



MINUTES
JUDICIAL & PUBLIC SAFETY COMMITTEE
Wednesday, January 8, 2020, Chambers followed Planning

CALL TO ORDER: By Hon. Andy Dennison, Chair at 6:30 p.m.

MEMBERS: Legislators Keith Batman, Hans Pecher, Heidi Nightengale, Elane Daly,

EXCUSED: Michael Didio and Tucker Whitman

OTHERS: Legislators Ben Vitale, Christopher Petrus, Paul Pinckney, Aileen McNabb-Coleman, Charles Ripley, Trish Kerr, Ryan Foley, County Attorney Christopher Palermo, Director Youth Bureau and Assigned Counsel, Lloyd Hoskins, Emergency Management Director, Amy Russett, Sheriff Brian Schenck, Detective Lt. Frederick Cornelius, Administrator 9-1-1, Denise Spingler, District Attorney Jon Budelmann, Probation Director, Jay DeWispelaere, Suzanne Gauthier, Administrative Assistant, Mary Catalfamo, The Citizen, Heather Petrus, Cayuga Counseling

MINUTES TO APPROVE: December 4, 2019

Keith Batman motioned to approve the minutes of December 4, 2019, 2nd by Elane Daly. All members present voted in favor, passed.

APPOINTMENTS:

Policy Review & Oversight Committee (PROC)

Jeremy VeVone, 15 Third Ave., Auburn, NY 13021, Term – 1/1/16 to 12/31/20 (New appt.)

Elane Daly motioned to approve the appointment and move to the Legislature for approval, 2nd by Keith Batman. All members present voted in favor, passed. January 8, 2020.

DEPARTMENT UPDATES FOR COMMITTEE:

• **Denise Spingler (911) –**

- Policy Matters for Committee – 911
 - 2019 SIEC Grant received 755,380 (Jan 2020-Dec 31,2021)
 - Grant Reporting due 1/31/20
 - 2019 Statistics:
 - 164,768 calls answered
 - 35,703 911 calls
 - 80,190 Calls for Service
 - Busy Bee Award – Shelly DelFavero (11,181)
- Emergency Communications System
 - New microwave project completed

• **Additional Updates**

Denise Spingler stated the 2019 SEIC goes for maintenance of the emergency communications center. Grant reporting is due at the end of the month and call volumes continue to increase. No resolutions for January.

• **Lloyd Hoskins (Assigned Counsel/Stop DWI) – No updates**

• **Additional Updates**

Director Hoskins stated staff will be preparing the Annual Report for the February meetings. Preliminary numbers for 2019 are up over 100 cases for 2019. 2062 cases for Courts: City, County, Family, Justice, Appellate Division as well as Parole Revocation/Appals. Significant increases have been seen from the assigned City cases.

The Bill for Pre-Arrest Detention was signed on December 17th by the Governor. The central arraignment program at the Public Safety Building (PSB) will begin at the beginning of February. Staff will be scheduling an Attorney and a Justice at 7 a.m. and 7 p.m. at the PSB. All information from the arraignments will be distributed to the local courts. With the new regulations attorneys will need to be assigned with all appearance tickets in local courts.

Legislator Ripley inquired about transportation to the local courts. The Sheriff would transport to Jail only if needed; otherwise the defendant would be on their own get to the assigned local court.

- **Dr. Adam Duckett (Coroner) – No updates**
- **Jon Budelmann (District Attorney) – No updates**

RESOLUTIONS:

District Attorney gave an overview of the requested positions. (Confidential Secretary and Assistant DA) due to the increased work load with the new Discovery and Bail Reform requirements. The committee continued discussions on the possibility of other positions which may be needed in the near future to accommodate the new Bail Reform regulations in regards to public safety

1-20-JP-6 Authorization to create and fill full-time Support Staff (Confidential Secretary to DA) position in the District Attorney's Office together with setting the salary

Elane Daly motioned to approve and move resolution 1-20-JP-6, 2nd by Heidi Nightengale. Discussion: The committee discussed the duties and complexities of the position along with budget elements for the requested full time Confidential Secretary position. The 2020 Budget currently is funded for a part time position; yet the resolution is requesting a full time position. If the requested full time position is approved; amendments would need to be identified as to where the additional funds would come from to fund the full time position and also will need to be approved by 2/3 vote of the Legislature.

Legislator Daly motioned to amend the resolution to hire two part time Confidential Secretaries in the District Attorney's office along with reference where the funds needed will come from, 2nd by Heidi Nightengale. Discussion: The committee continued to discuss procedures on how to fill the requested positions. Whereas a Part Time Confidential Secretary is currently funded, Attorney Palermo stated the resolution could be amended back to part time as an authorization to fill, or a new amended resolution to ask to fill two Part Time positions would then be amended and forwarded to Ways and Means with the additional funding referenced. All members present voted in favor of the amendment, passed.

1-20-JP-7 Authorization to create a full-time Assistant District Attorney position in the District Attorney's Office and setting the salary

Andrew Dennison motioned to approve and move resolution 1-20-JP-7, 2nd by Hans Pecher. Chair Dennison inquired about the current vacant ADA positions. DA Budelmann further described the details of the current vacant positions and the proposed new position.

Members Andrew Dennison, Hans Pecher, Heidi Nightengale, Elane Daly, Legislator Batman opposed, passed

The committee further discussed the County's procedures on the proper completion of resolutions when requesting positions to be filled. As the 1-20-JP-7 passed, Attorney Palermo requested direction on how to proceed to modify the resolution to be completed with the necessary funding information prior to Ways and Means.

- **Additional Requests**

DA Budelmann presented and overview on the two additional resolutions which had not been submitted to the committee.

- One resolution was to pay additional funds to the current part time Crimes Against Revenue Program Grant (CARP) DA. Discussion continued whereas the County currently the does not pay overtime/comp time to non-bargaining positions.

Keith Batman motioned to instruct the County to submit for reimbursement from the grant for the value of the time actually spent to perform and administer the grant, 2nd by Andrew Dennison. All members recommended to approve the motion, passed.

- The second resolution request was to create two half time positions from the Adventfs program's revenue. Chair Dennison requested the DA to correct the proposed resolution, with discussion with the Budget Officer and bring to next month's meetings.

- **Amy Russett (Fire/EMO)**

- "Winter Storm Amy" Tabletop Exercise scheduled for January 23rd @ 9am in the Cayuga County EOC – all Legislators are welcome to attend

- **Additional Updates**

- Staff will be starting the Lakeshore Flood Plan.
- The Deputy Director position has been posted and will be reviewing the applications
- Fire Advisory Board Meeting is scheduled for Monday evening January 13th.
- Director Russett will be traveling to meet the Town Supervisor and Village Mayors to determine their needs/concerns throughout the County.

- Authority Having Jurisdiction (AHJ) Mutual Aid Agreements will need to be updated annually.
- Chair Dennison inquired about the equipment inventory contained within the trailers/vehicle throughout the County.

Director Russett stated will be working on an updated equipment inventory of the trailers, vehicles and training tower to determine whether inventory can be disbursed and what items will need to be purchased.

- **Jay DeWispelaere (Probation) – No updates**

RESOLUTION:

1-20-JP-5 Authorizing the Probation Department to enter into a contract with Cayuga Counseling to provide all pretrial release services

Director DeWispelaere explained the resolution will create a new line item in the Probation Department’s Budget to contract services with Cayuga Counseling related to Pre-Trial Release for Adults mandated by the Bail Elimination Act.

Heather Petrus, Cayuga Counseling Executive Director presented an overview of the status of the pre-release monitoring efforts due to the new mandates. Nine individuals were referred for monitoring: seven remain with two on electronic monitoring and five under regular supervision. Director Petrus reviewed the required milestones of the alternative to incarceration program. Since December 27, 2019 Cayuga Counseling have been referred more individuals than all of 2019. The committee discussed the amount of defendants which were released from the Jail due to the new mandates.

Elane Daly motioned to approve and move resolution 1-20-JP-5, 2nd by Heidi Nightengale. Discussion: Tracking information should continue to be presented to the Legislature to keep informed of the expenses spent to date for the program. All members present voted in favor, passed.

- **Brian Schenck (Sheriff) –**

- Members of our agency have begun following the new state mandates to release criminal offenders with appearance tickets for numerous violations, misdemeanors, and felonies that are not qualified as “violent” offenses as well as the violent offenses of Burglary 2nd (dwelling) and Robbery 2nd (aided by another).
- We have scheduled collective bargaining utilizing Facilitated Intensive Negotiations (FIN) on January 27th through the 29th with the Deputy Sheriff’s Police Association (Patrol Union). Their collective bargaining agreement expired on December 31st of 2019.
- We have scheduled collective bargaining utilizing Facilitated Intensive Negotiations (FIN) on February 24th through the 26th with the Sheriff’s Employee’s Association of Cayuga County (Custody Union). Their collective bargaining agreement expired on December 31st of 2018.
- The first meeting of our newly formed Crisis Intervention Team will take place on January 9th. This collaborative effort between law enforcement and multiple disciplines that serve those in need of mental health treatment will seek to better serve those dealing with mental health issues as well as reduce the need for law enforcement responses.
- Our labor counsel is continuing to work with the Deputy Sheriff’s Police Association’s Counsel to draft an agreement relative to the new Special Patrol Officer / Student Resource Officer position that we would like to offer to area school districts.
- The Sheriff and Administrative Staff have been looking at options to update our 556 page policy and procedure manual. With continually changing laws, mandates, and best practices, it is crucial and challenging to maintain current policy and procedure.
- A third group of inmates (6) graduated from our Thinking for a Change Program in the jail. This program works to change how those that attend handle situations and reduce recidivism. We are hoping to add additional programming in the coming year to continue working on crime reduction strategies from the jail.

- **Additional Updates**

- Sheriff Schenck will be submitting an annual report to include December numbers.
- Jail numbers: 20 -25 inmates had been released due to the new mandates. Last year had 79 pre-sentenced inmates, as of January 8th the Jail has 51, 28 fewer than last year. The Jail’s population is at 122 with a total available spots of 214.
- Division of Corrections states would need a minimum staffing of 95, currently have 97. Federal inmates’ numbers are at 45.

Chair Dennison inquired about whether a staff analysis would be requested during a specific timeframe. Sheriff Scheck suggests to continue to review the numbers during the year to determine how the new regulations will affect the jail numbers going forward.

- Law Appreciation Day is January 9, 2020.

- Crisis Intervention Team will have the first monthly meeting on January 9th.

Chair Dennison inquired about the tracking of the recidivism rates within the system. Sheriff stated the new Transition Coordinator will be tracking the individuals coming into and being released within the judicial system.

RESOLUTIONS:

- 1-20-JP-1 Authorizing the Sheriff's Office to set a fee schedule for the acquisition, amendment and transfer of New York State Pistol Permits
- 1-20-JP-2 Authorize the Sheriff to fill one vacant SRO position in the Cayuga County Sheriff's Office
- 1-20-JP-3 Authorizing the Chairman of the Legislature to accept a grant from the New York State Governor's Traffic Safety Committee
- 1-20-JP-4 Authorize the Sheriff to fill one Deputy Sheriff in the Law Enforcement Division of the Cayuga County Sheriff's Office

Keith Batman motioned to bundle to approve and move resolutions 1-20-JP-1, 1-20-JP-2, -1-20-JP-3, 1-20-JP-4, 2nd by Heidi Nightengale. All members present voted in favor, passed.

EXECUTIVE SESSION

Keith Batman motioned to move into Executive Session to discuss contractual negotiations, at 8:15 p.m., 2nd by Andrew Dennison. All members present voted in favor of the motion, passed.

Hans Pecher voted to come out of Executive Session, 2nd by Keith Batman at 8:20 p.m. All members present voted in favor of the motion, passed.

1-20-JP-8 Authorize the Deputy Sheriff's Police Association (DSPA) to enter a Memorandum of Agreement to staff Patrol Officers at School Districts to serve as School Resource Officers

Keith Batman motioned to approve and move resolution 1-20-JP-8, 2nd by Elane Daly. All members present voted in favor, passed.

LEGISLATURE:

1-20-LEG-1 Supporting NYSAC'S advocacy efforts in connection with recent changes to the bail and discovery laws

Elane Daly motioned to approve and move resolution 1-20-LEG-1, 2nd by Keith Batman. All members present voted in favor, passed.

ADJOURNMENT: Wednesday, February 12, 2020 to follow Planning

Heidi Nightengale motioned to adjourn the Judicial and Public Safety Meeting at 8:23 p.m., 2nd by Elane Daly. All members present voted in favor of the motion, passed.