



ADOPTED

DOC ID: 6660

RESOLUTION NO. 007-2016 - ACCEPTING AND ADOPTING THE REPORT OF THE TOMPKINS COUNTY MUNICIPAL COURTS TASK FORCE AND THANKING ITS MEMBERS FOR THEIR SERVICE

MOVED by Mr. Lane (Tompkins County), seconded by Ms. Weiser (Town of Caroline), and unanimously adopted by voice vote by members present.

WHEREAS, by Resolution 001-2015, the Tompkins County Council of Governments (TCCOG) established a Citizen's Panel to review the current structure and operations of the municipal court system for the purpose of identifying potential ways and means to sustain and improve the efficiency of operations and quality of justice provided by the town and village courts, and

WHEREAS, the Citizen's Panel, which came to be known as the Municipal Courts Task Force ("Task Force"), was comprised of two town justices, a city court judge, the District Attorney, two members of the local defense bar, and two town supervisors, and

WHEREAS, over the course of the year taken to fulfill its charge, the Task Force:

- Met 25 times;
- Heard the testimony of 33 individuals including the heads of the NYS Magistrates Association and NYS Public Defenders Association; local magistrates and judges; defense and prosecution attorneys; Nassau County District Court officials; the Tompkins County Sheriff's Office; the Superintendent of the Ithaca City School District; OAR; and members of the general public;
- Solicited the views of many other constituencies and stakeholders;
- Received and reviewed dozens of letters, emails and written submissions from members of the public; and
- Reviewed reports of prior efforts to reform the New York State court system and other studies and documents that pertain to court consolidation and organization; and

WHEREAS, based on the insights developed over the course of their review, and the expertise of the panel members themselves, the Task Force arrived at a series of findings and recommendations intended to reduce justice court caseloads, streamline operations, and to establish more uniform approaches to bail for lower level offenses that are presented in "A Report by the Tompkins County Municipal Courts Task Force" issued in July, 2016, and

WHEREAS, the major recommendations of the Task Force are to:

1. Establish a countywide DWI Court;
2. Establish a Law Enforcement Assisted Diversion Program;
3. Establish a Countywide Youth Court;
4. Further investigate a Mental Health Court;
5. Improve electronic access and use more technology to streamline operations
6. Coordinate local court schedules;
7. Release defendants on their own recognizance (ROR) or on realistic bail;
8. Provide "rap sheets" at arraignment and provide written decisions;
9. Use confessions of judgments and allow for partial payments with respect to fines, surcharges, and restitution;

- 10. Establish an easily accessible website that sets forth clear policies and standards for plea-bargaining vehicle and traffic-level offenses;
- 11. Establish a countywide after-hours centralized arraignment program;
- 12. Establish on a statewide basis clear bail limits for misdemeanor and lower level offenses;
- 13. Provide for automatic transfer of cases to lawyer-trained justices upon request of defendants; and

WHEREAS, the Report also encouraged further court consolidations and shared services as allowed by current law, and described an aspirational model of a single, countywide criminal court, and

WHEREAS, TCCOG finds that the Task Force has fulfilled its charge and undertook its mission with seriousness, civility, intellectual honesty, and the highest standards of quality, and

WHEREAS, TCCOG further finds that the recommendations set forth by the Task Force would contribute to reduced caseloads and streamlined operations in the justice courts and criminal justice system, thereby creating opportunities for cost reductions, and would also contribute to more even-handed justice across all of the municipal courts in Tompkins County, now therefore be it

RESOLVED, That TCCOG accepts and adopts the "Report of the Tompkins County Municipal Courts Task Force" and commits itself to facilitating the implementation of its recommendations,

RESOLVED, further, That TCCOG extends its gratitude and appreciation to Raymond Schlather, Chair of the Task Force, Hon. Gwen Wilkinson, Hon. Scott Miller, Hon. Betty Poole, Hon. Glenn Galbreath, Hon. Elizabeth Thomas, Hon. Jason Leifer, and Mark Solomon, Esq., Joe Mareane, County Administrator, and County staff, for their remarkable dedication to fulfilling the charge of the Task Force and for their outstanding contributions to an issue of great importance to the municipalities of Tompkins County.

* * * * *

STATE OF NEW YORK)
) ss:
COUNTY OF TOMPKINS)

I hereby certify that the foregoing is a true and correct transcript of a resolution adopted by the Tompkins County Council of Governments on October 27, 2016.

 Michelle Pottorff, Staff
Tompkins County Council of Governments