I. CALL TO ORDER

Mr. Malter called the meeting to order at 9:00 a.m. and asked Mr. Brewer to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 9, 2019, AND SEPTEMBER 23, 2019, MEETINGS MADE BY MS. FITZPATRICK. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. DEPARTMENTAL REQUESTS

A. Sheriff’s Office
   1. Donation – Sheriff Allard requested authorization to accept a $300 donation for the K-9 fund from the National Active and Retired Federal Employees Association (NARFE).

   MOTION: AUTHORIZING THE SHERIFF TO ACCEPT A $300 DONATION FOR THE K-9 FUND FROM THE NATIONAL ACTIVE AND RETIRED FEDERAL EMPLOYEES ASSOCIATION (NARFE) MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

   2. Jail Dishwasher – Sheriff Allard stated originally he was going to ask for award of the dishwasher lease, however, he needs to hold off for a month as there are issues relative to contract language and delivery. Mr. Potter asked is it more cost effective lease? Sheriff Allard replied for the dishwasher, we think it is due to the lifespan and the recurring costs of maintenance and repairs.

   3. Bail Reform – Mr. Malter asked the Sheriff to provide an update on bail reform and the effects it will have on the Jail. Sheriff Allard stated under bail reform, any inmate that is held pretrial that does not meet the bail mandates will be released effective January 1, 2020. He expects they will be releasing 70 to 80 inmates. With CAP, our current average daily population is 155 – 165 inmates and he believes with bail reform the average daily population after January 1st will be 100 per day. However, there are several variables that will affect this. We do know that all of our individuals being arrested for narcotics trafficking will have to be released. The only individuals that may not be released are A1 felony trafficking and we do not have a lot of those.
Sheriff Allard commented his issue is when you look at all the data for the past ten years, our index crimes, property crimes and assault crimes declined consistently over that time period. Now, this will reverse everything that we have done. Currently, for a misdemeanor crime, they are remanded for thirty days and get sentenced to time served. Now there will be no, or very little, time served after January 1st. This will result in increased strain on the courts with an increased number of trials and the inmates will still be in jail and probably for a longer time. Another variable is the effects that warrants are going to have; how many, how often and will they be remanded for more than three days. They will be brought in, arraigned and released.

Sheriff Allard stated federal inmate populations are down across the State. It is possible that the closed State prison in Livingston County may be purchased and opened as a federal holding facility. He stated his fear is that the State will decide to send local D and L felony inmates back to the counties without reimbursement. The number of unknowns with bail reform greatly outweigh the number of knowns. Part of what we are doing in preparation is we have zero-based a couple of Correction Officer positions in the upcoming budget. We have also closed two of our seven housing units.

Sheriff Allard informed the committee the Commission of Corrections incorporated a significant change regarding segregated housing, which is in a disciplinary set up. Previously, when an inmate was in a fight, for example, they would be sent to segregated housing which is 23 hours in a cell, with 1 hour outside of the cell. Now segregated housing has a mandatory 4 hours out of the cell along with the ability to interact with other people while outside of their cell. The Commission also changed the standards under which an inmate can be placed in segregated housing. Right now our segregated housing unit is shut down as we do not currently have any inmates that meet the new requirements. Sheriff Allard stated if we need to do segregated housing, we can do a double lock in their own cell within the housing unit. If they are a danger to others, we can still put them in the designated segregated unit.

Sheriff Allard commented one of the challenges of the bail reform is to determine what we are looking for with regard to staffing. Mr. Malter asked will you be looking at laying staff off? Sheriff Allard replied no. We don’t have a clear understanding of what will be happening with staffing. If need be, there are several other duties that we can shift our Corrections Officers to. Mr. Malter asked can we train Correction Officers to fill Deputy Sheriff positions? Sheriff Allard replied yes, if they score well enough on the civil service test.

Ms. Fitzpatrick asked when the inmates are released, where will they be going? Sheriff Allard replied three months ago we started a team which meets bi-weekly and they do a review of every inmate that is scheduled for release. This team is made up of representatives from Social Services, Catholic Charities, Mental Health and Trinity. The purpose is to review what services they will need and to secure the necessary services.

Ms. Aston commented with bail reform, it is presumed that defense attorneys will want every client to be released and that is not necessarily the case. She stated she does not want her clients released if they have a concurrent parole/probation violation or warrant. She has 100 – 110 parole cases each year and those clients will stay in jail until we can work out both cases. Sheriff Allard commented the whole impetus of the law is to remand as a last resort.

Mr. Haurski asked the Sheriff about his thoughts on the impact of legalized marijuana. Sheriff Allard replied he spoke out against this last time. There are two things we see as a problem if it is legalized; traffic safety will be impacted through DWAI and the training necessary for us to detect and successfully prosecute; that will be a big lift. Currently 20 percent of DWAI’s have marijuana along with another substance. In his mind, marijuana is a gateway drug, along with painkillers taken for injuries. This is not recreational use that we are talking about. We are talking about the commodity of marijuana as a State money grab and the costs are being passed down to the counties. The legalization of marijuana will not benefit our farmers here as they will not be able to get a license to grow. Most of the growing is done in large hydroponic farms. In states that have legalized marijuana, the black market has increased. He stated in last year’s version of the bill, it prohibited law enforcement from working with federal or out-of-state agencies on the federal enforcement of marijuana and he feels that prohibition will be included in the new bill. Mrs. Ferratella asked is there any chance that states will pull back and no longer
legalize it? Sheriff’s Allard replied he has not heard of anything like that. This is similar to alcohol and tobacco, once it is established, it is established.

Mr. Swackhamer asked if the number of inmates decreases, will that affect the new contract with PrimeCare? Sheriff Allard replied no. PrimeCare covers nurses for 16 hours per day, 7 days per week along with a medical director. We are paying for coverage and need that coverage regardless of the number of inmates incarcerated. We anticipate that reduced numbers in population will help our pharmaceutical and food costs.

4. **Wineglass Marathon** – Ms. Fitzpatrick stated the Sheriff’s Office, road crew and Emergency Management Office did a fantastic job. Sheriff Allard stated the best group of runners we have had were this year. This year we were able to document the key intersections of the race with drones and we will be able to examine that footage for improvement to next years’ race. Mr. Marshall commented we staffed the Emergency Operations Center (EOC) at 7am and had representatives from NYS DOT, American Red Cross, 911, EMO and NYSP. He stated he was at the finish line to help communicate and coordinate between the EOC and the staff for the Wineglass Marathon. Everything went well and this was a good event.

**MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Monday, November 4, 2019
9:00 a.m.

PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, October 28, 2019