



Onondaga County Legislature

JAMIE McNAMARA
Clerk

JAMES J. ROWLEY
Chairman

TAMMY BARBER
Deputy Clerk

401 Montgomery Street • Court House • Room 407 • Syracuse, New York 13202
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PUBLIC SAFETY COMMITTEE MINUTES – JANUARY 17, 2023 **MARK A. OLSON, CHAIR**

MEMBERS PRESENT: Mr. Knapp, Mr. Ryan, Mr. Bush, Mr. Kinne

ALSO ATTENDING: Chairman Rowley, Ms. Cody, Ms. Kuhn, Dr. Chase, Mr. McBride, Mrs. Ervin;
also see attached

Chair Olson called the meeting to order at 9:05 a.m. *The minutes of the previous meeting had been distributed, and there were no objections to waiving the reading. There were no corrections to the minutes, and the minutes were approved.*

1. EMERGENCY COMMUNICATIONS (911): Kevin Spraker, Deputy Commissioner; Sean Sparks, Public Safety Shift Supervisor

a. BOND: A Resolution Authorizing E911 Tower Site Shelter Rehabilitation in and for the County of Onondaga, New York, at a Maximum Estimated Cost of \$1,091,000, and Authorizing the Issuance of \$1,091,000 Bonds of Said County to Pay Costs Thereof (\$1,091,000)

- Funding to replace AC units and doors at tower sites
- 15 tower sites around county that service radio systems for Police, Fire and EMS; put in ~2006; concrete structures with metal doors - 2 AC units in buildings for redundancy; showing age and issues, and should replace
- If the AC units fail, temperatures inside will cause radio systems to go down in those areas
- Doors showing age and rot – replace those to keep doors and shelters secure

Request: Provide a listing of all the tower sites within the county

- \$2.5M budget, total ask is \$1.091M
- If this passes, it would be in place this year depending on supply chains
 - Will be put out to bid, then Purchasing awards to successful bidder
 - Order units, which will take time to produce and ship the units
 - Manufacturer of unit believes they can supply enough to keep installation schedule on track – done by end of year
- Doors may be different, as steel is expensive and hard to come by
- Sooner approved, sooner get out to bid and get everything done
- Energy efficiency – current units were the most energy efficient units available at the time (2006)
 - Units running 24/7 all year; even in winter the buildings are air conditioned
 - Looking at the most energy efficient compressors that are environmentally friendly
 - Take out older units and recycle to best of ability and replace with energy efficient ones
 - Doors - not much changed with door technology, but there are better installation
 - High security solid doors that are ballistic resistant; energy efficient, because they are thick
 - Will ensure frames are energy efficient, because the more air they keep in makes things better
 - They will also keep pests out; rodents were issue for radio system before shelters went in; not an issue anymore, but need to take care of the rot

A motion was made by Mr. Ryan, seconded by Mr. Knapp, to approve this item. Passed unanimously; MOTION CARRIED.

2. **SHERIFF:** Chief Melissa Berlinski, Civil

a. **BOND: A Resolution Authorizing the Purchase and Installation of Security Operation and Inmate Information Systems at the Justice Center in and for the County of Onondaga, New York, at a Maximum Estimated Cost of \$7,513,000, and Authorizing the Issuance of \$7,513,000 Bonds of Said County to Pay Costs Thereof (\$7,513,000)**

- 2019 - upgrade to 25 year old program; system has exceeded life expectancy; runs on Windows 7 (not viable)
- Current inmate system is over 20 years old; cannot keep pace with growing information demands
- Upgrade includes:
 - Changeover from current analog video to digital
 - Recording technologies
 - Upgrade BlackCreek and Windows operating systems (Windows 11) - installation of video and audio upgrade
 - Safety for facility, staff and incarcerated individuals
 - Install RTLS Detainee Well Being Monitoring System – ties into health and wellbeing of incarcerated individuals
 - Replace CNYIIS with SallyPort Jail Management System
- Implementation to commence in 2023; will take up to 12 months to complete
- If system goes down and they lose control of doors electronically, they will back to key system
 - Cumbersome - any movement will be with a key
- Only for Justice Center; not sure the status of Jamesville's system
- BlackCreek a single source vendor
- If given the go ahead, then they will start immediately
- This includes hardware and software; camera system will be digital vs. current analog cameras

A motion was made by Mr. Knapp, seconded by Mr. Bush, to approve this item. Passed unanimously; MOTION CARRIED.

b. **Personnel Resolution:** Maureen Murphy, Chief of Administration

- Create 2 new positions; Director of Community Relations and Chief of Investigation, Special Enforcement Unit
- 3 Captains retired - positions will be unfunded and remain on roster; which will cover the salaries of these 2 positions
- Sheriff identify community relations - need to recruit, retain and create better relations between law enforcement and community they serve
- Organization grown and police division needs more critical oversight; will not cost more and will have salary savings

A motion was made by Mr. Kinne, seconded by Mr. Ryan, to approve this item.

- Community relations – Sheriff has committed and directed Command Staff to share in the duties of engaging with neighborhood watch, town board meetings and community at large; Director will spear head that

A vote was taken on the motion. *Passed unanimously; MOTION CARRIED.*

3. **INFORMATIONAL: Onondaga County Correctional Facility**

Ms. Rooney, Deputy County Executive Human Services, presented the following information:

Jamesville Historical Timeline

(Beds at Justice Center - 665, Beds at Jamesville – 475, Total Beds – 1,140)

- **2013 – Under management of County Executive**
- **March 2015 - Hurrell-Herring Settlement – Requires Counsel at first appearance**
- **April 2015 – No sentenced or unsentenced 16- or 17- year-olds will be housed at Jamesville**

- **February 2017 – Raise the Age – Resulted in no 16- or 17- year olds housed at the Justice Center – no longer under auspices of the Sheriff**
- **November 2017 – 1,033 incarcerated individuals**
- **December 2017 – Establishment of Centralized Arraignment Part – “CAP Court” – led to significant reduction in incarceration numbers at the Justice Center**
- **January 2018 – After Consensus recommendation, voters approve transfer of authority of Jamesville from the County Executive to the Sheriff**
- **January 2020 – Implementation of Bail Reform – eliminates bail and pre-trial detention in nearly all misdemeanor and non-violent felony cases**
- **December 2021 – 522 incarcerated individuals**
- **November 2022 – Letter from NYS Indigent Legal Services warning us of reopening of Hurrell-Herring settlement agreement by the plaintiffs due to our inability to have in-person arraignments – (additionally causes artificially high number if incarcerated individuals because of inability to transport for court dates)**
- **November 2022 – 533 incarcerated individuals**
- **November 2022 – Six deputies sworn in for Custody positions, while approximately 12 retired or left employment over course of year**
- **2021-2022 – Civil service tests administered with drastically reduced numbers of test takers –**
 - **2021 – one test – 52 test takers**
 - **2022 – two tests – 71 test takers**
 - **In 2018, over two tests administered, there were 454 test takers**
- Capacity between the 2 facilities and number of incarcerated individuals has gone down over the last few years
- Administration under County Executive McMahon has been in discussion with Sheriff since 2020 about future of Jamesville Correctional Facility due to number of new laws, procedures and lawsuits (huge decline in incarcerated)
- 10 years ago, Dept. of Corrections was under auspice of County Executive and had been for history of Jamesville, with a Commissioner appointed by the County Executive (approved by the Legislature)
- March 2015, Hurrell-Harring settlement involving 5 counties (one being Onondaga County), was settled, and Onondaga County was a party to that lawsuit
 - Biggest piece of that settlement was requirement of counsel at first appearance
 - This relates to transport of those arrested to court, so they can have counsel at their first appearance
- April 2015 – decided no sentence or unsentenced 16 and 17 year olds would be housed at Jamesville
 - Administrative decision made by Sheriff in conjunction with County Executive at the time
 - These are things that served to reduce population at Jamesville
 - Done in anticipation of what state would see with Raise the Age; NY only state in country that had 16 and 17 year olds in adult facilities; passed in 2017, and since that time, no 16 or 17 year olds; all housed at Hillbrook
 - It was at the same time this body approved doubling the size of Hillbrook in anticipation of a number increase
 - Hillbrook is 1 of 6 juvenile facilities in the state; house those arrested under age of 18
 - Took population out that was not lawful to keep in adult facility
- Nov 2017 – between 2 facilities, had 1,030 incarcerated individuals; total of 1,140 beds
- Dec 2017 – Centralized arraignment - knew would see big decline in those coming to JC
 - Court held every night of week; someone arrested in town of Onondaga, will be arraigned that evening
 - Will no longer be brought to JC waiting for town of Onondaga to meet
 - Agreement between Sheriff (responsible for transport), policing agencies and judiciary to make it happen

- Those arrested would go to court and be released without spending days at JC waiting for a first appearance
- Jan 2018 – Corrections under County Executive and JC under Sheriff; recommendation at the time to combine for efficiencies; Sherriff fully on board; talked about combining operations between Jamesville and downtown
 - Voted on and came to fruition in 2018
- Jan 2020 – Implementation of Bail Reform, which eliminated bail and pretrial detention
 - Pretrial detention means housing someone in JC prior to them going to court - knew the numbers would decline
 - Because of Bail Reform and people getting released on recognizance or given appearance tickets, they are not held at JC; there has been precipitous decline in 1 year sentences from Judges
 - Judges not holding them or giving sentences
- Dec 2021 – total between Jamesville and JC is 522 incarcerated individuals
- Been working since 2020 on finding an administrative solution - huge decline in number of people seeking careers in law enforcement (everywhere in country); people taking civil service tests gone down

Exam No Title	Type	Published	Deadline	Given	Established	Valid Until	# Apps	Approved	# Took Exam	# Appointed
60860 CORRECTION OFFICER/DEPUTY SHERIFF (CUSTODY)	OC	10/18/2022	11/01/2022	12/10/2022				22	20	0
64170 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	04/08/2022	05/10/2022	06/25/2022	09/09/2022	09/09/2023	55	51	37	5
62446 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	09/22/2021	10/26/2021	12/11/2021	03/25/2022	03/25/2023	54	52	38	6
61068 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	11/06/2019	12/17/2019	02/01/2020	10/14/2020	09/09/2022	77	74	46	2
61049 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	07/25/2019	08/20/2019	09/28/2019	02/26/2020	09/09/2022	106	104	79	8
65217 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	11/15/2018	12/18/2018	02/02/2019	05/07/2019	09/09/2022	144	141	97	2
68174 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	08/29/2018	10/02/2018	11/17/2018	01/09/2019	01/09/2020	308	303	224	36
62070 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	11/15/2017	12/19/2017	02/03/2018	03/29/2018	05/06/2019	155	151	114	13
61057 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	11/23/2016	12/27/2016	02/11/2017	06/12/2017	01/08/2019	163	159	123	13
67522 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	01/20/2016	02/23/2016	04/09/2016	07/01/2016	03/28/2018	366	356	291	55
63328 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	01/24/2014	02/25/2014	04/12/2014	06/04/2014	06/30/2016	394	386	314	54
67876 ENTRY LEVEL CORRECTION/CUSTODY SERIES	OC	01/30/2012	02/28/2012	04/14/2012	07/06/2012	06/03/2014	411	405	337	56

- Approved column shows decline – 337 individuals took exam in 2012
- Talking to representatives from Sheriff’s office last year, latest class had a total of 6 recruits with 12 retirements
- Not working in favor for the safety of those incarcerated and the officers
- Remedy to move jail deputies to Jamesville - shortage of Corrections Officers
- Currently have 85 Corrections Officers with ~50 individuals sentenced to 1 year; moving inmates from downtown to Jamesville, so it looks like more people are there, but sentenced individuals total is around 50 with 85 deputies
- Did balancing for safety, but with a total of 550 inmates, there is no reason to keep both facilities operating
- Sheriff Conway worked with Personnel and Law Dept. to establish a solution by bringing the unions together (CSEA & DSBA) – move everyone downtown and operate 1 facility; discussions not successful
- November received the following letter from NYS Indigent Legal Services warning that Onondaga County is in violation of the Hurrell-Harring lawsuit for not getting inmates to court for their first appearance



New York State Office of
Indigent Legal Services

80 S Swan Street, Suite 1147, Albany, NY 12210
Tel: (518) 486-2028 Fax: (518) 474-0505
E-Mail: info@ils.ny.gov www.ils.ny.gov

Kathy Hochul
Governor

Patricia J. Warth
Director

Burton Phillips
Counsel

November 17, 2022

Transmitted Via Email

Ryan McMahon
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RyanMcMahon@ongov.net

Eugene J. Conway
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Onondaga County Sheriff's Department
407 S. State St.
Syracuse, NY 13202
EugeneConway@ongov.net

Re: *Hurrell-Harring v. State of New York Settlement:*
Onondaga County's Failure to Comply

Dear County Executive McMahon and Sheriff Conway:

I am writing to alert you to Onondaga County's failure to comply with a key provision of the *Hurrell-Harring v. State of New York Settlement* (HH Settlement), which Onondaga County signed in October 2014. Pursuant to the HH Settlement, Onondaga County is, among other things, required to ensure that all people arrested for a criminal offense are represented by defense counsel at their arraignment. Moreover, § III(A)(2) of the HH Settlement specifically requires *in-person* representation at these arraignments. Under the terms of the HH Settlement, the State funds arraignment representation, as long as the terms of the HH Settlement are met. The New York State Office of Indigent Legal Services (ILS) is required to monitor HH Settlement implementation and disburse State funds to Onondaga County for its implementation.

Until early 2020, Onondaga County was in full compliance with the HH Settlement's requirements that people arrested for a criminal offense are represented in-person at their arraignment. In March 2020, the Covid-19 public health crisis necessitated temporary suspension of in-person arraignments as an emergency measure and in accordance with Executive Order 202.1, issued March 12, 2020, which authorized virtual court appearances as a public safety measure. Conducting arraignments virtually was considered a temporary, emergency exception to the legal requirement of personal appearance by the arrested persons and defense counsel. Thus, the expectation was that in-person arraignments would resume once the public health necessity for virtual arraignments was over. Well over a year ago, on

Improving the Quality of Mandated Representation Throughout the State of New York

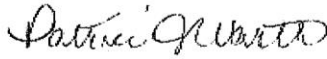
June 24, 2021, the Governor issued Executive Order 210, which rescinded Executive Orders 202-202.11, effective June 25, 2021, and noted that the reduced Covid-19 positivity rate and availability of vaccinations meant that these emergency measures were no longer necessary.

Since, Onondaga County has returned to in-person arraignments for the Centralized Arraignment Program (CAP) evening session, and for all arraignments that occur in the town and village courts. However, the custodial arraignments in the Syracuse City Court morning session—which constitute a significant percentage of all Onondaga County arraignments—continue to be conducted virtually. This failure to return to in-person arraignments well over a year after the end of the public health necessity for virtual arraignments renders Onondaga County out of compliance with a critical HH Settlement requirement, as well as Executive Law § 832(4), which also requires in-person representation at arraignments.

ILS has been assured that court personnel and the Assigned Counsel Program have long been ready to return to in-person arraignments in Syracuse City Court, and that the failure to do so is a result of an Onondaga County Sheriff's Department staffing shortage. It is our understanding, however, that there are potential solutions to ensure full return to in-person arraignments, and that, in fact, Onondaga County is already demonstrating an ability to transport people in-custody for in-person parole violation first appearances (i.e. recognizance hearings). While we recognize that there is a staffing shortage, Onondaga County's ongoing failure to address this issue and explore possible solutions renders the County susceptible to litigation by the HH Settlement plaintiffs.

To help achieve a timely resolution to this issue, ILS is willing to meet to further discuss it and to explain the risk of legal liability Onondaga County faces if the issue is not resolved soon. I can be reached by phone at (518) 603-0851 or by email at patricia.warth@ils.ny.gov. I look forward to your prompt response to this letter.

Sincerely,



Patricia J. Warth
Director

Cc: Ann Rooney, Deputy County Executive for Human Services
Robert Durr, County Attorney
Michael Plochocki, Deputy County Attorney
Kathleen Dougherty, Executive Director, Onondaga County Assigned Counsel Program
Nora Christenson, Hurrell-Harring Settlement Implementation Unit Chief, ILS

- Hastened discussions between Sheriff and Executive Office about the need to merge Jamesville and JC
- Agreed to settlement with Hurrell-Harring – exposure is great, because lawsuit reconstituted at state, and believe state will bring county in as party to the lawsuit
- Last year, there were 69 instances where everyone in JC was on lockdown due to safety
 - Not enough deputies to oversee facility and ensure everyone's safety
 - Lockdown – Commission of Corrections clear that when someone is on lockdown, it is a punitive restriction for something at no fault of their own
 - Lockdown means missed visitation, missed programming, missed religious services, etc. (things they are entitled to)
- Transport Deputies
 - Transport to all courts including family court, downtown and local courts
 - Need 45 – have approx. 20; plays into shortage of officers
 - Plays into establishing everyone under DSBA – move officers downtown
- Deputies and Corrections Officers who accept the new role will receive a minimum \$10,000 raise
- Everyone will keep employment including civilian employees at Jamesville
- Believe this addresses issues including:
 - Hurrell-Harring
 - Number of officers to ensure safety of employees and those incarcerated
 - Allowing to restore religious services on timely basis
 - Lockdowns due to staff shortage will go away
- Firmly believe the county has tried all administrative measures, and this is left
- Only one other county has 2 facilities
- All counties experiencing shortage of people wanting to get into law enforcement
- Onondaga County has workable solution that is win/win for everybody: deputies from Jamesville, incarcerated individuals, and taxpayers
- Spending tremendous amount of money at Jamesville to incarcerate small number of individuals
- Numbers artificially high, due to missed court appearances, which extends their time, when they could have been released at court

Questions from the Committee:

- Hurrell-Harring – who is missing court appearances, and how often does that happen?
 - Can inquire from judicial system
 - Law Dept – still very big concern for Judge Murphy; do not have numbers, but the state is all over them

Request: Numbers to validate the scope of the problem

- How is everyone receiving a \$10,000 raise?
 - Officers at Jamesville have been asking for parity for years
 - This would put them in different job title with starting salary of \$10,000 higher across every title

- Sheer nature of job title will change
- Abolish and layoff at Jamesville, then immediate rehire at JC
- Individuals will receive a letter stating they have been laid off, along with a letter to offer employment downtown
- Personnel Department:
 - Corrections staff would come with their rank; will determine which step and rank in DSBA schedule
 - Amounts will vary based on rank; \$10,000 ballpark, but some will be more
 - Salary Plan available at: <http://ongov.net/employment/documents/SALARYPLAN.pdf>
 - Depends on grade, step and length of service; 5 years at Custody could land somewhere else in schedule
 - Senior Corrections Officers will be Custody Deputies; no equivalent in DSBA; no loss of pay
 - Senior Correction Officer titles will be abolished; they do not make more than a Custody Deputy
 - Corrections Sergeants and Lieutenants make less than Custody Sergeants and Lieutenants
 - Part of the Personnel Resolution includes creates, so there will be enough positions in every rank for everyone
 - Corrections Officers make \$10,000 less than a Custody Officer
 - Senior Corrections Officer does not have a parallel in Custody; will have significant pay increase
 - Seniority within the county applies to rank, step, pay, vacations
 - Seniority that does not apply is to shift selection; provision in DSBA contract that only the person's time within that bargaining unit applies to shift selection; current DSBA would have seniority over Corrections
 - Corrections Officer moving to DSBA may have a different shift then they do currently, but there is significant turnover, which results in opportunities to move up and have different shifts
 - All employees will come in rank
 - Bringing Captain from Corrections to Custody - currently JC has 8 funded Captains positions; at one time all 8 may have been filled; makes sense to bring Captain from Jamesville, as it includes bringing the inmates
- Clarify why this seems to be revolving around transport
 - Because of the Hurrell-Harring notice, but does not talk about shortage at JC
 - Reasoning behind moving inmates to Jamesville is because there is more staff at Jamesville
 - Talking about transport because of being on notice from state; lawsuit relating to first appearance
 - Other issues will be solved like programming, visitation, religious services
 - Justice Center Oversight Committee made administration aware of the issue that loved ones cannot get into JC to put money in commissary accounts – huge drawback for someone incarcerated
 - Host of issues around safety and the rights of incarcerated
- Has the administration been in dialogue with the Sheriff to develop immediate steps to correct the issue?
 - New Sheriff (prior to taking office) was spoken to by the County Attorney and County Executive about moving forward with this; prior to press conference in December
 - Have been meeting with the previous Sheriff since 2020 about this issue
 - Sheriff Conway chose administrative solutions that were not successful - talks broke down between the 2 unions
 - Letter from Indigent Legal Services in November putting county on notice for liability hastened discussions
 - It was not for political reasons
- How are they addressing the immediate crisis with transport?
 - Only solution is more employees; need more deputies that can transport
 - Those deputies exist in Jamesville, so once they are moved to DSBA, will have enough to cover transport
 - Personnel Department:
 - Cannot bring someone from Jamesville to help
 - Both unions assert exclusivity over the work: CSEA has sentenced, DSBA has presentenced
 - Tried bringing Corrections Officer to do DSBA work - got charged with an Improper Practice Charge by DSBA
 - Only way is to abolish the positions and rehire as DSBA, so they can do that work
- Are there any Federal prisoners at Jamesville?
 - Maybe 2; used to have fairly robust federal inmate program with significant line for revenue; went away years ago
 - Last year total revenue was \$12,000; used to be millions
 - Along with bail reform, under Trump administration, there was significant bail reform at federal level
 - Decriminalization of some drug related offenses; do not have the federal prisoners like used to
 - No path to having federal inmates come in and have the state pay for their stay

- Any inmates from Justice Center in Jamesville?
 - Yes, close to 100 from JC; 50 sentenced
 - Population on timeline is 533 total incarcerated individuals (Nov 2022) – sentenced and unsentenced; similar today
- Have they considered the increase in population due to Micron and possible bail reform changes?
 - NYS has Democratic Governor, Senate and Assembly - no move to further change bail reform laws
 - At end of 2020, laws were passed giving more Judicial discretion
 - Further offenses eligible for bail - do not see change in that
- What accounts for decreased sentenced individuals?
 - All misdemeanors and low level felonies can no longer be held for bail
 - By time court appearance or plea arrangement, judges not instituting 1 year sentences (sentenced are at Jamesville)
 - People are being released on bail, showing up for all court appearances, and have counsel at first court appearance
 - Having counsel at first appearance makes huge difference in whether a judge holds them or not
 - If DA sees they are complying with everything agreed to with release without detention, then they are forgoing any sentences of 1 year or less
 - With bail reform, county almost doubled pretrial detention budget
 - More community based work with those arrested
 - When judges see they are compliant, they are not being sentenced to Jamesville
- Is there any other jail in NY that has a similar inmate to staff ratio like Jamesville?
 - No
- Is the administration working on the letter dated Dec. 13th from the Commission of Corrections? (*Letter on file with Clerk*)
 - Came to Sheriff Conway – have a prepared response, but also had change in administration (Sheriff)
 - By in large, letter is reminding the county to be cautious in how this is done
 - Every piece has been contemplated and part of merger
 - HALT compliance – moving Corrections Officers downtown can be in compliance

Undersheriff Jeffery Passino presented the following information:

(*The Schoonmaker Lawsuit and draft presentation are on file with the Clerk*)

History

- One of the oldest, continuously operated County endeavors; dating back to 1795
- 2018 the control of Jamesville Correctional Facility was turned over from the county Executive to the county Sheriff via ballot proposal # 4 by the voters of Onondaga County.

Investments and Successes; Use of Facility

- The facility has been consistently recognized by the NYS Commission of Correction as being one of the best operating facilities in New York State
- As outlined in the Onondaga County Capital Improvement plan (2023-2028) and since the facility has been under the control of the Sheriff Improvements and upgrades have totaling nearly:
 - \$916,600 have been executed
 - HVAC project in unit 4 under resolution 2019-19 at a cost of \$182,000 has not been allowed to proceed
- Long term project in the county CIP of a fourth tower at the JC for use as a behavioral/mental health unit, although unit 5,6,7 at Jamesville was designed and constructed for this programming in mind such as a successful high impact drug treatment program or a future site for juvenile detention.

Programs at Jamesville

- Veterans Program – viewed as the best programs of its kind in NYS
- Incarcerated Females with Infant/Child Program – is also known to be highly successful and respected program in our community. It provides pre- and post-natal care and supervision of incarcerated mothers. Onondaga County is one of only three in NYS that offers this level of service. Schoonmaker vs Conway/Bleyle (NYS Supreme Court – March 2021) reinforced program continuation.
- Peace Incorporated – Early Head Start- This program is a stand-alone program but also acts as a companion program to the Incarcerated Females with Infant/Child Program. This program in one of the longest and most successful programs at the facility.

Onondaga/Iroquois Nation Sovereign Burial Grounds

- Considered “prehistoric” – active 1660 to 1675; approximately 8 acres in size at the southeast corner of the Jamesville property (adjacent to Taylor Road).
- Formal excavation of site in 1961 documented “a total of 59 graves containing a total of approximately 120 individuals....up to 10 individuals were interred in a single grave.” Repatriation ceremony held in 1999 reinterred a total of 81 additional souls.

Commission of Correction

- On December 13, 2022 the NYS Commission of Correction sent a letter to Sheriff Conway addressing their “critically important” concerns with the County Executive and Sheriff Conway’s press release regarding closing Jamesville. This letter was also CC to the County Executive.
- In that letter they also expressed concerns that there was NO formal communication made with their office and cited the need for a thorough review as part of the decision-making process.
- That letter went unanswered by Sheriff Conway
- In a perfect environment a process to close a correctional facility would take between 4 to 6 years to complete, including decertifying and zeroing out the capacity of facility.
- If this was done the facility would lose all current variances, grand-fathering, and other special considerations in place.
- If the facility was in need of re-opening it would cost the taxpayers several million dollars to turn the lights back on; consider sprinkler systems; ADA, updates in building code, etc. that are now spoken for under the above special conditions.

NYS Correction Law: Article 20: Section 500c states:

- The Sheriff of each County shall have custody of the county jail of such county.

NYS Corrections Law: Article 3: Section 4J states:

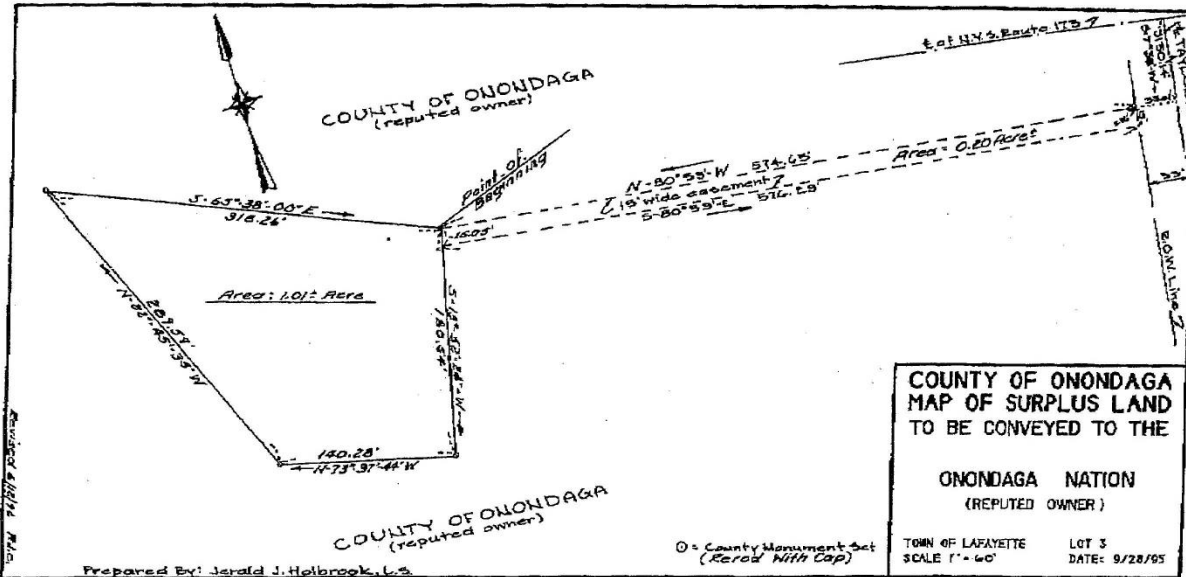
- The NYS Commission of Correction can close a jail or correctional facility. It can also prompt the NYS Supreme Court to file court orders to ensure compliance.

What does this ultimately mean:

- The Office of the Sheriff and/or the NYS Commission of Corrections are the only governing bodies that can authorize the closing of a jail or a correctional facility.

Governor announces bail reform changes:

- January 10th 2023 the Governor announced allowing judges “more discretion” in cases where a serious crime was committed.



OCT-13-1998 TUE 03:41 PM DIT OA VOICE
 10/13/98 15:02 018 438 8728
 FAX NO. 3154392361
 ONON. CO. DEPT. LAW

- Admin has asked for extension to respond to the letter from the Commission of Corrections
- Sheriff's Office response to transport issue discussed
 - Transport section requires 12 month training period, which happened under previous administration
 - What is the certification? There is not one; nothing presented from NYS, transport or Custody
 - This "club" does not allow other Custody Deputies to transport inmates when there are viable bodies that can do it
 - Only takes 18 weeks after academy to train officer to answer 911 calls, but takes 12 months to do a transport
 - Sheriff and Undersheriff instructed new Chief of Custody to reallocate people to transport when needed, so transports are not missed; recognized problem and created solution
 - This will not be a union issue, as they will use DSBA members (not part-time or road patrol)
 - No one should miss court; recognize problem and here to correct

John Ball, Consultant, presented the following information:

- Hurrell-Harring lawsuit had number of complaints:
 - ~Half of complaint – did not have assigned counsel at arraignment
 - ~Other half – said they could not make bail
- Do not agree with staffing issue – other counties in same predicament with staffing and inmate population
- Onondaga County unique – used to be 1 of 3 with Corrections under County Executive (Westchester and Suffolk)
- Monroe and Erie counties – 1 facility for sentenced and unsentenced; NYS recognizes classification of inmate on how they are managed in a facility; do not put someone accused of violent crime with someone accused of larceny
- Problem with proposal – JC not ready to accept inmates; decent percentage under construction with projects
- JC not set up for precedent under Schoonmaker lawsuit to do incarcerated woman with infant child program; could be HALT violation
- Met with NYS Commission of Correction – Commission brought up stack of documents largely unanswered and

- unopened issues involving the JC; dating back before Sheriff Conway; legacy issues that have not gone away
- Going to take time for new administration to get hands around it and come up with solution
- No exclusivity within the union – Deputy Sheriff of Custody is a Deputy Sheriff regardless of whether they are assigned to booking, visitation or housing unit
- Will not let people sit idly when people are waiting to be transported
- Asking to give Sheriff a chance to look at operation, see what they have, and identify the problems to fix them
- Asking committee to give the Sheriff time to identify problems before they close the facility

Questions from the Committee:

- Have spent a lot on Jamesville to keep it going, and do not understand closing it; have to keep heat on; have to have Jamesville and closing it will be waste of money
 - Facility built in 1982/83; over the years, number of large projects and expansions
 - Prominent study with NYSERDA and SUNY ESF on various roof engineering, green roofs
 - New unit construction in '98 and building opened in '99 - design of building went with managing inmate population
 - Unit is 180 beds; of 180 beds, 30 had double capacity cells to meet juvenile cell requirements
 - Foresight in late '90s was having purpose for facility other than inmates
 - Could they close Hillbrook and move to Jamesville – unit is segregated from jail with its own entrances and considerations; built with footprint to provide level of service required
 - Could be used easily with minimal investment for a behavioral health unit instead of building a tower
 - Reluctant to ask taxpayers to put more money into a facility if closing; lot of grandfathering with building codes
 - Decertify Jamesville, zero out population - legally cannot because of classification and size of JC
 - Losing grandfather clauses - ADA, HVAC, sprinklers – millions of dollars to be spent

Request: Keep the committee updated on the transport issue and reassignment of duties as it relates to the Hurrell-Harring case

- Dec 2022 – 26 incarcerated individuals did not make it to court
- Jan 1st – 12th, 2023 under Sheriff Shelley, only 2 did not make it
- Custody Chief working on it with Captains and Lieutenants
- Did not talk about long term staffing – looking at the trends it includes Corrections, Police, EMT and Fire; has to be addressed and thorough
 - 12 counties in state have changed way they test for Corrections and Custody – point system instead of formal test
 - Pilot program in civil service; based on point system and using at home computer
 - Resolution asking for position was for community relations to bring in people and educate them
 - Ongoing recruitment with officers going to high schools, trade schools and community college; do not need Master's Degree, need people to stay local and support community

A motion was made by Mr. Knapp, seconded by Mr. Ryan, to adjourn the meeting. Passed unanimously; MOTION CARRIED.

The meeting was adjourned at 10:22 a.m.

Respectfully submitted,



JAMIE McNAMARA, Clerk
Onondaga County Legislature

ATTENDANCE

COMMITTEE: PUBLIC SAFETY COMMITTEE

DATE: JANUARY 17, 2023

NAME (Please Print)	DEPARTMENT/AGENCY
Maureen Murphy	Sheriff's
MELISSA BERLINSEI	SHERIFFS
J. PASSINO	UNDER-SHERIFF
J. Ball	Sheriff's
M. Fischer	Sheriff's
RICHARD MIORI	SHERIFFS Dept.
John S. Desautels	Sheriff's Office
Nathan Hawker	Sheriff's Office
DAVID PASSINO	Sheriff office
Joseph Lee	DSBA
Kevin Spraker	911
Tom Newton	Sheriff's
Krista Small	FINUP
Carl Hummel	Personnel
Darcie Lesniak	Leg
Jim Beebe	Leg
John Desautis	Leg
Ann Rooney	CE
Brian Donnelly	CE
Steve Morgan	Finance
Estaban Gonzalez	CE