

**Public Safety Committee  
March 30, 2004  
2 p.m.  
Scott Heyman Conference Room**

Present: B. Blanchard, M. Robertson, L. McBean-Clairborne, M. Koplinka-Loehr, G. Totman  
(arrived at 1:17 p.m.)  
Legislators: D. Kiefer, N. Schuler  
Staff: S. Whicher and W. Skinner, Administration; W. Skinner, R. Bunce, Sheriff's Office; A.  
LeMaro, Facilities; K. Lienthall; S. Cook, County Attorney's Office;  
Guests: J. Buck, Jacobs Facilities; Brenda Ludwig, WHCU; Sarah Rhineland and Shari Milgroom,  
Community Justice Center; Libby deProse, Unitarian Church; Maria Eisner, League of  
Women Voters; A. Tutino, Ithaca Journal; T. Roche, Justice Policy Institute; N. Sharone,  
Ithaca College Channel 16

**Called to Order**

Ms. Blanchard, Chair, called the meeting to order at Noon and stated although this is a regular meeting of the Public Safety Committee, it would be focussed on discussion of the Public Safety Building. The Committee may need to meet prior to the April 20 Legislature meeting to conduct routine business.

At the last meeting Ms. Blanchard said she reported to the Committee that she and Mr. Buck had traveled to Albany and met with the Commission of Correction regarding their objections to the County's plans for expanding the Jail that was submitted in October. She asked Mr. Buck to discuss his opinions of the meeting and to lead the Committee through a discussion of options he has prepared.

Mr. Buck said he hopes to finish the schematic design process for the Public Safety Building by the end of the year. He spoke of the design proposal that was submitted to the Commission of Correction for 104 beds that was later rejected.

**Schematic Design Progress**

Mr. Buck stated the design Jacobs has been working on is based on the concept adopted by this Committee to reuse existing dorms and construct additional new housing and to renovate existing space in the Sheriff's Office. This plan provides 112 physical cells, 8 of which are for special classifications. This is known as the 104-bed plan and included reuse of 32 dorm beds, two-24 units and two-16 units. Mr. Buck said he believes one of the difficulties of this process has been a lack of discussion between the County and the Commission. He reported on the meeting with the Commission of Correction where it was reiterated that Tompkins County has a 73-bed facility and that the population figure in August, 2003 had reached 100. They informed Mr. Buck that the Commission found the County's plan for a 104-bed facility unacceptable. He said there was a discussion about the Commission's authority. They stated if the County decided to move forward with a scheme that was not approved, the Commission would be in court the next day.

Mr. Buck provided the Committee with an overview of some of the problems the Commission has with the 104-bed proposal.

Classification Separations: The Commission believes a minimum of five housing units would be required; the County's proposal included four housing units. There was also an interest in having a reception area because there is a lot of turnover in the first three to five days of incarceration. They would like to see 15 to 16 beds (individual cells) for this. Mr. Buck said when individuals first come in

to the facility they need to be watched closely as well as undergo a series of routine screenings (e.g. medical, alternatives to incarceration).

Podular Housing Unit Design: Mr. Buck said the housing units as presented to the Commission raised concerns related to direct supervision and direct lines of sight. The Commission said they don't want counties to build housing units where an officer has to walk around; they want housing units where an officer who doesn't walk around can still see everything. He said from the Commission's perspective there are no real advantages to having two separate recreation areas as presented in the County's proposal.

Mr. Buck said the policy on double-bunking allows up to 25 percent of each housing unit to be double-bunked; however, not on day one and only after the Sheriff submits a double-bunking plan to the Commission. The areas that can be double-bunked are the cell areas; the dorm areas cannot be double-bunked. They also do not want to see double-bunking in the high security areas. Mr. Buck said part of the reason the Commission had a problem with the 104-bed proposal was because 32 of the beds were dorm beds. He spoke of classifications and said the most important thing about being able to have an objective classification system is to have a variety of spaces to put people facing different conditions.

Ms. Lienthall said there is State Law that says if the County has an alternatives to incarceration plan it only needs to have four separations. She stated when these mandated classification levels are lowered from 16 to four it may not be sufficient to suit the County's needs when there are particular inmates at the Jail. Mr. Buck said the Commission is not asking for anything above what is required; however, they do not like to see counties boarding prisoners out to facilities in other counties. Mr. Bunce stated there are several factors taken into consideration when an individual is taken into custody are: criminal history and whether they are a high security risk, medical history/needs, mental health needs, and whether they are involved in a high profile case. He said sometimes it is not safe for other inmates to put someone in a dorm even if it is legally allowed.

Ms. Robertson said she would welcome design suggestions and having the benefit of the Commission's experience.

At this time the Committee reviewed Options 1-4.

**OPTION 1: DO NOTHING NEW.** The pros of selecting this option is that it results in a relatively small capital cost. The cons are that this option does not resolve the problem with the Jail or Sheriff's Office areas; the Commission will likely terminate temporary variances back to 73 bed official capacity which may result in substantial "boarding out"; and will still require capital costs simply to maintain existing building.

**OPTION 2: 104 BEDS IS JUST RIGHT:** The pros of this option include the creation of a baseline capacity set by the Public Safety Committee while maintaining potential for future capacity increase when required. The cons are: the Commission has gone on record as not accepting this option which may lead to confrontation; since peak capacity of 100 has been reached historically, this option may only be short-term solution, and will likely require "boarding out".

**OPTION 3: 160-BED SOLUTION:** The pros of this option are it is the capacity was that initially demanded by the Commission on Correction, and it maintains for future capacity increase when required. This is the most costly option.

**OPTION 4: 136-BED SOLUTION:** The pros of this option include: this is the lowest capacity acceptable to the Commission; it maintains the potential for future capacity increase when required; it is only marginally more expensive than 104-bed scheme; and is the best mid-range fit with classification

requirements. Mr. Buck said this scheme goes to 164 total possible beds. The disadvantage of this option is that it creates more than 104 beds as originally proposed to the Commission.

Mr. Buck noted in all options the dorm areas were left constant.

Mr. Buck stated the work on the schematic design cannot go much further until a decision is made on the overall capacity. Ms. Blanchard stated within the next sixty days the County needs to decide how to proceed with this project and to gather more information on boarding-out. There needs to be a discussion on boarding-out costs and what that means financially to the County, including an analysis of staffing costs of all the options.

Mr. Buck said when you look at the total cost of project, the chart illustrates that it does not take a lot of boarding-out costs to make it economically viable to build a slightly bigger facility than is needed.

Mr. Totman arrived at 1:17 p.m.

The Committee briefly discussed staffing requirements and what the needs would be of each option.

Ms. McBean-Clairborne asked if it would be possible to double-bunk some of the beds in the 48-cell pod. Mr. Buck said the Commission has never approved a single direct supervision unit that big in New York State. The biggest in New York State at the present time is 56. He said they are not comfortable with the staffing for a number that large. Mrs. McBean-Clairborne said that information troubles her because one of the ideas behind the pod design was to not have to increase staff and that staff could have less responsibility for an area because of the control features that would be in place.

Mrs. McBean-Clairborne referred to the different design options and asked Mr. Buck if Jacobs could experiment with the design in a way that creates a design that will satisfy the Commission. She suggested double-bunking in some units that are not maximum security and bringing the design to a point that would satisfy the Commission by not increasing costs substantially for the other things. Mr. Buck said he will try to do this. He suggested making four of the units bigger (making four 32 units instead of 24's). He said the reason this wasn't done initially is because they did not want to overbuild the female area.

Mr. Whicher suggested Jacobs look into building a 132-bed facility that includes a 32 and two-48 units, and demolishing the end wing. He noted that renovating existing space is more expensive than building new and this may be a more cost efficient option.

It was the consensus of the Committee to remove the 160-bed option from consideration. Mr. Buck will work on the suggestions made and work will continue to refine the board-out costs in preparation for the next meeting.

### **Meeting Change**

Ms. Blanchard announced the July 1 meeting has been rescheduled to July 8.

### **Adjournment**

The meeting adjourned at 1:56 p.m.

Respectfully submitted by Michelle Pottorff, Legislature Office