



MINUTES
JUDICIAL & PUBLIC SAFETY COMMITTEE
Wednesday, January 13, 2021 to follow Planning
Live Stream Link: <https://youtu.be/tqU5HJ1s7AE>

CALL TO ORDER: By Hon. Ben Vitale, Chair 7:15 pm

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

OTHERS: Chair Aileen McNabb-Coleman, Legislators Trish Kerr, Paul Pinckney; Christopher Palermo, Brittany Massi, Lacey Bailey, Denise Spingler, Dale Currier, Brian Schenck, Fred Cornelius, Jay DeWispelaere, Lynn Marinelli, Adam Duckett

MINUTES TO APPROVE: December 2, 2020 – Motion by Nightengale 2nd by Daly, all in favor.

APPOINTMENTS: Elane Daly, Vice-Chair

DEPARTMENT UPDATES FOR COMMITTEE:

- **Denise Spingler (911) – electronic**
 - COVID-19 Update
 - One employee out w/ COVID-19
 - 2020 Call Volumes
 - 167,399 calls answered (1.5% increase from 2020)
 - 35,850 – 911 calls
 - 62,226 Calls for Service
 - 911 Data Analyst
 - Working with HR related to filling position
 - Position as designed was approved by Civil Service Commission to manage Discovery and GIS (attached)
 - Job duties would overwhelm a part-time employee
 - Encompassing GIS would alleviate current contract for GIS management
 - Discovery Requests:
 - 78 – January
 - 84 – February
 - 105 – March
 - 90 – April
 - 102 – May
 - 115 – June
 - 134 – July
 - 124 – Aug
 - 135 – September
 - 90 – October
 - 85 – September
 - 90 – October
 - 81 – November
 - 105 – December
- Intrado Refresh – 350k
 - Working with IT
 - Project removed from budget; will be requested to use fund balance
- Training
 - Trainees
 - 3 - Call-Taking training complete

UPDATES: Employee out with COVID has returned to office. Call volumes up 1 ½% in 2020. Also, during 2020 all of the trainees have been able to complete call taking and are doing an excellent job. First time in 15 years that this has happened. Of concern is the 911 data analyst position, which was changed to ½ time in the budget but the position was approved through Civil Service to encompass both GIS and discovery so it cannot realistically be filled on a part time basis due to the workload. Currently they are 300+ behind and can't even try to keep up with a part time person. She has been working with Human Resources on this and will be bringing forth a resolution to convert this to full time, which will give the department significant savings from paying overtime and contractual people doing the work.

QUESTIONS: Lattimore, are the new phone lines dropping any calls and is IT up to date on any issues? Spingler, no current issues but there is a resolution on to upgrade the 8-year-old phone system software. Kerr, brought up a Facebook post about partnering with sheriff's office to assist first responders orient themselves if they are called to a house. Spingler, if someone has a medical condition, such as being bedridden, and they are always in a certain bedroom, there can be an alert associated with the residence so that first responders know exactly where to go upon arriving on scene, also keycode information &/or spare key location, notes about autistic children or kids who wander, where they might be, etc.

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

- There were **66** “in-person” arraignments at the Centralized Arraignment Program for the month of December. The Assigned Counsel office calendared eighteen attorneys to cover the 7am and 7pm arraignments. The attorney cost associated with CAP for December was \$9,050.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.* Of the 66 arraignments, 26 (39%) were for town/village courts and 40 (61%) were for Auburn City Court. 37 (56%) defendants were released (ROR) and 29 (44%) defendants were held on bail or held for other reasons.
- There were **33** Counsel at First Appearance for Auburn City Court. The Assigned Counsel office calendared thirteen attorneys to cover the “on-call” arraignments. The attorney cost associated with Counsel at First Appearance for August was \$5,500.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.*
- The Assigned Counsel Program made attorney assignments to **51** defendants in Auburn City Court and **25** defendants in justice courts for December. A total of **32** assignments were made in Family Court.
- Indigent Legal Services has approved Cayuga County's request for a no-cost one year extension of our Upstate Quality Improvement and Caseload Reduction Grant (\$179,720.00) for case management software (delayed due to COVID).
- Indigent Legal Services has approved Cayuga County's request for a no-cost one year extension of our Second Counsel at First Appearance Grant (\$651,516.30) for the Centralized Arraignment Program and Auburn City Court/County Court Counsel at First Appearance.

- **Dr. Adam Duckett (Coroner) – Called in**

QUESTIONS: Lattimore noted that they had not had an update in a while and noted that through his channel he was aware there had been an upswing in overdoses due to alcohol and drugs through the pandemic and was curious whether those reports were correct. Duckett reports some of the toxicologies are still not back he estimates ending the year with 21 deaths relating to overdoses. Talk correlates people not being able to meet with their programs or have help as readily available in an in-person manner due to COVID and also that people are getting extra money and are better able to finance themselves or encourage others to finance their drug use and habits. Suicides were also up at the end of the year, including a 7 year old. Lattimore asked is there was still room for patients at the hospital. Duckett stated that the hospital did put a statement out stating that they are at capacity and he encouraged Mr. Lattimore to contact the hospital directly with his question although he has not heard that they were not able to help yet but he is sure that it is close. Lattimore said that he was hopeful Ms. Daly would put this in front of the Health Committee and she stated that she would. She also said that the HEALing community study just today stated they had 208 overdoses and 21 fatalities in 2020 compared to 179 overdoses with 9 fatal in 2019. Duckett, biggest issue is opioids are still here only 30% of overdoses are related to opioids. 70 % are from a variety of sources. Molly, for one, cut with other things. Cheaper to heroin and easier to get. Things such as prescriptions out now to help people with opioids addictions but don't do anything for the other addictive drugs. He encouraged the legislators to call if they need anything. Kerr wondered about the numbers for 2020 trending up or down going into 2021. Duckett overdose deaths appear to be trending down and wearing his physician hat regarding suicides he has never seen a community so scared or depressed in his professional career. Batman asked for clarification on comments about the stimulus money having an effect on the increase. Duckett reiterated that from personal knowledge as a private physician he had patients tell him that they used their stimulus money for their drug habits. Restated, people had access to cash that they may never had access to before and some of them chose to use it for drugs.

- **Jon Budelmann (District Attorney) – No updates**

- **Dale Currier (Fire/EMO) – in person**

1. **HIGHEST PRIORITY** - EMO continues to provide direct support for the County Health Department's COVID-19 response:

- EMO has been carrying out a direct operations and logistics role in conducting the asymptomatic testing clinics. The primary clinic location is the Pavilion at Emerson Park. Clinics have been conducted on Tuesdays, Thursdays and Saturdays to test approximately 300 people per day. These clinics are staffed collectively by EMO staff including Deputy Fire Coordinators, the new EMO EMT hires, Health Department screeners, and nurses hired by NYS.
 - EMO staff, working with our temporary hires [EMTs], has conducted 2 small testing clinics in remote locations. Moravia and Fair Haven Fire Departments have allowed us to use their facilities to test about 100 people at each.
 - EMO has successfully obtained PPE specifically for the COVID clinic operations through requests into NY Responds. We will continue to do this as long as testing and potentially as long as vaccinations continue – which according to current predictions could be another 8-9 months.
2. **HIGH PRIORITY** – County Hazard Mitigation [HAZMIT] Plan:
 - The DRAFT Hazard Mitigation Plan update has been posted for the mandatory 30 day public review and comment period. It can be accessed on the County website.
 - We continue to be on-track to submit the Initial DRAFT Plan to NYS DHSES for their review, possibly by mid-February.
 3. **EMS TRAINING** - After much forethought and discussion with the individuals who conduct our EMT training, EMO has reversed a previous decision regarding previously scheduled EMT training. EMO will NOT be hosting the Basic Emergency Medical Technician [EMT] course originally scheduled to start January 2, 2020. To host the class, even virtually whenever possible, would defy all we are asking the public to do to reduce COVID exposures. Although there is a downside to not having new EMTs certified this summer we feel it is much safer for all concerned to cancel this class. We are targeting a re-scheduled class start date for late summer 2021, based on when we believe, based on current information and forecasting, that most people may have been vaccinated. Persons who were registered for the January course will be given the first right of refusal on registration for the next class.
 4. **PLANNING** – EMO is working closely with the Human Resources department and the Chair of the Legislature to gather the information required for developing the NYS mandated County Pandemic Response Plan. This plan requires, in part, input from numerous county departments in order to identify certain “essential” work functions and processes, along with the individual positions that perform these functions, which will be needed to keep county business operating during a pandemic. The first draft must be prepared and ready for review in early February and the final plan must be submitted in April, 2021.

DISCUSSION: Lattimore asked if volunteer fire department personnel will be trained to help give COVID shots? Carrier remarked that that is not currently on the table although they do have EMTs hired as part time employees and some assistance from the Auburn Fire Department.

- **Jay DeWispelaere (Probation) – electronic**

- **Staffing:**

- A long time clerical staff member of the Probation Dept. has retired, creating a vacancy in the department; this individual was essentially the department’s receptionist.
- Due to current operational restrictions in response to COVID, there is no immediate need for this position to be filled.
- The current vacancy will give the department an opportunity to re-examine clerical functions and staff levels.
- Human Resources and Budget Director will be consulted as part of the department’s review.

- **COVID;**

- The Probation Dept. has returned to a reduced staffing model used during this past summer; one administrative staff member, one Sr. Probation Officer and one clerical staff member are in the department daily. There are three such units rotating on a “one week in, two weeks out” basis.
- All staff are using current COVID guidelines in the office; field work remains limited.
- Contacts in the office are limited to scheduled visits and only as necessary; a dedicated interview room has been set up and staff are not holding interviews in personal work areas.
- The department remains closed to walk in business
- Five staff members have been quarantined or isolated due to COVID contacts; no contacts were traced to events within the department. No department staff have developed symptoms to date. All staff are released from restrictions and working full time at this time.

- **Brian Schenck (Sheriff) – electronic**

- All outside services and volunteer programming with the exception of CHAD drug and alcohol treatment and peer support have been suspended in the jail until further notice due to COVID. In person inmate visitation remains suspended as well.

- The Centralized Arraignment Part (CAP) Court was utilized for 66 pre-arraignment detainees in December.
- At the time of this report we are housing 149 total inmates in our jail with 38 of those inmates being Federal board-ins. We also are currently housing 22 NY State Parole Violators that are facing new charges and an additional 9 Parolees that have been detained for violating their Parole. At this same time last year, we were housing 6 NY State Parole Violators that were facing new charges and 8 that had violated Parole.
- The Sheriff's Office continues to partner with Chairwoman McNabb-Coleman, Legislator Daly, the Auburn Police Department, community stakeholders and members on the NY State Police Reform and Reinvention Collaborative – Executive Order 203.
- Ongoing training for staff is becoming challenging due to COVID. We are working on strategies to provide more virtual training that limits the need for in person instruction while reducing training related overtime.
- We are seeing an increase in the number of repeat offenders that are arrested, released at arraignment, and continuing to commit offenses.

UPDATES: Regarding bullet 6. Currently compiling data and looking at the strain on resources and impact on public safety for things they have had to handle in the past year. Highlighting one example of a single individual between December 22 and January 3, involved in 8 separate incidents, including several felonies and multiple misdemeanors, one of which required police pursuit of a stolen vehicle, and arrested and released all 8 times. Also, another case where they were called to the same residence 45 times over the course of last year. There is a need to start documenting cases and bringing them to state representatives to encourage bail reform being addressed and reformed again. There are currently 2 Lieutenants in the road patrol division bargaining unit but tasked with administration and discipline within their unit. Looking to explore the ability for them to break off and form their own bargaining unit. Peter Jones of Bond Schoeneck & King agrees that it is something to be considered.

QUESTIONS: Lattimore asked about in-house AA &/or NA meetings at the jail. Schenck, suspended volunteers from conducting those meetings a few weeks ago due to the spike in COVID but a CHAD therapist is still available, along with peer support so they are working to meet the needs of inmates. As soon as it is safe to do so, they will resume meetings. Kerr inquired about coordination with other counties to look at cases to bring a bigger picture to state reps. Schenck is not aware of any coordinative efforts now, but he is looking to bring it to their Sheriff's Association.

RESOLUTIONS:

911:
 1-21-JP-1 Authorizing the Chairperson of the Legislature to sign a contract with Intrado for maintenance, hardware and software upgrades. **Motion by Daly, 2nd by Nightengale. All in favor.**
 DISCUSSION: Daly confirmed that this was already budgeted for. Spingler shared a frustration that while something of this nature would normally be grant funded, due to COVID, they are still waiting on grant information. Her hope is that once they receive authorization to apply for grant money, it will be approved for use on projects that are already underway to help offset some of the costs. Vitale, is there an option to wait and see if the grant monies become available in the next few months. Spingler, it takes 4 months to go through the purchasing processes which puts installation scheduling for end of May and some of it will already be at end of life usage by that time; therefore, the equipment will no longer be supported by the vendor. Nightengale, asked about fund balance transfer. Marinelli, this was planned for during the budget process. Too early to know where we are for end of year 2020, but the treasurer's report noted that the sales tax did come in a lot better than projected, so should be fine that this was planned for and it needs to be done regardless.

SHERIFF:

1-21-JP-2 Authorizing the Chair of Cayuga County Legislature and the Cayuga County Sheriff to enter into a contract with Black Creek Integrated Systems to upgrade the Cayuga County jail's electronic security systems. **Motion by Nightengale, 2nd by Didio. All in favor except Lattimore.**
 DISCUSSION: Lattimore asked when this was last upgraded and possibly a cost review. Schenck believes it was 2014, electronics and software need to be updated every 6 – 7 years. This one has limped through this year and is beyond traditional upkeep to ensure that it does not go down. Nightengale pointed out that Windows 10 has been around for a long time and what the Sheriff's Office has is antiquated.

1-21-JP-3 Authorizing the Sheriff of Cayuga County to accept grant monies from the New York State K-State Child Passenger Safety (CPS) Program and the Treasurer's Department to amend the 2021 law enforcement budget. **Motion by Batman, 2nd by Nightengale. All in favor.**

1-21-JP-4 Authorizing the Sheriff to fill the Fiscal Officer position with the Sheriff's Office. **Motion by Batman, 2nd by Daly. All in favor.**

DISCUSSION: Batman made the comment that while this position is essential and should be filled at this time, it does not in any way prohibit looking at combining all financial functions into one department at a future date.

1-21-JP-5 Authorizing the Sheriff to fill three (3) vacant Deputy Sheriff Positions in the Law Enforcement Division of the Cayuga County Sheriff's Office. **Motion by Nightengale, 2nd by Daly. All in favor.**

DISCUSSION: Nightengale asked about the process and timeframe for having a person in place. Schenck There is a current list with good potential candidates. They have already started the interview process in anticipation and hope that this will be passed by the legislature as academy starts February 8 so they are under a time crunch. \

Bundle 6, 7 & 8. Motion by Batman, 2nd by Nightengale.

1-21-JP-6 Authorizing the Chair of Cayuga County Legislature and the Cayuga County Sheriff to enter into a contract with Johnson Controls for preventative maintenance, testing, and service to the fire control system at the Public Safety Building. **All in favor.**

1-21-JP-7 Authorizing the Chairman of the Legislature to accept a grant from the New York State Governor's Traffic Safety Committee. **All in favor.**

1-21-JP-8 Authorizing the Chair of the Cayuga County Legislature and the Cayuga County Sheriff to enter into a contract with PoliceOne Academy for Law Enforcement personnel web-based training services. **All in favor.**

DISCUSSION: Daly, Is this an add on to training to what they have had in the past? Schenck, yes. This is actual law enforcement training rather than procedural.

1-21-JP-9 Authorizing changes to the 2021 Cayuga County Compensation Plan to reflect salary increases of certain non-bargaining positions in the Cayuga County Sheriff's Office. **Motion by Lattimore, 2nd by Daly. All in favor.**

DISCUSSION: Batman noted that this is staying consistent with non-bargaining.

ADJOURNMENT: Motion to adjourn by Batman, 2nd by Daly. All in favor. 7:19 pm.