

Public Safety Committee
April 17, 2003
2 p.m.
Scott Heyman Conference Room

Present: B. Blanchard, K. Herrera, M. Robertson, G. Totman, L. McBean
Staff: S. Whicher, D. Neimi, P. Meskill, R. Bunce, W. Skinner, A. Fitzpatrick, A. LeMaro
Guests: Judge Marjorie Olds; A. Agnew, Ithaca Drug Treatment Court; O. Mack, OAR; T. Bassoni, WHCU

Called to Order

Ms. Blanchard called the meeting to order at 2 p.m.

Changes to the Agenda

There were no additions or deletions to the agenda.

Center for Treatment Advocacy Grant

Ms. Olds explained the member item funds they are requesting for Tompkins County's Center for Treatment Advocacy, from Edward Byrne Memorial State and Local Law Enforcement Program funds. Judge Olds said the Ithaca Drug Treatment Court (IDTC) is a collaboration of ten community agencies working together under court supervision to provide services to addicted defendants. Through the team approach a highly structured environment is provided which combines close judicial oversight, intensive probation supervision, addiction and mental health referral and treatment, frequent drug testing, educational and vocational support, and life skills and job training, in order to break the cycle of addiction and recidivism.

Ms. Olds said the Court had promised the County it would work hard on grant writing. She said they have written one grant per month and are awaiting word on those. Judge Olds said in her last meeting with the County Administrator she presented a list of items currently funded by the County for which alternate funding is being sought. During that meeting both she and Mr. Whicher agreed that paying legal fees is a big item because they go up each year and she said it appears there may be an increase in the mandated cost to counties this year. Ms. Olds stated the legal fee costs for a drug court case are much lower than they are for any regular criminal court case.

Judge Olds said the Drug Court mandates treatment services for people who have been identified to have drug and/or alcohol issues. They are brought into one court system where many services exist that help people get sober and maintain a sober lifestyle. She said Tompkins County's Law Guardian Office was the first in the State. It has been replicated in several areas around the State because it saves money and it brings together attorneys who want to focus on a certain type of law. In the case of the Drug Court, lawyers who want to work with people who are struggling to get well and kick additions are brought in. It will save money because the State mandates the hourly rate for Assigned Counsel.

Mr. Whicher spoke in support of this grant application and stated it would offset the costs that the County is planning to expend for the Ithaca Drug Treatment Court in the coming year. Ms. Olds said the Byrne funding is year-by-year and some programs live off of it. Her next project is to apply to more stable funding sources.

Ms. Robertson asked how this fits into what the County is already doing. Ms. Olds said whenever a person is charged with a crime they are entitled to representation by counsel; if they cannot afford an attorney they apply to assigned counsel. Defendants in the Ithaca Drug Court have all plead guilty to a crime and they are all entitled to assigned counsel. Approximately 95 percent of those defendants are represented by Drug Court lawyers. It costs much less than having assigned counsel for each of those defendants. Currently, the Assigned Counsel Program pays the costs for the Ithaca Drug Court and the Felony Drug Court. Ms. Olds explained that the Drug Court has a paralegal on staff who can do a large amount of the work, thereby saving a substantial amount of lawyer fees. The Assigned Counsel Program is not permitted to use the paralegal approach which makes that program's expenses much higher.

The Committee was in support of Judge Olds submitting this grant application to State officials and thanked her for her efforts to bring in outside funds. It was felt that this should remain at the State level and applications to the federal government should be for items that are much greater.

Presentation - Tompkins County Public Safety Building/Corrections Division

Presenters: Peter Meskill, Sheriff; Debra Niemi, Chief of Corrections; Raymond Bunce, Lieutenant

Sheriff Meskill stated the following is presentation of services the Tompkins County Jail is mandated to provide. In addition to these mandated services, the Jail also provides several other services. A list of those service providers and services can be found at the end of the presentation.

MISSION STATEMENT

- To provide a safe environment for the inmates and staff and strive to return the inmate back into the community in better condition than when received, both physically and mentally.

ADMISSIONS

- Ensure all persons are admitted to the facility in accordance with law and in a manner designed to protect the safety of all persons and the security of the facility.

ADMISSION PROCESS

- Proper documents for admission
- Proper identification of person received
- Medical screening/personal hygiene and clothing issue/property confiscation
- Admissions, telephone, call/classification, Assigned Counsel

CLASSIFICATION

- In order to provide for the effective management of inmate populations and facility housing units in a safe and secure correctional environment, a formal and objective classification system is used.
- The classification system provides a mechanism for inmate screening, assessment and classification review to identify the special needs and security and supervision requirements of inmates, in order to determine appropriate housing assignments. *These classifications are based on sex and age (ages 16-18 and 19+)

HEALTH PROCESS

- Prompt screening is essential to identify serious or life threatening medical conditions requiring immediate evaluation and treatment
- Appropriate medical appraisal of inmates is necessary to reduce the risk that a serious physical deficiency or medical emergency will be obscured by drug or alcohol ingestion

SECURITY AND SUPERVISION

- Policy and procedure are implemented to ensure that proper facility safety, security and supervision are maintained.
- Supervision of inmates in housing areas
- Supervision of inmates outside housing units
- Inmate population counts
- Requirements of correction staff prior to assuming responsibilities in an assigned facility area
- Inmate transportation
- Firearms control
- Key control
- Locks and other security devices

Sheriff Meskill noted that different styles of jails require different security and supervision measures. These requirements are set by the Commission of Correction.

CORRESPONDENCE

- Subject to the limitations of minimum standards set by the Commission of Corrections there shall be no restriction upon incoming or outgoing correspondence based upon: a) the amount of correspondence sent or received; b) the language in which such correspondence is written.
- If an inmate is unable to read or write, he may receive assistance from other persons designated by the chief administrative officer, including but not limited to: facility staff and inmates at times not unduly disruptive of the facility routine

INMATE PERSONAL HYGIENE

- Reasonable standards are provided and maintained for inmate personal hygiene
- Showers, haircuts, shaving, hairstyles, personal health care items, clothing, laundry and repair of clothing, bedding, storage of clothing and bedding, housing area maintenance

DISCIPLINE

- In order to promote the safety, security and welfare of all inmates and staff within the facility a system of inmate discipline has been designed that sets a standard of appropriate behavior, encourages self control, and punishes misbehavior fairly, impartially and consistently.
- Facility policies and procedures, rules of inmate conduct, misbehavior reports, investigative process, assistance to inmates, administrative segregation pending a disciplinary hearing, the disciplinary hearing, appeal procedure

Sheriff Meskill said disciplinary hearings are always done within the Jail by officers.

VISITATION

- All inmates confined in the facility are entitled to receive periodic visits
- Visiting area, availability of visits, initial visit, visitor identification and registration, contact visits, visitation security and supervision, limitation of visitation

Inmates are allowed two hours of visitation twice per week. The visitation cell holds six inmates with two visitors each at a time. This was originally three times per week but was cut back. *Two extra staff are required on visitation days.

FOOD SERVICES

- The facility food service is designed to sufficiently satisfy the daily nutritional needs of each inmate
- The food service area is maintained in accordance with minimum standards and the State Sanitary Code

- Nutritional adequacy, medical diets, religious diets, food service personnel, meals, menus, food storage

Nancy Peckenpaugh, a local nutritionist, evaluates the menus for inmates. The Jail employs one full-time cook and one part-time cook. Four trustees assist with food preparation.

SANITATION

- Policy and procedures implemented to ensure the facility is maintained in a sanitary manner
- General facility sanitation
- Local Health Department inspections

COMMISSARY

- A Commissary program is maintained and operated for the purpose of making available for sale to inmates, items deemed proper, ensuring that the health and welfare of the inmates and the security and general operation of the facility are not compromised

Items sold at the Commissary include candy, snacks, personal items, and other items an inmate may need. Cigarettes are not sold as they are considered contraband. Inmates are not allowed to smoke inside or outside the facility.

PERSONNEL STANDARDS

- Full-time and part-time officers shall satisfactorily complete basic training prior to their appointment or within one year after appointment

Sheriff Meskill noted there are no part-time Corrections Officers employed at the Jail.

REPORTABLE INCIDENTS

- The facility is required to report incidents that are serious or problematic to the New York State Commission of Correction, which enables a mechanism by which the facility can be monitored, evaluated, and improved
- Reportable incident categories, reporting incidents other than inmate deaths, reporting inmate deaths, availability and maintenance of reportable incident guidelines, review and assessment of reportable incidents

Certain incidents are required to be reported to the Commission of Correction; e.g. a fight with serious injury, power outages, fire, escape, inmate death.

ACCESS TO MEDIA

- Inmates are entitled to present their views to the public through the media

Media can visit an inmate at the Jail and this does not count as a visitation. An inmate has to make a request to the Chief of Corrections to be allowed to make a phone call to the media.

RELIGION

- Inmates have a right to hold any religious belief and to be a member of any religious group or organization
- Inmates are entitled to exercise their religion in any manner that does not constitute a threat to the safety, security, or good order of the facility or the health of any individual
- Congregate religious activities, religious advisors, celebration of religious holidays or festivals, supervision of inmates exercising their religious beliefs, religious dietary laws, change of religion

- Religious articles, exercise of religious beliefs by inmates in segregation, recognition or a religious group or organization, limitations on the exercise of religious beliefs

Sheriff Meskill stated clergy is allowed in any time.

PACKAGES

Incoming inmate packages, outgoing inmate packages, inspection of incoming inmate packages

PRINTED MATERIALS AND PUBLICATIONS

- Inmates are entitled to receive printed material and publications that are generally available to the public
- Facility review of incoming printed material and publications
- Limitation of incoming printed materials and publications

EXERCISE

- Exercise is essential to good health and contributes to reducing tensions within the facility
- Exercise periods, exercise within inmate housing units and dayrooms, exercise area and equipment, exercise area searches, limitations of exercise

NONDISCRIMINATORY TREATMENT

- The facility's policy and procedures are designed to ensure that inmates are not subject to unlawful discriminatory treatment in any facility decision making process, including but not limited to work assignment
- Classification, disciplinary or grievance decisions or when being considered for any facility program, including but not limited to education, religious, vocational, or temporary release programs
- Based upon the race, religion, orientation including homoosexuality, age, or political beliefs of such inmates

LEGAL SERVICES

- Each inmate is entitled to legal services for the purposes of: legal preparation for any civil, criminal action or proceeding, disciplinary charges, complaints or grievances
- Legal services shall include access to: legal counsel, legal reference material and supplies, notary public, other legal assistance

GRIEVANCE PROGRAM

- The facility has a grievance program that provides an effective and impartial procedure for the timely resolution of inmates complaints. Efforts are made to resolve inmate complaints in an informal manner
- Facility policies and procedures, facility program requirements, appeal to the commission of correction, grievance program forms, continuation and termination of grievances, assistance to inmates
- Record keeping, staff orientation, applicability

TRANSFER OF RECORDS

- To comply with Correction Law 500-B to afford appropriate precautions for the personal safety and welfare in custody, to foster the safety, security and good order of the facility it is essential that accurate information be available to corrections administrators
- Definitions, transfer of inmate records, transfer of detailed summaries of inmate medical and psychiatric records, confidentiality

FIRE SAFETY AND PREVENTION

- The facility has established fire prevention and safety measures to safeguard the lives and property of all occupants including measures to minimize the possibility of fire emergencies and other similar hazards
- Fire prevention code, fire and safety inspections, fire prevention and safety practices and training

STAFFING REQUIREMENTS

- In order to provide the necessary care, custody and comfort for all inmates and to perform all other necessary facility functions the facility does employ the minimum necessary number of employees to perform these functions
- Facility functions and formulation of daily staffing needs
- Formulation of the full coverage factor
- Formulation of the minimum facility staffing requirements

Sheriff Meskill stated the Commission of Correction has a very straight-forward guideline on staffing at the Jail.

FUNERAL AND DEATHBED VISITS

- The facility has an established policy that allows inmates the opportunity to visit family members when death is imminent and/or after death has occurred
- Legal requirements and eligibility, assessment and processing of visit requests, security and supervision requirements, food, lavatory and lodging stops, facility staff conduct and inmate attire, duration of visit, reportable incidents

Inmates are entitled to a deathbed visit; visits to calling hours or funerals are also allowed.

CHEMICAL AGENTS

- The facility's use of chemical agents is controlled and reasonably applied when necessary to protect the safety, security, and good order of the facility
- Chemical agents are used by only trained facility staff under appropriate conditions. Chemical agents have proven to be an effective method in preventing the loss of authority without resorting to physical contact or deadly physical force
- Authorized chemical agents, authorization for the use of chemical agents, use of chemical agents, training in the use of chemical agents, storage and maintenance of chemical agents, recording the use of chemical agents

HIV-AIDS RELATED INFORMATION

- Confidentiality
- Recognizing maximum confidentiality for information related to HIV infection and AIDS is essential to public health measures and that HIV infection and AIDS issue are of particular concern to correction professionals
- Significant risk or contracting or transmitting HIV infection
- Applicability, HIV-related testing, Disclosure pursuant to a release, confidentiality and disclosure, documentation of HIV related information and disclosure
- Penalties and immunities
- Approved forms, informed consent, release

Sheriff Meskill stated within 14 days of incarceration an inmate will receive a full medical screening performed by the Jail physician. He noted that the only persons aware of an inmate's medical history are the Jail physician and nurse.

EDUCATIONAL SERVICES FOR YOUTH

- In cooperation with Lansing School District the facility provides all eligible youth with the opportunity to participate in educational services. Youth are encouraged to participate so they may obtain the skills necessary to function more productively both during incarceration and after release
- Facility/school district planning and coordination
- Instructor orientation
- Scheduling of instructional time
- Restriction or denial of educational services
- Program continuity following transfer

The Jail works with the Lansing School District to provide GED's. Although this places an administrative burden on the Jail, it does not result in any expense to the County.

Service Providers at the Tompkins County Jail:

Tompkins County Mental Health: Anger Management, forensic casework, transitional case management, psychiatric evaluations

Tompkins County Department of Social Services: various assistance interviews

Alcohol and Drug Council: Provide rehab placement, provide program assistance, transitional programming

Alcoholics Anonymous: Women's Group Counseling, Men's Group Counseling

Offender Aid and Restoration: Immediate Assistance Service, Bail Program, Volunteer Visitor Program

Lansing School District: GED Program, Transitional Services

Red Cross: Individual housing placement

Religious Services: One on One Counseling, Church services, bible study programs

Tompkins County Probation Department: PSI interviews, Pre-trial release program, RICS program, Conditional Release Program

Assigned Counsel Program: Provide legal assistance

Cornerstone Recovery Services: Provide Rehab placement, provide program assistance, transitional programming

Narcotics Anonymous: Women's group counseling, men's group counseling

Task Force for Battered Women: Provide counseling and assistance

Literacy Program: Provide literacy training

The Learning Web: Youth outreach

Community Faith Partnership: One on one religious counseling, transitional services, group counseling. *Overall costs, based on annual expenses divided by the number of inmate days, are \$77/day. Including maintenance, the cost is \$98/day.

Other documents distributed included Program Highlights, "Training Mandated by the New York State Commission of Correction", and "Jail Planning and Expansion - Local Officials and Their Roles" from the National Institute of Corrections.

Chair's Report

Ms. Blanchard distributed copies of a tentative schedule for the year and stated the schedule is subject to change. She announced the June, July, August, and September building meetings will be held at the Tompkins County Public Safety Building.

It was MOVED by Ms. Robertson, seconded by Ms. McBean, and unanimously adopted by voice vote, to approve the following resolution and submit to the Budget and Capital Committee:

RESOLUTION NO. - APPROPRIATION FROM CONTINGENT FUND FOR

TERMINAL PAY AT THE SHERIFF'S OFFICE

WHEREAS, the Sheriff's Office had an employee, John Payne, retire and
WHEREAS, the Fiscal Policy of Tompkins County allows for terminal pay, now therefore be it
RESOLVED, on recommendation of the Public Safety Committee and the Budget and Capital
Committee, That the Director of Finance appropriate a total of \$23,089 to the Sheriff's budget for
terminal pay,

RESOLVED, further, That the money be distributed to the following accounts:

FROM:	A1990.54440	\$23,089
TO:	A3112.51000413 Crime Investigator	\$18,180
	A3112.58800 Fringe	4,909

SEQR ACTION: TYPE II-20

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OAR

The March, 2003 OAR report was included in the agenda packet.

Approval of Minutes of April 3, 2003

It was MOVED by Ms. Herrera, seconded by Ms. Robertson, and unanimously adopted by voice
vote, to approve the minutes of April 3, 2003 as corrected. MINUTES APPROVED.

Appointments

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

Criminal Justice Advisory/Alternatives to Incarceration Board

Olan E. Mack, OAR representative; term expires December 31, 2003

Robert W. Stolp, Assigned Counsel representative; term expires December 31, 2005

Family Court Advisory Council

Chris Ion, Probation representative; term expires December 31, 2005

Timothy Warner, At-large representative; term expires December 31, 2005

Peggy Sue Thorpe, At-large representative; term expires December 31, 2003

Adjournment

The meeting adjourned at 3:45 p.m.

Public Safety Committee
April 17, 2003

Respectfully submitted by Michelle Pottorff, Tompkins County Legislature