

PUBLIC SAFETY COMMITTEE MEETING AGENDA - Probation
May 2, 2023
2:30 pm

- **Approval of minutes** from April 4, 2023, Public Safety Committee meeting
- **Financial**
 1. Budget on track for 2023
- **Old business**
 1. Staffing
 2. SCRAM
 3. Funding
 4. Vehicles
 5. Ipad for Officers
 6. Pre-Trial Release enhancement
- **New business**
 1. Staffing
 2. SCRAM
 3. Probation Administrative Fees Bill
 4. 2023-2024 Annual Probation State Aid Plan
 5. Ipad for Officers
 6. Pre-Trial Release enhancement
 7. Supervisor Summit
 8. Training list
- **Personnel**
 1. One vacant Probation Officer 1 position
 2. One vacant part-time supervisor position
 3. One unfunded Probation Officer 1 position
- **Resolutions (0)**
- **Proclamations**
 1. None
- **Adjournment**

PUBLIC SAFETY MEETING

April 4, 2023

The regular meeting of Public Safety, Probation, Office of Emergency Services, Coroner, and Stop DWI was held in the Legislative Conference Room at the Ronald E. Dougherty Office Building, 56 Main St., on Tuesday, April 4, 2023 at 2:30 PM.

Present:

Keith Flesher	Chair, Public Safety
Barb Roberts	Legislator
Dale Weston	Legislator
Brian Cain	Director, Probation
Sheriff Gary Howard	Sheriff's Office
Mike Simmons	Director, Emergency Services
Corrine Cornelius	Deputy Director, Emergency Services
Bob Williams	Assistant Fire Coordinator (<i>in at 2:33</i>)
William Standinger	Legislator (<i>in at 2:38</i>)
Marte Sauerbrey	Chair, Legislator (<i>in at 3:00</i>)

Guest:

Cathy Haskell	Legislative Clerk
Peter DeWind	County Attorney (<i>in at 2:39</i>)

Absent:

APPROVAL OF MINUTES:

Approval of March 7, 2023 minutes:

Legislator Weston made the motion, seconded by Legislator Roberts to approve the March 7, 2023 Public Safety minutes, as written. Motion carried.

PROBATION – Brian Cain:

FINANCIAL:

- Budget is on Track.

OLD BUSINESS:

- Staffing: Joy Bennett's Part Time position is now open and will be filled by Teri Rosenberger once she retires.
- Vehicles have been ordered with the help of Undersheriff Hallett. It took less time going with Robert Green – in good shape for a couple of years on vehicles.
- Waiting on Quote from IT for iPads for Officers.

NEW BUSINESS:

- Looking in to SCRAM Systems: In home handheld tests that do the same thing as ignition interlock devices. Legislator Flesher asked how accurate the sweat gland reads are.

Probation Director Cain responded that they are very accurate and it would be a good thing to be explored further; great enhancement for the services to be provided.

- Raise The Age – \$90,000 has been received.
- Comprehensive training procedures are being created for all new hires.
- Supervisory Summit – Come and talk about ideas and strengthen cooperation. Having supervisors from surrounding counties to discuss ideas is a very good thing.
- Have been working with Michael Middaugh of Veteran Services with a Vet to get him the services he needs.
- Things coming up – Annual state aid plan (due in May) little over \$100,000.
- RTA STS Plans; will get those applications in May.
- 1 JD for March.
- WWP has been doing well; pausing for a few weeks until a few more orders are received and will pick back up in 3-4 weeks.

Legislator Standinger commented that Michael Middaugh spoke highly of Brian Cain at that committee this morning.

PERSONNEL:

- One Vacant Probation Officer 1 position exists.
- One Vacant Part Time Probation Supervisor position available.
- One Probation Officer 1 position remains unfunded.

RESOLUTIONS:

- None

OFFICE of EMERGENCY MANAGEMENT – Mike Simmons:

FINANCIAL:

- Budget is on Track.

OLD BUSINESS:

- Had a meeting last week with Motorola to determine and make sure we are on the right path to find out where towers are going to go.
- Motorola will take care of all the permits.
- If they find any artifacts it could set the project back a while.
- CAD system is up and running; the mapping is working with Owego Police Department, Sheriff's Office and Waverly Police Department. You can see the cars and statuses on the map. The NY State Police IT department has lost connections. They had their own IT division, now run by state offices.

NEW BUSINESS:

- None.

PERSONNEL:

- New EMS Coordinator started; doing a good job.

RESOLUTIONS:

- Authorize the Submission of Homeland Security Grant Application (SHSP23)
- Authorize the Submission of EMPG23 Grant Application
- Amend Resolution 120-23 Appropriation of Funds FY2022 Domestic Terrorism Grant
- Authorize Acceptance of 2022 SICG Targeted Grant (ST22) Appropriation of Funds & Modify 2023 Budget

***Committee agreed to move these resolutions forward*

SHERIFF – Gary Howard:

FINANCIAL:

- Revenues are at \$147,883.01 which is 27% of the budget. Inmate Boarders are at \$75,325.29.
- Expenditures are at \$2,715,908.02 which is 52% of the budget.

OLD BUSINESS:

- TCLEA Contract Negotiations are still ongoing.
- NCEU Contract Negotiations are still ongoing.
- Finished carpet in two jail pods.

NEW BUSINESS:

- Average daily inmate population for March is 59; it has decreased to 54 as of this date.
- Working on the Jail Camera Project – there was a camera that shorted out last week.
- In the middle of the Pistol Permit database changeover at this time.
- VESTA Next Gen 911 system plans are beginning.

PERSONNEL:

- Update of Vacancies:
 - Civil – One Vacant part-time Civil Deputy position.
 - Corrections – Four Vacant Corrections Officer positions; Two Vacant Part-Time Cook positions.
 - Four Corrections Officers have started within the month of March.
 - Road Patrol –
 - One Deputy on light duty.
 - One Deputy started academy; one graduated Friday night in Elmira.
 - New deputy starts on Monday.
 - Two unfunded Deputy positions.

- E911 –
 - One Vacant Full Time Dispatcher position.
 - One Dispatcher on maternity leave.
 - One Dispatcher resigns effective 4/12/23.
- Records – all positions are filled.
- Administration – all positions are filled.

RESOLUTIONS:

- Re-Appoint Member to Traffic Safety Board
- Authorize Acceptance of 2023 NYS PTS Grant (PTS-2023-Tioga Co SO-00240-054) Appropriation of Funds & Modify 2023 Budget

***Committee agreed to move these resolutions forward*

ADJOURNED:

Meeting was adjourned at 3:00 PM.

Respectfully Submitted,

Donna Gilligan

Donna Gilligan

Accounting Associate III – Payroll Tioga County Sheriff's Office

04/04/23

DRAFT



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2023 05

ACCOUNTS FOR: General Fund ORIGINAL APPROP TRANSFRS/ A01STMTS REVISED BUDGET YTD ACTUAL ENCUMBRANCES AVAILABLE BUDGET PCT USE/COL

A3140 Probation

Account	Description	Original	Transfers	Revised	YTD	Actual	Encumbrances	Available	Pct Use/Col
A3140 415600	Adoption Investiga	-600	0	-600	-600.00		.00	.00	100.0%
A3140 415800	Restitution Surcha	-2,000	0	-2,000	-114.34		.00	-1,885.66	5.7%
A3140 415810	Probation - DWI Su	-16,000	0	-16,000	-2,800.00		.00	-13,200.00	17.5%
A3140 415811	DWI-Probation Sala	-10,000	0	-10,000	.00		.00	-10,000.00	.0%
A3140 433100	State Aid-Probatio	-105,205	0	-105,205	-26,301.34		.00	-78,903.66	25.0%
A3140 433160	State Aid-Enhanced	-18,566	0	-18,566	-4,641.41		.00	-13,924.59	25.0%
A3140 433170	Ignition Interlock	-3,678	0	-3,678	-721.75		.00	-2,956.25	19.6%
A3140 433180	State Aid- STSJP	-7,000	0	-7,000	.00		.00	-7,000.00	.0%
A3140 433182	RTA State Aid -Rais	-16,920	0	-16,920	.00		.00	-16,920.00	.0%
A3140 510010	Full Time	786,371	0	786,371	196,437.89		.00	589,933.11	25.0%
A3140 510020	Part Time/Temporar	29,817	0	29,817	5,313.98		.00	24,503.02	17.8%
A3140 510050	All Other(On Call),	5,000	0	5,000	53.64		.00	4,946.36	1.1%
A3140 520060	CPS01 Car/Truck-	0	40,000	40,000	1,033.39		.00	-1,033.39	100.0%
A3140 520070	Chairs	400	0	400	116.22		39,960.50	39.50	99.9%
A3140 520200	Office Equipment	2,500	0	2,500	.00		.00	2,500.00	.0%
A3140 520215	Personal Protectiv	4,500	0	4,500	10.00		.00	4,490.00	.2%
A3140 540070	Car Maintenance	2,000	0	2,000	21.00		.00	1,979.00	1.1%
A3140 540080	Clinic Supplies	4,250	0	4,250	62.60		.00	4,187.40	1.5%
A3140 540180	Dues	900	0	900	750.00		.00	150.00	83.3%
A3140 540220	Automobile Fuel	2,200	0	2,200	445.26		.00	1,754.74	20.2%
A3140 540320	RTA Automobile Fuel	1,000	0	1,000	.00		.00	1,000.00	.0%
A3140 540340	Leased/Service Equ	3,300	0	3,300	507.27		.00	2,792.73	15.4%
A3140 540360	Literature	1,500	0	1,500	150.00		.00	1,350.00	10.0%
A3140 540390	Meals/Food	1,000	0	1,000	.00		241.00	759.00	24.1%
A3140 540480	Mileage Expense	1,500	0	1,500	.00		.00	1,500.00	.0%
A3140 540487	Postage	0	20,000	20,000	267.63		.00	1,232.37	17.8%
A3140 540487	CPS01 Program Expen	0	6,621	6,621	15.00		.00	19,985.00	.1%
A3140 540487	FH01 Program Expen	1,265	0	1,265	.00		.00	6,620.51	.0%
A3140 540590	Services Rendered	9,710	0	9,710	.00		.00	1,265.00	.0%
A3140 540620	Software Expense	9,710	0	9,710	9,709.32		.00	4,551.68	100.0%
A3140 540630	Stationery Supplie	6,000	0	6,000	1,448.14		.00	4,551.86	24.1%
A3140 540660	Telephone	2,052	0	2,052	415.22		.00	1,636.78	20.2%
A3140 540660	RTA Telephone-RTA	1,440	0	1,440	341.91		.00	1,098.45	23.7%
A3140 540731	Training/State Req	12,067	0	12,067	474.84		.00	11,592.16	3.9%
A3140 581088	State Retirement F	102,678	0	102,678	26,103.77		.00	76,573.83	25.4%
A3140 583088	Social Security Fr	58,164	0	58,164	16,495.37		.00	41,668.18	28.4%
A3140 584088	Workers' Compensati	19,198	0	19,198	5,954.09		.00	13,243.56	31.0%
A3140 585588	Disability Insuran	1,064	0	1,064	301.67		.00	762.37	28.4%
A3140 586088	Health Insurance F	301,471	0	301,471	75,958.88		.00	225,511.78	25.2%



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2023 05

ACCOUNTS FOR: General Fund ORIGINAL APPROP TRANSFRS/ADJUSTMENTS REVISED BUDGET YTD ACTUAL ENCUMBRANCES AVAILABLE BUDGET PCT USE/COL

A3140	588988	Eap Fringe	228	0	228	74.16	.00	154.14	32.5%
TOTAL	Probation		1,181,705	66,621	1,248,326	307,282.39	40,201.50	900,841.76	27.8%

A3142 Alternatives To Incarceration

A3142	415150	Alternatives To In	-100	0	-100	.00	.00	-100.00	.00*
A3142	433120	State Aid-Alternat	-12,145	0	-12,145	.00	.00	-12,144.51	.00*
A3142	510010	Full Time	13,705	0	13,705	3,448.75	.00	10,256.25	25.2%
A3142	540140	Contracting Servic	3,500	0	3,500	331.65	.00	3,168.35	9.5%
A3142	581088	State Retirement F	2,428	0	2,428	640.19	.00	1,787.75	26.4%
A3142	583088	Social Security Fr	950	0	950	287.32	.00	662.65	30.2%
A3142	584088	Workers Compensati	392	0	392	118.19	.00	273.60	30.2%
A3142	585588	Disability Insuran	22	0	22	6.31	.00	15.41	29.1%
A3142	586088	Health Insurance F	3,541	0	3,541	1,051.46	.00	2,489.86	29.7%
A3142	588988	Eap Fringe	5	0	5	1.48	.00	3.18	31.8%
TOTAL	Alternatives To Incarceration		12,298	0	12,298	5,885.35	.00	6,412.54	47.9%

A3146 Sex Offender Program

A3146	540140	Contracting Servic	123,840	0	123,840	41,280.00	82,560.00	.00	100.0%
TOTAL	Sex Offender Program		123,840	0	123,840	41,280.00	82,560.00	.00	100.0%
TOTAL	General Fund		1,317,843	66,621	1,384,464	354,447.74	122,761.50	907,254.30	34.5%
TOTAL	REVENUES		-192,214	0	-192,214	-35,178.84	.00	-157,034.67	
TOTAL	EXPENSES		1,510,057	66,621	1,576,677	389,626.58	122,761.50	1,064,288.97	



TIOGA COUNTY, NEW YORK

Tioga County YEAR-TO-DATE BUDGET REPORT

FOR 2023 05

ACCOUNTS FOR: Capital Fund ORIGINAL APPROP TRANFRS/ ADJUSTMTS REVISED BUDGET YTD ACTUAL ENCUMBRANCES AVAILABLE BUDGET PCT USE/COI

H3140 Probation Capital

ACCOUNTS FOR:	ORIGINAL APPROP	TRANFRS/ ADJUSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COI
H3140 520060 Car/Truck	0	25,620	25,620	25,620.02	.00	.00	100.0%
TOTAL Probation Capital	0	25,620	25,620	25,620.02	.00	.00	100.0%
TOTAL Capital Fund	0	25,620	25,620	25,620.02	.00	.00	100.0%
TOTAL EXPENSES	0	25,620	25,620	25,620.02	.00	.00	



TIOGA COUNTY, NEW YORK

Tioga County
YEAR-TO-DATE BUDGET REPORT

FOR 2023 05

	ORIGINAL APPROP	TRANSFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USE/COL
GRAND TOTAL	1,317,843	92,241	1,410,084	380,067.76	122,761.50	907,254.30	35.7%

** END OF REPORT - Generated by Cain, Brian **

Public Safety Committee Meeting
Probation Department Report
May 2, 2023

Budget Status:

2023 Revenue Budget:

- \$540 of DWI Supervision fee collected in April. \$3,370 collected to date in 2023
- \$2,306 in restitution and surcharge collected in April. \$4,440.33 collected to date in 2023

Current Business:

1. Staffing – One open Probation Officer position and one open Part time Supervisor position. With the anticipated retirement of Probation Supervisor Teri Rosenberger in September, interviews of current Sr. Probation Officers to fill the anticipated open Supervisor position will begin in June. Interviews are in progress for the open PO position. The Probation Officer Civil Service Test is scheduled for June 24, 2023.
2. SCRAM Systems – Alcohol monitoring devices. Probation is exploring the possibility of entering into a contract with SCRAM Systems. Two products Probation is looking at are the SCRAM Cam (continuous alcohol monitoring) and the SCRAM Remote Breath Pro (on demand in home alcohol breath testing unit). Probation previously used in home breathe testing units from Smart Start however those units are no longer available. The SCRAM Cam or SCRAM ankle monitor could offer another monitoring option for Courts at the Pre-Trial, Pre-Sentence, and Probation phase of their proceedings.

Update: This Director reached out to several other Probation Directors who utilize SCRAM in their county. The overwhelming response was positive. Therefore, this Director will contact a SCRAM representative and begin discussions regarding a possible contract.

3. Probation Administrative Fees Bill – Legislation has been proposed in the State Senate to eliminate Probation's ability to collect fees of any kind from individuals under Probation Supervision. In 2022, Tioga County Probation collected more than \$8,000 in DWI supervision fee. This revenue would be eliminated if the proposed legislation is passed. In total, the impact would be a loss of more than ten million dollars in revenue to Probation Departments.
4. 2023-2024 Annual Probation State Aid Plan, Certifications, and Application – On April 24, 2023, the Division of Criminal Justice Services distributed the 2023-2024 Annual Probation State Aid Plan. The due date for submission of the Plan is May 24, 2023. The Annual Plan is the mechanism New York State uses to approve the funding it provides to Tioga County for the operations of the Tioga County Probation Department. In 2023 Tioga County is scheduled to receive \$123,771 from New York State or approximately 9% of Probation's 2023 operating costs.

5. Probation began providing enhanced Pre-Trial Services to all Justice Courts effective April 1, 2023. Embedding a Probation Officer in the Courts on days when the District Attorney's Office and Public Defender's Office are present as well as the possibility of more monitoring options in the future will work to better inform the Courts of a defendant's cooperation level prior to sentencing.

Update: Probation has appeared in the Justice Courts to offer Pre-Trial Services since April 1, 2023. As anticipated, in addition to providing a risk assessment to the Courts, Probation has also been able to assist with other procedure related questions to help increase the efficiency in moving cases through to resolution.

6. Probation Admin staff finalized a comprehensive training list for newly hired Probation Officers. In addition to the state mandated Basic Course for Peace Officer and Fundamentals of Probation Practice trainings, the list will assure all new hires are receiving the same information and comprehensively versed on procedures within Tioga County. It will also provide documentation of the training if it is needed in the future.
7. Another focus of Probation in 2023 is to provide Officers with up-to-date technology available to assist them in their duties. To that end, Probation is exploring the purchasing of Ipads for all officers to enable them to access Caseload Explorer (Probation's case management tool), as well as forms, case notes, and other information necessary to effectively supervise probationers when not at their desktop. Probation has had initial discussions with IT Director Loveland regarding this. It appears it may be possible within the constraints of the current Probation budget.

Update: With the return of IT Director Loveland, it is anticipated progress will be made on this issue during the month of May. This Director has spoken to Director Loveland and the quote necessary to move forward will be received in the near future.

8. On April 25, 2023, a Supervisor Summit was held at the Tioga County Probation Department. Ten Supervisors from three surrounding counties attended the Summit with the purpose of strengthening the relationship of the supervisory staff in the four contiguous counties.

9. Juvenile Delinquency Services:

April of 2023- There was one Juvenile Delinquency Appearance Ticket (JDAT) received for the month of April. The 16-year-old youth was charged with Menacing in the Second Degree, Criminal Obstruction of Breathing, and Criminal Mischief in the Fourth Degree, all Class A Misdemeanors. Due to the nature of the offense, the youth's case was referred to the County Attorney's Office for possible petition.

YTD: 3 JDATs received to date.

- E- Connect: There was one youth screened in April of 2023. To date, two youth have been screened in 2023. As a result of the E-Connect screening, one youth was found to be below threshold and not in need of an immediate mental health

referral. One youth was found to be a level II and was referred for a mental health evaluation although the youth was already attending mental health treatment. The youth who appeared in January required immediate mental health services, and therefore was not screened at Probation.

- There are no youth currently in juvenile sex offender treatment.

ATI Programs:

- Electronic Monitoring – There is currently one individual being monitored via the VCheck24 phone app GPS electronic monitoring system and one defendant with the traditional ankle monitor.
- Community Service – WWP is currently suspended. The supervising Corrections Officer from the Tioga County Sheriff's Office is not available until June when the WWP will resume operations.
- Pre-Trial Release – There are 14 people being supervised via the Pre-Trial Release Program

Court Ordered Investigations: 30 active investigations for Tioga County courts (Criminal, Family and Surrogate)

Supervision: 171 cases ordered by Tioga County courts & Family Court (includes JD Diversion cases)

Violation of Probation petitions: 12 defendants/respondents have violation petitions pending against them in criminal & family court.

Personnel:

One Vacant Probation Officer position
One Vacant Part Time Probation Supervisor position
One unfunded Probation Officer position

Resolutions: Zero Resolutions



NEW YORK STATE
COUNCIL OF PROBATION ADMINISTRATORS
272 BROADWAY • ALBANY, NEW YORK 12204

LUCI WELCH
PRESIDENT
ORLEANS COUNTY

JOANNE MILLER
PRESIDENT ELECT
MADISON COUNTY

ALAN FRISBEE
VICE PRESIDENT
GREENE COUNTY

VINCENT DOTO
TREASURER
COLUMBIA COUNTY

MICHAEL SHARBAUGH
SECRETARY
CATTARAUGUS COUNTY

STEVEN BAYLE
IMMEDIATE PAST
PRESIDENT
SARATOGA COUNTY

April 11, 2023

The Honorable Kathy Hochul
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Honorable Andrea Stewart-Cousins
Majority Leader
NYS Senate
LOB Room 907
Albany, NY 12247

Honorable Carl Heastie
Speaker
NYS Assembly
LOB Room 932
Albany, NY 12247

Re: Bill # S6282 (Sepulveda) Probation Administrative Fees

Dear Governor Hochul, Majority Leader Stewart-Cousins and Speaker Heastie,

The New York State Council of Probation Administrators (COPA), which represents all county probation directors, strongly opposes bill 6282 introduced on April 11, 2023, which repeals/amends Section 257-C of the Executive Law. Should this pass, it will have a devastating impact (ten million dollars plus) on probation departments across the state.

Currently, Section 257-C allows for every county and the City of New York to adopt a local law requiring individuals currently serving or who shall be sentenced to a period of probation upon conviction of any crime under article thirty-one of the vehicle and traffic law to pay to the local probation department with the responsibility of supervising the probationer an administrative fee.

This legislation repeals section 257-C of the Executive Law and prohibits any county or city to adopt a local law requiring individuals currently serving or who shall be sentenced to a period of probation upon conviction of any crime to pay any fee, including but not limited to an administrative fee, supervision fee, monitoring fee, testing fee, or screening fee to the local probation department with the responsibility of supervising the probationer. It goes well beyond Driving While Intoxicated fees, and, in addition, eliminates our ability to collect any type of fees associated with the daily task of rehabilitating offenders.

All 57 counties and the City of New York have local probation departments which serve both the criminal and juvenile justice systems and play a crucial role in maintaining safe communities and reducing recidivism. We have many responsibilities including Pretrial, Intake, Pre-Sentence/Pre-Dispositional reports, Supervision, Conciliation/Restitution Collection Services, and administer many proven recidivism reducing programs. Cognitive Behavioral Interventions are time

intensive and costly. This legislation will have a negative impact on a department's ability to deliver proven recidivism reducing programs and make positive impacts on justice involved individuals.

Probation departments across New York State collect some variation of these fees to offset departmental budgets which include staff and critical programs. If offenders, many of whom, state reports have shown, are employed; do not pay these fees as part of their rehabilitation and debt to society, the burden will shift to law-abiding taxpayers. Part of effective supervision and rehabilitation is being accountable for your actions, which includes financial responsibility. Many of the fees collected by probation departments take indigence into account when assessing charges. Further, nonpayment never results in or can be part of a Violation of Probation Petition so any punitive consequences are nonexistent.

Funding for probation departments is at a critical low. State Aid to localities has dropped from 49.6% in 1990 to approximately 10% in 2022. In order for probation to be a meaningful sanction, it must be adequately funded. Probation is the sanction of choice in the Criminal Justice System. More offenders are under supervision of county probation departments than are in state prisons and on parole combined. Fewer violent offenders are being sentenced to state prison. Many, including sex offenders and domestic violence offenders, are under local community supervision. This increased demand for services has resulted in new, innovative initiatives being implemented across the state by county probation departments, with the main focus on keeping our communities safe. We cannot fulfill this mission alone. Therefore, New York State COPA is requesting state aid to local probation departments be funded at a rate commensurate with other public safety agencies.

We would ask the Legislature to reject this proposal, and instead increase state aid to probation departments in recognition of the vital work Probation Officers engage in within their communities every day. Please feel free to contact us through our President, Lucille Welch, Director, Orleans County Probation Department at (585)-590-4100.

Thank you for your attention to this matter.

Sincerely,

Lucille A. Welch
President
NYS Council of Probation Administrators

CC: NYSAC
OPCA