

**REGULAR MEETING OF  
PUBLIC SAFETY COMMITTEE  
Ontario County Safety Training Facility  
October 15, 2013 2:00 P.M.**

**Committee Members**

Samuel Casella, Chairman – Necessarily Absent  
Mary Luckern  
John Champlin  
Norm Teed  
Robert A. Green, Jr.  
Donald Ninestine

**Others Present**

John Garvey, Philip Povero,  
Alice Haskins, Tom Harvey,  
Dru Malavase, Jeff Harloff,  
Steve Vanderbrook, Diane Johnson,  
Jeff Rougeux, Mary Gates, Halle Stevens,  
Todd Campbell

The Public Safety Committee met at the Ontario County Safety Training Facility on Tuesday, October 15, 2013. Vice Chairman Ninestine called the meeting to order at 2:00 p.m. and chaired the meeting.

**Approval of Minutes:**

**Supervisor Teed moved approval of the Minutes of the Regular Meeting held on September 23, 2013. Supervisor Champlin seconded the motion, carried unanimously.**

**Planning:**

Mr. Harvey requested authorization for payment of the following invoices:

- A. Harris Corporation, Invoice S000000575, for \$25,373.50.
- B. Synergy Global Solutions, Invoice AD242512, for \$278.72
- C. Messenger Post Newspapers, Ad # 02539899-001, for \$22.00
- D. Finger Lakes Times, Invoice 2893462, for \$28.80

**Supervisor Teed moved approval of the above listed invoices as requested by Mr. Harvey. Supervisor Champlin seconded the motion, carried unanimously.**

**STOP-DWI:**

Ms. Malavase requested authorization for a budget transfer from the STOP-DWI reserve fund for overtime for the Sheriff's Office and Probation for Night Watch. Funds are also to be used for underage stings and educational programs.

**Supervisor Champlin moved approval as requested by Ms. Malavase. Supervisor Teed seconded the motion, carried unanimously.**

**Emergency Management:**

Mr. Harloff requested authorization for payment of Finger Lakes Communication Invoice No. 102001710 pertaining to Capital Project No. 6-2012 for installation of equipment at tower sites.

**Supervisor Teed moved approval as requested by Mr. Harloff. Supervisor Green seconded the motion, carried unanimously.**

**County Administrator:**

Mr. Garvey presented a resolution for approval to prepare a local law that would establish a Conflict Defender Office. The number of cases that have been handled by Assigned Counsel have grown and the time has come for the County to take over the program. This new office would take cases that are a conflict for the Public Defender's Office, manage assigned counsel, and assign qualifications for panels. There are specific qualifications for panels of the different courts. The attorney in this office would be the same pay grade and status as in the Public Defender's Office. Mr. Garvey will come back to the appropriate committees for the budget process. This particular resolution will allow for the establishment of positions. This coming Friday, Mr. Garvey is to meet with the Bar Association. He will meet with the Personnel and Finance Committees. The Insurance Committee has already discussed the proposal and the Chairman has indicated his support. A brief discussion followed.

**Supervisor Green moved approval for the creation of a Conflict Defender Office as requested by Mr. Garvey. Supervisor Luckern seconded the motion, carried unanimously.**

At this time, Supervisor Champlin introduced Mr. Todd Campbell to the Committee. Mr. Campbell is a candidate for the position of West Bloomfield Town Supervisor. He is currently the Town's Planning Board Chairman.

**Public Works:**

Mr. Vanderbrook requested authorization for the creation of Capital Project No. 7-2013 – Jail Modifications and award of contract to Labella Associates for professional design services. This is for the constant watch area and female housing cell segregation area as required by the Commission of Corrections. Proposals were sent to five pre-qualified firms. Public Works evaluated the responses and recommend the contract for design services be awarded to Labella Associates for \$36, 825.

**Supervisor Green moved approval as requested by Mr. Vanderbrook. Supervisor Champlin seconded the motion, carried unanimously.**

**Public Defender:**

On behalf of Ms. Lapp, Mr. Garvey requested authorization for acceptance of a contract with FLACRA for mental health evaluations and referrals for inmates whose cases are pending.

**Supervisor Champlin moved approval as requested by Mr. Garvey. Supervisor Luckern seconded the motion, carried unanimously.**

**Office of Sheriff:**

Chief Haskins gave a preliminary report to the Committee on the findings of Champlin Commission concerning Alternatives to Incarceration. She gave an overview of the Commission, their findings, and recommendations. The recommendations include the establishment of a criminal justice advisory board, an ATI executive committee, mental hygiene forensic diversion; DCJS grant (if awarded to County) to implement a female DWI program, and implementing a number of program specific recommendations referred back to sponsoring groups for review. The commission would like to continue for a few more weeks so that they could also speak with County judges and get their input.

Supervisor Ninestine stated that he was tremendously impressed with the amount of work the commission has already done. Supervisor Champlin gave a statement to the Committee outlining his thoughts on ATI issues. Supervisor Champlin expressed concern with the level of communication between departments. Attached to his written statement, Supervisor Champlin attached the by-laws of the Genesee County Criminal Justice Advisory Council along which could be considered as a model plan. Discussion followed. Mr. Garvey stated the magistrates should be a part of this group and be aware of the findings. Ms. Johnson agreed. There needs to be communication not just between the various departments but with the judges also.

Sheriff Povero requested authorization for the renewal of bid for footwear for the Office of Sheriff. This is for Law Enforcement, Communications, and Jail employees and is a 12 month renewal at the same price.

**Supervisor Green moved approval as requested by Sheriff Povero. Supervisor Teed seconded the motion, carried unanimously.**

Chief Haskins reviewed Jail population. The weekend high was 236, with none housed out. Currently, there are 41 females, only 8 are eighteen and under. Revenue for September was \$1,445 from Genesee County for 17 days of housing. Total revenue for the year so far is \$18,720. There is an opportunity, as space arises, to continue housing females for Genesee County.

Chief Haskins also explained the Jail capacity and regulations for housing. It can get confusing due to the way classifications have to be done for this facility. There are 282 beds in the Jail. Hearing that there is only a total of 236 inmates, one would think that there are many available beds. However, the female unit allows for 60 beds. Legally, those beds cannot be used for anyone else. The same applies to the minors. Up until this year, the Jail was able to co-mingle minors and adults for a maximum of three times per year. However, the Prison Rape Elimination Act took effect in August 2013. It is a Federal law that says co-mingling can't be done. Since that option has been taken away, there are typically 12-16 empty beds in that unit. Two housing units for adult males, with double bunking, can house 60 people each. Forty-eight is the usual number. By law, there has to be inmate acceptance for double bunking. When there are 236 people, with classifications, the Jail can be full but still have capacity. Regarding housing in, there is rarely an occasion to house in a male minor, so the revenue opportunity is not there. The female pod is sub-divided so that minors can be in an independent area there. That is also a space for close supervision, which is why the Commission of Correction has been asked to approve further subdivision of that area. Within the classification, there has to be space for general classification and close supervision classification. When the Jail opened 10 years ago, there were only 24 people that needed close supervision. Now, there are 48. People with mental health issues cannot be double celled.

Sheriff Povero has met with Eastview Mall management regarding extra police protection during the holiday season. They are looking forward to a good quarter and thank the County for continued support for the current and holiday contracts to help keep Eastview Mall safe.

Sheriff Povero advised the Committee of the passing of Correction Officer Joe Babb, who served the County for 19 years. Sheriff Povero respectfully requested a resolution of sympathy for Officer Babb's family.

**Supervisor Green moved approval as requested by Sheriff Povero. Supervisor Champlin seconded the motion, carried unanimously.**

**Supervisor Teed moved to adjourn the meeting at 3:00 p.m. Supervisor Champlin seconded the motion, carried unanimously.**

Respectfully submitted,

Linda A. Hudson  
Confidential Secretary