

STEBEN COUNTY PUBLIC SAFETY AND CORRECTIONS COMMITTEE

Monday, July 2, 2018

9:00 a.m.

*Legislative Committee Room
Steuben County Office Building
Bath, New York*

COMMITTEE:	Aaron I. Mullen, Chair Frederick G. Potter	Kelly H. Fitzpatrick, Vice Chair Thomas J. Ryan	Steven P. Maio
STAFF:	Jack K. Wheeler Cheryl Crocker Shawn Sauro	Mitchell Alger Andy Morse Brenda Aston	Tina Goodwin Dave Hopkins Alan Reed
LEGISLATORS:	K. Michael Hanna Gary B. Roush	Hilda T. Lando Scott J. Van Etten	John V. Malter
OTHERS:	Mary Perham James Post, <i>The Leader</i>		

I. CALL TO ORDER

Mr. **Mullen** called the meeting to order at 9:00 a.m. He asked Ms. Fitzpatrick to lead the Pledge of Allegiance and immediately following asked for a moment of silence in remembrance of Trooper Nicholas Clark who was shot in the line of duty early this morning.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 4, 2018 AND JUNE 25, 2018, MEETINGS MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Sheriff's Office

1. **Bid Jail Fencing Project** – Mr. Wheeler requested authorization for the Sheriff, in conjunction with the Purchasing Director, to go out to bid for the Jail fencing project. Mr. Morse explained this is fencing for the back perimeter.

MOTION: AUTHORIZING THE SHERIFF, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO PUT OUT A BID FOR THE JAIL FENCING PROJECT MADE BY MR. MAIO. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **Contract Renewal – GovPay.net** – Mr. Wheeler stated the Sheriff utilizes a contract with GovPay.net for individuals to pay for their bail and associated fees using a credit card at the Sheriff's office. This contract is no cost to the County. He would recommend extending this contract for one year, with the option for four, one-year renewals. He stated the only caveat to this is that the County actually has a different system for credit cards. The current system the Sheriff is using is reliable; however, we may switch over to the system the rest of the County is using in the future, assuming it can integrate correctly.

Mr. Morse commented the contract ends May 16, 2019 with auto renewals. Mr. Wheeler stated there is a 7 percent fee to the user. Mr. Morse stated they do guarantee payment.

Ms. Fitzpatrick commented this is the process to renew and we can then we can explore the options to switch to the other system. If the vendor guarantees payment, that is more valuable than having a lower user fee for the users.

Mrs. Crocker stated Probation is using the VPS (Value Payment Service) vendor and we have not had any problems. She believes the fee for the user is 4 percent.

MOTION: AUTHORIZING THE SHERIFF TO RENEW THE CONTRACT WITH GOVPAY.NET FOR ONE YEAR WITH THE OPTION FOR FOUR AUTOMATIC ONE YEAR RENEWALS MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. District Attorney

1. **Video Recording of Statements Grant Acceptance and Appropriation** – Mr. Wheeler informed the committee the District Attorney applied for a Byrne Grant, which is a federal grant with no match. With these funds, he would like to purchase video and audio equipment for various police agencies to record interviews. The total grant is \$50,059.00 and the following agencies will be receiving funds: Sheriff's Office, Village of Bath Police Department, Addison Police Department, Wayland Police Department, Child Advocacy Mobile Center, District Attorney's Office, Hornell City Police Department and Corning City Police Department. Mr. Wheeler requested authorization for the District Attorney to accept and appropriate these funds.

MOTION: AUTHORIZING THE DISTRICT ATTORNEY TO ACCEPT A BYRNE GRANT IN THE AMOUNT OF \$50,059.00 FOR THE PURCHASE OF VIDEO AND AUDIO EQUIPMENT FOR THE FOLLOWING AGENCIES TO USE TO RECORD INTERVIEWS: SHERIFF'S OFFICE, VILLAGE OF BATH POLICE DEPARTMENT, ADDISON POLICE DEPARTMENT, WAYLAND POLICE DEPARTMENT, CHILD ADVOCACY MOBILE CENTER, DISTRICT ATTORNEY'S OFFICE, HORNELL CITY POLICE DEPARTMENT AND CORNING CITY POLICE DEPARTMENT MADE BY MR. MAIO. SECONDED BY MS. FITZPATRICK FOR DISCUSSION.

Ms. Fitzpatrick asked in the contract it refers to set off rights. What does that mean? How are the funds allocated? Mr. Wheeler replied each agency will receive about \$7,000. The County as a whole will be receiving \$16,000. Ms. Fitzpatrick asked what is the reference to working with the Binghamton Police Department? Mr. Wheeler replied that he will ask about that and the set off rights.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Law Department

1. **Assigned Counsel** – Mr. Reed informed the committee that they have a critical need for more felony assigned counsel attorneys. We currently have six attorneys, but only use four or five for assigned counsel work. He requested authorization to issue an RFP for assigned counsel attorneys in contiguous counties so that we can build our pool of felony attorneys.

Ms. Fitzpatrick asked do we normally go outside of the County? Mr. Reed replied we have two attorneys working for us from Livingston County. Mr. Wheeler explained historically we have used individuals from other counties. Mr. Mullen asked why do we need an RFP? Mr. Reed replied we have very specific requirements that will be outlined in the RFP.

MOTION: AUTHORIZING THE COUNTY ATTORNEY, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A REQUEST FOR PROPOSAL FOR ASSIGNED COUNSEL ATTORNEYS IN CONTIGUOUS COUNTIES MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. OTHER BUSINESS

A. *Drug Treatment at the Jail* – Mr. Mullen asked has there been any progress on the drug treatment proposal at the Jail? Mr. Wheeler replied we were disappointed to see that State funding for these programs was cut by about 75 percent. About 13 counties split the pot of available funds and we did not get anything from that. We are looking at a local option. He met with the Sheriff, Dr. Chapman and Mr. Alderman to discuss this and we are looking at vacant positions.

Mr. Wheeler stated technically this will come before the HSH&E Committee and he hopes to have specific information on the positions. At a minimum we are looking at a Substance Abuse Counselor and maybe a Case Manager. It sounded like the Legislature would consider a unified approach and was supportive of that. Technically, he has the authority to do this, but he felt it was important to discuss this with the committee.

Mr. Reed commented with the new indigent legal services initiative, we may be able to flag drug treatment for implementation at arraignment and that goes to the incarceration of defendants. He stated he could put that in his plan. Mr. Sauro commented it could be classified under the defendant improvement category and there may be an opportunity to fund extra staff. Mr. Reed stated Indigent Legal Services has been very supportive of any ideas to reduce the Jail population.

Mr. Wheeler stated we are looking at adding a Substance Abuse Counselor, at a minimum. These sources through grants or local funds are the only way this position is paid for. We cannot bill Medicaid for individuals who are in Jail. If they develop a good relationship, our hope is that they will continue treatment with us, and then after their release, those services would be billable.

Mr. Van Etten commented with regard to assigned counsel, early in 2017 Mr. Roche came in and did an organizational overview of the Public Defender and Assigned Counsel and outlined where he saw the need. Has any of that changed and could we have a review of that? Mr. Wheeler replied we are discussing that and are meeting with ILS about grant information. We currently have a draft plan for counsel at arraignment. These things will come back to the Legislature for approval. That review of the structure is happening now.

MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR**
Monday, August 6, 2018
9:00 a.m.**

**PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, July 30, 2018.**