

**Public Safety Committee  
June 2, 2005  
Scott Heyman Conference Room  
2 p.m.**

*Approved 7-7-05*

Present: L. McBean-Clirborne, M. Koplinka-Loehr, M. Robertson, P. Penniman  
Excused: G. Totman  
Legislators: T. Joseph, N. Schuler, B. Blanchard  
Staff: K. Leinthall, Director of Probation and Community Justice; N. Jayne, S. Whicher, W. Skinner, County Administration; G. Potter, Information Technology Services; J. Hughes, Assigned Counsel; L. Shurtleff, Department of Emergency Response; P. Meskill, Sheriff; G. Dentes, District Attorney; S. Cook, County Attorney's Office; A. Lemaro, Facilities  
Guests: D. Barber, Town of Caroline Supervisor; M. Ray; O. Mack; OAR; J. Speilholtz, Legislature candidate

**Called to Order**

Mrs. McBean-Clairborne called the meeting to order at 2:02 p.m.

**Changes to the Agenda**

A discussion on a letter received by the Department of Probation and Community Justice concerning firearms training was added to the agenda.

**Report from the Road Patrol Subcommittee**

Mr. Barber presented the following update on the Sheriff Road Patrol Subcommittee's work:

"The Committee studying Sheriff road patrols has had four meetings. Since my last report, we had one meeting focusing on the interaction with the State Police and the City Police. We learned that the State Police are understaffed and are not able to cover the County the way they want. We learned that there is no redundancy in patrol or response to emergencies between the State Police and the Sheriff Road Patrol. We learned that the State Police have the capability to expand their force if any emergency requiring additional personnel arises. We learned that the State Police also have specially trained personnel and special equipment that are available to assist local police agencies. These State Police resources are extremely important to our local agencies. The local police agencies don't have to carry these resources that they might not use too often. There is a lot of cooperation between the State Police and Sheriff's Office.

"The fourth meeting focused on summarizing where we have been and discussing how to move to the next step of gaining funding for the additional Road Patrol that are needed. We hope to vote on a resolution summarizing our findings when we meet on June 15h. We also will be discussing how to involve local governments in developing a plan for funding these needed positions.

"We know that the funding will have to come from the same property taxpayers that are already overwhelmed. We also know that it is our job as managers of local government to prevent emergencies and crime.

"Being proactive reduces crime. With the current staffing levels of the Sheriff Road Patrol, there is little or no proactivity. I am hoping that we can set a venue to reach a common understanding of our

collective responsibility for public safety and establish an environment where we will work together to find a solution to providing adequate staffing for the Sheriff Road Patrol and the safety of our residents".

Mr. Barber referred to the survey conducted by the County in 1991 which public safety was identified as the number one priority in Tompkins County and said he believes the response would be even greater in that direction after the events of September 11. He said they will be including municipalities that have their own police force in these discussions.

Ms. Robertson said she would like to know how many law enforcement officers are on the roads so that a comparison can be done. Mr. Barber noted that officers have different and additional duties than they did several years ago as a result of September 11th.

Ms. Robertson expressed disappointment in the lack of data she has seen relating to this issue and requested data, for example, information on how many officers are on the road and the number of tickets issued, etc.

Mr. Meskill said villages and the City police departments are locked in on their own jurisdictions and in order to get a look at the full strength of the numbers assigned to Tompkins County you would need to look at both the Sheriff's Office and the State Police.

Mr. Penniman said he shares the concern about crime prevention in the rural areas and that is part of a larger discussion that includes public information, sentencing, and ways criminals are dealt with. He said he would like to know what the types are in rural areas so that efforts can be made to prevent them.

#### **Department of Probation and Community Justice - Budget Adjustment**

It was MOVED by Mr. Koplinka-Loehr, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the following budget adjustment and submit to the full Legislature:

#### ***Probation and Community Justice***

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
3990-42705	Gifts & Donations	\$15,000	3990-54491	Subcontract
3990-42705	Gifts & Donations	\$ 1,106	3990-54333	Education and Promotion
3990-42705	Gifts & Donations	\$ 3,000	3990-51000049	Project Assistant
3990-42705	Gifts & Donations	\$ 300	3990-58800	Fringes

Explanation: Appropriation of remaining drug court support grant funds.

#### **Discussion - Firearms Training**

Ms. Leinthall distributed copies of a letter she received from the Division of Probation and Correctional Alternatives in regard to the Department's 2005 Annual Program Plan. The letter states that the Tompkins County Department of Probation and Community Justice is not in compliance with DPCA Rules and Regulations pertaining to firearms training for Probation Officers hired on or after November 1, 1991. The letter states that Tompkins County's 2005 Annual Program Plan is being withheld pending the submission of a corrective action plan that specifies the names of Probation Officers and the dates that they will be trained. It also states that reimbursement for local probation expenses incurred during the fiscal year 2005 will be withheld. Ms. Leinthall said she may have to submit a revised Rollover request to cover expenses relating to this training. Ms. Leinthall said the Department has 11 to 13 employees who will need to be trained in the use of firearms.

Mr. Joseph said the last time this issue was raised he approached the State Legislature to ask that the law be changed. He said Tompkins County's State Legislators have not been persuaded enough to

stand up against this. He said every argument the State Probation Department had to have this in place was very weak; however, they are adamant in their position. Mr. Joseph said as much as he would like to say no to this State mandate, he feels Tompkins County has no choice in this situation because they will withhold State aid.

**Approval of Unspent General funds from 2004 to Various Accounts (Rollover)**

Department of Probation and Community Justice

It was MOVED by Ms. Robertson, seconded by Mr. Penniman, to approve the following Rollover request for use in 2005 by Department of Probation and Community Justice:

Replacement of outdated electronic monitoring equipment which is no longer supported by the vendor	\$24,020
Replacement of four old laptops	8,800
Microcomputer Specialist Salary	19,019
Microcomputer specialist fringes	7,418
T1 Line for mandated Ejustice Connection	5,600

Ms. Robertson expressed concern over the creation of a new Microcomputer Specialist position in difficult budgetary times. Ms. Leinthall explained the Department's advanced technology requests such as a requirement for Probation officers to be able to access a sex offender's computer to review history files and also Ejustice requirements in order to share information with the State. She said she thinks the Department will have enough money to cover this position up to 2007. Ms. Robertson asked if the Department could fill this position on a part-time basis. Ms. Leinthall said they could explore that option; however, she didn't think they would be successful in finding a candidate who would be willing to accept part-time employment.

A voice vote on the Rollover request resulted as follows: Ayes - 3, Noes - 1 (Legislator Koplinka-Loehr). MOTION CARRIED.

Day Reporting Program

It was MOVED by Mr. Koplinka-Loehr, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the following Rollover request for use of funds in 2005 by the Day Reporting Program:

Installation of devices for improved security system at the Community Justice System	\$5,000
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Assigned Counsel

It was MOVED by Ms. Robertson, seconded by Mr. Koplinka-Loehr, and unanimously adopted by voice vote by members present, to approve the following Rollover request for use of funds in 2005 by Assigned Counsel:

Reimbursement of office supply account for money spent on repair of laser printer	\$350
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Ms. Hughes informed the Committee that the program received another \$6,100 from the State for reimbursement for sex offender cases.

District Attorney

It was MOVED by Mr. Koplinka-Loehr, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the following Rollover request for use in funds for 2006 by the District Attorney (to be submitted as an OTR): \$20,631

Mr. Koplinka-Loehr asked what the sources of the revenue was. Mr. Dentes said this is the result of a temporarily vacant position and \$7,500 additional revenue from aid to prosecution (more than expected); \$500 DA salary reimbursement; and \$500 forfeiture revenues.

Sheriff - Civil Division

It was MOVED by Ms. Robertson, seconded by Mr. Penniman, and unanimously adopted by voice vote by members present, to approve the following Rollover request from the Sheriff for use of funds in 2005:

Sheriff's Office - safe and cash drawer system	\$ 600.80
Sheriff's Office - conversion of records	\$ 4,000.00
Sheriff's Office - protective body armor	\$ 19,123.00
Sheriff's Office - new environmentally friendly snowmobile	<u>\$ 16,000.00</u>
TOTAL	\$39,723.80.00

The Committee discussed the request for body armor; Sheriff Meskill said the vests have a five-year warranty and each cost \$927.

Sheriff - Jail

Sheriff Meskill said the revenues reflected on the request form reflect budget adjustments made by the Finance Director at the end of the year for wages, benefits, and not spending money in other accounts; and also approximately \$24,000 in additional revenue.

Mr. Whicher said in the past when the Sheriff's budget was put together it was based on historical factors. An adjustment has been made to that process and this amount of Rollover is not expected to happen again.

Ms. Robertson said when the building improvement request was presented to the Budget and Capital Committee a request was made for additional information.

Mr. Meskill clarified that the \$160,000 for building improvements represents two issues: \$100,00 is for building improvements in jail dorm area, showers, ceiling, and fresh air; and \$60,000 was requested and approved in the last budget process for building renovations in Civil/records area; however, the work was not done.

A voice vote on the Rollover request from the Sheriff to use funds in 2005 resulted as follows: Ayes - 4, Noes - 0, Excused - 1 (Totman). MOTION CARRIED.

Department of Emergency Response

It was MOVED by Ms. Robertson, seconded by Mr. Penniman, and unanimously adopted by voice vote by members present, to approve the following Rollover request from the Department of Emergency Response:

Reimburse ITS - Networking costs	\$ 20,500
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Computer Equipment - Training and operational	12,540
Communications Equipment	11,000
Maintenance - Trumansburg Tower Project	10,000
Training Expenses for 911 Staff	<u>5,000</u>
TOTAL	\$59,040

**Discussion - Jail Statistics**

Ms. Robertson called attention to the total expended in boardout costs thru April of this year (\$65,559.36) said at this point it doesn't appear that there is a need for a Contingent Fund request. Mr. Meskill said he thinks the amount he has requested in Rollover will cover the expenses related to boardouts (labor, benefits, and mileage); however, a Contingent Fund request will be necessary to cover the actual boardout cost. A question was raised as to how boardout costs are being paid for. Mr. Meskill said he pays for them out of the mandate account, leaving that account overdrawn. He expects the payment for those expenses to be resolved at the end of the year.

**RESOLUTION NO. - AUTHORIZATION TO ACCEPT NEW YORK STATE  
 EXPEDITED WIRELESS 911 GRANT FUNDING - DEPARTMENT  
 OF EMERGENCY RESPONSE**

It was MOVED by Mr. Koplinka-Loehr, seconded by Ms. Robertson.

Mr. Shurtleff said the bulk of this will go towards upgrading the mapping system and will allow the County to get more precise information to identify where calls are coming from. It will also help with the replacement of equipment. He said this grant came in higher than expected; he also noted that there is a ten percent match required.

A voice vote resulted as follows: Ayes - 4, Noes - 0, Excused - 1 (Totman). MOTION CARRIED.

WHEREAS, Resolution No. 34 of 2004 authorized the Department of Emergency Response to apply to the New York State 911 Board for funding to assist the County in achieving "Phase 2" capability for the 911 emergency call system, and

WHEREAS, the County has been awarded \$322,833 for this purpose, and the funding is applicable to various on-going and planned projects, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That Tompkins County accepts the Expedited Deployment Grant Funding,

RESOLVED, further, That the following budgetary accounts be adjusted accordingly:

REVENUE	3410.43389	Other Public Safety	\$322,833
APPROPRIATION	3410.52230	Computer Software	\$156,006
	3410.52222	Communications Equipment	\$143,626
	3410.52206	Computer Equipment	\$ 23,201

**SEQR ACTION:** TYPE II-20

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**Communications Project**

Ms. Blanchard asked what the status is of completing the contract with Motorola. Mr. Shurtleff said he anticipates that by June 20 the final configuration components and site plans for all individual sites will be complete so that bid documents can be put together for all of the individual site work. He said he hopes to have a draft contract with Motorola prepared by the end of next month. He stated by the

end of June he thinks all of the information should be received to complete the EIS (Environmental Impact Statement).

Mr. Whicher said contract language is presently being worked on so that as soon as the EIS is complete, a contract can be put in place.

*Mr. Penniman requested that Ms. Blanchard receive the one-page summary that the Communications Capital Project Subcommittee receives.*

### **Data Sharing Project**

Mr. Whicher explained this is the final phase of what was the old CISNET project that was started several years ago under a federal grant. It was revised at the end with the scope being changed; however, County Administration was successful in completing the grant so the County was not liable for any repayment of federal funding. They are now in the process of moving the responsibility out of County Administration and on to municipalities and the City with the technical portion still handled by the Department of Information and Technology Services. Mr. Whicher said the County's server is being used for management of the technical data at a cost of \$45,000 for a half-time position and software maintenance. Sheriff Meskill said the original goal of this project when it began in 1999 was for law enforcement to be able to share data.

Mr. Potter said that data involved is highly sensitive and said instead of having a technical discussion, there needs to be a governance and guidance discussion about where this project needs to go in the future.

### **Discussion - "Criminal Justice Data: Hypotheses to Test"**

Mrs. McBean-Clairborne said questions keep arising relating to the measurement or evaluation of the alternative-to-incarceration programs and said she it is unclear to her whether there is a way to evaluate these programs and answer questions that have been raised in a manner that would satisfy everyone. She said she has spoken to department heads about this and although there are many answers available, everyone has their own idea of what works and what doesn't.

Ms. Robertson said the data shows the jail population is down and she would like to find out if it is because the County is seeing success with its alternative-to-incarceration programs. She said everyone has their own idea about what is working or not working and why the population is down. She said she thought it would be useful to try to ask questions in the manner she has presented. Mrs. McBean-Clairborne said she does not disagree with the structure Ms. Robertson has presented but it is unclear what question this is trying to answer, and is why the jail population down or are the County's ATI program successful. Ms. Robertson said she feels the question of why the jail population is down should be answered and within that to identify if could be because of the success of the ATI programs. She stated Tompkins County is having success that other counties in New York State are not having and would like to find out why.

Mr. Koplinka-Loehr said a few years ago a subcommittee of the Public Safety Committee looked at what affected the prevention of crime or keeps the jail population low.

Ms. Leinthall said she can understand wanting answers to these questions; however, she thinks these discussions about ATI has been limited to drug courts and the Day Reporting Program. She stated ATI includes all of the Probation programs. She said when there were previous discussions about what was working, a look was taken at the range of things that worked and an attempt was made to put into place all of those that comprised graduated sanctions. The only thing that was not successful in being

included was a residential component. She said she believes it is the synergy of all of those components that are contributing to the jail population being kept down.

Mr. Penniman said he agrees that the scope is probably too great to get into it in real detail. He suggested that rather than focus just on the ATI programs and the effectiveness of the jail population, take a look at whether the incidence of each type of crime is going up or down. Then, within each category of violations, look at each of the factors presented by Ms. Robertson.

Mr. Joseph described this discussion as mixing together two related, but different things with different histories. The first is about the collection of data and placing it into a database with the opportunity to analyze it. Some people feel that the question that is trying to be answered should be known before the data is collected; however, he disagrees and said collecting the data into a database provides an ability to ask many questions that were not thought of before. He said he supports the collection of additional data. The other issue is evaluation of ATI programs. Mr. Joseph said statements continue to be made that those programs were never evaluated; however, he referenced 2002 and 2003 ATI evaluations and the 2003 State evaluation by the State of drug courts statewide that included the Ithaca Drug Court. He agreed with Ms. Leinthall's comments that many other ATI programs exist within the Department of Probation and Community Justice; however, the programs that continue to raise questions are those programs which are targeted for elimination. He said he is not supportive of spending any additional funds on further evaluation of those programs.

Ms. Blanchard said those people who have been described as targeting the Day Reporting Center and the three drug courts for reduced funding or elimination have never received an answer to what the real cost of those programs are. Ms. Leinthall noted that the cost of those programs are offset by State Aid. Mr. Joseph said he doesn't believe it would be difficult to extract those costs from departmental budgets.

Ms. Leinthall said it appears this discussion is always driven by jail population when she feels it begins with law enforcement and wherever the complaint is filed. She suggested looking at the prosecutor's role in taking the case forward and also the lawyer's role in plea bargaining. She said it is extremely frustrating to staff who are trying to figure out what information Legislators are asking for.

Mr. Joseph said he believes the result of decisions that have been made can be quantified. He agreed that the discussions always focus on the jail population; however, it is because of the jail population that the Legislature will need to make a decision on whether or not to spend \$20 million.

Ms. Robertson said she had hoped that the document she prepared would generate discussion that would help the CJA/ATI Board follow through with the task they have been assigned to and would help them identify 7-8 trends.

Mr. Penniman suggested that a subcommittee be created that would work on this document to clarify for the CJA/ATI Board what the questions are and come back with some recommendations. The Committee agreed with this suggestion and Mrs. McBean-Clairborne, Ms. Robertson, and Mr. Penniman agreed to be members of the subcommittee and will report back to this Committee on their discussions.

#### **Approval of Minutes of April 5 and May 5, 2005**

It was MOVED by Mr. Koplinka-Loehr, seconded by Mr. Penniman, and unanimously adopted by voice vote by members present, to approve the minutes of April 5 and May 5, 2005 as corrected. MINUTES APPROVED.

Public Safety Committee  
June 2, 2005

**Adjournment**

The meeting adjourned at 4:15 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature