

**Public Safety Committee
April 3, 2003
Courthouse Conference Room
2 p.m.**

Present: B. Blanchard, G. Totman, M. Robertson, K. Herrera, L. McBean
Staff: S. Whicher, A. Lemaro, K. Leinthall, S. Robinson, J. Beach, W. Skinner, P. Meskill
Guests: O. Mack, OAR; P. Myers, citizen; D. Higgins, The Ithaca Journal

Call to Order

Ms. Blanchard called the meeting to order at 2 p.m.

Changes to the Agenda

Ms. Blanchard said she wanted to comment about the evaluation that was prepared by Kathy Schlather of DSS and distributed last month on the Alternatives to Incarceration programs.

The following resolution was added to the agenda and MOVED by Ms. McBean, seconded by Ms. Herrera:

**RESOLUTION NO. - ACCEPTANCE OF PHASED SCOPE OF WORK AND
AUTHORIZATION TO ENTER INTO A CONTRACT WITH JACOBS
FACILITIES, INC. FOR PROFESSIONAL SERVICES - PUBLIC
SAFETY BUILDING**

Mr. Lemaro distributed a document showing a fee breakdown for the work described in the project scope. Mr. Whicher said a concern was raised at a previous meeting that the contract price had increased. He said this is true; the price has gone from the original price of \$317,719 to \$331,106 and this is because the project has moved from a single-step project to a two-step project. He also said the allowance for survey and geotechnical in the amount of \$30,000 was not included in the original Scope. Mr. Whicher said another concern that was raised was that the scope of the project had been cut while the price of the project had increased. He explained the first time the Committee saw the Scope of Work from Jacobs it was a proposed Scope and did not have any costs associated with. Mr. Whicher said the Committee provided feedback to Jacobs and then it was priced out with a document dated March 6. He said the fee of \$317,719 is for the same Scope that is being discussed now; the only change that has occurred is that it has been split into two phases. It was noted that Direct Expenses, estimated for \$19,728, was a cap, and that the amount cannot exceed this figure.

Mr. Whicher said another topic that came up was the issue of variances and how that affects operational capacity at the Jail. He explained that if there are 71 inmates at the Jail and it was built for 72 beds, this does not mean that capacity would be adequate because of the classification requirement. He said there really needs to be a capacity of 135 to allow the Sheriff the flexibility to house all inmates. Mr. Whicher asked the Committee to move forward with this and to establish a timeframe of when any type of improvements would happen. He said it is entirely up to the Board to decide on the size of the capital project, however, he needs a plan in place in order to be able to fit it into the Capital Program.

Ms. Robertson and Ms. Herrera expressed appreciation for the extra time given to review the Scope of Work and also for the additional information and explanations. Ms. Herrera said when the Committee gets to specific details at a later date she will have areas to address.

Ms. Blanchard reported the Sheriff received a letter from the Commission of Correction asking that he and representatives of Tompkins County meet with the Commission on June 17 in Albany.

A voice vote on the resolution resulted as follows: Ayes - 5, Noes - 0. MOTION CARRIED.

WHEREAS, the County of Tompkins has approved a Capital Project for renovation and improvements to the Public Safety Building, and

WHEREAS, the Board of Representatives by Resolution No. 300 of 2002 authorized negotiation of a contract with Jacobs Facilities, Inc., of Arlington, VA. And Scotia, NY for planning and design services for this project, and

WHEREAS, Jacobs Facilities, Inc. has presented a Scope of Work for these services covering several phases of design and decision-making that will accomplish the intent of the project, and

WHEREAS, while the cost of completing the entire Scope of Work is currently estimated at approximately \$300,000 only \$90,000 is available in the Capital Project budget to support such services during 2003, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the general outline of services as reflected in the phased Scope of Work dated March 20, 2003, that will allow the project to move forward expeditiously and remain within budgetary limits is hereby accepted,

RESOLVED, further, That the Board of Representatives affirms its commitment to completing the entire Scope of Work at such time as additional funds can be made available for the project,

RESOLVED, further, That the Tompkins County Administrator is authorized to execute a contract between Jacobs Facilities, Inc., and Tompkins County in the amount of \$90,000 to perform the services identified in the above-mentioned Scope as Work Element A which will provide a review of capacity requirements, document existing conditions and develop alternative design concepts that will allow the Board to determine the best long-range plan for the building.

SEQR ACTION: TYPE II-20

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ATI Evaluation

Ms. Blanchard said if any Committee member has comments on the information that was presented at a prior meeting relating to ATI programs, they should submit them as soon as possible. She said at the Health and Human Services Committee meeting this week suggestions were made that included obtaining feedback from the judges on how they view the success of the program. She said Ms. Schlather is also interested in conducting some exit interviews with some of the participants of the Day Reporting Center. Ms. Blanchard said the Committee will receive a presentation at the next meeting on the Alternatives to Incarceration programs.

Probation Department

Ms. Leinthall stated in this presentation, she would address the four mandated functions of the Probation Department. New York State allows Probation departments to work with individuals from the age of seven on up. She said there are areas the Probation Department has responsibility for that many people are not aware of. She provided an example of a Consent to Marry. She said anyone under the age of 14 who wishes to marry must obtain the approval of the Family Court Judge. The Judge could ask the Probation Department to perform an investigation and make a recommendation of whether the marriage should or should not take place.

The Department is mandated by law to perform the following basic functions: Probation Intake, Probation Investigations, Probation Supervision, and Collections (in terms of restitution).

Probation Intake: This program is designed specifically to address matters that can appear in the Family Court. Examples include Persons In Need of Supervision (PINS), juvenile delinquency, supported collection, and visitation and custody. The purpose of Probation Intake is to deflect from the

courts any matters that can be resolved through mutual agreement. It is comparable to dispute resolution. In cases of PINS, the child must refuse to take part in the Probation Intake service prior it being able to go to petition. The point of the intake is short-term; it is designed to last two to six months maximum.

Probation Investigation: The Department performs investigations for all courts in the County, including private adoptions. Investigations are performed on matters that appear in both family and criminal court and in many cases, investigations are performed in youthful offender cases. The Department is also required to perform an investigation when an individual is sentenced to 90 days or more of incarceration. The purpose of the investigation is to look into the person's legal and social background and to assess their living conditions, health conditions, drug history, and strengths and weaknesses. A recommendation to the court is then prepared with regard to sentencing that is based on all of the above factors and what the law requires. The report is generally five to six pages long and concludes with an evaluative analysis where the Probation officer takes all the information that is given and provides the best plan for the individual. Ms. Leinthall said the court generally agrees with the Department's recommendation 95 percent of the time.

Probation Supervision: Once an individual is sentenced to Probation, the Department's job is to monitor compliance with the conditions the court has placed on them. This requires home, field, and office visits. There are certain mandated conditions that everyone in New York State who is sentenced to Probation is mandated to comply with. They cannot leave the County without permission, they must report to the Probation Officer as directed, and they cannot break any other laws. Most people who are placed on Probation usually have a number of conditions placed on them beyond that, such as requirements to comply with treatment programs, pay restitution, or abiding by an order of protection. When a person fails to comply with the conditions of Probation, the Probation Officer may file a uniform court report that may result in a Violation of Probation.

The Probation Department also collects fine and restitution monies. A five percent surcharge is added to accounts to cover the Department's expenses. There are many instances where there are numerous defendants and victims in a single case, so collection and distribution of the monies can be complicated.

The foundation for much of the work done by the Probation Department is the Pre-trial service. A staff person from the Department visits the Jail every morning and assesses inmates who have not been able to make bail and also assesses their flight risk from the jurisdiction. A recommendation can be made to the court that these individuals be released on their own recognizance or under the pre-trial supervision program. If it is felt they are a risk of flight and they need to make bail, they often become candidates for the Offender Aid and Restoration program. Ms. Leinthall said a Probation Officer performs the initial screening for every alternative to incarceration program the Department has and begins the process of whether the individual should be considered for drug court, electronic monitoring, ISP, or other programs.

At this time Ms. Leinthall distributed an organizational chart for the Probation Department. She said that the Department is currently supervising 750 individuals who are on Probation; there are 53 people involved in the City Drug Court, and 44 in Felony Drug Court. She said this is a substantial increase over three years ago and many of the cases are much harder because they involve drugs and violence.

Ms. Leinthall spoke of the proposed State budget and said an area of great concern is the reimbursement rate for salaries which is 98 percent of the Department's costs. Currently, the Department is reimbursed 24 percent for salaries; the State is proposing to reduce that reimbursement to 19.7 percent. All Probation staff positions have some level of State aid.

Ms. Leinthall described the increase in caseloads that each supervisor manages. In 21986 the average was 30-35 cases per month, an everyone did intake and investigations as well (3-4 per month). Now the caseloads are 45-55 at a time, including many juveniles, in addition to investigations. Three years ago there were 400-500 people on probation but now there are 789 people being served by her Department. The cases tend to be more difficult. Some of this increase is due to the drug courts. There are now about 35 intake cases per month.

Probation

Ms. Robinson stated she included an information document on the Integrated Domestic Violence Court in all agenda packets. She reported she has received a copy of the grant from the Center for Court Intervention and has provided Ms. Leinthall with a copy.

Ms. Robinson reported there is a piece of legislation in the Assembly that authorizes a County Probation Department to collect supervision fees for domestic violence offenders on Probation of up to \$60 a month based on their ability to pay. Ms. Robinson said she believes the State is trying to find ways to help counties generate money but feels this is type of money takes away from the families and can become a weapon against the victim.

Approval of Annual ATI Service Plan

It was MOVED by Ms. McBean, seconded by Mr. Totman, and unanimously adopted by voice vote by members present, to approve the Annual Alternatives to Incarceration Plan. RESOLUTION ADOPTED. Included in the Plan is a recommendation from the ATI Advisory Board for the Tompkins County Ithaca City Drug Court Program to be supported with State aid at the amount of \$33,200.

Ms. Robinson reported that a grant of \$44,500 has been received for the Sexual Assault Nurse Examiner (SANE) program.

STOP-DWI/DOMESTIC VIOLENCE

Ms. Blanchard reported that with the help of multiple staff, a plan has been created that she believes is a good solution to the Domestic Violence/STOP-DWI program issues. She said this solution would not require any additional funds from the County and would result in a real benefit. Ms. Blanchard said with the Integrated Domestic Violence Court coming on line, it will carry with it a couple of positions that are part of the Center for Court Innovation grant. If the two-year grant is successful, the County would receive funding for those two positions; if the grant is not successful, the County will still be financially responsible for this initiative.

Ms. Blanchard suggested the Domestic Violence Prevention Coordinator's position be placed into that court environment. This will allow the position to remain a full-time position devoted to domestic violence issues and has the added benefit of taking it out of the County budget and moving it into the court environment where it would not be subject to County budget cuts.

Ms. Blanchard suggested the STOP-DWI program be managed through the Transportation Council within the Planning Department. She said if that program were moved into that Department, staff from both the Planning Department and Transportation Council could manage the program. This would mean more money could be used to run the program because senior level staff would not be required in terms of salary. No resolution or formal action by the Committee or Legislature would be required to implement this change.

Ms. Herrera expressed concern over the responsibilities of the Domestic Violence Coordinator and how they would differ from what that position has done over the last few years. Ms. Robinson said it

is unclear how much of what she currently does could continue. She said it is possible that the Advocate at the Advocacy Center which would also be funded by this grant, would provide relief to that Center and may be able to assume some of the work she has been doing. Ms. Blanchard said she would ask Judge Sherman and Ms. Robinson to keep the Committee informed as the Integrated Domestic Violence Court initiative moves forward.

Public Information

There was a brief discussion about the Op-ed pieces the Committee has agreed to write for the Ithaca Journal as part of the Committee's public information efforts. Suggested topics included: Integrated Domestic Violence Court, Offender Aid and Restoration, Emergency Preparedness, STOP-DWI, and Alternatives to Incarceration. Ms. Herrera said she will begin the process by writing about the Integrated Domestic Violence Court, and Ms. Robertson agreed to write about ATI after Kathy Schlather's review.

Report from the County Administrator

Mr. Whicher announced there are now four members on the Local Conditional Release Commission.

Approval of Minutes of March 20, 2003

It was MOVED by Ms. Herrera, seconded by Mr. Totman, and unanimously adopted by voice vote, to approve the minutes of March 20, 2003 as amended by Ms. Herrera. MINUTES APPROVED.

Meeting Cancellation

Because two members will be unavailable, the May 1, 2003 meeting has been cancelled.

Adjournment

The meeting adjourned at 3:50 p.m.

Public Safety Committee
April 3, 2003

Respectfully submitted by Michelle Pottorff, County Legislature