

Public Safety Committee  
June 1, 2006  
3 p.m.  
Scott Heyman Conference Room

**Approved 7-6-06**

Present: R. Booth, M. Robertson, M. Hattery, G. Stevenson (temporary appointment); T. Joseph (temporary appointment)  
Excused: M. Koplinka-Loehr, L. McBean-Clairborne  
Legislators: D. Kiefer  
Staff: S. Whicher, N. Jayne, J. Grogan, County Administration; L. Shurtleff, Department of Emergency Response; A. Cole, Public Health Department; P. Meskill, Sheriff; J. Hughes, Assigned Counsel Program; M. Pottorff, Legislature Office; A. Cole, Public Health Department  
Guests: J. Schechter, OAR; News media

**Called to Order**

The meeting was called to order at 3 p.m.

**Changes to the Agenda**

A request to approve the use of Certified Rollover funds by the Department of Probation and Community Justice was added to the agenda.

**Public Comment**

James Schechter, Director of OAR, announced OAR will celebrate its 30th Anniversary this month. He encouraged Legislators to attend the annual meeting on June 17th that will feature speakers, including Congressman Maurice Hinchey.

**Approval of Minutes of May 4, 2006**

It was MOVED by Ms. Robertson, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to approve the minutes of the May 4, 2006 meeting with the changes submitted. MINUTES APPROVED.

It was MOVED by Mr. Hattery, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the minutes of the May 4, 2006 Traffic Safety Committee with the changes submitted. MINUTES APPROVED.

**Department of Probation and Community Justice**

Ms. Leinthall, Director of Probation and Community Justice, presented the Department's 2005 Annual Report. She said there are several alternative-to-incarceration programs in the Department; all of which seem to function well. She said when most people think of the ATI programs they think of the drug courts and the Day Reporting Center because those programs were part of the three-year trial that received a lot of public attention because of the sizeable amount of funding that was allocated to them originally. She said since the programs were turned over to the Department of Probation and Community Justice, the costs were cut back considerably.

Ms. Leinthall spoke of program attendance and said there have been two months in a row where 40-42 people have been served in the Program in addition to having Drug Court clients reporting to the Center as well as having individual probationers who have been referred for employment services. Ms. Leinthall said when the program first started they experienced a client base of only three per month. She noted the Day Reporting Program can safely handle 20-25 people per day. In addition to clients that attend the Center for ATI programs, there are also approximately four to five parolees served per month in an attempt to provide re-entry services for people who are being released from prison with the hope to provide them with a better start back into the community.

There have been some changes made in the interest of safety at the Justice Center, such as the purchase of magnetic wands because some individuals were found carrying weapons into the building.

She reported on community services programs and said the SWAP (Service Work Alternative Program) and the Juvenile Accountability Program participants perform many regular services throughout the County (clean bus shelters, day care centers, nursing home, cemeteries, County buildings, Dump and Run Program, and many other events and places throughout the County). The Electronic Monitoring Program is not used often; however, it has a new GIS function that tells where the individual has been and how fast they were driving). She noted it does not tell who was driving, only how fast the vehicle was traveling.

She spoke of the three drug courts: Felony, Misdemeanor, and Family Drug Court. The Family Drug Court is not considered an alternative-to-incarceration program, but is one that is aimed at being an alternative to removing children from their home. The City Drug Court numbers are beginning to rise after a period of being low and the Felony Drug Court numbers are steadily very high with caseloads approaching the maximum a Probation Officer can handle on a caseload. Clients usually take at least nine to twelve months to go through the program, but it can take longer. After Felony Court, the client is on Probation Supervision. The Intensive Supervision Program (ISP) began in the 1978 as a fully-funded State ATI program that was designed for people who would have been sentenced to State incarceration. Although the State still reimburses, the rate has declined by approximately 30 percent.

Ms. Robertson asked when parolees are entering the ATI program. Ms. Leinthall responded that parolees were entering the program after being out in the community but not doing well; however, they are now entering the system directly upon release from prison and that seems to be working better.

Mr. Booth suggested that Committee members review the Annual Report presented by Ms. Leinthall and to request her to attend a future meeting to follow-up on a questions members may have.

#### **Health Department - Avian Flu Planning Update**

Ms. Cole highlighted several activities of emergency preparedness that she has been involved in with regard to Avian Flu planning. Some of those activities include numerous staffing meetings, town hall meetings, speaking on the Casey Stevens show, and attending conferences. She noted that rules pertaining to emergency shelters have changed and now anyone who has special medical needs is the responsibility of the Health Department; particularly in an emergency operations event; previously the Red Cross had that responsibility. She reported the Bioterrorism Coordinator position was vacant for a period; however, the previous employee has returned to the position.

Ms. Cole distributed information pertaining specifically to the New York State Department of Health and Avian Influenza "Bird Flu". That information has been placed on file in the Legislature Office.

Mr. Shurtleff addressed the issue from a County emergency preparedness standpoint and how to focus County government. Activities taking place include: the Emergency Planning Committee meet monthly to compose the response team; Alice Cole, Sheriff Meskill and Mr. Shurtleff have also been meeting regularly; and Mr. Shurtleff attended an isolation and quarantine drill. Other agencies have been engaged in planning efforts as well as the court system on quarantine issues. He also noted the County is required to be compliant with the Federal Emergency Response Plan by the end of September.

Mr. Shurtleff said in the past residents have been trained to be prepared to survive for 72 hours in the event of an emergency, however, it is now being recommended that number be changed to two weeks.

He said efforts are underway to establish direction and control in the event of an emergency and also to establish what the organization is, what resources are available, who will be in charge and who will be giving direction. He also said he is confident about the plans that have been developed to address the overall structure and how the County is going to operate in an emergency situation.

In the event of a flu pandemic, County government must continue to operate. There are 700 employees and agencies who are potential resources; however, work is being done to identify what may be the possible obstacles to those resources. Discussions and surveying of department heads has begun as a starting point to identify departmental needs and he is also trying to outline what the responsibilities of the Legislature Chair and the County Administrator are under State Law. Mr. Whicher said he does not believe the County has any rights to take many actions with regard to employees because of union contracts, and said unions are not yet involved in discussions. It was stated that unless there is a means to ensure that employees' families are safe the County cannot expect its employees to accept new responsibilities.

Mr. Whicher said the County is prepared for an emergency event that is confined; he said he is working on a proposal to address emergency planning.

## **Sheriff**

### **Jail Statistics**

The Committee discussed boardout costs to date; Sheriff Meskill stated the total figure is \$216,000, which included \$184,000 for boardout costs, \$6,000 medical costs, and the remainder being mileage. A request was made that an estimate of boardout costs be included in the proposed 20-year Capital Plan.

Approval of Request to Use Certified Rollover Funds - Total amount requested = \$143,181 (Sheriff's Office - Jail); and \$37,896 (Sheriff's Office)

Mr. Meskill said it is extremely important that the requests for vehicles be approved as quickly as possible. He said the items are over budget because Rollover was used to make purchases in accounts that were under-budget in the past. Since the Legislature took money out of the Department's budget in the last budget cycle he has not had the ability to cover those expenses. Ms. Robertson questioned several other funding requests (e.g. additional money for labor and benefits to assist with the costs of injured and disabled staff); Mr. Booth suggested postponing action on areas of the request other than those pertaining to vehicles. Mr. Meskill stated the requests being made are for basic operational needs. Ms. Robertson said she would like Mr. Squires in attendance at the next meeting to answer questions relating to accounting process.

*Mr. Whicher requested that although it takes a little extra time, it is important that the form be completed in detail; specifically the description of the source of the funds. It was also requested that the form for the Jail include the amount of \$60,000 for capital expenses that were not expended.*

It was MOVED by Ms. Robertson, seconded by Mr. Hattery, to approve the request for use of Sheriff's Office - Jail Certified Rollover Funds in the amount of \$84,000; Explanation: 3 new vehicles, 2 for transport, one for the Undersheriff replacing existing vehicles. A voice vote resulted as follows: Ayes - 5, Noes - 0. MOTION CARRIED.

It was MOVED by Mr. Booth, seconded by Mr. Hattery, and unanimously adopted by voice vote, to approve the request for use of Sheriff's Office Certified Rollover Funds in the amount of \$52,896; Explanations: New vehicle to attempt to keep up with an aging fleet and minimize major repair expenses; new light bars to replace aging light bars; and gasoline to try to bridge the gap of the unexpected price increases caused by greedy oil companies. MOTION CARRIED.

It was MOVED by Mr. Joseph, seconded by Mr. Stevenson, to approve the remaining requests: Sheriff's Office - Jail Certified Rollover Funds in the amounts of \$15,000 (Gasoline for increased transports and increased commodity costs); \$20,000 (Additional money for janitorial supplies and food); \$12,000 (Additional money for various program supplies blankets, mattresses, sheets, toiletries, etc. for inmates); and \$12,181 (Additional money for labor and benefits to assist with the costs of injured and disabled staff). Mr. Joseph said that while there may be unanswered questions relating to where the money came from, he doesn't the need for these items. A voice vote resulted as follows: Ayes - 3 (Legislators Hattery, Joseph, and Stevenson); Noes - 2 (Legislators Booth and Robertson). MOTION CARRIED.

**Department of Probation and Community Justice - Approval of Request to Use Certified Rollover Funds** - Total amount requested = \$3,000

It was MOVED by Ms. Robertson, seconded by Mr. Hattery, and unanimously adopted by voice vote, to approve the request for use of Certified Rollover Funds in the amount of \$3,000. Explanation: To purchase hardware and software for the purpose of auditing sex offender client computers to determine access to Internet pornography in keeping with court ordered conditions of probation. MOTION CARRIED.

**Offender Aid and Restoration (OAR)**

Mr. Schecter announced the collaborative work involving the Sheriff, Department of Social Services, and Department of Probation and Community Justice continues for the purpose of implementing a pilot project on screening individuals upon admittance to the Jail. He said the project is moving forward and is appreciative of the Department of Social Services for providing a caseworker to staff the pilot project.

Mr. Schecter said he will be presenting the Legislature with a requesting during the budget process to support an increase to the Bail Fund. He said with an additional \$10,000 they could do 10-15 more bails per year which would result in an approximate savings in boardout costs to the County of \$150,000 per year.

**District Attorney**

**RESOLUTION NO. – APPROPRIATION FROM CONTINGENT FUND FOR TERMINAL PAY – DISTRICT ATTORNEY**

It was MOVED by Ms. Robertson, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to approve the following resolution and submit to the full Legislature.

WHEREAS, the District Attorney had five employees; two Assistant District Attorneys, terminate employment effective December 31, 2005, one Assistant District Attorney terminate employment effective January 13, 2006 and one Deputy District Attorney, terminate employment effective December 31, 2005, and one Deputy District Attorney, terminate employment effective April 14, 2006

WHEREAS, the Fiscal Policy of Tompkins County allows for terminal pay replacement from the Contingent Fund, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Budget and Capital Committees, That the Director of Finance is hereby authorized and directed to make the following budget appropriations:

FROM:	A1990.54440	Contingent Fund	\$27,090.22
TO:	1165.51000228	Salary, Assistant District Attorney	\$11,943.75
	1165.51000277	Salary, Deputy District Attorney	\$ 7,545.62
	1165.58800	Fringes	<u>\$ 7,600.85</u>
		TOTAL	<u>\$27,090.22</u>

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**Communications Capital Project**

Mr. Shurtleff distributed copies of the professional services contract supplement #6. The contract has been reduced substantially from the original estimate and figures for the maximum amount payable to the Contractor are in the range of what was estimated.

It was MOVED by Mr. Hattery, seconded by Ms. Robertson, and unanimously adopted by voice vote to approve \$93,449 to extend the SSI Capital Program contract through Phase 5. The contract will run through December 31, 2006.

**Data Sharing Project**

**RESOLUTION No. - AUTHORIZATION TO ESTABLISH A USER GROUP TO GOVERN THE CRIMINAL JUSTICE DATA COMMUNICATIONS SYSTEM**

MOVED by Ms. Robertson, seconded by Mr. Hattery. Mr. Grogan reviewed and explained the following information:

**Background**

Since 1999, Tompkins County has worked with local criminal justice agencies to establish a countywide information sharing network. The effort has and continues to be an inter-jurisdictional collaboration of law enforcement agencies from six municipalities, ten judicial courts, and the District Attorney. Tompkins County has served as a project manager and facilitator throughout the process – providing grant writing, technical, administrative, and financial support. The project began with a \$1.2 million Technology Opportunities Program Grant from the federal government.

In 2002, criminal justice data sharing was partially accomplished through a centralized data repository, maintained by Tompkins County's Information and Technology Services Department. The repository and its supporting components are commonly referred to as the Criminal Justice Data Communications (CJDC) System. Initial software problems, personnel changes, and permanent funding questions caused delays in the system's full deployment. Nevertheless, participating agencies view the effort as a major success and are committed to the project's long-term sustainability.

At present, only four criminal justice agencies in the county are not using the data-sharing network.

### **Recent Discussions and Activity**

With the adoption of a 2006 Budget that included target funding to support the CJDC System, it was recognized that a more effective method for making operation, maintenance, and any future expansion decisions is needed. Over the past few months, representatives from the County's Administration, Attorney, Information and Technology Services, Sheriff, District Attorney, and Emergency Response departments as well as municipal police agencies and court agencies have met to discuss the system and the possible establishment of a user group to govern the system.

The preceding resolution reaffirms the County's commitment to local criminal justice agencies' efforts to share data and directs the County Administrator to enter into an agreement with agencies that participate in criminal justice data sharing in Tompkins County for the establishment of a user group to govern the ongoing operation, maintenance, and expansion of the system.

Types of decisions/coordination that the County would require from the user group are as follows:

- Development of end-user management, security policy, and audit procedure
- Development of data entry and management standards and practices
- Assistance in the development and presentation of annual Project budget and presentation to County Legislature
- Definition of annual Project goals, tasks, and directives within the limitations of available staff and fiscal resources
- Development of long term vision and defined benefits and options for project improvements
- Decisions related to requests for access to, or use of data by non-group members

### **Current Funding Level**

2006 Budget Adjustments in the Information and Technology Services (ITS) Department related to the Criminal Justice Data Sharing Project:

- \$27,457.50 for salary and fringe costs for ITS staff resources related to Project (.50 FTE)
- \$10,000 for software and professional services contracts related to Project

Currently, all funds to support the CJDC System reside in the general ITS budget. It may be necessary to create a separate program within the ITS budget for the CJDC System. Creation of a separate program budget will allow for a clear accounting of the costs and any future revenues that are associated with the system.

### **Primary CJDC System Components**

#### **Spectrum Justice System (SJS)**

A Windows based software application that integrates law enforcement data into records management system. SJS is provided free of charge by the New York State Division of Criminal Justice Services (DCJS) to New York's local law enforcement agencies. Currently over 280 law enforcement agencies use SJS.

Current Local Users:

City of Ithaca PD  
Village of Cayuga Heights PD  
Village of Groton PD  
Village of Trumansburg PD  
Village of Dryden PD  
Village of Freeville PD  
NYS State Police

**CRIMES**

A Windows based software application that integrates law enforcement data into a records management system. The program integrates with the Computer Aided Dispatch (CAD) system used by Tompkins County's Emergency Response Department.

Current Local User:

Tompkins County Sheriff Department

**Court Information Network (CINS)**

A network developed specifically for judicial courts within Tompkins County to securely transfer court data into the County's criminal justice data repository.

Current Local Users:

City of Ithaca Court  
Cayuga Heights Court  
Groton Court  
Ulysses Court  
Dryden Court  
Freeville Court  
Enfield Court  
Lansing Court  
Town of Ithaca Court  
Newfield Court  
Tompkins County Domestic Violence Court

**Prosecutor Case Management System (PCMS)**

A Windows based software application that allows for judicial case management from initial data entry thru final disposition, including charge, sentencing, and defendant histories, which integrates with the Spectrum Justice System.

Current Local User:

Tompkins County District Attorney

Mr. Booth asked if the user group will control the system and be responsible for its administration. Ms. Jayne said they will be responsible for the policy and decisions making. The County Department of Information Technology Services will still be responsible for maintaining the database. He asked what the process would be in the case of a conflict. Ms. Jayne said the County ITS Department is to keep the system updated and running; anything beyond that would be decided upon by the Governance Committee and contracted for with the municipalities. She said municipalities are aware and fully support this. Mr. Booth said he wanted assurance that the creation of this entity will be the policy- and decision-making body and that the bylaws of the group should reflect this as well as how conflicts will be resolved. Ms. Robertson asked what entities are not using the system. Ms. Jayne said the County Court, Sheriff's Office, and the Towns of Danby and Caroline. While issues are being resolved surrounding some of these entities, a group will not be prohibited from joining in the future. Mr. Booth said it is imperative that the policy making control remain outside of the ITS Department.

Mr. Grogan noted that although the Sheriff will not be using the system, he has been involved in this process and many of the suggestions contained in the governance document were made by the Sheriff.

A question was raised as to how staff for the group would be handled. Ms. Jayne stated the County would not be providing administrative support and that this is a decision that would be dealt with by the group. Any new expenses would be shared by members of the user group.

Mr. Whicher noted the agreement referenced in the resolution would not come to the Legislature for approval.

A voice vote resulted as follows: Ayes -5, Noes - 0. MOTION CARRIED.

WHEREAS, Tompkins County has worked with local criminal justice agencies to establish a countywide information sharing network, and

WHEREAS, in 2002 criminal justice data sharing was partially accomplished through the creation and operation of the Criminal Justice Data Communications (CJDC) System, maintained by the Tompkins County Information and Technology Services Department, and

WHEREAS, the sole purpose of the CJDC System is to facilitate the electronic sharing of police records, court papers, and similar data which may be retrieved and used for lawful purposes, and

WHEREAS, the CJDC System helps to bridge a critical gap between local law enforcement databases and the New York Statewide Police Information Network (NYSPIN), as well as other state and federal criminal justice databases, allowing local law enforcement agencies to retrieve information which may be helpful in the protection of local citizens and which may not be available through other sources, including court information that has not been uploaded in NYSPIN –a process that can currently take a month or more, and

WHEREAS, the CJDC System increases communication and collaboration among criminal justice agencies within Tompkins County, while also providing numerous agency specific administrative and management benefits, and

WHEREAS, Tompkins County is best served by the establishment of a user group, comprised of agencies that participate in criminal justice data sharing in Tompkins County, to govern ongoing operation, maintenance, and expansion of the CJDC System, now therefore be it

RESOLVED, on recommendation of Public Safety Committee, That the Tompkins County Legislature continues to support local criminal justice agencies' efforts to share data,

RESOLVED, further, That the County Administrator (or designee) is directed to enter into an agreement with agencies that participate in criminal justice data sharing in Tompkins County for the establishment of a user group to govern the ongoing operation, maintenance, and expansion of the CJDC System.

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**Committee Goals**

It was MOVED by Ms. Robertson, seconded by Mr. Hattery, and unanimously adopted by voice vote by members present, to approve the following Committee goals for 2006.

**Public Safety Committee Goals (Not in Priority Order)**

**LEADERSHIP:**

- A. Maintain & ~~increase~~ safety of the public in Tompkins County.

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- B. Oversee construction, acceptance testing, acceptance, and implementation of the Communications Capital project. (We should regularly receive updates and discuss pertinent issues respecting this project.)
- C. Monitor jail population and boarded-out population on on-going basis; get analysis/trends info.
- D. Work to improve criminal justice system to minimize jail stays consistent with public safety.
- E. Oversee County's preparations to make the County as ready as possible to deal with a major emergency, including facilitating communications and operations with departments that have responsibilities for dealing with emergencies but do not report to this committee (e.g., Health Department) and with other committees of the Legislature (e.g. Health and Human Services, Facilities and Infrastructure) that oversee those other departments.
- F. Oversee implementation of 2006 budget and examine pertinent issues/information in preparing for adoption of 2007 budget.
- G. Oversee implementation of County's Dispatch Responsibility at the 911 Building.
- H. Oversee in broad terms the conduct of employee evaluations in the several departments.

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**ACTION:**

- I. Deal with questions with regard to repairs, rehabilitation of, and potential future for the public safety building.
- J. Recommend direction for the Criminal Justice Data Sharing Project.
- K. Explore enhancements to the ATI programs, that will fill gaps and support "D" above. Self-evaluation by Community Justice Center staff for purpose of having the Center run as effectively as possible.
- L. Collaborate with the Sheriff to examine adequate level of road patrol.
- M. Actively communicate with the public and taxpayers as to the activities of this Committee.
- N. Review the sharing of data across public safety personnel and the use of data in driving decisions, including usefulness of the data.

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**Items recommended for future goals:**

- Develop measurement and success indicators for ATI programs.
- Review how are departments evaluating their programs? Can suggestions be made or resources be made available to help them?
- Consider whether the Committee should receive juvenile justice reports. Additional evaluation of the alternative-to-incarceration programs because it this issue crosses over to the Public Safety Building.

Deleted: Self-evaluation by Community Justice Center staff for purpose of having the Center run as effectively as possible.

**Chair's Report**

Mr. Booth said he received a request by Legislator Kiefer that the subject of the former Sheriff's Civilian Review Board be taken up by this Committee. This will be placed on an upcoming agenda.

**Appointment(s)**

It was MOVED by Ms. Robertson, seconded by Mr. Joseph, and unanimously adopted by voice vote by members present, to approve the following appointments to advisory boards and submit to the full Legislature:

**Advisory Board on Indigent Representation**

William E. Furniss, Jr. - term expires December 31, 2008

**Traffic Safety Committee**

Thomas L. Ferretti - Village Police Official representative; term expires December 31, 2008

**Adjournment**

The meeting adjourned at 5:05 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office