

**Public Safety Committee  
July 20, 2009  
2:30 p.m.  
Scott Heyman Conference Room**

**APPROVED**

Present: M. Robertson, J. Dennis, G. Stevenson, M. Sigler  
Excused: C. Chock  
Staff: P. Buechel, Director of the Department of Probation and Community Justice; P. Meskill, Sheriff; M. Carman, District Attorney's Office; M. Lynch, J. Mareane, County Administration; M. Pottorff, Legislature Office; A. Fitzpatrick, Personnel Commissioner; S. Cook, Criminal Justice Advisory/Alternatives-to-Incarceration Board Chair; L. Shurtleff, Director of Emergency Response; J. Hughes, Assigned Counsel Program  
Guests: S. Shackford, Ithaca Journal; D. Dietrich, OAR

**Call to Order**

Ms. Robertson called the meeting to order at 2:30 p.m.

**Changes to the Agenda**

There were no changes made to the agenda.

**Chair's Report**

Ms. Robertson said the Assigned Counsel Task Force has been meeting every other week since January and now has a draft report. It will be presented and discussed at the August meeting of the Task Force and then presented to the Public Safety Committee in September. She commented that she believes people will find the report very informative.

**Sheriff's Report**

There were no comments made on the statistics provided in the agenda packet.

**2010 Budget Update**

Sheriff Meskill reported on the impacts the 2010 budget directives will have on the Sheriff's Office and Jail. The Jail budget will remain the same with no notable impacts as the target cut does not apply to this area. The law enforcement budget, however, will experience an approximate 12% cut (\$371,000). Specific cuts were outlined as follows:

- No vehicle purchases in 2010
- A substantial reduction in training, equipment, fuel, and travel and training
- \$127,000 reduction in salaries and fringes (one staff person and a lot of overtime)
- Elimination of boat patrol
- Elimination of snowmobile patrol
- Significant reduction in proactive patrols

The Sheriff stated the Sheriff's Office would be "reactionary" to calls for service and would not be able to be proactive in areas as they have in the past.

Mr. Meskill said the Sheriff's Office handles 90% of the calls outside the City of Ithaca and the villages within Tompkins County; Approximately 9.5% is handled by the State Police and 0.5% of the

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calls are handled by the Park Police. He said the proposed cuts will mean the Sheriff's Office will go back to answering calls and not be able to investigate in many instances. He noted the public will see a difference in service a few months into the year if these cuts are implemented. He also noted there would be a continuing impact into the following year as the fleet of Department vehicles is aging.

Ms. Robertson asked if there was any information about the status of the federal COPS grant. Mr. Meskill did not have a report on the status but noted the \$127,000 salary and fringe cuts include overtime funding that he promised to give up in the grant request.

Mr. Dennis suggested asking the towns to assist in making a contribution towards the cost of road patrol given the current fiscal situation. Mr. Meskill said he could not support pursuing that suggestion as the argument exists that towns are already paying for the service in their County tax bill. In terms of an agreement with a town for a specific service, he would require written expectations, goals and objectives for both sides contained in a long-term contract. Mr. Dennis responded that he believes these are extremely difficult times where every option needs to be discussed.

Mr. Dennis questioned how the public would experience the impact. The Sheriff responded there will be a longer waiting time for the public to receive a response to calls, as a prioritization would need to take place; it could result in very long delays in response time. The Department is just getting by with the current funding and he believes the Sheriff's Office is at the point where it can no longer do more with less.

Mr. Dennis said he does not support Rollover funds being used for operating expenses, such as vehicles. Although he agreed, Mr. Meskill said the current Rollover policy allows departments to be more proactive and prudent in budgeting. Mr. Meskill also said the elimination of law enforcement officers in the Sheriff's Office has a negative impact on other areas, such as Probation and the DWI Program, noting if there are fewer officers to issue DWI tickets there would be less revenue.

### District Attorney

#### Rollover Request/2010 Budget

Mr. Carman stated the District Attorney's Office has 13 staff positions: 7 Prosecutors, 5, Assistants, and the District Attorney. He made the following points during his presentation of the Rollover request and update on the 2010 budget:

- In the last three years the DA's Office has given back about \$300,000.
- The budget is \$920,000; ¼ comes from revenue.
- The Deputy District Attorney position has not been filled.
- There are only a few revenue sources and he expects a 20% cut in DWI funding; there are funding issues with the Department of Criminal Justice Services/Aid to Prosecution
- The DA's office uses a database system created several years ago by George Dentes. The system is out-of-date and no longer useful.
- Prosecutors are attending court and relying on a paper-based system that is not adequate in the work of the office, including managing sentencing recommendations
- The office cannot defer any of its work and it is very difficult to talk about where the cuts would be made without talking about staffing.

Mr. Carman said while he understands the fiscal target that has been set, they are facing a "double-edged sword" due to the cuts at both the County level and in their revenue stream.

Mr. Carman spoke about the Rollover request and said he will be asking to issue an RFP for the purpose of acquiring and implementing an externally-developed Prosecutors Case Management System beginning in January, 2010. They are researching two software systems – New Dawn Technologies and Damion Software. He said he expects the cost of the software and implementation will exceed \$100,000.

Mr. Mareane explained the County Administrator's recommendation. He said he agrees the District Attorney's Office should continue to have rights to the Rollover funds, however, due to the current fiscal situation he is recommending that they wait until the 2010 budget and see what the Department's highest priority for these funds is.

It was **MOVED** by Mr. Dennis, seconded by Mr. Stevenson, to support the County Administrator's recommendation, reserving funds for use in the 2010 budget.

Mr. Sigler expressed concern over treating departments differently with Rollover requests; he also said this cost would need to be covered through a Capital Program. Mr. Mareane said by taking this action the District Attorney would have first rights to the money. He said he is not comfortable in saying the best use of the money would be on the purchase of the software system. He is suggesting the DA look at the budget and make a recommendation on how the funds can be best spent in the context of the Department's overall 2010 budget. He added that the DA's system must be compatible with the Emergency Response CAD system.

A voice vote on approving the Recommendation retaining the DA's Rollover in the Rollover account for general consideration in the context of the 2010 budget, rather than for a specific earmarked purpose, resulted as follows: Ayes – 3, Noes – 1 (Sigler), Excused – 1 (Chock). **MOTION CARRIED.**

### **Department of Probation and Community Justice**

#### **ATI Evaluation**

Ms. Buechel said there was discussion at the last meeting and a request made that the report done in 2003 (ATI Evaluation) by Kathy Schlather be updated. She said Deanna Bodnar of the Department of Social Services is undertaking this project.

Ms. Carey said when Kathy Schlather did the original evaluation she was an employee of DSS as the Planner and Program Development Specialist. She reported Deanna Bodnar has taken a look at the national and state evaluations that have been done and has set out a time-frame for meeting with people, reviewing and analyzing data, and writing a report. Ms. Carey reviewed the proposed preliminary timeline developed by Ms. Bodnar based on information contained in those documents.

The study will cover the two drug courts and the day reporting program; Family Treatment Court will not be included. Areas that will be looked at include: goals of the program, target populations, substance abuse treatment, baseline measures, treatment plans, treatment modalities, court processes, phases, criterias, sanctions, sentences, supervision, drug testing, graduation, units of service, units of case management, medical health, mental health, and other service referrals, evaluating team cooperation and community support. The measurements include program retention, retention rates, reasons for discharge, sobriety average, longest stretch of sobriety for a graduated client, longest stretch of sobriety for different phases, other trends in client sobriety over the course of the program, recidivism rates, units of service for employment and education, temporary assistance, Medicaid and Food Stamps, counseling services, cost savings in reduced incarceration costs, and reduced costs in public health care and public assistance.

August – will be meeting with primary stakeholders - “players” - from each program  
September – identify data and plans to collect data

October – complete data collection, analyze data  
November – analyze data and survey responses  
December – write draft report  
January – present final report

Ms. Robertson requested that the Criminal Justice Advisory/Alternatives-to-Incarceration Board be included in the list of stakeholders.

Ms. Carey agreed to distribute the timeline to all Legislators.

Ms. Robertson asked what the National Drug Court Institute's definition of recidivism is. Ms. Carey responded it is defined as "re-arrest".

### 2010 Budget Update

Ms. Buechel said the impact of the proposed cuts is 12% (\$290,000). To meet this cut the following factors will be considered:

- Continue existing vacancy of Supervisor position
- Continue existing vacancy of Probation Officer position

Ms. Buechel said she expects impacts from these two cuts will be increased caseloads that will impact the core criminal unit that does the majority of supervisions and investigations. They will see delays in getting information to the courts, increased time needed for pre-sentence investigations, less time spent with probationers, and fewer field visits. There will be a higher ratio of probationers to supervisors. The two primary areas that will be impacted the most will be the drug treatment courts and the Day Reporting Program:

- Discontinuance of sobriety for drug courts
- Discontinue funding treatment providers that are participating on the court teams
- Reduction of staff hours
- Reduction of service drug court

Ms. Buechel noted the Department's priorities lie with the mandated services: intake, investigation, and supervision.

Ms. Buechel will present the Committee with information on the drug court and evidence-based practice at the next meeting.

### Assigned Counsel Program

#### Rollover

Ms. Hughes said since the time the Rollover requests were due, a job reclassification request was approved and funds are needed to accommodate that reclassification in the 2009 budget. Mr. Mareane confirmed he is aware of the reclassification and recommends the request by Ms. Hughes.

It was MOVED by Mr. Sigler, seconded by Mr. Dennis, and unanimously adopted by voice vote by members present, to approve the use of \$4,042 of the Department's available Surplus (\$4,199) in 2009. MOTION CARRIED. It was noted this is an ongoing expense that will need to be requested in the 2010 budget.

### 2010 Budget Update

Ms. Hughes said the Office is faced with a \$24,000 cut out of a non-mandated cost of \$142,000 (reduced target equals \$118,000). She said in 1998 two Office staff were cut to 35 hours per week while hours in all other criminal justice departments are at 40. The Department has no areas to make cuts in other than salaries; in fact their OTR will request an increase to 37.5 hours. She said in each year since 1998 the administrative allocation has gone down and that is no longer an option. She stated if the work does not get done people will remain jail longer. There are more specialty courts and every year there are new responsibilities with no additional funds. The addition of Judge Ames has also placed an additional workload on staff.

Mr. Mareane said he has had discussions with Ms. Hughes and Mr. Stolp about structural issues and there may be some ways to save money on the mandated side of the budget. Ms. Hughes said they are currently underbudget on the mandated side and will be penalized for that if they do not meet the state's maintenance of effort requirement. This could equate to a loss in funding of \$415,000 next year. Mr. Mareane said there is a dire need to push at the State level for changes to be made to the maintenance of effort requirement.

### **Opportunities, Alternatives, and Resources**

Ms. Dietrich distributed detailed information on the projected 2010 budget. She reported on the impact of the 2010 budget and said OAR is facing a \$11,000 cut from the County. The agency is also faced with a loss in federal funding and if federal funding is not approved one layoff will not be sufficient to cover the cut. She said over 80% of OAR's budget is salaries and fringe expenses. Ms. Dietrich said most of the service losses will show up as increased expenses in another area of the County budget. The clearest and most direct impact will be on OAR's reduced capacity to bail eligible individuals. She projects the direct cost to the County by the reduction of one OAR staff position to \$139,923 in boardout expenses.

Ms. Robertson asked how the County can help in getting the federal money (Second Chance Act for 2010 stimulus funds) to come through. Ms. Dietrich said Mr. Mareane has been very helpful and has been in contact with Congressman Hinchey.

### **Department of Emergency Response**

#### Rollover

It was MOVED by Mr. Dennis, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to approve the Department's request for use of available surplus in the 2009 budget in the amount of \$44,721.

#### 2010 Budget Update

Mr. Shurtleff said there are three program areas:

- Personnel and fringe costs related to the cost of dispatch operations
- EMS Program through the Health Department – a small piece but allows them to receive reimbursement for bare amount of program areas
- Communications system maintenance and service contracts

He thinks in time there will be assets the new system will provide and believes some positive gains will be realized, including a number of co-locators. There is a strong effort at the Albany level to

get a larger share of the wireless 911 monies, and other efforts towards sharing of maintenance costs. In the meantime, however, there are a few challenges in putting together a budget under the current guidelines. He has \$108,000 in cuts to the day-to-day operations and the EMS account. There is one position that has been eliminated and there are \$30,000-\$40,000 in cuts remaining. He said this will come down to personnel costs and he may be submitting an OTR for a position, which would lead to a discussion of what the appropriate staffing levels should be. There are now 21 authorized dispatch positions.

*Mr. Shurtleff reported the State Legislature has passed the authorization for the land-line surcharge and it has been signed by the Governor. He noted there is a ten-year sunset provision. Mr. Shurtleff was asked to prepare the necessary resolution/local law to present for consideration at the next Public Safety meeting.*

#### Request for Information

*Mr. Stevenson requested that the full Legislature receive a presentation on the changes in the retirement system and what they mean to Tompkins County. Mr. Mareane said he will provide information to the full Legislature.*

#### Liaison Assignments

There were no liaison assignments.

#### Appointments to Advisory Boards

An appointment to the Family Court Advisory Council was presented; however, no action was taken as the individual was not a Tompkins County resident.

#### Approval of Minutes of June 15 and July 7, 2009

It was MOVED by Mr. Sigler, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to approve the minutes of June 15 and July 7, 2009 as submitted. MINUTES APPROVED.

#### Adjournment

The meeting adjourned at 4:20 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office