

Public Safety Committee
April 7, 2005
Scott Heyman Conference Room
2 p.m.

APPROVED 5-5-05

Present: L. McBean-Clairborne, P. Penniman, G. Totman, M. Robertson, M. Koplinka-Loehr (arrived at 2:07 p.m.)

Legislators: D. Kiefer, N. Schuler, T. Joseph

Staff: S. Whicher, W. Skinner, M. Shakarjian, County Administration; M. Pottorff, Legislature Office; L. Shurtleff, Department of Emergency Response; J. Wood, County Attorney; Julia Hughes, Assigned Counsel; G. Dentes, District Attorney; P. Meskill, Sheriff

Staff: O. Mack, S. Hicks and K. Steiser, OAR; D. Barber, Town of Caroline Supervisor; A. Tutino, Ithaca Journal

Called to Order

Mrs. McBean-Clairborne called the meeting to order at 2:03 p.m.

Executive Session

It was MOVED by Mr. Penniman, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to enter into executive session at 2:05 p.m. to discuss public safety and property negotiations. The meeting returned to open session at 3:01 p.m.

**RESOLUTION NO - SUPPORT OF PRELIMINARY CONCEPTUAL DESIGN OF
THE PUBLIC SAFETY COMMUNICATION SYSTEM DESIGN
RECOMMENDED BY PROJECT TEAM**

It was MOVED by Mr. Koplinka-Loehr, seconded by Mr. Totman, and unanimously adopted by voice vote, to approve the following resolution and submit to the full Legislature:

WHEREAS, Tompkins County (the "County") is committed to the replacement of the current communication system in use by public safety (fire, EMS, and police) officials and other government agencies countywide (the "Project"); and

WHEREAS, Resolution No. 57 of 2001, identified the Project goals as: (1) Maximize coverage and balance the level of service to meet the communication needs of the County's public safety community, (2) Minimize the economic cost to the County through public/private partnerships and the effective use of funding opportunities, and (3) Minimize the environmental impact of the Project on the County and the infrastructure necessary to the greatest extent possible; and

WHEREAS, the Project Team identified and described the Project specifications and objectives which comprised a Request for Proposal (RFP) that would meet public safety needs and Project goals; and

WHEREAS, the RFP included criteria that were developed to provide vendors with a siting process for minimizing both the infrastructure needs and environmental impacts of any proposed design; and

WHEREAS, the Project Team has been developing a system design with the vendor that will meet the County's objectives, specifications and siting criteria; and

WHEREAS, through a deliberative process the Project Team has reached consensus on a preliminary conceptual system design that meets the Project goals; and

WHEREAS, the preliminary conceptual system design has been reviewed by the Emergency Communications and Operations Committee; and

WHEREAS, engineering studies to confirm the viability of the conceptual design have not been completed and will be necessary to determine if the system will operate as designed; and

WHEREAS, prior to a formal determination to undertake or implement the system design, the County will complete a review and analysis of potential significant adverse environmental impacts of the proposed Project design, pursuant to the New York State Environmental Quality Review Act ("SEQRA"), including the identification of mitigation measures to avoid or minimize any such impacts, as well as alternatives, now therefore be it

RESOLVED, that the Public Safety Committee supports the preliminary conceptual system design proposed by the Project team; and

RESOLVED, further, that the Public Safety Committee recognizes that prior to a formal determination by the County to undertake the Project, the preliminary conceptual system design may be modified as the County continues negotiations and prepares the environmental impact statement.

SEQR ACTION: TYPE II-20

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Mr. Shurtleff and Mr. Wood will arrange a meeting with town supervisors to discuss this matter and bring them up-to-date on information relating to the communications system.

Changes to the Agenda

The following items were added to the agenda:

- Report from Assigned Counsel
- Determination of level of Committee involvement for award of bid - Department of Emergency Response

Dispatch Center - Bid

Mr. Shurtleff said the Memorandum of Understanding with the City of Ithaca for the Dispatch Center included a provision to transition of the alarm system to the new Center. He asked what level of involvement the Committee would like in the award of bid for this system. The Committee agreed this bid would be awarded by the Purchasing Division.

Assigned Counsel

Ms. Hughes reported the State has reimbursed the County funds in the amount of \$247,000 for indigent legal services. She said this is more than had been expected and covers the fiscal period for 2004. Ms. Hughes said the funding for this continues to be in place and she is hopeful it will continue next year. She reported last week ten judges from around the state visited Tompkins County and heard testimony about public defenders and assigned counsel programs. They are listening to people all over the State about what can be done to improve indigent representation. The one common suggestion was State reimbursement. She heard from other counties horror stories about the delay in assigning attorneys which results in individuals being incarcerated for a very long time, and also in some counties there is no rapport between agencies such as the public defender, the jail and OAR. She is hoping a State Commission will come into place and begin to operate some of the programs being operated in Tompkins County in other counties throughout the State.

Presentation by Offender Aid and Restoration

Mr. Mack invited the Committee to the OAR annual meeting Monday, April 11th at the Unitarian Church; he noted this will be the first annual meeting in six years and it shows they are moving in the right direction. He stated he provided information to the Committee in the agenda packet and said he welcomes questions and comments.

Ms. Robertson referred to the Monthly Narrative provided by Mr. Mack and suggested he contact Lakeview Mental Health Services to discuss the housing referrals component of their program

Mr. Koplinka-Loehr asked that Mr. Mack provide information on how much bail money is forfeited annually. Mr. Mack stated there are very few bails that have been forfeited in his six years with OAR, he estimated an average of one bail is forfeited annually, out of the 45-50 they provide.

Intermunicipal Working Group/Road Patrol

Mr. Barber presented the Committee with the following report:

"The Committee studying Sheriff Road Patrols has had two meetings. We have learned about Sheriff's Department responsibilities (from the County Charter and NYS Law), road patrol duties, and interactions with other local police agencies. We have learned from the professionals (Sheriff, a local police chief, UnderSheriff, and the NYS Department of Criminal Justice Service Study) that our Sheriff Road Patrol is seriously understaffed. It is important to note that all find our Sheriff Road Patrol short by eight deputies

"We have learned that proactive actions described by a local police chief a "police presence to deter criminal activity which also can lead to traffic enforcement"... "the public relations that is so important to the success of a community and their law enforcement people" are the activities that don't happen when the road patrol is understaffed. Instead they are going from crisis to crisis – exactly what the proactive actions are targeting to prevent.

"We have asked supervisors and mayors, through a survey, to describe their communities law enforcement needs and if they feel that these needs are being met. We have over 2/3rds responding so far.

"We are scheduled to meet later this month with a representative from the State Police and City Police Department to understand their responsibilities and priorities and how these tasks are similar and different from those of the Sheriff's Department.

"We will also be looking at the taxpayer costs for Road Patrol and other Sheriff Department responsibilities. We wanted to understand the relationship between Sheriff Department Services received and property taxes paid. We want to be able to understand and be able to explain this relationship to City and village taxpayers that have their own police departments.

"We will also be looking to define, with the help of professionals, what is "Basic" Law Enforcement. What are bare necessities for the Sheriff to perform the Chartered duty to be the Law Enforcement Officer for the County?"

In response to a question, Mr. Barber said they only plan to ask professionals about their needs, and not to evaluate more objective measures of the need.

Ms. Robertson requested a copy of the survey that was completed by supervisors and mayors. Mr. Barber will send a copy of this to Michelle Pottorff.

Mr. Barber will report back to this Committee in approximately two months.

Sheriff's Office

It was MOVED by Mr. Koplinka-Loehr, seconded by Mr. Penniman, and unanimously adopted by voice vote, to approve the request to fill one full-time position of Deputy Sheriff; salary - \$45,974.

Jail Statistics

Sheriff Meskill explained the February, 2005 Boardout Transport Summary. This is the first monthly report provided to the Committee on boardout expenses. Mrs. McBean-Clairborne said the federal reimbursement rate for mileage is lower than the figure used in the summary of \$.50 per mile, and said some people do not understand why that figure is being used.

<u>February, 2005 Boardout Transportation Summary</u>	
<u>2,705 total miles at \$.50 miles, including 39% fringe benefit</u>	
Shift	\$1,680.88
Overtime	\$3,269.32
Mileage	\$1,352.65
Total	\$6,385.35

February 2004 Boardout and known medical costs

	<u>Schuyler</u>	<u>Tioga</u>
Board out	\$4,550	\$11,440
Medical costs	0	0

Mr. Joseph pointed out that if the mileage reimbursement figure were changed it would make very little difference in the total cost.

Mr. Totman reiterated previous comments about the lack of accuracy in jail statistics reported by the Ithaca Journal. Sheriff Meskill said he has been in touch with the Ithaca Journal in an attempt to correct how information is presented.

Mrs. McBean-Clairborne thanked Mr. Meskill for his Department's work in providing car seats for individuals who are not able to afford one for their child.

Discussion of Resolution No. 284 - Alternatives-to-Incarceration

The Committee discussed Resolution No. 284 of 2004 entitled Review of Alternatives to Incarceration Initiatives and Creation of special Committee to Design Parameters of Requested Study.

Ms. Robertson commented on the contents of the resolution and suggested the reference to family treatment court being an alternative-to-incarceration program in the second Whereas be removed. She also did not feel this task could be completed in the timeframe outlined in the resolution and suggested the completion date of June 30, 2005 be removed.

Mr. Penniman recalled that this had been discussed this earlier in the year by this Committee, but thought the consensus at that time was to wait to hear from the CJA/ATI Advisory Board.

Ms. Cook, Chair of the Criminal Justice Advisory/Alternatives to Incarceration Board, said she interprets this resolution as being different from the data gathering task the Criminal Justice Advisory/Alternatives to Incarceration Board has been undertaking. She said they are gathering data from jail statistics from a number of years and comparing it to the prior years to attempt to identify some trends. As far as comparing rehabilitation results, she does not believe that was requested of the CJA/ATI Board.

Mrs. McBean-Clairborne asked for direction on how the Committee would like to proceed with this. Ms. Robertson said the Resolved includes hiring an independent consultant; however, it does not include any funding. She suggested Mr. Proto and Mr. Winch attend a future meeting of this Committee as they were the originators of the resolution. She said the CJA/ATI Board and County Administration are working on the jail population project at this time.

Mr. Dentes said the issue that comes to the point of whether or not to permanently fund alternative-to-incarceration programs is determining if the alternative-to-incarceration programs are doing a better job than the former system of probation. He said the County's Probation Department has always been exceptional at their job and are an excellent rehabilitation agency. He said a look needs to be taken at whether they have achieved their fundamental mission of rehabilitation and reducing the jail population. He said he sees finding out how to measure these results as the biggest challenge but very important. He feels the group listed in the resolution is a good group to begin looking at this and stressed the importance of doing this prior to acting on the 2006 budget in the fall.

Ms. Robertson suggested approving the formation of a committee instead of adopting this resolution. Mr. Joseph clarified that the action by the Legislature to Refer this back to Committee does not mean the committee was directed to do what is contained in the resolution. The charge back to this committee is how, if at all, do you think alternative-to-incarceration evaluation should be done.

Mr. Penniman said this is an important issue for this Committee to address. He, too, does not agree with the date contained in the resolution or the hiring of an independent consultant to perform this review.

Mrs. McBean-Clairborne called attention to the time and asked that members give thought to this and she will bring it back to the next meeting.

Chair's Report

Mrs. McBean-Clairborne had no report.

Approval of Minutes of March 3, 2005

It was MOVED by Ms. Robertson, seconded by Mr. Totman, and unanimously adopted by voice vote, to approve the minutes of the March 3, 2005 meeting as corrected. MINUTES APPROVED.

Appointments

It was MOVED by Ms. Robertson, seconded by Mr. Penniman, and unanimously adopted by voice vote, to approve the following appointment(s):

Emergency Communications Review and Oversight Committee

Andrew Down - Volunteer - Fire/EMS Chief's Association - East Side; term expires December 31, 2007

Traffic Safety Board

Public Safety Committee
April 7, 2005

Peter Penniman - term expires December 31, 2007
George Totman - term expires December 31, 2007

Sheriff Meskill said the Traffic Safety Board will be convening a meeting for the purpose of coordinating grants.

Adjournment

The meeting adjourned at 4:15 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office