

AGENDA
PUBLIC SAFETY/CRIMINAL JUSTICE COMMITTEE
MONDAY, APRIL 26, 2021 AT 9:00 A.M.
Room 120 at the Human Services Complex

COMMITTEE MEMBERS: Gray-Chair, Barnes, Reed, Jaynes.
ALSO PRESENT: Timothy O' Hearn, County Administrator
STAFF ADVISOR/MINUTES: Stacy Husted, Clerk

- I. EMERGENCY MANAGEMENT – Bill Kennedy
 - A. Report attached.
 - B. Resolution – Authorize contract extension with the New York State Division of Homeland Security and Emergency Services for a Fiscal Year 2017 Hazardous Materials (HazMat) Grant Program (see attached)
 - C. Discussion: Bids will be opened for the Communication Tower Site Construction April 29th.

- II. PUBLIC DEFENDER – Valerie Gardner
 - A. Introduction of Staff: Nicole Pence & Mark Raniewicz
 - B. Staffing/Compensation update
 - C. Caseload Comparison (see attached)

- III. DISTRICT ATTORNEY – Joseph Fazzary
 - A. Discussion: Discovery Compensation Grant.

- IV. PROBATION – Chris Rosno
 - A. Motion – Authorize renewing the contract with AutoMon, LLC for Software Maintenance Services for the Probation Case Management Program Caseload Explorer System, at a cost of \$6,145.86, (\$4,805.75 base plus \$235.34 for each of the eight actual or registered users with a 2021 COVID discount of \$542.61), which is a decrease of \$.02 from 2019-202 due to the discount, to be funded by the Information Technology Department, for the term May 21, 2021 through May 20, 2022.
 - B. Resolution – Authorize title changes within the Probation Department (see attached)
 - C. Discussion: 2021 First Quarter Statistics (see attached)

- V. SHERIFF – William Yessman
 - A. Resolution – Authorize transfer of funds from Seized Assets Reserve Account for the purchase of equipment (see attached)
 - B. Resolution – Authorize amending the 2021 budget for the purchase of a vehicle (see attached)
 - C. NYSCOC Response to Minimum Standards Evaluation letter (see attached)



Schuyler County Emergency Management

106 Tenth Street, Unit 36
Watkins Glen, New York 14891
607-535-8200



Coordinator
Bill Kennedy
bkennedy@co.schuyler.ny.us



Deputy Coordinator
Mark Cicora
mcicora@co.schuyler.ny.us

Fire - EMS - 911 - EMO - Hazmat

Public Safety Committee April 26, 2021

Committee Action & Information

Resolution – Grant extension Hazmat grant FY17
Bradford Tower project – tower bid opening 4/29 and have received the
Motorola quote for the radio portion

Program Reports

911: New House numbers

6 new numbers issued
Hector 1 House
Reading 1 Campsite
Tyrone 1 House, 1 Campsite
Dix 1 House, 1 Business (Solar Farm)
New CAD and RMS project is moving with anticipated go live date of 11/8

Code Enforcement:

Annual in-service is ongoing 17 of 24 hours completed

Public Education and Training:

*Basic Exterior Firefighter Operations Completed
Interior Firefighter Operations to start soon*

Planning and Response:

*Lakes District Emergency Managers Meeting
Several Vaccination Coordination Meetings
NYS DHSES Grants Meeting
Statewide 911 Coordination Meeting
All Hazard Mitigation Planning is ongoing
NYS Fire Coordinators Virtual Conference Attended
Schuyler County Chief's Meeting*

1 Structure Fire – Watkins Glen
1 Structure Fire - Tyrone

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RE: AUTHORIZE CONTRACT EXTENSION WITH THE NEW YORK STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES FOR A FISCAL YEAR 2017 HAZARDOUS MATERIALS (HAZMAT) GRANT PROGRAM – EMERGENCY MANAGEMENT

WHEREAS, the Schuyler County Emergency Management Department was awarded a New York State Division of Homeland Security and Emergency Services Hazardous Materials (HazMat) Grant HM17-1013-D00 in the amount of \$106,000, with no local share cost, and

WHEREAS, said grant was extended through March 31, 2021 and is being extended again through June 30, 2021.

NOW, THEREFORE, BE IT RESOLVED, that the Chairman of the Legislature be hereby authorized to sign said grant contract extension HM17-1013-D03 extending the term through June 30, 2021, and

BE IT FURTHER RESOLVED, that the Schuyler County Treasurer is hereby directed to extend said Grant accordingly in cooperation with the Emergency Management Department.

RE: AUTHORIZE TITLE CHANGES WITHIN THE PROBATION DEPARTMENT

WHEREAS, the Schuyler County Probation Department utilizes the titles of Probation Officer and Probation Officer Trainee, and

WHEREAS, the New York State Division of Criminal Justice Services (NYSDCJS) Office of Probation and Correctional Alternatives (OPCA) adopted a new Title 9 NYCRR Appendix H-10, and

WHEREAS, the updated Appendix now lists the correct titles to be Probation Officer 1 and Probation Officer 1 Trainee, and

WHEREAS, the Probation Director I, in conjunction with the Personnel Officer, is recommending a change in the titles of Probation Officer to Probation Officer 1 and Probation Officer Trainee to Probation Officer 1 Trainee, to be in compliance with Title 9 NYCRR Appendix H-10, and

WHEREAS, such title changes will not alter the established grade classification or rate of pay as set forth in the CSEA Administrative Unit contract for the original titles.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Legislature hereby authorizes the Personnel Officer to change all existing Probation Officer and Probation Officer Trainee titles to Probation Officer 1 and Probation Officer 1 Trainee within the Probation Department, effective immediately.

Probation Statistics 2021 1st Quarter

	2020 Total	2020 1 st Qtr	2021 1 st Qtr
Investigations			
Investigations Open	92 (19 carry over)	22 (+19 carry over)	17 (11 carry over)
Investigations Closed	81	33	25
Cases supervised			
Probation	192	144	137
ATI	CS-11 + PTR-4=15	CS-6 + PTR-3 = 9	CS-10 + PTR-2 = 12
ATI Screens (not counted)	CS-N/A, PTR N/A		
CD cases IID	50	40	28
Raise the Age Div.	6	3	1
Raise the Age AO	5	2	0
JD Diversion	17	5	7
JD Probation	13	11	9
PINS Probation	2	1	0
EHM	0	0	0
Cases Total	299	215	194
Contacts			
Office Visits	119/121=98%	60/60 = 100%	23/23=100%
Home Visits	105/121=87%	54/60 = 90%	20/23=87%
Collateral contacts	117/121=97%	59/60 = 98%	23/23=100%
Dispositions/closed			
Adults successful	66	12	16
Adults unsuccessful	17	8	8
Juveniles successful	6	5	1
Juveniles unsuccessful	11 / 3 placed	5	4 / 1 placed
Collections			
Restitution cases	164 open	171	164
Restitution collected	\$32,522.80	\$13,815	\$9,043
Fines/Other	\$0	\$0	\$0
Revenue			
DWI/Supervision	\$13,762	\$3,133	\$2,436
ATI	\$182	\$48	\$442
Surcharges	\$2,992	\$1,332.89	\$736
EHM	\$0	0	
State Aid	\$43,412	\$10,853	\$10,853
Preventative/STSJP	\$79,382	\$22,352	\$16,916
Raise the Age	\$15,556	\$2,398	\$3,466
Revenue Total	155,286	\$41,117	\$34,849

RE: AUTHORIZE TRANSFER OF FUNDS FROM SEIZED ASSETS RESERVE ACCOUNT FOR THE PURCHASE OF EQUIPMENT – SHERIFF’S DEPARTMENT

WHEREAS, the Schuyler County Sheriff’s Office receives funds from drug case forfeitures, that must be used for specific purposes, such as purchasing equipment to enhance the law enforcement mission, and

WHEREAS, the Schuyler County Sheriff’s Department finds the need to utilize these funds to purchase new Bullet Proof Vests for patrol Deputy Sheriffs to enhance the ability to deliver quality services to the residents of the county, and

WHEREAS, said funds are available in the Seized Assets Reserve Account.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to make the following transfer:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$6,058	3110.0432	Police Supplies
-\$6,058	3110.5998	Seized Assets Reserve Account

RE: AUTHORIZE AMENDING THE 2021 BUDGET FOR THE PURCHASE OF A VEHICLE – SHERIFF’S DEPARTMENT

WHEREAS, the Schuyler County Sheriff’s Department recently experienced the loss of a vehicle from a fire, and received insurance funds for the vehicle loss, and

WHEREAS, these funds are needed to replace the vehicle loss from the fire, and

WHEREAS, said funds are available in the Insurance Recoveries Revenue Account.

NOW, THEREFORE, BE IT RESOLVED, that the Schuyler County Treasurer is hereby authorized to amend the Sheriff’s Department 2021 budget as follows:

<u>AMOUNT</u>	<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>
+\$14,133	3110.0204	Car
+\$14,133	3110.2680	Insurance Recoveries Revenue Account

Office of the Sheriff
SHERIFF WILLIAM E. YESSMAN JR.
106 TENTH STREET, UNIT 2, WATKINS GLEN, NY 14891
PHONE (607) 535-8222 • FAX (607) 535-8216
EMERGENCY – DIAL 911

UNDERSHERIFF
Breck A. Spaulding



April 19, 2021

Mr. Allen Riley, Chairman
New York State Commission of Correction
Alfred E. Smith State Office Building
80 S. Swan Street, 12th Floor
Albany, NY 12210-2467

Chairman Riley,

I have received a letter dated March 22, 2021, in reference to the Minimum Standards Evaluation of the Schuyler County Jail conducted by Michelle Crane. All policies, found not to be in compliance have been corrected and new procedures have been implemented. Please extend my thanks to Michelle for her professionalism and courtesy that she displays at all times.

On March 24, 2021, an on-site visit was made by Michael Walters to review previously identified open issues. Mr. Walters informed Jail Administrator Lt. James Perry that all previously open issues are now closed. Please extend my thanks to Michael for his professionalism and courtesy.

Since taking office in January 2006, I have found that your staff has been helpful, and extremely understanding in dealing with the issues that pertain to a small facility such as the Schuyler County Jail.

Once again thank you and your staff for the cooperation between both of our agencies.

Respectfully,

A handwritten signature in black ink, appearing to read "William E. Yessman Jr.", written over a horizontal line.

William E. Yessman Jr.
Schuyler County Sheriff



Commission of
Correction

ALLEN RILEY
Chairman

THOMAS J. LOUGHREN
Commissioner

March 22, 2021

Sheriff William Yessman
Schuyler County Sheriff's Office
106 10th Street
Watkins Glen, New York 14891

RE: Minimum Standard Evaluation at the Schuyler County Jail

Dear Sheriff Yessman:

An evaluation of the Schuyler County Jail was conducted by Commission staff member Michelle Crane during the week of January 25-29, 2021. The following Standard was evaluated: Part 7075, Inmate Confinement and Deprivation, along with previously identified open issues.

Findings based upon Commission staff's compliance assessment of the above standard elements and previously identified open issues are outlined in the attached report. These findings were brought to attention of Jail Administrator Lieutenant James Perry at an interview that took place at the conclusion of the evaluation.

In accordance with Section 46(1) of Correction Law, a response to this evaluation is required and is requested by no later than **May 24, 2021**. Such response shall include actions taken or to be taken to address the findings contained within this report.

Please be advised that subsequent follow-up visits from this office may be unannounced. I would like to take the opportunity to thank you and your staff for the courtesy and cooperation extended to my staff during the visit.

Sincerely,

A handwritten signature in cursive script that reads "Allen Riley".

Allen Riley
Chairman

cc: Lieutenant James Perry, Jail Administrator

**MINIMUM STANDARD EVALUATION
SCHUYLER COUNTY JAIL
2020**

Below are the results of Commission Staff's evaluation of the Schuyler County Jail.

Part 7075 Inmate Confinement and Deprivation

Section 7075.5(b), Deprivation of essential services

Findings: Commission staff found the facility inmate handbook limits the allowable items to a specific number of photographs and printed material/publications. These limitations should be considered on a case-by-case basis in accordance with this Part.

Action Required: The facility administration shall take corrective action to revise facility policies and practices to ensure that unless otherwise specified by the provisions of this Title, the provision of an essential service to an inmate shall not be denied, restricted or limited unless the chief administrative officer determines that providing such essential service would cause a threat to the safety, security, or good order of the facility, or the safety, security, or health of the inmate, staff or other inmates. Any such determination shall be made by the chief administrative officer in writing and shall state the specific facts and reasons underlying the determination.

Facility Response: The facility took immediate action and corrected the inmate handbook to reflect this Part.

Status: Closed.

Section 7075.5(c) Deprivation of essential services

Findings: Commission staff found the facility had suspended religious programs due to the COVID-19 pandemic and had not been reviewing this deprivation weekly.

Action Required: The facility administration shall ensure that any determination made pursuant to subdivision (b) of this section shall be reviewed by the chief administrative officer at intervals not to exceed seven days.

Previously Identified Open Issues

Part 7002 Admissions

Section 7002.4 (c) and (d) Property confiscation

Action Required: Pursuant to section 7002.4 (c)(2)(4), all prisoner property confiscated by facility staff shall be inventoried and recorded in writing. Such inventory shall include but not be limited to:

- an itemization of each personal property item confiscated with an accurate description of such item;
- and the name and signature of officer completing the inventory.

Action Required: Pursuant to section 7002.4(d), the prisoner shall verify by signing the inventory that such inventory is a complete and accurate itemization of such prisoner's confiscated personal property. If, for any reason, a prisoner is not able to verify, or refuses to verify, that such listing is accurate or complete by signing the inventory, such inventory shall be witnessed and signed by a second facility staff member. If, later, such

prisoner is able or willing to affect such signature, the prisoner shall be permitted to do so. The prisoner shall be given a copy of the signed inventory, and at least one copy shall be retained in the facility.

Facility Response: Shortly before the evaluation the signature pad had stopped working, and the officers did not have the inmate sign the hard copy of the property receipt. The equipment has been repaired, and a memo has been issued, instructing the officers to have the inmate sign the hard copy of the property receipt if there are future failures.

Findings: The facility's response is deemed acceptable.

Status: OPEN, pending future on-site verification.

Part 7003 Security and Supervision

Section 7003.3 (a) Supervision of prisoners in facility housing areas

Action Required: The facility must ensure that active supervision is maintained in multiple occupancy housing units and in housing units when prisoners are not confined in their individual cells.

The facility must ensure that adequate staffing posts are filled to ensure that active supervision can be consistently maintained.

Facility Response: As per our plan, the process is underway to hire a second Full Time Correction Officer who will attend Basic Correction Officer training in Yates County beginning July 8, 2019. Upon completion of the training, the new officer will be assigned to a shift, and at that time all shifts will be fully staffed to provide adequate supervision of inmates.

Findings: The correctional facility is taking the necessary steps to come into compliance with section 7003.3 (a) by hiring additional staff.

Status: Open, pending future on-site verification and future documentation showing a pattern of consistently filling staffing posts that ensures active supervision is maintained.

Part 7013 Classification

Section 7013.12 Inmate Screening and Classification Records

Findings: Commission staff found that the facility does not keep a copy of the inmate's classification determination document in the inmate's file. The facility administration took immediate corrective action to ensure that all screening instruments, forms or other information used to make or record initial screening, risk assessment and subsequent classification determinations will be maintained in the inmate's file.

Status: OPEN, pending future on-site verification.

Part 7028 Exercise

Section 7028.2 Exercise Periods

Action Required: Pursuant to section 7028.2, all exercise periods shall be held in the outdoor exercise area, except during inclement weather when exercise must be held in the indoor exercise area and may, at the discretion of the chief administrative officer, also be held in the outdoor exercise area. The determination to cancel outdoor exercise due to inclement weather shall be based upon factors related to the safety, security, or

good order of the facility including, but not limited to, weather conditions that impair visibility, precipitation, and the accumulation of snow and ice.

Facility Response: A plan is in place for daily snow removal of the outdoor recreation area during inclement weather. New shovels will be purchased, and ice melting agent will be on hand to clear the area.

Findings: The facility response is deemed acceptable.

Status: CLOSED.

Section 7028.5 Exercise Area Searches

Action Required: Pursuant to section 7028.5, Searches of exercise areas shall be conducted prior and subsequent to each exercise period.

Facility Response: A memo has been issued to staff to be more consistent with their documentation of searches of the exercise areas prior to and after recreation periods.

Findings: The facility submitted several examples of shift log entries showing the searching of the recreation areas before and after each recreation period. The facility response is deemed acceptable.

Status: CLOSED.

Part 7039 Fire Prevention and Safety

Section 7039.4 Fire and Safety Inspections

Action Required: In accordance with the requirements of this section, the chief administrative officer shall maintain a copy of the annual fire and safety inspection report together with a detailed statement of steps taken or to be taken to correct any deficiencies set forth in such report.

Facility Response: The Chief Administrative Officer has taken action with the County Code Enforcement Officer, who will provide a more detailed description of deficiencies in future reports, with steps taken for corrective actions of deficiencies set forth in such reports.

Findings: The facility provided a copy of the most recent fire and safety inspection report. The facility response is deemed acceptable.

Status: CLOSED.

In response to your findings the following corrective actions have taken place:

SECTION 7013 CLASSIFICATION

7002.4(c) and (d) PROPERTY CLASSIFICATION

Shortly before the evaluation the signature pad had stopped working, and the officers did not have the inmate sign the hard copy of the property receipt. The equipment has been repaired, and a memo has been issued, instructing the officers to have the inmate sign the hard copy of the property receipt if there are future equipment failures.

SECTION 7028.2 EXERCISE PERIODS

A plan is in place for daily snow removal of the outdoor recreation area during inclement weather. New shovels will be purchased, and ice melting agent will be on hand to clear the area.

SECTION 7028.5 EXERCISE AREA SEARCHES

A memo has been issued to staff to be more consistent with their documentation of searches of the exercise areas prior to and after recreation periods.

SECTION 7039.4 FIRE AND SAFETY INSPECTIONS

The Chief Administrative Officer has taken action with the County Code Enforcement Officer, who will provide a more detailed description of deficiencies in future reports, with steps taken for corrective actions of deficiencies set forth in such reports.

PART 7003 SECURITY AND SUPERVISION

7003.3(a) ACTIVE SUPERVISION

As per our plan, the process is underway to hire a second Full Time Correction Officer who will attend Basic Correction Officer training in Yates County beginning July 8, 2019. Upon completion of the training, the new officer will be assigned to a shift and, at that time all shifts will be fully staffed to provide adequate supervision of inmates.