

**Public Safety Committee
September 2, 2004
2 p.m.
Scott Heyman Conference Room**

Approved

Present: B. Blanchard, M. Robertson, G. Totman, L. McBean-Clairborne, M. Koplinka-Loehr
Staff: S. Whicher, A. LeMaro, P. Meskill, W. Skinner, S. Cook, L. Shurtleff, L. Hurd
Legislators: D.Kiefer
Guests: J. Buck, Jacobs Facilities; A. Tutino, Ithaca Journal; O. Mack, OAR

Called to Order

Ms. Blanchard called the meeting to order at 2 p.m.

Changes to the Agenda

The Committee agreed to add to the agenda a discussion on the Criminal Justice Advisory/Alternatives to Incarceration Board and an approach to deal with information and data that has been submitted.

Privilege of the Floor by the Public

No member of the public was present to speak.

Discussion of Remaining Budget Issues

There were no remaining budget issues brought before the Committee. Mr. Koplinka-Loehr, Budget and Capital Committee Chair, briefly reviewed the upcoming budget process and said the Expanded Budget Committee will discuss the Capital Program on September 17 and 28.

CJA/ATI Evaluation Report

The Committee briefly discussed the benefit-cost analysis of the Day Reporting Program that was prepared by Masters in Public Administration students at Cornell. Although concerns were raised relating to the data contained in the report, the Committee expressed its appreciation for the time and effort that were dedicated to the project.

CJA/ATI Data Request

Mr. Whicher said the charge given by this Committee to the Criminal Justice Advisory/Alternatives to Incarceration Board was to analyze existing data sources to determine what is readily available that could assist the Public Safety Committee to understand fluctuations in the jail population. He provided a brief overview of the advisory board's findings:

- a. There is a myriad of data readily available. The primary issue is assembling the data from the various sources, then analyzing the data and putting it in a comprehensive report.
- b. CJA/ATI believes that a comprehensive report, which assembles the data in a logical manner, will provide significant insight regarding the fluctuations in the Jail population. Note, the cause may simply be the increasing age of the general population, or the like.

The Advisory Board has identified a number of data sources, including: Jail, District Attorney, Department of Probation and Community Justice, SJS and Crimes, U.S. Bureau of Census, and the NYS Division of Criminal Justice Services. A list of questions for each of those data sources was also compiled by the advisory board. Mr. Whicher stated the proposal being put forward by the Criminal Justice Advisory/Alternatives to Incarceration Board is to develop a comprehensive study that answers the questions they have outlined and also analyzes the arrests and disposition of cases for the last five years.

Ms. Cook, Chair of the CJA/ATI Board, stated there is a lot of information available and that most questions compiled by the group could be answered. She noted there are some questions that are philosophical and therefore, would have no single answer.

Ms. Blanchard said if this Committee were to request the CJA/ATI to proceed with gathering information, it should be done with a purpose.

Ms. Robertson asked if there is some way to come up with a projection that would help anticipate the numbers before the Legislature has to make a decision about the Jail. Mr. Whicher noted that any number selected will be a best-guess estimate. He said he would like to focus on making sure the County is doing everything it can to keep the population at the Jail down while also making sure the community is safe.

Mr. Koplinka-Loehr said he feels the Committee would like CJA/ATI to proceed, however, there should be some prioritization to its work. He asked that the initial look be directed towards the bail issue.

Mr. Totman recalled that when the current Public Safety Building was constructed some legislators went against the State's recommendation and built a smaller facility. He said that decision is now costing the taxpayers and he does not want to do the same thing to the next generation.

Ms. Robertson said she is interested in receiving more information on recidivism and how many of the current inmates have been in Jail before and the number of times. She would like to know if there is a way to compare those figures to before 1999 when there were no drug courts. She felt it would also be useful to know how many, if any, drug court participants have been back in jail.

County Administrator's Report

Mr. Whicher reported he just received notification from the federal government on the CISNET program. He said by spending \$120,000, Tompkins County has saved \$400,000 in potential liability costs related to this project. He commended Norma Jayne and the Information Technology Services Department on their hard work.

Mr. Whicher also reported he received a communication relating to the 911 Committee. He said a request has been made that the 911 Committee be increased to include a resident of West Danby to ensure adequate representation.

Public Safety Building Discussion

Ms. Blanchard said some additional responses were prepared to address to questions that were asked at the last meeting. At this time the Committee reviewed those questions and answers.

Ms. Blanchard said she would be interested in seeing how OAR feels about the impact of boarding out on families and inmates and asked Mr. Mack to respond to this as soon as he was able.

Ms. Robertson questioned whether replacement of HVAC would require approval from the Commission of Correction. Ms. Blanchard said it is not clear at this point whether the Commission's approval would be necessary for that type of work.

Ms. Robertson stated the average daily population figures shown in the table presented to the Committee are different from those contained in the Sheriff's Annual Report. She communicated how important she feels the adequacy of those numbers are and asked the Sheriff to check on those and verify if the figures contained in his annual report were accurate. She also stated that she made calculations on the potential for boarding-in and what the revenues might be and that her figures were different than what was presented to the Committee. Ms. Blanchard asked Ms. Robertson to prepare her figures and the Committee would accept those calculations.

Ms. Blanchard asked Mr. Buck what the cost would be to just address space issues and the need for renovation in the non-jail side of the building. Mr. Buck said the County could consider talking about doing the construction sequence differently, beginning with administrative side first.

Mr. Buck explained a possible two-phase project with the first phase being focused on the law enforcement side of the building with additional housing in the Jail being built at a later date. He said Jacobs could probably produce a scheme that would do that for approximately \$7 million. However, the problem with doing is that it creates design changes. He said if issues such as shared access for staff and shared vehicular sally port could be worked out, the County could proceed with construction of only the law enforcement side of the building.

Mr. Buck did not rule out any approval review being required by the Commission of Correction; however, he said Commission approval is not required for work being done on the law enforcement side of the building.

Ms. Blanchard called on the Committee to bring this issue to a recommendation to move forward to the full Legislature.

It was MOVED by Mr. Koplinka-Loehr, seconded by Mrs. McBean-Clairborne, to forward "Option 6B Phase I, in the amount of \$8,496,842" to the full Legislature.

Mrs. McBean-Clairborne asked that Mr. Buck make it clear that Jacobs can design in a way that if it comes time that when the County can afford to do something with the Jail side of the building that there would be a way to incorporate the Jail side.

Mr. Buck recommended submitting the entire plan to the Commission of Correction. He said the Legislature could express the option as what it wants to do; however, the County cannot afford it now but plans to move in that direction.

Mr. Totman spoke in opposition to the motion. He said a consultant was hired to provide direction on this issue and now a motion has been made in this Committee that does the opposite of what that consultant has recommended.

Ms. Robertson said she is opposed to the motion because it means spending \$8 million without preserving the variances. She said this option does not solve the HVAC or housing problem.

Mr. Whicher cautioned the Committee against moving forward with Option 6 because of the associated staffing costs. He said by selecting this option the County would be locked into those ongoing staffing costs.

A voice vote on the motion resulted as follows: Ayes – 1 (Koplinka-Loehr); Noes – 4 (Blanchard, McBean-Clairborne, Robertson, and Totman). MOTION FAILED.

The Committee discussed Ms. Robertson's suggestion of narrowing the options to two: Do Nothing, which Ms. Robertson said she prefers, and Option 5B – New Housing (136).

It was MOVED by Mr. Koplinka-Loehr, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote, to narrow the options presented to the Committee to two:

Major Rehabilitation
Option 5B – New Housing (136)

It was MOVED by Mr. Koplinka-Loehr, seconded by Ms. Robertson, to recommend to the Legislature the Major Rehabilitation Option as the Committee's preferred option. Mr. Koplinka-Loehr strongly felt that given this Committee's lengthy review of this subject that it should recommend a preferred option to the full Legislature. Mrs. McBean-Clairborne stated she felt because of the large amount of controversy over this subject that the Committee should move both of the options to the full Legislature without stating a preference.

A voice vote on presenting "Major Rehabilitation" as the Public Safety Committee's recommended option resulted as follows: Ayes – 1 (Koplinka-Loehr); Noes – 4. MOTION FAILED.

It was MOVED by Mr. Totman to forward Option 5B (New Housing/136) as the Preferred Option to the full Legislature. MOTION FAILED DUE TO LACK OF A SECOND.

The Committee will present both of the options above, along with a resolution for the full Legislature's September 21 meeting.

Ms. Blanchard asked Mr. Buck to develop information on what each of the options actually accomplish.

Ms. Robertson asked for correct and updated average daily population figures and that information on as much of 2004 also be included.

Chair's Report

Ms. Blanchard had no report.

Approval of Minutes of July 9 and August 5, 2004

It was MOVED by Ms. McBean-Clairborne, seconded by Ms. Robertson, and unanimously adopted by voice vote, to approve the minutes of the August 5, 2004 meeting. The minutes of the July 9, 2004 meeting were withdrawn.

Adjournment

The meeting adjourned at 3:44 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office