

Public Safety Committee
May 16, 2008

**Public Safety Committee
May 16, 2008
2 p.m.
Scott Heyman Conference Room**

Approved 6-20-08

Present: G. Stevenson, M.Hattery, M. Robertson, J. Dennis, W. Burbank (arrived at 2:20 p.m.)
Staff: K. Leinthall, P. Buechel, Department of Probation and Community Justice, P. Carey, Department of Social Services; P. Meskill, R. Tubbs, D. Osborne, Sheriff's Office; D. Bradac, Workforce Development; L. Shurtleff, Department of Emergency Response; S. Cook, County Attorney's Office; P. Younger, S. Martel-Moore, County Administration; M. Pottorff, Legislature Office
Guests: T. Parsons, Ithaca Fire Department

Call to Order

Mr. Stevenson called the meeting to order at 2:05 p.m.

Changes to the Agenda

There were no changes to the agenda.

Chair's Report

Mr. Stevenson reported on correspondence he received from the Governor's Traffic Safety Committee in which it was reported on the success of the "Operation Safe Stop" event. The purpose of this effort is to address the problem of cars passing stopped school buses. He reported 955 law enforcement officers participated in this event that was held in 41 New York State counties and resulted in 1,171 tickets; 3,842 other tickets were also issued during the event. He said the Tompkins County Sheriff's Office participated in this and thanked them for their work.

Mr. Stevenson also reported members should have received statistics from OAR for the first quarter of 2008; he asked any member with questions to contact Deborah Dietrich, Executive Director.

Deputy County Administrator's Report

Ms. Younger reported the Technical Assistance training, sponsored by the National Center for State Courts, on Monday, May 19th at 8:30 a.m. at TST BOCES. At this time there have confirmations from 26 individuals on attendance that will be representing the court system, District Attorney, Probation, law enforcement; representatives from the State, also attending will be the Technical Assistance provider team from "Search". She reported there will be a presentation from Nassau County.

Sheriff's Office Report

Sheriff Meskill introduced Rick Tubbs and Derek Osborne, Sheriff's Office employees who have recently been promoted within the Department. Mr. Tubbs is now Undersheriff and Mr. Osborne is Captain.

Mr. Meskill provided Mr. Stevenson with a memorandum containing information about the Department's inventory of AED's (Automatic External Defibrillators). In summary, the Department does not have enough to carry in all vehicles and may be making a request in the future to use Rollover monies

to buy an adequate number of these. Sheriff Meskill updated the Committee on various trainings his staff is involved in. He also announced the two-week BUNY (Buckle Up New York) campaign will begin soon.

A question was raised with regard to the status of the new sex offender court. Ms. Buechel said the court is in the beginning stages. They have met as a stakeholders group twice. Mr. Tubbs said the judges are really interested in this and more needs to be learned about it and determination made of whether it would be a benefit to Tompkins County. Ms. Buechel stressed that this is not a treatment court, it is a compliance model to make sure offenders are compliant with treatment. Mr. Tubbs said this court deals with a population that not only hurts themselves, but others as well. The court is to increase the level of supervision of individuals who are not going to prison. Ms. Leinthall said this court provides a way to bring cases to the court in an immediate manner; Mr. Tubbs noted sexual offense cases are the only crimes in which an individual can receive a sentence of up to ten years Probation.

Mr. Stevenson reported on correspondence he has received from a constituent of Mr. Koplinka-Loehr's in which a sex offender is living in close proximity to an elementary school. Ms. Leinthall said as the laws are getting more restrictive it is tending to drive sex offenders underground. She strongly cautioned against those kinds of laws and urged the Legislature to take action that is proactive in helping parents and children handle situations they are confronted with.

Mr. Dennis said the Town of Ithaca is looking at enacting a local ordinance. Ms. Leinthall said she thinks these kinds of laws will eventually end up before the Supreme Court and will be declared unconstitutional. Mr. Stevenson said this is a very complicated and emotional issue for parents and constituents of this County.

Ms. Leinthall spoke of her personal experiences with sexual offenses in which two of her younger siblings were sexually assaulted by a family member. The family did not know of the events until many years later following the unfortunate suicide of her sibling. She said she would be willing to serve on a committee to study this issue to find a proactive solution that would serve the best interest of the community and also the offender.

Mr. Burbank arrived at 2:20 p.m.

RESOLUTION NO. – APPROPRIATION FROM CONTINGENT FUND AND INCREASE IN HOURS FOR TRANSITION WORKFORCE SPECIALIST POSITION – DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE

MOVED by Mr. Dennis, seconded by Ms. Robertson.

Ms. Leinthall said at the January 18 meeting there was discussion of Probation obtaining funding for the Workforce Development specialist that is currently housed at the Community Justice Center and working with probationers and individuals involved in the Day Reporting Program. There were some questions about whether there would be a need for additional funding beyond what was requested previously. Initially they were requesting funding for an additional ten hours and Workforce Development thought they would be able to locate funding for the remaining ten hours. They have found that it is not an option at this time and are now requesting funding for 20 hours of this position.

Ms. Leinthall said she spoke with Mr. Whicher yesterday and he thought the first priority should be to request Contingency Funds because it is unknown what will happen with Rollover monies given the budget situation. She stated that the Probation Department budget ended 2007 with a balance of -\$18,000; the Day Reporting Program ended 2007 with between \$42,000-\$46,000. Ms. Younger said it is her understanding that this Department has \$24,000 in Rollover.

Ms. Leinthall said the \$32,691 will cover the balance of 2008 and will appear in the 2009 budget. It is moving a position from one area of the County's budget to another, although the Workforce Development Office did have funding to underwrite it. She said Lansing had been paying for ten hours of this position, but is no longer willing to do so. In 2009 the Department will be able to generate State aid for a portion of this.

Mr. Stevenson spoke of the tax levy goal established by the Legislature and said he will probably be taking an extra hard look at anything that will add any more money to the current budget.

Ms. Leinthall said this position is really geared towards working with people at the Day Reporting Program and out of jail and involved in the Re-entry Program. She said they would argue that this is a position that saves money in the long run. This program used to have a variety of funding streams and they will continue to keep watch for future federal funds that may become available.

Mr. Hattery made a clarification that half of the funding of this position is already in the Probation Department's budget, and 50% of this position will be funded through the Department's budget. Of this 50%, 20% will be eligible for State Aid.

In response to Mr. Burbank's question of what other program could provide these services, Ms. Leinthall responded this is the only position that exists; therefore, if the position is not renewed, the specific services provided would be eliminated.

A voice vote on approving the resolution and submitting to the full Legislature resulted as follows: Ayes – 4, Noes – 1 (Stevenson). MOTION CARRIED.

Whereas, funding that was previously available through Workforce New York and the Lansing Central School District has been discontinued and efforts to obtain other funding have failed, and

Whereas, the position of Transition Workforce Specialist is critical to the ongoing work at the Day Reporting Center, especially with the extra effort in the Re-Entry programming, now therefore be it

Resolved, on recommendation of the Public Safety and Budget and Capital Committees, That 50% of the Transition Workforce Specialist position previously funded by Workforce New York and the Lansing Central School District for 20 hours of work be moved to the Department of Probation and Community Justice effective immediately,

Resolved, That the Director of Finance is hereby authorized and directed to make the following budget appropriation for 2008:

FROM: A1990.54400	Contingent Fund	32,691
TO: A3141.51000783	Transition Workforce Specialist	23,140
A3141.58800	Fringes	8,793
A3141.54414	Local Mileage	758

SEQR ACTION: TYPE II-20

Department of Emergency Response

Communications System Update

Mr. Shurtleff provided the Committee with an update on the communications system and the alarm system through the Dispatch Center.

On Monday morning they will begin acceptance testing on the entire 800Mhz trunk radio system. It has been on an informal test system for several months and during the last several weeks pagers have been converted over. With the acceptance test procedure they have worked with Greg Potter, Director of

ITS, technicians in the Department of Emergency Response, and Motorola to develop a contract to craft out an area that would not only have a computerized test that would run and measure signal strength throughout the County but also a voice test that will be conducted at the same time. He expects the test to go well based on the preliminary test results. Most of the departments have provided templates for how they want radios programmed; a few are still determining how their operations will work. They have programmed a large number of radios and will begin distributing the portables and installing the mobile radios next week.

Mr. Shurtleff reported on some complications that have arisen along the way. In addition to what they had planned they ended up with as part of their agreement with the Town of Danby, opening up Curtis Road and rebuilding a portion of road. This resulted in an additional cost of \$70,000, but this met what the Town of Danby had stipulated to. They have worked with landowners on the Town of Enfield site and have obtained an easement by extending the direction from how it was originally designed; this resulted in an additional cost of \$25,000. Mr. Wood is continuing to work with the landowners on issues that exist with that site. WHCU has allowed the County to co-locate on their tower in the Town of Newfield. This was the last site that was needed to tie the entire system together.

Mr. Shurtleff said one thing that was not done when the project was started was to establish set up a contingent fund which is typically five to ten percent of the project cost. He said they did alright and were able to contain all of the extra costs. They reduced some of the consulting costs and project management assumed many of those duties within the Department of Emergency Response. This provided them with approximately \$200,000 to work with and have been able to contain extra costs within that amount.

He spoke of next steps and said they will continue to explore mobile data solutions and getting mobile terminals back on the radio system and into the vehicles. When that package is completed they will bring information back to the Committee.

Mr. Shurtleff said months ago Jonathon Wood, County Attorney, drafted a telecommunications ordinance to protect the County's communications system from the construction of structures that may interfere with the system. He said this was forwarded to municipalities with a request that they consider incorporating it into their local ordinances; some have done this and others have not. Mr. Shurtleff suggested this be revisited once the communications system is complete. Mr. Stevenson said this had been a long-time goal of former Legislator Booth's. *Mr. Stevenson asked Mr. Shurtleff to provide a list of which municipalities have not done this and need to be reminded of the importance of this.*

Ms. Robertson asked if a ribbon-cutting ceremony has been scheduled. Mr. Shurtleff said he has been working with Ms. Lynch, Public Information Officer, on this. At this time it is premature to schedule this but believes it will happen in late June.

Alarm System Upgrade

Mr. Shurtleff said there are a number of different alarm systems that come into the office through a variety of mechanisms. He provided an overview of the many existing systems throughout the County. With the exception of the Personal Emergency Response Service alarms through the Office for the Aging, all of the alarms the Department takes in are fire alarms. Burglar alarms, for example, go directly to the private service. The City of Ithaca has a street pull-box system that the City is looking to upgrade. The alarm goes to Central Fire and then is transferred to the Dispatch Center. Additionally, the heaviest load comes into the Dispatch Center from over 300 private alarms that are installed by private companies. He said there are approximately 1,000 different connections that come into the Dispatch Center from all of the different alarm systems and the increasing volume is causing them to look carefully at this. The City is examining whether they will continue with their existing system and are looking at potential upgrades; Mr. Shurtleff is also examining the Dispatch Center's alarm system which is also in need of an upgrade or

replacement. Cornell is also upgrading a number of alarm systems and he said they have come up with a framework for a replacement that would be compatible with the City and Cornell and also Dispatch. The cost is approximately \$65,000-\$75,000. Mr. Shurtleff said he has encumbered money at the end of last year that they had received from reimbursements on the communications side. A financial decision is not needed at this time, but as we continue to maintain this alarm monitoring a look needs to be taken at the overall system, particularly in the area of maintenance. There is an intense effort by Dispatch Center staff to maintain the data. Mr. Shurtleff said the City charges a fee for this and posed a question of whether the County should be charging a fee for this alarm-monitoring service. Other questions he raised included whether the County should be in the alarm-monitoring business, should the County be competing with the private sector. He thinks it is best that the fire alarms come directly to the Dispatch Center because of the potential delay that is built in. He said the number of alarms will continue to grow and this will have an economic impact on the County. He asked the Committee to provide direction as to how to proceed with this.

Mr. Parsons said the City is at a crossroads with their fire alarm system. Because of changes in building codes over the last five years they are not able to add any new buildings to their system; this requires new system owners to purchase dialers and the service is monitored by the County's Dispatch Center. The City has imposed a fee for the system and with the upgrade they will have to increase the fee to the users. The fee is now less than one-third of what commercial services charge and they are looking at an increase that would be the equivalent of another one-third but still less than commercial charges. Mr. Parsons said the City's fee is placed on the property tax bill.

Mr. Hattery said it would be wise for the County and City to upgrade at the same time.

The Committee directed Mr. Shurtleff to continue to develop ideas that have been presented, specifically providing information about an option related to a fee-supported service.

Criminal Justice Advisory/Alternatives-to-Incarceration Board

The Committee began discussion of the question stated on the agenda: "Criminal Justice Advisory/Alternatives-to-Incarceration Board - How the Public Safety Committee can best use this resource of County and community members?"

Mr. Stevenson read the purpose of the CJA/ATI from the bylaws:

Article II. Purpose

"The purpose of the Advisory Board shall be (1) to study the criminal justice system in Tompkins County with particular attention to programs that are alternatives to incarceration; (2) to identify unmet needs and opportunities for meeting these needs and improving the system, including potential funding sources; (3) to make recommendations to the Tompkins County Legislature and its committee that deals with public safety; and (4) to provide a forum for networking, coordination, and communication between agencies and departments making up the County's criminal justice system."

Ms. Cook provided the Committee with an overview of the CJA/ATI Board, stating most of the language contained in the purpose statement is from Executive Law. She said this is an advisory board with very large membership that includes representation from the key public safety departments and entities.

Ms. Robertson asked what the intent of the question on the agenda is. Mr. Stevenson said it is a general question based on an observation that legislators are often lacking in specific information about issues and this can help to clarify the purpose of the CJA/ATI for many members of this committee who are new.

Ms. Leinthall said the CJA/ATI comes from Article 13a of Executive Law specifically to address two issues:

1. In any county where the CJA/ATI exists it allows the Sheriff to have a classification of four levels instead of 12. If 12 classifications were required it would mean a much larger facility, no boarding out, and a much larger cost to the County.
2. This Committee is designed to primarily develop a work plan for the ATI monies that come in to the County (\$26,000).

Ms. Cook said it is also to analyze the Jail population. Ms. Leinthall said while it does allow for analysis of overcrowding, analysis of jail population, and a comprehensive plan, it is only within the context of the ATI monies. She said while it is not officially charged as such there is a group of department heads who form a cabinet to deal with criminal justice activities that includes DSS, Sheriff, DA, and Probation. They also do coordination and began re-entry before it became one of the things outlined by the Task Force. Ms. Cook said they had identified it in the action plan and by the time the plan was finished and re-entry came out as a recommendation, work had already been done.

Ms. Leinthall said sometimes there is a move on the CJA/ATI to deal with juvenile issues and she doesn't believe the board is set up to deal with juvenile matters, nor should it be. She said the Family Court Advisory Council should be dealing with juvenile issues and DSS and the Youth Services Departments have a mandate for dealing with the juvenile population. She also said there is sometimes a sense that departments who are doing programs should come back and get approval from the CJA/ATI and she thinks this is incorrect.

Mr. Hattery said he found Ms. Leinthall's comments helpful as he didn't realize this was covered under State law. Ms. Leinthall said the CJA/ATI plays a key role in bringing grant monies into County, and required signatures usually include the key players on the CJA/ATI.

Ms. Cook said she views a role of alternatives-to-incarceration as preventing juveniles from ever being arrested; however, there hasn't been much work in this area since it started in the 1990's. She said the CJA/ATI Board is also a criminal justice board. Ms. Leinthall said she would argue passionately that criminal justice and juvenile justice are two distinctly different systems. There was disagreement on this between Ms. Cook and Ms. Leinthall.

Ms. Robertson said she serves on both the CJA/ATI and Family Court Advisory Council (FCAC) and thinks the FCAC could benefit from participation of those on the CJA/ATI and suggested there be communication between both boards. She said she had thought for a long time enough work wasn't been done on juvenile issues. She encouraged juvenile issues be brought to the Public Safety Committee on a regular basis in some form.

Ms. Carey said she reports to the Health and Human Services Committee. She said DSS is responsible for creating a comprehensive services plan where they are mandated to explore all of the services that existed in the County for youth and children. In the last four years, they are now responsible for the development of plans for PINS (Persons in Need of Supervision) and JD's (Juvenile Delinquents). That process includes having public meetings, identifying gaps in services and what is already being done in the County and working with Probation and Youth Services who are both partners in the plan. Ms. Carey said the three-year comprehensive plan that includes a mid-point review that is presently being done. It included goals and objectives they are required to be met.

Ms. Leinthall said this follows a trend of what she expects to happen in the next five to ten years of moving PINS and Probation completely out of Probation and the justice model and into a service

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model in the Department of Social Services. She said there is also a move to close down all the DFY facilities. She stated there is a movement to not to use the model of incarceration for juveniles because it is not working and other options are. Ms. Carey asked if the Committee would like to receive a report on the Consolidated Services Plan. Ms. Robertson suggested Ms. Leinthall also attend the Health and Human Services Committee along with Ms. Carey to report on this. They will provide this Committee with information on the plan.

Mr. Hattery was excused at 3:55 p.m.

Public Access Defibrillator Program (PAD)

Ms. Martel-Moore presented the Committee with materials containing statistics on the PAD program. An estimate of implementing a program is \$72,240. Mr. Burbank said he would be interested in hearing about local statistics. Mr. Stevenson said Dr. Mouser conducted a program locally and is willing to make a presentation on a PAD program to the full Legislature.

Ms. Robertson spoke of a comment made by Mr. Stevenson earlier in the meeting that his support of any new program in this budget climate is unlikely. She said it is not that she opposes the intentions of this program but will be challenging Legislators on adding items to the budget when current services are not supported. She noted she was not in favor of the current tax levy goal of three percent for the 2009 budget.

Ms. Martel-Moore will provide additional information and there will be further discussion at a future meeting.

Approval of Minutes of April 18, 2008

It was MOVED by Mr. Dennis, seconded by Mr. Burbank, and unanimously adopted by voice vote, to approve the minutes of April 18, 2008 as submitted. MINUTES APPROVED.

Adjournment

The meeting adjourned at 4:15 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office