is based on Sheriff's proposal that overtime for new hires can be limited to \$8,000 per year
Overtime costs for new hires will be low in first year due to time in academy. Assumes 1st year OT at 50% of normal
In Sheriff's OT reduction plan, assumes first year savings will be 50% less than in other years, due to new hires being in the academy
Number of reduced overtime hours is based on Sheriff's proposal to reduce overtime by \$2,000 per deputy, which is the equivalent of a 55 1/2 hour reduction in overtime.

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Estimate of Net Local Cost, COPS Grant

Assumes 3% Average Annual Salary Growth, and a COPS Reimbursement Based on Adjusted Entry Wage

Administration Projection: Cost of 3 Deputies

Cost Item	Year				4-Year Total
	One	Two	Three	Four	
Salary (use 3% adjusted salary)	154,515	172,920	178,108	183,451	688,993
Overtime (Year 1 at 50% of Normal) at 20%	12,000	24,000	24,720	25,462	86,182
One Time Uniform/Equipment Cost	12,000	-	-	-	12,000
Clothing Allowance	1,500	1,500	1,500	1,500	6,000
Vehicle Replacement (Sinking Fund) 1 Vehicle	6,000	6,000	6,000	6,000	24,000
Fringe at 36% of Salary and 25% of OT	58,625	68,251	70,299	72,408	269,583
Total Cost	244,640	272,671	280,626	288,820	1,086,758
Less					
COPS Grant (entry level salary and fringe)	(210,140)	(210,140)	(210,140)	-	(630,420)
Net Local Cost, Three Deputy Plan	34,500	62,531	70,486	288,820	456,337

Sheriff's Overtime Reduction Plan—Adjusted for 3% salary growth—Higher OT Reduction Target

Straight time rate (Work Rate/2080)	\$26.90	\$27.71	\$28.54	\$29.40	
Overtime rate (straight time x 1.5)	\$40.36	\$41.57	\$42.81	\$44.10	
x Number of reduced hours per Deputy	41.50	83.00	83.00	83.00	2075 Hours Saved/Year
= OT Savings per Deputy	\$1,675	\$3,450	\$3,554	\$3,660	
x Number of Deputies	25	25	25	25	
= Total Savings, Overtime Wages	\$41,870	\$86,252	\$88,840	\$91,505	\$308,467
x Fringe Rate	25%	25%	25%	25%	
=Fringe Savings	\$10,467	\$21,563	\$22,210	\$22,876	\$77,117
Total OT Wage and Fringe Savings	\$52,337	\$107,815	\$111,050	\$114,381	\$385,583

Net 4-Year Local Cost of 3 Deputies, With OT Reduction Plan

\$70,754

Assumptions:

Wage growth averaging 3% per year: \$51,505 Hire Rate in 2009; \$57,640 Work Rate in 2010; \$69,369 in 2011; \$81,180 in 2011
 Fringe rate of 36% on wages; 25% (Retirement, FICA, Misc) on Overtime
 Overtime estimate for new hires is based on Sheriff's proposal that overtime for new hires can be limited to \$8,000 per year
 Overtime costs for new hires will be low in first year due to time in academy. Assumes 1st year OT at 50% of normal
 In Sheriff's OT reduction plan, assumes first year savings will be 50% less than in other years, due to new hires being in the academy
 Number of reduced overtime hours is based on Sheriff's proposal to reduce overtime by \$2,000 per deputy, which is the equivalent of a 55 1/2 hour reduction in overtime.

Mr. Mareane said there would be a large local expense if overtime expenses cannot be reduced. He said after many discussions with the Sheriff, Mr. Meskill outlined in Proposal No. 2 a plan to reduce overtime in his operations by a fairly significant amount (to an average of 55.5 hours per deputy) which would offset the \$456,000 estimated four-year cost of assuming these new positions. The local cost for a four-year period after overtime costs are factored in is \$198,507. The third proposal raises the amount of overtime saved per deputy to 83 hours per deputy. At that level of overtime the local dollar expense would be approximately \$70,754.

Ms. Chock questioned the commitment the County would be making to maintain the total number of deputies over the four-year period. Mr. Meskill said right now there are 25 deputies; one requirement of the grant is that the County would need to maintain the elevated staffing level during that four-year period. Everyone was in agreement that the current budget includes funding for salaries and overtime for 25 deputies in the Sheriff's Office.

When asked if the Sheriff could accept less than three deputy positions Mr. Meskill said he could live with two of the positions.

Ms. Chock asked at what point would the County be committing to the level of staff. Mr. Meskill said he is looking for a commitment from the Legislature from the application process through receipt of funding. He spoke of the amount of work involved and said he does not want to undertake that effort if

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the positions will ultimately be denied. Ms. Robertson said it is not “good faith” to apply for a grant that there isn't supported and given the County’s fiscal situation she would like the full Legislature to be given the opportunity to discuss and approve the request.

Ms. Chock expressed discomfort over making a commitment on staff levels in one department when the County's and State’s future fiscal situation is unknown at this time.

Ms. Wilkinson asked the Sheriff what the bottom-line impact on overtime for the Department would be with the addition of these three law enforcement officers. She said if the Sheriff can reduce overtime at the level described she thinks the fourth-year costs can be recouped. She spoke of the impact the work of the Sheriff’s Office has on her Department’s work and said she sees a great need for more law enforcement officers in the County.

Mr. Mareane said there is general agreement that there need to be an offsetting savings; if that is going to be the premise of a go-forward discussion, we need to come to an understanding of locking those numbers in.

Sheriff Meskill said they get about 1,700 average hours per deputy (proposal equals 5,100). He said while he could try to follow an aggressive schedule (83.0 hours per proposal no. 3) that commits that much of a reduction in overtime, he cannot guarantee achieving a \$100,000 reduction in the budget. He spoke of the existing funding gap in the Department’s budget and noted the Jail budget received no increase for the increased transportation for boarding inmates out. He also noted that he has used Rollover funds to purchase vehicles each year. He will not be able to make those purchases in the future if the Rollover funds are eliminated.

Mr. Dennis said he isn’t greatly troubled by locking-in these positions for four years and noted there could be changes in 207c and retirements, as well as many other factors over the next few years. He also said he does not agree this “pits” one department against another. He said it is clear to him that rural residents appreciate the presence of Sheriff’s deputies.

Ms. Robertson expressed concern over the full cost of this. She said she could support \$70,000 over four years but would be willing to vote to move this to the full Legislature for full consideration.

Mr. Koplinka-Loehr said the resolution could contain language that states that the deputies can’t have a guarantee of employment beyond four years, noting this is different than saying they will not have employment after four years. Ms. Robertson agreed and asked that the proposal continue to be refined and the document that goes to the Legislature contain an explicit statement about the fourth year and the spreadsheet containing the scenarios be included as well.

The Committee agreed, with Ms. Chock dissenting and Mr. Stevenson excused, to forward this request to the full Legislature.

A special Public Safety Committee meeting will be scheduled on April 7th prior to the Legislature meeting to take action on a resolution authorizing the Sheriff to proceed with applying for these grant funds.

Department of Probation and Community Justice

Ms. Buechel reviewed the following information that was included in agenda packets.

TOMPKINS COUNTY DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE
Alternative-to-Incarceration Programs

The following is a description of available Alternative to Incarceration Programs offered by this department. Please keep in mind that several of the alternatives can be used on a pretrial basis as well as part of a court imposed sentence. It is this department's policy that all cases where a recommendation of incarceration is being considered at the investigation or violation of probation stage be screened before our Alternatives to Incarceration Committee for possible sentencing options in these ATI programs. Comments made during Ms. Buechel's presentation have been included.

PRE-TRIAL RELEASE PROGRAM (PTR)

The Pre-Trial Release program is operated in an attempt to facilitate release for incarcerated individuals who meet certain criteria. All defendants in custody at the Tompkins County Public Safety Building who have bail set by a court are given the opportunity to be interviewed for this program. A Probation Assistant reports to the jail Monday through Friday and conducts an initial screening and personal interview with the defendant. A cursory investigation is then conducted into the defendant's legal, social and employment history with emphasis placed on past cooperation with court orders, prior warrants for failing to appear in court and personal references to determine the defendant's potential for appearing for future court dates. An assessment is then made as to the defendant's ties to the community and potential flight risk from their legal charges. A recommendation is forwarded to the court as to the best release option, which can include the following:

- Release on Recognizance (ROR)
- Release Under Supervision (to Probation)
- Release Under Supervision to Day Reporting
- Reduce Bail
- Continue Bail

The Department has initiated a new risk and needs assessment that is being used referred to as COMPAS. This is a validated risk assessment that is specifically on failure to appear and supports the Department's recommendations to appear in court and is an evidence-based practice.

The objectives of the Pre-Trial Release Program are:

- Provide the court with objective information for making good release decisions;
- Help individuals maximize the number of dependents release under non-financial conditions (those individuals who cannot afford to bail themselves out);
- Minimize failures to appear; and
- Reduce pre-trial detention incurred by the community

If RUS (Release Under Supervision) to either Probation or Day Reporting is recommended, specific conditions of release are submitted along with the report to the court. The Probation Department then supervises the defendant's adherence to those conditions to help ensure appearance to subsequent court proceedings. Non-compliance with the conditions of release results in a notification to the court with possible return to jail. If the recommendation is for reduced or continued bail, this department can prepare a subsequent pre-trial report upon the court's request to update the court with possible new information which could affect bail status.

Ms. Buechel noted the employee working performing these assessments carries a caseload of approximately ten cases at a time.

SERVICE WORK ALTERNATIVE PROGRAM (SWAP)

SWAP is a supervised alternative to incarceration program for adults (age 16 and above) who have been convicted of a nonviolent crime and have been ordered to complete community service as a condition of a court imposed sentence. To be eligible for this program, a participant cannot have a history of generalized violence in the community, cannot have a sexual offense history and cannot have a violent felony in their background. The number of community service hours ordered to complete depend on the level of the offense as follows: 50-75 B Misdemeanor, 75-100 A Misdemeanor, 100-200 E Felony and 200-300 D Felony. The SWAP program has two full time Work Project Supervisors who operate scheduled shifts throughout the week, including evenings and weekends. The program provides transportation for participants to and from various not-for-profit work sites throughout the county. Participants gain work skills and self esteem while performing their community service and the experience allows them to repay the community for their criminal behavior.

INTENSIVE SUPERVISION PROBATION (ISP)

The ISP caseload is comprised of high risk offenders who require intensive monitoring and more extensive case management. High risk offenders are defined as individuals who have previous convictions, individuals for whom there is a plea agreement for incarceration after conviction/trial or individuals currently serving a probation term and have been convicted of another offense. Participants on this caseload are expected to meet with their Probation Officer a minimum of twice weekly and are subjected to home visits twice monthly. As the ISP caseload is smaller than a regular caseload, the supervising probation officer is able to spend more time with the probationer and his/her family as well as maintain close contact with service providers. Problems are able to be addressed quickly to improve probation outcomes. As participants adjust to supervision and begin to do well, they are transferred to the core caseload. Individuals can remain on ISP for up to 18 months. ISP can be used as an alternative to a split sentence of jail/probation or in lieu of a longer period of incarceration. ISP can also be used as a sanction for a Violation of Probation.

INTERIM PROBATION SUPERVISION (IPS)

Interim Probation Supervision is a trial period of probation which can last for up to one year. It is used in cases where the defendant has a past history of failed community based supervision and is viewed to possess low motivation in the instant offense. It is generally used at the felony level but can be used at the misdemeanor level as well. The defendant is placed on Interim Probation Supervision with conditions that are normally used in all supervision cases. If the defendant is successful and demonstrates good compliance, then the court can sentence the defendant to probation. It should be noted that the Interim period of supervision does not count towards the sentence. If the defendant is not successful on the Interim period, the court can sentence the defendant to incarceration without the formality of a Violation of Probation hearing. The benefit of Interim supervision is that incarceration can be avoided if the defendant can prove himself/herself to the court by demonstrating compliance.

ELECTRONIC MONITORING (EM)

The Electronic Monitoring Program provides 24-hour home monitoring of an offender through the combined technology of a telephone line, a computer device and an electronic bracelet. EM allows the probation department the ability to know when an offender leaves and returns to his/her residence. The offender must adhere to a prearranged schedule of time in and time out. If the offender does not adhere to this schedule, the probation department is alerted. In addition to this standard EM program, this department also offers two types of Global Positioning Satellite (GPS) EM, one of which utilizes a land line phone to download information. GPS allows this department to review the activities of a participant in any given day by showing exactly where the participant traveled, the route taken and how long the

travel took. Once the participant returns home the tracking device downloads data allowing the probation officer to know exactly where the participant has been during any time away from home. The system also allows this department to designate areas of the city or county that are not available to the offender and from which the offender is forbidden to visit, as well as designating areas of the city or county open to the participant. It should be noted that the land line GPS EM is not real time tracking, rather the information of the participant's travels are downloaded daily and supplied to this department daily. The other type of GPS EM is based on cell tower technology and **does not** require a land line phone. This technology does offer real time tracking as well as the ability to communicate with the offender should the Probation Officer discover or be notified of violations of the EM by the monitoring center.

To be eligible for the EM programs, the offender must have a willingness to cooperate with the program, have stable housing, and have either a land line phone which is unencumbered by call waiting and dial up computer service **or** access to electricity on a daily basis to recharge the battery. Due to these hindrances, this department must screen cases to ensure the offender meets eligibility criteria.

EM may be used on either a pretrial basis or as part of a court imposed sentence. Pretrial participants may be those that are found ineligible for Release on Recognizance or Release Under Supervision and are ineligible for Offender Aid and Restoration bail. In these cases, EM provides an alternative to bail. These individuals may be monitored until such time they are either acquitted or convicted and sentenced. It may also be used as a condition of probation or as a disposition on a Violation of Probation in lieu of incarceration.

DAY REPORTING PROGRAM

The Day Reporting program is a structured, secure environment intended to provide stability, accountability, education and personal advancement for individuals who would be facing a period of incarceration. Participation in the program is mandated by the criminal courts as either a condition of Pre-Trial Release Under Supervision, a condition of probation or conditional discharge, or a drug court sanction. The NY State Division of Parole is also mandating the Day Reporting Program for parolees upon their release from state prison to assist them with reintegration into the community. The courts decide on the length of stay in the program, which for PTR can be until a defendant returns to his or her next court date or it can be a set number of days as specified in their sentence.

Participants attend the program located in the Community Justice Center (old Tompkins County Library building) Monday through Friday, where they remain on site for the duration of the day unless they have verifiable outside treatment appointments. The program is made up of classroom instruction on various topics, including substance abuse education, conflict resolution, anger and stress management, impact of criminal behavior on victims, GED and employment related issues. Participants also perform several hours of supervised community service each week at various locations. They are encouraged by staff to take personal responsibility for their actions, repair the harm caused to their victims and the community and to develop skills to enable them to become productive members of society. The key to the program is accountability and courts are notified when a defendant is out of compliance with program rules.

TREATMENT COURT PROGRAMS

The Ithaca Community Treatment Court (ICTC) program for misdemeanor level offenses and the Felony Drug Court (FDC) program for felony level offenses provide defendants with a highly structured environment that combines judicial oversight, intense probation supervision and a system of rewards and sanctions for compliant and noncompliant behavior. These programs are designed for incarceration bound high risk offenders who have a history of past failed probation terms and substance abuse treatment outcomes. In addition to being screened by this department's ATI committee, potential candidates for

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Treatment Courts are also reviewed by the respective drug court teams for appropriateness. Please note that judges in the town and village courts in Tompkins County can transfer jurisdiction of a case to ICTC. A transfer order must be completed by the transferring court for this to occur. In certain cases, a defendant may be allowed to participate in ICTC on a contract basis, which allows the defendant to later withdraw their plea upon successful completion of the program to a lesser charge. For these individuals, they are no longer under the supervision of probation. For other cases, a defendant is ordered to complete ICTC as a condition of a probation sentence and generally continue to be supervised after completion of the program. In FDC, all defendants are sentenced to probation and are ordered to complete the program. Upon successful completion, they remain on probation supervision for further monitoring.

The rules of each program are rigorous with participants expected to report to their probation officer a minimum of twice weekly, attend court appearances initially on a weekly basis for compliance reviews, and be subjected to mandatory drug testing. Participation in a substance abuse treatment program is the priority and education and employment issues are addressed when the participant is well grounded in recovery. Graduated sanctions are used by the court to address noncompliance with program rules, which could include increased reporting, SWAP, EM, Day Reporting and short periods of incarceration.

Ms. Buechel stated the Department conducted 262 interviews in 2008 at the Jail; she reviewed the following information contained in charts distributed to the Committee relating to demographic figures:

Gender:

Male – 221; Female – 41

Ethnicity:

White – 161; Black – 92; Hispanic – 8; Asian – 1

Age at interview:

20 to 30 – 126; 31 to 40 – 58; 41 to 50 – 33; 16 to 19 – 26

Employment Status:

Unemployed – 150; Employed – 84; Disabled – 28

Current Residence:

County – 210; Out-of-County – 45; Out-of-State – 6; Unknown – 1

Length of Residence in County

6 months or longer – 63; 0-1 months – 18; 1-3 months – 12; 3-6 months – 10

Felonies – 51.9%

Misdemeanors – 45%

Violations – 2.3%

Domestic Violence incidents – 58 (22.1%)

On Probation – 50 (19.2)

In 2008, of the 60 pre-trial supervision cases, 52 (87%) successfully completed their supervision. When someone is released under supervision the period is for 90 days; this automatically converts to an ROR unless the court is notified that someone has met the 90-day period. If the court wants someone to continue past the 90-day period an order from the court is needed.

Criminal Justice Advisory/Alternatives-to-Incarceration

Ms. Cook updated the Committee on activities of the Criminal Justice Advisory/Alternatives-to-Incarceration Board and said the CJA/ATI Board continues to work on compiling the various statistics from areas that impact the system. At the last meeting the DA's office was present to talk about what has

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been done on DWI enforcement. OAR (Opportunities, Alternatives, and Resources) presented information about the Bail Fund demonstrating the amount of Jail days saved and the increases in bail amounts. Deb Dietrich, Executive Director of OAR, also reported there have been very few bail forfeitures. Mr. Mareane pulled data from the DCPA (Department of Probation and Correctional Alternatives) website and presented the data for committee discussion. In April CJA/ATI will be having a presentation by the Magistrates Association with Justices Poole and Dawson demonstrating what has been effective and what doesn't seem to work well for them. Next Monday Judge Rossiter will be giving a presentation of the Ithaca Drug Treatment Court. Ms. Robertson is unable to attend that meeting; Mr. Dennis agreed to attend in her absence on March 23rd.

Criminal Justice Data

Ms. Robertson referred to the document included in the agenda packet entitled "Criminal Justice Data: Hypotheses to Test". She said there have been many discussions about data but there has not been sufficient discussion about what we want to learn from that data. She said she would like this Committee to think about what information is needed to understand the criminal justice system; if there is a need for particular pieces of information there has to be a decision made on where to start.

Ms. Robertson said that, for example, she would like to know how well the County's diversion programs work: what do they do and how well are they doing it? She said the County's ATI programs have been evaluated, but not since 2003.

Ms. Chock questioned what will keep our population safe and what is the relationship between the jail population and the number of deputies on the road and safety.

Ms. Wilkinson asked what the overarching goal is. Is it to lower the overall population of the jail or to increase public safety? She said although they are not identical, they may overlap. If the goal is to save money at the jail, then a decision could be made to not incarcerate individuals. However, this would raise the issue of not enhancing public safety. She referred to the traditional theory that says a justification for public safety is to place an offender in a position where they cannot commit a crime. This has nothing to do with rehabilitation or deterrence, just incapacitation. She said incarceration does not have a rehabilitative result unless money is spent on programs to rehabilitate; and incarceration alone does not contribute to long-term public safety after the person is released.

Ms. Robertson said the goal of having this discussion is to understand what we are doing, what we are doing well, and what we could do better. In order to do that a decision needs to take place on which numbers will tell us what we want to know.

Mr. Sigler raised the issue of the impact of the divorce rate and its relationship to crime. Ms. Cook spoke of home visits from juvenile delinquency programs that she works with. She said in reviewing the cases she has worked with, there is a 51 percent divorce rate, and 92 percent of the kids she has worked come from split homes. She also said that while divorce rate/single parenting is an issue, income is also relevant.

Mr. Dennis said he, too, has questions about ATI programs, how they work, and whether they have been successful.

Mr. Potter said he has been involved in many of these discussions in the past. He is not certain there has been an inventory of what kinds of data are now being collected within the various areas; the Committee may not be able to answer questions that are being posed based on the information that is now being collected. He suggested the first step is conducting that inventory and this is a "systems analyst" responsibility.

Ms. Robertson proposed that at the April meeting each party that has information about the population served present that information to the Committee. She would like to see what we already have, because once we know that, we may be able to make easy choices about what can be correlated. Mr. Potter agreed but suggested having a work session at the staff level first and then to have that working group make that presentation to the Committee. Ms. Robertson agreed that would be a logical first step. Mr. Potter said the questions will need to be much more specific than those posed earlier in the discussion. Ms. Robertson said that discussion on this topic will continue throughout the year.

Department of Emergency Response

RESOLUTION NO. - MEMORIALIZING THE GOVERNOR AND THE LEGISLATURE OF THE STATE OF NEW YORK TO ENACT AND SIGN INTO LAW LEGISLATION AMENDING SECTION 303 OF THE COUNTY LAW TO ALLOW TOMPKINS COUNTY TO INCREASE ITS ACCESS LINE SURCHARGE TO PAY FOR THE COSTS OF MAINTAINING AND OPERATING AN EMERGENCY COMMUNICATIONS SYSTEM

It was MOVED by Mr. Dennis, seconded by Mr. Sigler, and unanimously adopted by voice vote by members present, to approve the following resolution and submit to the full Legislature. Mr. Mareane acknowledged that this is a shrinking funding stream. Mr. Mareane was asked to define “Per address” when it comes to the full Legislature. Mr. Mareane was asked to explain how an institution with a multi-number of lines would be addressed. Ms. Chock asked that he also include a list of pros and cons. Ms. Robertson noted this is a cost that can reach property tax exempt users. Mr. Sigler asked that the background information include language to clarify that this would offset the communications system and lower taxes.

WHEREAS, in recognition of the need to rapidly and appropriately respond to threats to the public’s health and safety, Tompkins County has committed itself to the creation and maintenance of a robust emergency communication system that can serve the needs of first responders throughout the County; and

WHEREAS, Tompkins County has developed a 911 emergency communications center to provide all first responders within the County a well-trained and well-equipped professional dispatch staff; and

WHEREAS, Tompkins County has shown leadership in emergency communication, answering the call of the national 9/11 Commission, New York State, and local first responders by creating New York State’s first fully interoperable emergency communication system; and

WHEREAS, the \$21 million cost of the recently completed interoperable communication system represents the largest capital project in the history of Tompkins County; and

WHEREAS, although Tompkins County has made, and will continue to make, every effort to secure state and federal grants to defray a portion of the cost of that system, a substantial portion of the project’s cost and associated debt service must be supported directly by the County and its taxpayers; and

WHEREAS, in the absence of alternative revenues, the debt service cost of the project must be paid through the County property tax levy; and

WHEREAS, County Law Section 303 permits a municipality to impose, via local law, a surcharge on each access line in an amount not to exceed \$0.35 per month to help pay the cost of operating and maintaining an emergency 911 communication system; and

WHEREAS, the cost to amortize and maintain the County’s emergency communication system has increased substantially along with the capacity, reliability, and coverage of that system; and

WHEREAS, it is necessary and desirable for the State to amend existing state law to authorize the County of Tompkins to increase the surcharge imposed on access lines from \$0.35 to up to \$1.00 per access line per month; now, therefore, be it

RESOLVED, that this Legislature hereby requests the Governor and the Legislature of the State of New York to enact legislation amending Section 303 of the County Law to allow Tompkins County to increase the E911 surcharge on access lines up to an amount not to exceed \$1.00 per access line per month; and be it further

RESOLVED, that the Clerk of this Legislature hereby is directed to send a certified copy of this resolution to the Governor of the State of New York and to the New York State Legislators representing Tompkins County.

SEQR ACTION:

Communications System Update

Ms. Robertson thanked Mr. Shurtleff for providing the Committee with the background information prior to the meeting. Mr. Shurtleff said the information relates specifically to the sites where the communications equipment is placed, tower locations and relative value of each one and where there may be some opportunities for co-location. The information should also provide an overview of the market and why it is so "soft" right now. He said the County had been looking to the Statewide Wireless Network to help fund some of the capital costs and ongoing expenses of the system and said that contract with the State lapsed about two months ago. Right now the Office of Technology is evaluating how they will proceed forward with the Statewide system. He said he thinks the State's fallback plan will be to fall back to partnering with communities that have good and strong communications systems that are built out because the State cannot afford to build out a new \$2 billion system.

Mr. Shurtleff said this information is being taken into consideration as well as some of the other co-location potentials for where they are looking to develop some revenue to support the County's system. *Ms. Robertson asked that Legislator Burbank receive a copy of the memorandum.*

Mr. Shurtleff said some regional studies have been done as well. He said if the State is going to pursue building out a system and they have been looking to do it in the 800 MHz range, he suggested the County work with the State to strategically place towers in some of the neighboring counties and then expand upon the system. He said this is an idea that is beginning to get some discussion in Albany.

Committee Goals

Ms. Robertson noted the suggested goals on the top of the draft Calendar and asked members to submit additional suggestions for Committee goals to be discussed at next month's meeting.

Liaison Assignments

The following liaison assignments were established:

Family Court Advisory Council – Mike Sigler
Fire, Disaster and EMS Advisory Board – Greg Stevenson
Offender Aid and Restoration Board - Greg Stevenson
STOP-DWI Advisory Board – Jim Dennis

Appointments to Advisory Boards

It was MOVED by Ms. Chock, seconded by Mr. Dennis, and unanimously adopted by voice vote by members present, to approve the following appointment and submit to the full Legislature:

Criminal Justice Advisory/Alternatives-to-Incarceration Board

Public Safety Committee
March 16, 2009

Gino Bush – At-large (ex-offender) representative; term expires December 31, 2011

It was MOVED by Mr. Dennis, seconded by Mr. Sigler, and unanimously adopted by voice vote by members present, to approve the following appointments and submit to the full Legislature:

Local Emergency Planning Committee

Martha Robertson – Public Safety Committee Chair; no set term

Advisory Board on Indigent Representation

Martha Robertson – County Legislator; term expires December 31, 2009

Emergency Communications Review and Oversight Committee

Carol Chock – Public Safety Committee member; term expires December 31, 2011

Traffic Safety Committee (all are Public Safety Committee member representatives)

Carol Chock, Mike Sigler; terms expire December 31, 2010

Jim Dennis, Greg Stevenson; terms expire December 31, 2011

Criminal Justice Advisory/Alternatives-to-Incarceration Board

Martha Robertson – Public Safety Committee Chair; term expires December 31, 2009

Approval of Minutes of February 12, 2009

It was MOVED by Mr. Sigler, seconded by Mr. Dennis, and unanimously adopted by vote by members present, to approve the minutes of February 12, 2009 as submitted. MINUTES APPROVED.

Adjournment

The meeting adjourned at 4:30 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office