

## **PUBLIC SAFETY COMMITTEE**

**March 6, 2019**

**Members Present:** D. Healy, W. Dibble, B. Harris, S. Havey, J. Hopkins, C. Crandall (Absent: D. Decker)

**Others Present:** L. Ballengee, G. Barnes, T. Boyde, J. Burdick, J. DiPasquale, K. Francisco, K. Graves, S. Grusendorf, K. Hooker, C. Ivers, C. Jones, B. Kelley, C. Knapp, S. Lanphier, J. Luckey, D. Marsh, K. Monroe, B. Perkins, J. Ricci, B. Riehle, D. Root, T. Ross, K. Slep, T. Shaw, R. Starks, P. Stockin, R. Swarthout, M. Washer

**Media Present:** C. Potter, *The Spectator*

**Call to Order:** The meeting was called to order at 1:31 p.m. by Public Safety Committee Chairman Dwight "Mike" Healy.

### **Approval of Minutes**

A motion was made by Legislator Hopkins, seconded by Legislator Dibble, and carried to approve the Public Safety Committee minutes for February 6, 2019.

### **PUBLIC DEFENDER**

Public Defender Barbara Kelley attended the meeting and submitted her monthly report to the committee for review.

### **Criminal Justice Reform Proposal**

Ms. Kelley asked for a moment to provide her perspective on the Criminal Justice Reform Proposal. Ms. Kelley stated that it is important to keep in mind that having people incarcerated before they are convicted of anything, and charging bail, not only overlooks the presumption of innocence, but it also disproportionately affects the poor. Ms. Kelley continued that 40 percent of the American public do not have \$400 to use for any kind of emergency, and bail is typically set at a higher amount. Ms. Kelley referenced a study done in the mid-90s that showed a rate of 12 percent for defendants not showing up, noting the most common reason they don't show up is because they forgot, not because they are absconding the law. Committee Chairman Healy asked if we have had a problem with individuals not showing up in our County, adding in all his years in public safety, he doesn't recall bail being abused. Ms. Kelley stated, no, most of them show up. Legislator Harris asked if our local judges take the individual's financial situation into consideration when setting bail or if it is based on the crime committed. Ms. Kelley stated when they set bail, their thought is in regards to the person going to jail. Legislator Harris asked if there is sufficient access to bondsmen in the County. Ms. Kelley indicated there is; however, most don't want to get involved if it's a small amount. Legislator Graves stated that a lot of these individuals are incarcerated because they are a threat to the public, and asked if there are enough protections in place under this proposal for those situations. Ms. Kelley stated there is a provision that any domestic violence crimes do not get released, adding if bail is set, they can go back to court and discuss protections that need to be in place. Legislator Graves stated his concern is that the public is protected as a lot of these offenders are repeat and don't learn the first time.

### **EMERGENCY MANAGEMENT & FIRE**

Emergency Management & Fire Director Jeff Luckey attended the meeting and submitted his monthly report to the committee for review. Mr. Luckey briefly highlighted events he attended in the month of February, and noted that Bonnie VanHousen was officially promoted to Emergency Services Assistant. Legislator Harris asked if the cause of the Willing Church fire has been determined, and Mr. Luckey stated, no, it is still under investigation. Legislator Hopkins

asked what the “warm zone” is that is referenced on his monthly report. Mr. Luckey stated it applies to active shooter incidents and means that the threat isn’t completely eliminated.

### **2019 Winter Conference**

Mr. Luckey stated he and Ms. VanHousen attended the Winter Conference from February 12 to February 14, noting it went very well, and they are re-certified.

### **STOP- DWI**

STOP-DWI Coordinator Brian Perkins attended the meeting and submitted his monthly report to the committee for review. Mr. Perkins stated they will be bringing the Amy Stock trailer back to the County in May and are working with the Sheriff’s Office to have it placed in different locations. Mr. Perkins thanked Probation Director Bob Starks for covering the Victim Impact Panel while he was out of town.

### **DISTRICT ATTORNEY**

District Attorney Keith Slep attended the meeting and submitted his monthly report to the committee for review. Committee Chairman Healy asked if Mr. Slep had anything to say in response to Ms. Kelley’s comments regarding the Criminal Justice Reform Proposal. Mr. Slep stated that the proposal only talks about the rights of the accused with very little talk about the victims.

### **PROBATION DEPARTMENT**

Probation Director Robert Starks attended the meeting and submitted his monthly report to the committee for review. Mr. Starks stated his department has been chosen to be one of the pilot counties to use the Women’s Needs Risk Assessment, and commended the work done by his officers.

### **Request to Accept the NYS Executive Law 13A/ATI Programs Grant**

Mr. Starks requested a resolution to accept the NYS Executive Law 13A/ATI Programs Grant for the period July 1, 2019, through June 30, 2020, contingent on the availability of grant funds. The awarded amount is \$5,835, and has been included in the 2019 Budget as follows:

|   |                    |
|---|--------------------|
| <u>Appropriation:</u>                                     | <u>Amount:</u>     |
| A3142.101 (Alternatives to Incarceration – Personnel)     | \$5,835            |
| <br><u>Revenue:</u>                                       | <br><u>Amount:</u> |
| A3142.3310.00 (Alternatives to Incarceration – State Aid) | \$5,835            |

Mr. Starks noted these are funds they have received for many years that help pay their Alternatives to Incarceration expenses and offset their costs. This request was approved on a motion made by Legislator Havey, seconded by Legislator Dibble, and carried. **Prepare Resolution**

### **WEIGHTS AND MEASURES**

Weights and Measures Director Gilbert Green was unable to attend the meeting but submitted his monthly report to the committee for review. Legislator Stockin stated that he

attended Mr. Green's presentation in Houghton on February 14, and he did a great job and had very informative handouts.

## **SHERIFF'S OFFICE**

Undersheriff Kevin Monroe attended the meeting and submitted his monthly reports to the committee for review. Legislator Harris asked why there was a significant drop in federal inmates. Undersheriff Monroe indicated that 17 counties in the western district are down approximately 200 inmates, adding he doesn't have a significant answer as to why other than they are not arresting people at the moment.

### **Request to Fill Corrections Sergeant Position**

Undersheriff Monroe requested permission to fill one full-time Corrections Sergeant (Council 82 Local 39889 Bargaining Unit) and all subsequent positions including hiring from the outside. This position is responsible for implementing and documenting all departmental training, commissary, and other administrative functions. In anticipation of an upcoming retirement, this position is also needed to shadow and train for three months. The annual salary of this position is \$46,210.32 with benefits estimated at \$21,936.04. This position is funded 100 percent with County funds. This request was approved on a motion made by Legislator Harris, seconded by Legislator Dibble, and carried. **Refer to Ways and Means**

### **Executive Session**

A motion was made by Legislator Dibble, seconded by Legislator Havey, and carried to enter into executive session at 2:02 p.m. to discuss the employment history of the Sheriff's Office. Immediately following discussion at 2:23 p.m., a motion was made by Legislator Harris, seconded by Legislator Havey, and carried to end the executive session and return to the regular meeting.

### **Request to Fill Accountant Position**

Undersheriff Monroe requested permission to fill one full-time Accountant (PEF, Grade 7, Step: Base – Step 7) due to an anticipated retirement. This position performs all accounting functions for the Sheriff's Office and is needed to shadow and train with the current Accountant for three months. The annual salary of this position is estimated between \$43,596.80 and \$53,643.20 with benefits estimated between \$18,637.63 and \$22,932.47. This position is funded 100 percent with County funds. This request was approved on a motion made by Legislator Harris, seconded by Legislator Dibble, and carried. **Refer to Ways and Means**

### **Request to Fill Corrections Officer Position**

Undersheriff Monroe requested permission to fill one full-time Corrections Officer (Council 82 Local 39889 Bargaining Unit) due to a resignation. This position is responsible for public safety and security at the Jail. The annual salary of this position is \$41,838.16 with benefits estimated at \$17,885.82. This position is funded 100 percent with County funds. This request was approved on a motion made by Legislator Dibble, seconded by Legislator Havey, and carried. **Refer to Ways and Means**

### **Request to Re-Appropriate Unspent Grant Funds**

Undersheriff Monroe requested a resolution to re-appropriate unspent funds in the amount of \$325 for the 2017 LETPP Homeland Security Grant. The original resolution for this grant is Resolution No. 233-17. The funds should be re-appropriated as follows:

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|---|----------------|
| <u>Appropriation:</u>                               | <u>Amount:</u> |
| A3660.210 (Homeland Security FY2017 LETPP #T969172) | \$325          |

|   |                |
|---|----------------|
| <u>Revenue:</u>                                     | <u>Amount:</u> |
| A3660.3306.SH17 (HS– State Aid 2017 LETPP #T969172) | \$325          |

This request was approved on a motion made by Legislator Dibble, seconded by Legislator Harris, and carried. **Refer to Ways and Means**

### **Radio/Tower and 911 Enumeration Project Updates**

Lieutenant Shawn Grusendorf attended the meeting and provided a brief update on the Radio/Tower and 911 Enumeration Projects. Lt. Grusendorf stated they have a signed agreement for Fire A and Fire B channels, and they are working with Alfred to get the last tower online.

Lt. Grusendorf stated that Dispatcher Russ Hall is working diligently on the 911 Enumeration Project, and he is down to approximately 10,000 unverified addresses. He has finished Grove, Alma, Bolivar Town and Village, as well as Willing. Committee Chairman Healy thanked Lt. Grusendorf and the entire staff for their endeavors on this project.

### **Adjournment**

There being no further business to come before the committee, the meeting was adjourned at 2:34 p.m. following a motion by Legislator Hopkins, seconded by Legislator Harris, and carried.

Respectfully submitted,

Meghan Washer, Confidential Secretary to the Clerk of the Board  
Allegany County Board of Legislators