



**MINUTES**  
**JUDICIAL & PUBLIC SAFETY COMMITTEE**  
**Wednesday, April 8, 2020**  
**Live Streamed**

**CALL TO ORDER:** By Hon. Andy Dennison, Chair at 6:55 p.m.

**MEMBERS:** Legislators Tucker Whitman, Keith Batman, Elane Daly, Michael Didio, Heidi Nightengale

**EXCUSED:** Legislator Hans Pecher

**OTHERS:** Legislators Trish Kerr, Tim Lattimore, Ryan Foley, County Attorney Christopher Palermo, Director Youth Bureau and Assigned Counsel, Lloyd Hoskins, Sheriff Brian Schenck, Administrator 9-1-1, Denise Spingler, District Attorney Jon Budelmann, Probation Director, Jay DeWispelaere, Emergency Management Director, Amy Russett, Administrative Assistant, Suzanne Gauthier

**MINUTES TO APPROVE: March 11, 2020**

Keith Batman motioned to approve the minutes of March 11, 2020, 2<sup>nd</sup> by Elane Daly. All members present voted in favor, passed.

**APPOINTMENTS:** None

**DEPARTMENT UPDATES FOR COMMITTEE:**

- **Denise Spingler (911) –**
  - COVID-19 Update – continuing to screen callers; working on a finalized contingency plan should we experience internal illnesses
  - Connectivity to Oswego – working on final stages of connectivity for Oswego 911 to back Cayuga 911 up if staff can't manage call volumes
  - In discussions with phone vendor to secure VPN laptops allowing staff to potentially work from home if the center reaches critical staffing levels
  - National Telecommunicators' Week April 5-11 .Unfortunately we have to delay our festivities this year
- Additional Updates
  - Staff is continuing to screen callers to determine if anyone in the household has any flulike symptoms, to be able to prepare the first responders for any conditions present at the home when arriving. Also fielding social distancing complaints and County hot line questions.

**DRAFT 9-1-1 RESOLUTION:**

**AUTHORIZATION TO CREATE AND FILL THE POSITION OF 911 DATA ANALYST IN THE CAYUGA COUNTY E-911 CENTER**

Director Spingler presented an overview of the draft resolution in terms of the work load for the new Discovery requirements and costs and duties for the position. Critical staff levels currently exists and staff has not been able to keep up with the large increase in discovery requests.

Michael Didio motioned to move the draft resolution for discussion; 2<sup>nd</sup> by Andrew Dennison. Discussion: Legislator Daly stated with the proposed review of the responsibilities of all new hires, Daly will not be supporting the request at this time. All members opposed, failed.

- National Telecommunicators' Week original scheduled for April 5-11, will be postponed to a later date.
- **Lloyd Hoskins (Assigned Counsel/Stop DWI) – No updates**
  - Additional Updates
    - Director Hoskins stated all arraignments currently are going well and are being done via SKYPE, two times a day at the Public Safety Building. Governor has issued an executive order to process interim Attorney vouchers without Judicial approval, so far the total is \$125,000.
    - The new Discovery laws have been amended and extended for those in custody to 20 days and for those out of custody to 35 days.
    - The new State budget gave an increase for defense services. Legislator Lattimore sked whether crime is down due to the restriction of movement. Director Hoskins stated the majority of the arraignments have been for criminal contempt and violating an existing orders.

○ **Dr. Adam Duckett (Coroner) – No updates**

○ **Jay DeWispelaere (Probation) –**

COVID-19 update;

- 13 of 16 probation staff are working remotely. I am also working remotely this week and will rotate back into the office April 6, 2020. Three staff are scheduled in the office each day; one Supervisor, one Sr. Probation Officer and one clerical staff member. The office is working in three teams, rotating one week on, two weeks off. The on duty supervisor has discretion to send staff home, depending on work load.
- At this point, staff understandably are stressed. Some more than others. Working remotely is new for most of our people, but they have all remarked how productive they are able to be. IT has been great to work with and most staff are now fully integrated into the county network. Staff have also been very adaptable when it comes to changing work flow procedures and inventing new ways to do business.
- Probation Officers continue to work in the community, making limited contacts with individuals sentenced to probation. Officers have adapted their usual procedures to enhance their safety and to remain well outside of social distance. All department vehicles are equipped with first aid kits that include masks, gloves and disinfectant.
- Administrative staff remain in contact using the video conferencing application in the new 8x8 phone system. Friday, April 3, 2020, our administrative unit will have the second weekly conference. We'll have weekly unit meetings until all staff are cleared to return to the office.
- 8x8; the new phone system has been a significant improvement and staff have been quick to explore and make use of its features. Great work to Paul and his IT staff. Probation would not be function at the current level without the support of these individuals. Thanks very much!
- All in all, difficult, but not impossible circumstances. The staff have been up to the task even though most are learning on the fly. Contact with all of our peer agencies in the criminal justice system (DA, CCSO, County, City & local Courts, etc.) has been excellent. While the system is working at a reduced level, there continues to be effective cooperation and communication.

○ Additional Updates

- Probation is working primarily remotely. Officers have maintained a presence in the community. The adult faction has been good; however the juvenile justice side will need further supervision. Probation anticipates when the courts open up, will see a demand on the overtime budgets.

**PROBATION RESOLUTIONS:**

Director DeWispelaere presented an overview of the two resolutions. 4-20-JP-2 is for contract services for Pretrial Diversion services and 4-20-JP-3 is for Alternatives for Incarceration and Community. Not at same level as before the COVID 19. Cayuga Counseling has been providing the services and the resolutions will authorize payment for these services.

**4-20-JP-2** Authorizing the Chair of the Cayuga County Legislature to Enter into an agreement with Cayuga Counseling for Pretrial Diversion Services for the term January 1, 2020 through December 31, 2020

Legislator Elane Daly motioned to move 4-20-JP-2 for discussion, 2<sup>nd</sup> by Heidi Nightengale. Discussion: Legislator Daly inquired whether the volume is the same as years past due to Raise the Age. Daly also inquired whether the contract pricing is based on per service costs or as a total amount not to exceed. Attorney Palermo explained volume is down yet the contract which is proposed at the same fee as last year and payments are processed quarterly. The committee further discussed elements within the contract: is the volume of the work the same and the annual fee for services.

Keith Batman moved to table 4-20-JP-2, 2<sup>nd</sup> by Heidi Nightengale. Discussion. Legislator Whitman prefers to have the further background information be provided before the Ways and Means. Legislator Daly concurred and prefers to have additional information on the change in the volume of cases due to Raise the Age. Heidi Nightengale commented the Pre trial services is research based and the data should be available. The numbers ought to be included on the voucher for payment. Keith Batman also would like further information provided.

Director DeWispelaere further explained that Cayuga Counseling does provide the number of cases serviced during the quarter of which the invoice is requested. DeWispelaere stated the contracts run on an annual basis, where the State funding for this program is due for renewal on July 1<sup>st</sup> and substantial changes may need to be made due the changes in the current elements of the new policies. DeWispelaere stated staff will be able to provide the additional information requested. The Alternative to Incarceration committee is responsible for the elements within these contracts. The committee will need to meet to discuss whether the State will make any program and/or any funding changes to these programs.

Keith Batman offered to remove the motion to table and offered an amendment to remove dates of terms, amount of term, dollar amount and remove budget account information and mark as Draft. 2<sup>nd</sup> by Tucker Whitman. All in favor as amended, passed

**4-20-JP-3** Authorizing the Chair of the Cayuga County Legislature to Enter into an agreement with Cayuga Counseling for the Alternative Sentencing Program for the Term January 1, 2020 through December 31, 2020

Tucker Whitman motioned to approve and move 4-20-JP-3; 2<sup>nd</sup> by Elane Daly Discussion: Legislator Elane requested to get further information prior to the Ways and Means.

Keith motioned to amend the resolution to strike the dates of the contract, amount, terms and budget account information, 2<sup>nd</sup> by Elane Daly. Discussion: Keith would like additional data to make an informed decision before voting. All members present voted in favor of the amendment, passed. All members voted in favor of the Resolution 4-20-JP-3 as amended, passed.

○ **Jon Budelmann (District Attorney) –**

We are very busy, but are doing fine. We welcomed our new Discovery Confidential Secretary Sarah Sears last Monday. My Executive Assistant handled the onboarding process here, with the help of IT, HR, and others. Sarah has been training (since she began last week) on the Prosecutors Case Management System (database) program and her role in assisting the Office with discovery.

The two Sr. ADA's /and two Assistant District Attorneys have taken home files and are working remotely on their laptops/Surface Pro tablets.

My Chief ADA has been working here, but is expecting to work remotely (at least part of the time) as soon as he gets a Surface Pro or Laptop to utilize from home.

The support staff are splitting mornings and afternoons (halving their presence). They too are awaiting the new supply of Surface Pros (in the hopes that some of what they are doing can also be done remotely).

DA Office safety and security

We have closed our office to the public and have tried to minimize police presence in the Office as well. We have installed a mail box/chute so materials can be dropped off securely from the outer lobby (without face to face contact).

We have installed a video doorbell system so we can know when someone is outside the lobby in need of assistance (24/7).

Personally

I have been working here every day, first and foremost on securing the office and health/safety of our employees.

I have been working on getting my resolutions (that passed Judicial and Public Safety in March) passed by the whole Legislature.

This Office needs to refill the two vacant positions—Sr. ADA and Conf. Investigator.

We also need create more assistance to deal with the new criminal discovery statute, and are seeking to create a new Discovery ADA position.

Overall

The support staff is keeping on top of notices, correspondence and motions/discovery as it comes in, uploading it for the ADA's.

The attorneys are preparing discovery and drafting/sending out offer letters on cases.

We are generally trying to prepare for the time when the Courts reopen (and likely crush us with trials and discovery obligations).

○ Additional Updates

The department's work flow has been running fairly smoothly. Administrative support staff have been alternating their work hours. The department is working towards being ready when the courts open back up.

○ **Brian Schenck (Sheriff) –**

- Numerous temporary changes have been implemented at the Cayuga County Jail to combat the spread of illness and Covid-19. Jail visitation, programming, and education have been suspended. There is very limited access to our lobby and facility by the public. An isolation Pod has been established and equipped should we need to isolate inmates. Additional food and supplies is on hand should the need arise to lock down the facility.
  - At the time of this report we have one member out of work recovering from illness after testing positive for Covid-19. Nine additional essential members are also working from home on a temporary voluntary quarantine that did have immediate contact with the individual. The Cayuga County Health Department was consulted and did provide guidance with this situation.
  - Our Patrol Division continues to answer emergency calls for service. For calls that do not require an in person response, complainants are being interviewed via telephone. Patrol members have been advised to limit their exposure to the public as much as possible while still providing public safety services.
  - At the time of this report we are housing 119 inmates in our jail with 43 of those inmates being Federal board-ins. We are maintaining 6 open (budgeted) staff positions in the jail. The Sheriff did advise that he would likely ask to fill 2-3 of these positions in April at the March Public Safety Meeting due to a large volume of Centralized Arraignment Detainees that we had seen in the month of February and early March; however, with the current health situation we have seen a significant drop in pre-arraignment detainees and volume in the Centralized Arraignment Part. At this time we do not want to seek to fill these positions until we recover from the current health pandemic and reassess the need for any additional staff.
- Additional Updates
- The staff whom were impacted by the COVID 19 exposure are doing very well.
  - Initially the department was looking to add two positions; however at this time, being the call volume is down, the Sheriff states he may not need to add the those two positions.

Tim Lattimore asked if the department needs more PPE Personal Protection Equipment (PPE) for the staff: Face Shields, etc. Sheriff explained has enough equipment that he needs at this time. Unless the jail is impacted by an exposure, the status could change.

**SHERIFF RESOLUTION:**

4-20-JP-1 Authorize the Chair of the Cayuga County Legislature and the Sheriff of Cayuga County to enter into an agreement with Global Tel\*Link Corporation for the management, operation, and maintenance of the inmate telephone system at the Cayuga County Jail as well as add electronic tablets.

Tucker Whitman motioned to move 4-20-JP-1, 2<sup>nd</sup> by Keith Batman. No discussion.

All members present voted in favor, no opposed, passed.

○ **Amy Russett (Fire/EMO) –**

COVID-19 Related:

PPE ordering, receiving, distribution – to Hospital, Fire/EMS/Law, Nursing Homes, Adult Care Facilities, Health Department

Hand Sanitizer ordering, receiving, distribution– to Hospital, Fire/EMS/Law, Nursing Homes, Adult Care Facilities, Health Department, any other community facility

Communications - Disinfectant Spray – Auburn Water Plant available for pickup

Communications – State Guidance pass through to all first responders: fire/rescue, law enforcement, EMS transports, hospital personnel, health dept.

Communications with Coroner regarding: coroner support from EMO with PPE and Funeral Director communications (Mass Fatality Planning)

Communications with Human Services group – trying to assist with resources

Communications with Towns/Villages regarding PA (public assistance) from FEMA, answering questions, sending documentation

Taking part in the weekly NYS EMS conference call (Wednesdays)

Conducting twice/week calls with all First Responders in the county (Tuesdays and Fridays) – giving any updates

Communications with NYS EOC personnel regarding tickets we have placed and sending them all information they are requesting

Summarizing daily tasks on official NYS paperwork to prepare for PA requests in the future

Taking part in daily NYS Watch Center calls for PPE updates

Organizing donations coming into EMO and distribution of all donations back out to the communities.

1st Quarter Grant Reporting

SHSP2020 Grant Application in progress

Legislator Lattimore stated residents are inquiring whether the County is testing enough, and whether the length of time required to get the results back is taking too long. Director Russett stated the County received 150 test kits from the State on April 3<sup>rd</sup>. Clients need to be screened by their physicians for symptoms and then referred to the Health department for the scheduling of a test. Currently it has been taking about seven days for results to come back. Director Russett explained the State has a requirement of not to test unless referred by a physician. Health agencies within the County are researching ways to achieve a quicker turn perhaps with more certified labs available. For now the County has enough PPE for the Health agencies, unless a surge in positive cases becomes evident.

The committee briefly discussed how other municipalities and local businesses are managing the supply of needed equipment, tests and sanitizers.

**ADJOURNMENT: Wednesday, May 13, 2020 at 5:30PM**

Keith Batman motioned to adjourn the Judicial and Public Safety Meeting at 7:45 p.m., 2<sup>nd</sup> by Elane Daly. All members present voted in favor of the motion, passed.

Next Judicial and Public Safety Committee is scheduled for May 13, 2020, following the Planning Committee, at the Cayuga County Office Building, Sixth Floor County Chambers, 160 Genesee Street, Auburn, New York 13021

Respectfully submitted, Suzanne Gauthier, Administrative Assistant  
Cayuga County Department of Planning and Economic Development