



Onondaga County Legislature

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PUBLIC SAFETY COMMITTEE MINUTES – AUGUST 10, 2021 CHRISTOPHER J. RYAN, CHAIRMAN

MEMBERS PRESENT: Mr. Rowley, Ms. Kuhn, Mr. Holmquist, Mr. McBride

ALSO ATTENDING: Dr. Chase, Ms. Cody, Ms. Lesniak, Ms. Vilardi, Mr. Frateschi, Ms. Velasco, Ms. Murphy, Mr. Conway, Mr. Fitzpatrick, Mr. Weiss, Mr. Shoff, Mr. Mourey

Chairman Ryan called the meeting to order at 12:04 p.m. *A motion was made by Mr. Rowley, seconded by Ms. Kuhn to waive the reading of the previous committee meeting. Passed unanimously; MOTION CARRIED. A motion was made by Mr. Rowley, seconded by Ms. Kuhn to waive the reading of the previous committee meeting. Passed unanimously; MOTION CARRIED.*

1. **DISTRICT ATTORNEY: William Fitzpatrick, District Attorney**

- a. Authorizing an Intermunicipal Agreement with the City of Syracuse for Reimbursement of Criminal Justice Discovery Reform Grant Funding

Mr. Wiess:

- \$1.9M grant from NYS – in order to receive grant there has to be an IMA with the City – for discovery work – reducing local dollars that were expended
- Answered Mr. Rowley’s question regarding grant money – money has been spent – money from the general fund grant will go back to the general fund – simply a reimbursement – 911, Lab, IT, Medical Labs – whoever incurred expense will get reimbursed
- Answered Mr. McBride’s question regarding frequency of the payment – hopeful for another payment next year

Mr. Ryan:

- Costs will continue so hope for continued reimbursements - not COVID money

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

- b. INFORMATIONAL: Budget update

Mr. Fitzpatrick:

- Invited annually to update County on DA’s office
- Historical perspective – NY was on a remarkable track – 2019 NY safest large state in America – at same time prison population reduced by 33% - lowest per capita ratio compared to any other state
- Go back to ‘70 and ‘80s with crack epidemic – federal and state law tough on crime – incredible disproportion of minorities in prison
- Prosecutors led the way – Onondaga County (“OC”) second in State to honor diversion to drug crimes
- Prosecutors created family justice centers, domestic violence court – all in danger of becoming distinct because of Albany – had time to get to root cause when woman have broken the law – get them out of the business – now they can’t be held – those that are in massage parlors are back in NYC and being used at other salons – most of reforms are based on false narratives

- Three things that have been harmful Raise the Age (“RTA”), bail reform and discovery reform – first time ever that OC had to send inmates to Buffalo because of lack of room – many are held on homicides
- Discovery for ADA never missed a beat – ADAs are now file clerks
- Bail reform – well intended – minority should not be held in jail – problem with lack of discretion – talk to the family of Connie Tuori
- 44% increase in homicides – up 117% - shooting with injury up 73% - numbers but stand for human beings – devastating to NY
- One case a week as a result of COVID – 60 homicide cases awaiting trial at the expense of the Sheriff who has to feed and house inmates
- 17 year old defendant arrested in April 2020, July 2020, February 2021, May 2021 and then committed a homicide – all released with an appearance ticket – same kid at 15 years old was in family court for murder
- 16 year old involved with a knife robbery – stopped by Solvay police for throwing ghost gun out the window
- These individuals are not safe to the community
- Answered Ms. Kuhn’s question - what would have happened prior to RTA – would have been held after the 3rd arrest – only changes that were made they included residential burglary to add bail – judges have no discretion
- Job is to keep people safe – starting at the grass roots – what institutional changes have to be made – why are they shooting people because they crossed into the wrong neighborhood
- Make policy on facts and not slogans – get the facts before making policy
- Eric Holder said it never happened but the entire country thinks it happened
- Secondly, asking Legislatures to reach out to State representatives – could we take a step back – not back to where we are holding people for weeks and months because they couldn’t afford \$500 bail – but could we do more – let them as they do in 48 other states determine if further damage could be done – look at NJ who use logarithms
- Huge discrepancy in staff pay – not prepared to discuss today – will start with the County Executive (“CE”) – defense attorneys making \$200K as assigned counsel – no one is in trial 50 weeks of the year
- Thanks for past support – first budget ‘92 – said to pad by 50% - you’ll get more and they will be happy they cut some – not partisan it’s about safety
- Connie had a right to live in skyline – could go on and on with the tragedies
- Thanks you for your support

Mr. Ryan:

- I hear a lot about the unintended consequences with bail reform – any facts to support children committing crimes because no one is going to jail

Mr. Fitzpatrick:

- 60 homicides waiting for trial – at least 10 are under 18 and they are being held at Hillbrook - disturbing because Hillbrook is not secured - offering support, education and counseling
- Juvenile crime is up – youth’s perception is consequences have weakened – knife point robbery should not be held in family court – 15 year old may need some help but shouldn’t be in family court
- Boston, Philly, Los Angeles and St. Louis – progressive prosecutors – provides a list of the crimes that won’t be prosecuted – think of the message that sends
- 95% prior to RTA that came into juvenile system went out with no record – at least you could mandate that whatever brought them in was addressed
- Answered Ms. Kuhn’s question comparing Syracuse to the nation in regards to funds - the pile of money to treat and counsel never showed up
- Crime is up everywhere – Syracuse is on par with Buffalo - Rochester has the worst increase
- Similar to other nations – all up – not sure about the RTA in other cities outside NY

Mr. Ryan:

- Budget question – last year added a position in discovery – how is that going

Mr. Fitzpatrick:

- Concentrating on staff retention – DEMS system comes from NY – 60% of cases don’t access material from the DEMS system – was required by discovery reform and 60% aren’t using it
- Starting ADAs at \$57K - Rochester \$71K

- Senior ADA – brilliant, smart, dedicated – getting a \$50K raise taking a position outside the DA’s office – has a caseload of 50 but going to 5 – more money less cases
- Will make a detailed presentation after conferring with the CE
- Addressed Ms. Kuhn’s comment about assigned counsel - currently pay approximately \$75 per hour - 50 weeks 5 days a week in trial – how could you bill \$200-\$250K in assigned counsel when the only person monitoring your hours is yourself
- Addressed Ms. Kuhn’s comment about Public Defenders office in Syracuse - assigned Counsel was to save money
- 2 to 1 in favor of prosecution – should be because we are the good guys – now it is 1 to 4 the other way
- ADAs don’t get overtime – work every weekend

Mr. Ryan:

- Police reform – how is it going and what are we doing with it – what are effects

Mr. Fitzpatrick:

- A good yardstick is to compare use of force civilian complaints 2020 vs 2021
- #1 problem with police is retention – Sheriff and Buckner are losing people – probably \$50-70K for the academy
- Our community has not been infected with the defund movement - this community still values an effective police force
- Tell every cop that they should know that every action will be on camera – increases professionalism - increase in resisting arrests concerns him
- Think we will get better in dealing with people with mental illness, drugs or alcohol

2. **SHERIFF’S: Eugene Conway, Sheriff**

a. INFORMATIONAL: Evidence Storage

Mr. Ryan:

- Committee has been talking about this and kicking the can down the road for longer than 10 years – Holmquist and I were on this committee when he first started – fork in the road – renewed interest in cooperation with City and County
- Would like to move this forward sooner than later – have been working with CE and facilities to move it forward

Mr. Conway:

- Three reasons for initiation: City and Sheriffs are trying to get accreditation highest level - Buckner is a member
- Buckner and I feel strongly that we won’t achieve because of our evidence room – coming for inspection in October
- Reason #2 – never had more collaboration with City and this is effecting both of us – truly consolidation
- Reason #3 – now is the opportune time because there are resources that are made available to both forms of government - believes if it doesn’t happen now don’t see anything changing going forward
- No criticisms of CE office – 3 buildings have been offered - former school, former OCWA building, army base – all very old buildings – all three require substantial renovations – none would work – City and OC put their heads together and reached out to commercial realtor – met with both groups and put something together – existing structures for lease or for sale 3-4 months ago – building something would be impossible

Mr. Shaw:

- Don’t have a lot to add – cost savings would be with insurance – make it more professional – current building leaks – car lot is unsecured location constantly being broke into – run the numbers we can share services

Mr. Conway:

- Biggest benefit would be for the DA’s office – would be 100% for keeping evidence
- Location doesn’t matter – just needs to be appropriate – will be necessary in 10 to 20 years – will not be phased out – not glamorous but a huge responsibility – keep guns, drugs, bicycles

Mr. Ryan:

- Recognize we have a problem and realize we need to fix it – probably need to have a real conversation about where and how big

- Should do it mindful of DA's needs – question is what do we want to do – sooner than later have a joint City-County facilities meeting

Mr. Shaw:

- Answered Mr. McBride's question regarding the definition of a good building - sufficient storage space – do some purging but some evidence has to be kept forever – fenced in lot – preferred covered and with lights – secure – customer service window to dispense property

Mr. Conway:

- We've done the work – definition fits under more of a warehouse type facility – not an old school – this would include Towns and Villages – have been asked if Towns and Villages put their items in – absolutely

Mr. Shaw:

- Looked at quite a few places – looked at old GM building that hit most of the buttons

Ms. Cody:

- Chris and I looked at the current County building – such a liability to the County to get to basement – a million problems – obviously not suitable
- Had meetings with CE to see what is available – appreciate the list – first and foremost to look at what is owned by OC – prefer to be something owned by OC since it is a long term lease
- True collaboration with the city – complex on Wilbur – former State development center that is owned by city – don't want it to far from the city – haven't had a chance to look at it

Mr. Shaw:

- Ton of vandalism – like the location – significant money to renovate – walls, copper, electricity has all been stripped

Mr. Ryan:

- Someplace that is leased or owned – how much do we put into someone else's building to get certified – what makes sense from a fiscal perspective

Mr. Conway:

- That's the reason we reached out to a realtor – looked at and rated each property
- County employee since 1978 – again for the last 12 years – County maintenance is abysmal – ½ of one boiler is operational – Joy Road is a disaster – County facilities are abysmal
- Only way to have anything taken care of is when they have to – so trying to retrofit is not an option
- Looking at Kasson Road school is a waste of time

Ms. Cody:

- Leasing is not an option – operation isn't going away –
- Commission on Accreditation for Law Enforcement Agencies (“CALEA”) folks coming in as early as October – nothing is going to be solidified – would they consider our future plans

Mr. Rowley:

- Assuming \$20M is a good number - good situation fiscally with American Rescue Plan (“ARP”) monies and fiscal condition of the county – this is a good project and good timing – would be inclined to support

Mr. Conway:

- Looked at 8 parcels that fit requirements – about \$4 square foot

Mr. Ryan:

- Encourage anyone on committee to look at County facility – this should have been done 11 years ago – the items can't be stored there

Mr. Shaw:

- Had a near disaster with roof leaking – lucky because papers were on pallets

Mr. Conway:

- There are savings, efficiencies and sharing

Mr. Ryan:

- If the accreditation is on the list how do we end up there -

Mr. Conway:

- Any facilities that were offered needed renovations and there was no money offered – refuse to move from one unsuitable place to another

Ms. Cody:

- Intention was to spend money on rehab

Dr. Chase:

- Asked about the garage for vehicle repairs

Mr. Shaw:

- City fleet maintenance goes to Erie Boulevard

Mr. Conway:

- Tech services unit – one deputy does a lot regarding investigation with electronics – he would be a part of this – trying to bring evidence and tech under one roof

Mr. Ryan:

- Committee will have a conversation and see how to move the narrative forward

Ms. Kuhn:

- Status of body cameras - any collaborative work on body camera storage

Mr. Conway:

- Body cameras are with purchasing – bids have been received – purchasing has questions with bidders
- One vendor is the same as used by city – using the same vendor would require some efficiencies – looking at the back end of storage

A motion was made by Ms. Kuhn, seconded by Mr. McBride, to adjourn the meeting. Passed unanimously; MOTION CARRIED.

The meeting was adjourned at 1:23 p.m.

ATTENDANCE

COMMITTEE: PUBLIC SAFETY COMMITTEE

DATE: AUGUST 10, 2021

Respectfully submitted,

MELANIE VILARDI, Deputy Clerk
Onondaga County Legislature

NAME (Please Print)	DEPARTMENT/AGENCY
Richard Shoff	Syracuse Police
Michael Murray	SPD
Bill Fitzpatrick	DA
Yvette Velasco	LAW
Tenesha Murphy	County Exec ofc.
Darcie Lesniak	Leg