

**Public Safety Committee**  
Regular Meeting Minutes  
**Monday, August 2, 2010 3:30 PM**  
Scott Heyman Conference Room

Approved 10-4-10

Attendee Name	Title	Status	Arrived
Nathan Shinagawa	Chair	Late	3:38 PM
James Dennis	Member	Present	
Leslyn McBean-Clairborne	Member	Late	3:53 PM
Brian Robison	Member	Present	
Peter Stein	Member	Present	

Staff: C. Covert, Clerk of the Legislature; P. Meskill, Sheriff; J. Hughes, W. McDermott, Assigned Counsel; L. Shurtleff, Emergency Response; T. Parsons, City of Ithaca Deputy Fire Chief; M. Lynch, Public Information; P. Buechel, Probation and Community Justice Director; J. Mareane, County Administrator

Legislator: M. Robertson, Chair of the Legislature

Guests: R. Drumsta, Ithaca Journal Reporter, J. Carey, WHCU

**Call to Order**

The meeting was called to order at 3:33 p.m. by Mr. Dennis.

**Changes to Agenda**

There were no changes to the agenda.

**Assigned Counsel Program**

Report or Discussion Item (DOC ID: 2133): Indigent Legal Services

Ms. Hughes reported the Governor has created a new Office of Indigent Legal Services that will be responsible for overseeing and improving the quality of legal representation provided to indigent defendants in New York State. A 15-member Board is being established by the Governor and \$3 million was provided to develop guidelines and take over the defense of indigents. It will mean a lot more work locally and putting together data and applying for grants.

Mr. McDermott said in addition to the amount of work that will be required, there are a number of formulas for the distribution of monies based on various factors. The purpose of this is to improve programs that do not meet the standards. Tompkins County is in good shape as the program meets or exceeds the standards set by the American Bar Association. Mr. McDermott expressed concern with the creation of this office and how much work it will involve. He also is concerned that counties will be penalized and money not granted if programs meet or exceed the standards.

Mr. Shinagawa arrived at this time.

Mr. Stein said oversight is a good thing and would not consider it as being penalized if the County did not receive funding because it was meeting or exceeding standards. It is not unusual for funds to be used to improve programming.

Ms. Hughes said that is not what they were told in 2004 and over the years the rates have increased with no additional funding received.

Ms. Hughes noted that Mr. Mareane was nominated to serve on this Committee by NYSAC (New York State Association of Counties).

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**Chair's Report**

Mr. Shinagawa said he did not have a report.

**Sheriff's Office**

Report or Discussion Item (DOC ID: 2117): June Jail Statistics

Mr. Meskill said from the jail perspective, it is doing quite well. Only two to three inmates are currently boarded out due to their classification.

**Report from the Sheriff**

Mr. Meskill reported that over the last 5-6 months, they have been working on new menus in the Jail and he believes it is saving approximately \$500-\$800 per week. On the law enforcement side, they are extremely busy. There are some major cases under way and they are sharing resources with the City and State Police. He reported that burglaries are down substantially from 2009. Last Fall, a program using community tactics (eyes and ears) was put together and piloted in a couple of neighborhoods being hit hard with burglaries. One of the tactics is having someone call 911 if they see someone driving around the neighborhood for more than five minutes.

The Department's annual report will be complete and available in the next couple of weeks. He spoke of the Governor's safety work program and said two to three specific areas were targeted and selective enforcement used for real traffic violations has proven to reduce accidents and injuries.

Ms. Wilkinson commented on the program Mr. Meskill spoke about above with regard to burglaries and she believes that with the system in place and citizen involvement has helped reduced the burglaries.

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**Department of Emergency Response**

Mr. Shinagawa referenced a memorandum from Lee Shurtleff concerning the alarm system and said if Committee members have questions they should direct them to Mr. Shurtleff.

**Department of Probation and Community Justice**

Resolution (DOC ID: 2135): Authorization to Accept an Award of a Grant from the Sixth Judicial District of the New York State Unified Court System

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	James Dennis, Member
<b>SECONDER:</b>	Brian Robison, Member
<b>AYES:</b>	Nathan Shinagawa, James Dennis, Brian Robison, Peter Stein
<b>EXCUSED:</b>	Leslyn McBean-Clairborne

WHEREAS, the Probation Director has been notified of a two-year grant award in the amount of \$14,400 from the Sixth Judicial District of the New York State Unified Court System for providing Electronic Monitoring/GPS services to the Tompkins County Sex Offense Compliance Court, now therefore be it

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RESOLVED, on recommendation of the Public Safety Committee, That the grant in the amount of \$14,400 from the Sixth Judicial District of the New York State Unified Court System for providing Electronic Monitoring/GPS services to the Tompkins County Sex Offense Compliance Court be accepted and that the County Administrator or his designee execute all contracts related to this award,

RESOLVED, further, That the Director of Finance is directed to make the following adjustments to his books for 2010:

BUDGET ADJUSTMENT

Revenue:	A3141.43389	Other Public Safety Aid	\$9,000
Appropriation:	A3141.54442	Professional Services	\$9,000

**SEQR ACTION:** TYPE II-20

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Ms. McBean-Clairborne arrived at this time.

Ms. Buechel provided a brief update on the recidivism data regarding the Felony Drug Court and the Ithaca Community Treatment Court programs. The Division of Criminal Justice Services (DCJS) no longer prepares reports and runs data for a specific county request. However, they will allow an approved researcher to have access to their records for the purpose of obtaining data for a specific study. After obtaining the details of the application process, Deana Bodner applied for researcher status with DCJS and was approved. The Probation Department was able to obtain a Letter of Support for the recidivism study with State Director Robert Maccarone, which granted the study a waiver of the fees that DCJS normally charges for access to their data. At the present time, they are awaiting a formal written agreement between Ms. Bodner and DCJS. Upon receipt of this agreement, a request can then be made to the Office of the Court Administration to release the NYSID information of all Drug Court participants to DCJS. Once this information is released, Ms. Bodner will then be able to begin her research. In the meantime, the Department has started examining their files for a control group to compare against the drug court population. This will likely be a lengthy process and goes beyond the current staff's capacity.

**District Attorney**

Resolution (DOC ID: 2144): Appropriation from Contingent Fund to Cover Expenses Related to Prosecution of High-Profile Cases - District Attorney

Ms. Wilkinson explained that during the budget process last year she said that her budget was cut 6.4% in the prior year. One of the items not funded was the professional services line for high profile cases. Instead she had stated she would request funds from the Contingent Fund when needed. Another item not funded was for animal cruelty cases or holding onto animals as evidence.

Ms. McBean-Clairborne asked if the money requested for the SPCA was included in the contractual agreement the County has with the agency. It was noted that this request is in addition to the contract the County has which is for Feral cats.

In response to Mr. Robison, Ms. Wilkinson said she believes but will confirm that there are judgments against the defendants and that they are unable to pay restitution. Ms. Buechel also believes they are both on probation.

Ms. Wilkinson confirmed that the services outlined in the resolution have been incurred and money spent.

<b>RESULT:</b>	<b>RECOMMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	James Dennis, Member
<b>SECONDER:</b>	Brian Robison, Member
<b>AYES:</b>	Shinagawa, Dennis, McBean-Clairborne, Robison, Stein

WHEREAS, expert witness testimony was obtained to facilitate the County's prosecution in the recent murder trial of Blazej Kot, and costs were incurred as Mr. Kot was held in a Pennsylvania jail after his arrest, and

WHEREAS, outside counsel from the Chemung County District Attorney's office was obtained to investigate the death of Shawn Greenwood, and in putting the case into the Grand Jury costs were incurred for several expert witnesses, and

WHEREAS, the Tompkins County SPCA provided care to 100 animals seized during a search warrant of a home in Caroline, and held the surviving animals as evidence to assist in prosecution of the County's case, and

WHEREAS, the County has been billed by Dr. Gary Horwitz, for expert witness testimony in the Kot trial in the amount of \$17,800, and billed by the County of Bradford (PA) Correctional Facility in the amount of \$7,973.92, and

WHEREAS, the County has been billed by Dr. James Terzian, for testimony in the Greenwood Grand Jury investigation in the amount of \$51.00, and billed by Dr. Anthony Pinizzotto for forensic consultation and testimony in the Greenwood Grand Jury investigation in the amount of \$7,309.30, and billed by CRT Less Lethal, Inc., for forensic analysis of tasers in the Greenwood Grand Jury investigation in the amount of \$2,137.50, and

WHEREAS, the County has been billed by the Tompkins County SPCA, for expenses associated with the housing and treatment of animals seized in a search warrant in the amount of \$17,856.00, and

WHEREAS, payment is now due for all invoices, now therefore be it

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

FROM:	A1990.54400 Contingent Fund	\$ 53,127.72
TO:	A1650.54442 Professional Services	\$ 45,153.80
	A1650.54479 Extradition	\$ 7, 973.92

**SEQR ACTION:** TYPE II-20

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**Report or Discussion Item (DOC ID: 2149): Progress Report Emergency Preparedness to Gas Drilling in Tompkins County**

Mr. Parsons said he was approached by Ric Dietrich, Member of Tompkins County Council of Governments, and was asked questions relative to gas drilling and the impact on the community and how the fire department would respond to chemicals spills. Mr. Parsons said some members of the Fire Department and the Hazardous Materials team began gathering information and met with Lycoming County, PA, public safety representatives and representatives from drilling companies. Lycoming County is approximately 1,200 square miles with a population of 120,000. Gas drilling began in that county in 2008 and the industrial and commercial aspects of the economy has changed significantly since that time.

Mr. Parsons distributed copies of information from the Community Gas Exploration Task Force of Lycoming County, PA. He believes this is a great model for this County in its planning. He said that although there may be negative reports about gas drilling, there a number of positives too. In Lycoming County they have seen a "boom" in economic development such as rail, airport, infrastructure, etc. There is also a good relationship between the County and the industries and have been very responsive to the concerns and problems raised. He commented that with all the impacts he saw in Lycoming County, he also saw there were opportunities to offset some of those impacts. In Tompkins County, as far as emergency response, he would like to work at the committee level very similar to what Lycoming County did for example in establishing a task force and subcommittees.

In response to questions about accidents and crimes reported, Mr. Parsons said there have been no reported hazardous material spills to date in Lycoming County. As far as the public safety aspect, there is

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an issue with crime because there are more people. The types of crimes include traffic violations, DWI's, etc.

He commented that Tompkins County is much different than Lycoming County, but being prepared and planning is going to be important when gas drilling arrives.

Ms. Robertson commented on the amount of work being done by municipal officials and suggested that Mr. Parsons may want to attend a meeting of the Council of Governments task force on gas drilling.

Mr. Shinagawa said he will send Committee members a copy of an article from the Journal of Sociology that outlines interviews of two communities in Texas concerning gas drilling: one community that dealt with gas drilling for on a short-term basis and one community that has dealt with it for ten years.

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**Report or Discussion Item (DOC ID: 2108): Review of Program Impact Statements**

At this time the Committee reviewed the Program Impact Assessment forms for the following departments:

- Assigned Counsel
- District Attorney – updated form distributed
- Emergency Response
- Probation and Community Justice
- Sheriff's Department

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**Appointment (DOC ID: 2102): Emergency Communications Review and Oversight Committee**

Appointment of C. Thomas Parsons – City of Ithaca Fire Department representative (term expires December 31, 2011)

<b>RESULT:</b> RECOMMENDED [UNANIMOUS] <b>MOVER:</b> Brian Robison, Member <b>SECONDER:</b> James Dennis, Member <b>AYES:</b> Shinagawa, Dennis, McBean-Clairborne, Robison, Stein
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**Minutes Approval**

It was MOVED by Mr. Stein, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote, to approve the minutes of the June 30, 2010, and July 20, 2010, as submitted.

**Adjournment**

The meeting adjourned at 5:23 p.m.