



MINUTES
JUDICIAL & PUBLIC SAFETY COMMITTEE
Wednesday, September 8, 2021 at 5:30PM
Live Stream Link: <https://youtu.be/z6cyyNzQrWM>

CALL TO ORDER: By Hon. Ben Vitale, Chair called the meeting to order at 5:34 PM

MEMBERS: Legislators Keith Batman, Elane Daly (Vice Chair), Michael Didio, Timothy Lattimore, Heidi Nightengale, and Hans Pecher

OTHERS: Chief Assistant County Attorney Rich Graham, District Attorney Jon Budelmann, Sheriff Brian Schenck, 911 Administrator Denise Spingler, Youth Bureau Director Lloyd Hoskins, Probation Director Jay DeWispelaere, Fire/EMO Director Dale Currier, Computer Systems Technician Dan Lovell, Computer Systems Technician Jeff Gould, Secretary to the Chairperson Max Pinchak, Fred Cornelius

MINUTES TO APPROVE: August 11, 2021, Motion by Batman, 2nd by Nightengale. All in favor.

APPOINTMENTS: None

DEPARTMENT UPDATES FOR COMMITTEE:

- **Denise Spingler (911) –**
 - **Policy Matters for Committee**
 - **911 Database Analyst**
 - Starts 9/7/21
 - **Grants**
 - Nothing New
 - **Emergency Communications System**
 - Old Cato Tower – T/Cato is requesting removal; Rich Graham is working on legal aspects and reviewing request

In regards to the removal of “Old Cato Tower,” Ms. Spingler noted the idea that vendors could potentially remove the tower at no cost but keep any scrap materials as compensation.

- **New Position**
 - Requesting a new position in the 2022 budget; currently have one vacancy; based on 4 year review, added position should not have a significant negative financial impact on budget (salary savings / overtime numbers)
 - I.e. June – August – 83-109 shifts of overtime; 664 – 872 hrs; \$40-\$42/hr OT rate
 - \$26-\$28/ hr straight
- **Lloyd Hoskins (Assigned Counsel/Stop DWI) –**

The Assigned Counsel office is pleased to update the committee with the following items:

- There were **56** “in person” arraignments at the Centralized Arraignment Program for the month of August. The Assigned Counsel office calendared fifteen attorneys to cover the 7am and 7pm arraignments. The attorney cost associated with CAP for August was \$6,775.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.* Of the 56 arraignments, 18 (32%) were for town/village courts and 38 (68%) were for Auburn City Court. 37 (66%) defendants were released (ROR) and 19 (34%) defendants were held on bail or held for other reasons. Of the 56 arraignments, 21 (38%) were brought in on bench warrants.
- There were **64** Counsel at First Appearance for Auburn City Court and **15** Counsel at First Appearance in town/village courts. The Assigned Counsel office calendared fifteen attorneys to cover the “on-call” arraignments. The attorney cost associated with Counsel at First Appearance for August was \$7,350.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.*
- The Assigned Counsel Program made attorney assignments to **73** defendants in Auburn City Court and **16** defendants in justice courts for August. A total of **34** assignments were made in Family Court.

- The August 2021 assigned counsel payments for legal and professional services was \$80,275.04. The assigned counsel payments for parole revocations and appeals was \$623.05.
- Cayuga County was awarded \$3,081,747.39 through the Statewide Expansion of Hurrell-Harring back in early 2019. The Assigned Counsel Office was is currently preparing year three of that budget which is anticipated to be \$616,350.00.

Mr. Hoskins stated the Assigned Counsel office is experiencing a shortage of attorneys. Monroe County has offered to help in the short term.

Mr. Hoskins also stated his office is facing a 30-35% budget cut in the upcoming year as a result of decreased revenue due to the COVID-19 pandemic.

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

Mr. Budelmann noted court dates are currently double and triple booked due to the COVID-19 pandemic. Mr. Budelmann said he anticipates a homicide trial to occupy the next four weeks.

- **Dale Currier (Fire/EMO) –**

HIGHEST PRIORITY
EMS TRAINING

- a. A NYS EMT-B Refresher class has begun with only 7 students. Classes are every Monday and Wednesday with a number of Saturday sessions. The number of students enrolled is not nearly as many as we expected based on the fact that we believe many EMTs are in the last months of their certification extension.

Mr. Currier explained that “7 students” was significantly fewer than the anticipated number.

PLANNING

- a. EMO staff are now starting to reach out to all the municipalities who participated in the revision of the County Hazard Mitigation Plan project in order to have their respective governing bodies formally adopt the plan.
- b. We have been informed by FEMA and NYS DHSES that hazard mitigation project money will become available in early 2022. We do not yet know how much will be available for NYS or Cayuga County.
- c. County Pandemic Response Plan Review – Participated in multi-departmental [County departments] initial plan review since the new plan was adopted last spring. Some updating will be done, based on our recent pandemic response activities and subsequent lessons learned.
- d. NYSEMA Lake District Meeting - Attended the monthly emergency management meeting to discuss new undertakings in various areas of Emergency Management Departments at the local, regional and state levels.

OPERATIONS

- a. Bus Accident: Saturday, August 14. An early afternoon accident on the NYS Thruway involved the rollover of a coach bus on the NYS Thruway. The accident occurred in the westbound lane just west of the Weedsport exit in the early afternoon.
- b. All 57 passengers on the bus were transported by 24 ambulances from Cayuga, Seneca and Onondaga counties to hospitals in Cayuga and Onondaga counties. There were numerous serious injuries, however there were no fatalities. A difficult issue for the responders was the fact that most of the passengers only spoke Spanish.
- c. An after-action review [AAR] meeting is scheduled for September 2,2021, at Sennett Fire Department. The purpose of the meeting is to do a formal debrief of the incident in order to identify lessons learned that need to be incorporated into local and regional Mass Casualty and Mass Fatality plans. Some day-to-day operational activities will also be evaluated to make sure we are still doing the best we can with the available resources.
- d. On September 18 and 19, parts of Cayuga County received almost 8 inches of rain in under 3 days. The resultant runoff from the County watershed and direct inputs into local lakes and rivers cause flash and areal flooding in many areas. EMO staff responded during the all-night incident to proactively monitor the storm progress and conditions, coordinate some local response activities. EMO staff also coordinated various aspects of the inter-agency/department incident communications and decision making with various County, local and NYS agencies and disciplines.
- e. EMO staff are working with the NYS DHSES – Recovery Section and FEMA to provide comprehensive information outreach to property owners, businesses and municipalities on how to register for potential damage funding.
- f. EMO staff are continuing to communicate and support several County departments, multiple municipalities and individual property owners to formally document their damages in the NYS DHSES request for a Presidential

Disaster Declaration from FEMA in order to get some financial relief for direct emergency response costs and uninsured repair costs.

- g. EMO hosted a meeting with the Deputy Fire Coordinators to discuss numerous upcoming activities and issues. Some of the items, such as the purchase of new personal protective equipment [PPE] in the form of new light duty turnout gear, were identified and prioritized for immediate action.
- h. Fire training is continuing in some areas. Some efforts are still being undertaken to more fully determine the scope of work and level of funding needed to bring the Emergency Services Training Center up to where it can be fully used as a modern, one-stop training center for public safety disciplines and non-emergency training for County departments. Fire Coordinators Meeting

- **Jay DeWispelaere (Probation) –**

- **Alternatives to Incarceration Board;**
 - No update at this time
 - Third quarter ATI meeting to be held in September 22, 2021, 2:30 to 3:30 pm in Caucus Room #1
- **Vacant Sr. Typist position;**
 - Interview 09/01/21; decision pending
- **Internship with Probation;**
 - Late in 2019 into 2020 Colleen Miles, a doctoral candidate at University of Rochester participated in an internship with the department in furtherance of her PhD thesis.
 - Ms Miles is a primary educator with AECSD
 - Research focused on transportation and justice involved women.
 - Ms Miles completed her research and successfully defended her dissertation; congratulations Dr. Miles!
 - Colleen’s research will be published in Feminist Criminology
 - Please see attached from Ms Miles regarding her findings
- **COVID;**
 - Department is operating in compliance with current guidelines.

- **Brian Schenck (Sheriff) –**

- At the time of this report we are housing 142 total inmates in our jail. Of those total inmates, 24 are Federal board-ins, 17 NY State Parole Violators that are facing new charges, and 3 Parolees that have been detained for violating their Parole.
- In mid- August four inmates in the jail tested positive for COVID. They had been housed in the same area. As a result, our isolation pod was re-opened and the inmates were isolated to that area. All inmates were tested following the discovering and no additional cases were found. The Health Department did assist us with testing and addressing the incident.
- On August 20, the Sheriff did issue a “no wake” advisory within 500 feet of shore on Cayuga County waterways and lakes due to heavy rainfall and flooding. The advisory remains in effect as water levels remain high in numerous areas. We continue to monitor the situation.
- A Body Worn Camera grant application has been submitted to the Department of Justice as discussed during the full meeting of the Legislature in August. We will provide an update to the Public Safety Committee once we learn if our application is granted or denied.

RESOLUTIONS:

DISTRICT ATTORNEY:

9-21-JP-1 Authorizing the District Attorney to accept a grant from NY State Office of Victim Services to continue the “Victim/Witness Program” which is necessary to comply with legal requirements. **Motion by Lattimore, 2nd by Daly. All in favor.**

SHERIFF: Motion to Bundle 2, 3 & 5 by Pecher, 2nd by Nightengale. All in favor.

9-21-JP-2 Authorize the Sheriff to fill three (3) vacant Sheriff Custody Officer Positions in the Custody Division of the Cayuga County Sheriff’s Office

9-21-JP-3 Resolution authorizing the Chair of the Cayuga County Legislature and the Cayuga County Sheriff to enter into a memorandum of understanding for use of the Cayuga County Sheriff’s weapons range by the New York State Department of Environmental Conservation.

9-21-JP-5 Resolution authorizing Sgt Matthew Sloan to adopt K-9 Aron from the Cayuga County Sheriff’s Office K-9 Unit.

9-21-JP-4 Resolution to establish salaries for Cayuga County Custody (Jail) Nursing Staff within the Cayuga County Jail.
No motion.

ADJOURNMENT: 6:14 PM Motion by Didio, 2nd by Batman. All in favor.

If you have a disability and need accommodations, please call the Clerk of the Legislature's office at 253-1308 at least 48 hours before the scheduled meeting to advise what accommodations will be necessary.