



MINUTES
JUDICIAL & PUBLIC SAFETY COMMITTEE
Wednesday, March 10, 2021 at 5:30PM (VIRTUAL)
Live Stream Link: <https://youtu.be/7uDTMVqYO2Y>

CALL TO ORDER: By Hon. Ben Vitale, Chair called the meeting to order at 5:31PM

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

OTHERS: Chair Aileen McNabb-Coleman, Legislators Tricia Kerr, Ryan Foley, Mark Strong, Chief Assistant County Attorney Rich Graham, Assistant County Attorney Brittany Massi, Sheriff Brian Schenck, HR Administrator Lisa Lippoldt, 911 Administrator Denise Spingler, EMO Director Dale Currier, Probation Director Jay DeWispelaere, Budget Director Lynn Marinelli, Detective Sergeant Fred Cornelius, and Deputy Clerk of the Legislature Amanda Morgan

MINUTES TO APPROVE: February 10, 2021, Motion by Batman, 2nd by Daly, all in favor.

DEPARTMENT UPDATES FOR COMMITTEE:

• **Brian Schenck (Sheriff) –**

- On February 19th we identified 29 inmates contained in our K-Pod housing area within the jail that had contracted COVID. The majority of those inmates did not have any signs of illness and those that did presented with minor symptoms. The Cayuga County Health Department and NY State Commission of Correction worked closely with us to address this issue.
- All outside services and volunteer programming with the exception of CHAD drug and alcohol treatment and peer support continue to be suspended in the jail until further notice due to COVID. In person inmate visitation remains suspended as well. Inmates are currently able to visit with family virtually as well as by telephone and mail.
- The Centralized Arraignment Part (CAP) Court was utilized for 44 pre-arraignment detainees in February.
- At the time of this report we are housing 157 total inmates in our jail. Of those total inmates, 37 are Federal board-ins, 19 NY State Parole Violators that are facing new charges, and 11 Parolees that have been detained for violating their Parole. The New York State Department of Corrections and Community Supervision (DOCCS) has indicated that they will begin taking transfers of state ready inmates at the end of March after suspending our ability to do so. Currently we are holding 28 inmates that are ready to be transported to DOCCS.
- The Sheriff's Office continues to partner with Chairwoman McNabb-Coleman, Legislator Daley, the City of Auburn, and the public on the NY State Police Reform and Reinvention Collaborative – Executive Order 203. A draft report was written by Steve Lynch and released to the public on February 24th. Additional public comment and feedback is being welcomed and collected for a two week period before a final plan is submitted to the Legislature for approval.
- We will be starting a 12 week in-house Custody Basic Academy for 5 recruits on April 5th as no other local academies are currently available.

SHERIFF:

- 3-21-JP-11 Authorize the Sheriff to fill two (2) vacant Deputy Sheriff Positions in the Law Enforcement Division of the Cayuga County Sheriff's Office. **Motion by Nightengale, 2nd by Batman, all in favor.**
- 3-21-JP-12 Authorize the Sheriff of Cayuga County to fill seasonal personnel positions for the Marine Patrol Unit. **Motion by Batman, 2nd by Nightengale, all in favor.**
- 3-21-JP-13 Authorizing the Sheriff's Office to accept funding through the 2020 SLETPP (State Law Enforcement Terrorism Prevention Program) Grant from the Division of Homeland Security and Emergency Services to support prevention and preparedness efforts and amend the 2021 Sheriff's grants budget to accept the 2020 funding. **Motion by Daly, 2nd by Nightengale, all in favor.**

• **Denise Spingler (911) –**

- COVID-19 Update – status quo
- **911 Data Analyst – discussion**
 - Part-time position posted 2/11/21
 - Re-posted 2/25/21

- No applications received
 - Contract expires Dec 31, 2021
 - No option for renewal
 - Training time expected of 4 months to allow for training and Q&A period
 - **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
 - 93 – January 2021
 - 76 – February 2021
 - *Backlogged to 9/11/20*
- Training
 - Trainees
 - Positional Training continues

911:

Motion by Batman to bundle JP 1-3, 2nd by Daly, all in favor.

- 3-21-JP-1 Authorizing the Chairperson of the Legislature to sign a three year contract with Eaton Corporation for maintenance of the Uninterruptible Power Supply (UPS) in the 911 Center.
- 3-21-JP-2 Authorization to sign a contract with IK Systems to manage and maintain the security cameras at all Cayuga County tower sites as part of the new emergency communications system.
- 3-21-JP-3 Authorization the Chairperson of the Legislature to sign a two year renewal with Penn Power Systems for the maintenance of the generators at all of the tower sites maintaining the Cayuga County Emergency Communications System.

• **Lloyd Hoskins (Assigned Counsel/Stop DWI) –**

- There were **44** “in-person” arraignments at the Centralized Arraignment Program for the month of February. The Assigned Counsel office calendared seventeen attorneys to cover the 7am and 7pm arraignments. The attorney cost associated with CAP for February was \$6,875.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.* Of the 44 arraignments, 20 (45%) were for town/village courts and 24 (55%) were for Auburn City Court. 30 (68%) defendants were released (ROR) and 13 (30%) defendants were held on bail or held for other reasons and 1 arraignment was dismissed.
- There were **26** 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 February was \$5,450.00.00. *These expenses were paid from an ILS (Indigent Legal Services) grant.*
- The Assigned Counsel Program made attorney assignments to **30** defendants in Auburn City Court and **15** defendants in justice courts for February. A total of **19** assignments were made in Family Court.
- Indigent Legal Services has **approved** Cayuga County’s grant application for “Distribution #11”. This distribution will reimburse Cayuga County \$262,098.00 over a three year period for the funding of defense services involving complex Family Court, felony and appellate cases.
- The Assigned Counsel office is preparing the mandated (County Law § 722-f (2) Annual Expenditure Report as well as the ILS-195 state reports that reflect caseload standards. These reports are data driven and are required in order to continue receiving ILS funding. Each report is due April 1, 2021.

- **Dr. Adam Duckett (Coroner) – No updates**
- **Jon Budelmann (District Attorney) – No updates**
- **Dale Currier (Fire/EMO) –**

HIGH PRIORITY

HEALTH DEPARTMENT SUPPORT

CLINICS – Asymptomatic Testing Clinics at Emerson Park continue. EMO has operated 31 testing clinics with nearly 7,000 tests completed. For the past 3 weeks we have operated only on Thursdays from noon until 6 p.m. and have averaged around 160 people.

MEDIUM PRIORITY

ADMINISTRATION

EMO staff have been meeting with staff from the County Treasurer’s Office and Purchasing to clear up financial records, payments and invoices for grant reimbursements. We are also providing operational information to begin seeking reimbursement from NYS DHSES and FEMA for COVID-related expenses.

PLANNING

Hazard Mitigation Plan – The draft plan has gone to NYS DHSES for review which should be completed within 45 days. Pending NYS approval, the plan will be forwarded to FEMA for their review and approval which can also take up to 45 days.

NextEra Energy Project – At the request of the project owner, EMO has reviewed their DRAFT Emergency Response Plan. EMO will be meeting with the project owner’s representative and the local fire chief to review our questions and concerns.

Emergency Operations Center [EOC] – EMO is currently working on our next planning project, an Emergency Operations Center [EOC] Activation and Operations Plan. This will be the basis for seeking to be better prepared to deal with a large emergency using an EOC which can provide the room, services and staff capabilities we need for safely, effectively and efficiently responding to and recovering from a disaster or for use during a large planned event.

FIRE SERVICE RESPONSE ACTIVITY: February, 2021

Deputy Fire Coordinators: Dispatched 16 times to assist the Incident Command with various incidents within the County.
Critical Incident Stress Management [CISM] Team: Dispatched twice to help first responders debrief after difficult incidents.

Fire Investigations: Dispatched 4 times to find the cause and origin of fires within the County.

Rehabilitation Team [REHAB]: Dispatched twice to assist First Responders on scene.

EMO:

Motion by Daly to bundle JP 5 & 6, 2nd by Nightengale, all in favor.

3-21-JP-5 Authorizing Chairperson of Cayuga County Legislature & Emergency Management Office to accept funds from US Homeland Security, Federal Emergency Management Agency (FEMA) & NY State Division of Homeland Services (DHSES) FY20 Emergency Management Performance Grant (EMPG) and the Treasurer’s Department to amend the 2021 EMO Budget

3-21-JP-6 Authorizing Chairperson of Cayuga County Legislature & Emergency Management Office to accept Supplemental funds from US Homeland Security, Federal Emergency Management Agency (FEMA) & NY State Division of Homeland Services (DHSES) FY20 Emergency Management Performance Grant Supplement (EMPG) to assist in paying for Personal Protective Equipment (PPE) and mortuary storage for COVID 19 response and the Treasurer’s Department to amend the 2021 EMO Budget

End of bundle

3-21-JP-7 Authorizing to fill Fire Investigator position due to vacancy. **Motion by Daly, 2nd by Nightengale, all in favor.**

- **Jay DeWispelaere (Probation) –**

- Alternatives to Incarceration Board;

- New York Executive Law Article 13-A, enacted in 1984, requires that counties annually submit an Alternative to Incarceration (ATI) Service Plan for Classification Funding to New York State; the ATI plan for 2021 can be provided to the committee upon completion.
- The Plan is designed to identify and provide eligible ATI programs as determined by either an advisory board established pursuant to this article, or by an existing criminal justice coordinating council; Cayuga Co. chose to establish the Alternatives to Incarceration Board.

- The annual ATI Service Plan provides counties the opportunity to examine their criminal justice and jail populations and to conduct planning for effective ATI programs that reduce unnecessary reliance on incarceration.
 - Upon approval of the Plan, state funding (requires 50% match) is provided for such ATI programs, as well as the authority for the continued use of reduced classification at their county's jail facility.
 - The ATI Board is in search of two members required under Executive Law; a former defendant and former crime victim. The Sheriff and DA are helping identify possible participants.
 - The ATI Board is required to meet quarterly; the next meeting is tentatively scheduled for March 31, 2021
- Staffing;
 - The department continues to explore options for the vacant Sr. Clerk Typist position
 - Upgrading the position to Probation Officer Assistant may be beneficial to the operation of the department
 - HR has been provided a breakdown of tasks and duties and will be consulted regarding a possible title change.
 - COVID;
 - The Probation Dept. continues to work in a reduced staffing model; 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 other staff are working remotely.
 - The department may return to working in two rotating teams with half of the department staff working remotely and half in the office. The two teams would rotate weekly. This model was used for a period of time in the fall before infection rates increased.
 - A return to 100% staff working in the department could happen by May 1st.

PROBATION:

Motion by Batman to bundle JP 8-10, 2nd by Daly, all in favor.

- 3-21-JP-8 Authorizing the Chair of the Cayuga County Legislature to enter into an agreement with Cayuga Counseling for the alternative sentencing program for the term July 1, 2020 through June 30, 2022
- 3-21-JP-9 Authorizing the Chair of the Cayuga County Legislature to enter into an agreement with Cayuga Counseling for pretrial diversion services for the term July 1, 2020 through June 30, 2022
- 3-21-JP-10 Authorizing the Probation Department to enter into a contract with Cayuga Counseling to provide pretrial release services.

RESOLUTIONS:

DISTRICT ATTORNEY:

- 3-21-JP-4 **NO MOTION** - Authorization to create and fill full-time Deputy Chief Assistant District Attorney Position in District Attorney's Office and set salary

Motion by Batman to adjourn at 6:11PM, 2nd by Didio, all in favor.