



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

JAMES M. RHINEHART
Chairman

KATHERINE M. FRENCH
Deputy Clerk

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WAYS AND MEANS COMMITTEE – 2012 BUDGET REVIEW OF PUBLIC SAFETY DEPARTMENTS – SEPTEMBER 20, 2011 CHAIRMAN CASEY JORDAN

MEMBERS PRESENT: Mr. Lesniak, Mr. Holmquist, Mr. Kinne, Mr. Warner, Mr. Kilmartin, Mr. Buckel

MEMBERS ABSENT: Mr. Corbett, Mr. Stanczyk

ALSO PRESENT: Ms. Williams, Mrs. Ervin, Mr. Masterpole and see attached list

Chairman Jordan called the meeting to order at 9:02 a.m.

DISTRICT ATTORNEY (pg. 3-90) - William Fitzpatrick, District Attorney; Rick Trunfio, First Chief Assistant District Attorney; Barry Weiss, Administrative Officer; Tara Venditti, Budget Analyst

Backup information passed out to the Legislature (*on file with the Clerk*).

Mr. Fitzpatrick presented the following:

What I want to do with the brief presentation is try to emphasize the mission that we have and the magnitude of what we do. I want to talk about the history of fiscal responsibility.

10 Year Average Workload Increase			
2001		2002-11 Averages	
Indictments	1,035	Indictments	Approx 1,375 + +35%
Felony Trials	37	Felony Trials	Approx 50+ +35%
Misdemeanor Trials	Approx 70+	Misdemeanor Trials	Approx 120+ +70%

We are actually down 3 positions from 10 year ago even though the work load has increased. When you talk about numbers it does not always indicate the reality of how the workload increased. Because in 2001 we weren't processing internet crimes and in 2011 we have a very aggressive task force for internet crimes against children. This was created within the last couple of years; made up of multi law enforcement agencies including people from my office. This is just an example of where the numbers may appear to be the same, but we are really concentrating on crimes that didn't exist back then.

Projections for 2011
Felony Indictments
1,470+
Felony Trials 50+

Projections for 2011 are again, significant increases from just 10 years ago.

Conviction Rate
Overall 2010 Conviction Rate
 ■ NYS Average: 92.8%
 ■ **Onondaga County: 93.8%**
Violent Crime Conviction Rate
 ■ NYS Average: 89.4%
 ■ **Onondaga County: 89.6%**
Our Current Overall Conviction Rate:
 ■ **Jan-March 2011: 94.8%**

Onondaga County convictions rate is significantly higher than the state average.

Efficiency: Time to Disposition

2010 Overall Felonies

- NYS Average: **170 days**
- **Onondaga County: 80 days**

2010 Violent Felonies

- NYS Average: **223 days**
- **Onondaga County: 89 days**

2010 Felony Drug Cases

- NYS Average: **204 days**
- **Onondaga County: 94 days**

This is a slide that I always like to emphases. This saves the County a tremendous amount of money with savings to assigned counsel, Sheriff's department and the court system.

ADA Staffing

- Jan 1, 1992
 - 44 ADAs (2 CLAs), including 3 part-time positions
 - Demonstrated need to recruit and hire quality, experienced prosecutors
- Reason:
Embarrassingly low salary structure
- 1992: starting salary for a junior assistant district attorney was \$23,000
- County-retained independent consultant conducted a study and recognized in order to recruit and retain the best & brightest attorneys & compete with law firms & other DA's offices, needed an upgraded pay structure
- 2012:
 - We are asking for 45 full time ADAs (2 CLAs)
 - starting salary will be \$55,000

However...

Over 20 years we have made a continued & substantial effort to maintain a smaller but more efficient workforce

- 1992 = 120 full time employees on staff
- 2012 = we are requesting a budget with 103 full time employees

Effect on Workload

- The legislature has created only 2 new ADA positions in 20 years because of demonstrated need. That workload hasn't disappeared, yet today we actually have less prosecutors with 1 unfunded ADA position and 1 unfunded CLA position
- Over the last 2-3 years our ADAs have experienced an additional 10% case load increase due to the position cuts and losses due to early retirement over the last 3 years

We have a reduced staff, with reduced capabilities.

I did indicate to you previously that by combining the office and the 4th floor of the court house we would have saving and this has worked out.

Total Part I Crime					
County	2010 Population	ADA's		Part I Crime	
		Current	Per 1000	2010 UCR	Per 1000
1. Erie	919,040	87	0.09	32,558	35.4
2. Monroe	744,344	79	0.11	25,990	34.9
3. Westchester	949,113	124	0.13	15,264	16.1
4. Onondaga	467,026	48	0.10	12,999	27.8
5. Albany	304,204	37	0.12	11,027	36.2
6. Orange	372,813	43	0.12	9,134	24.5
7. Niagara	216,469	23	0.11	7,142	33.0
8. Richmond	468,730	47	0.10	6,819	14.5
9. Oneida	234,732	21	0.09	6,205	26.4
10. Dutchess	297,488	24	0.08	5,676	19.1
11. Rockland	311,687	31	0.10	4,757	15.3
TOTALS	5,285,646	564	0.10	137,571	26.0

Part I Crimes Per ADA					
County	2010 Population	ADA's		Part I Crime	
		Current	Per 1000	2010 UCR	Per ADA
1. Erie	919,040	87	0.09	32,558	374
2. Monroe	744,344	79	0.11	25,990	329
3. Niagara	216,469	23	0.11	7,142	311
4. Albany	304,204	37	0.12	11,027	298
5. Oneida	234,732	21	0.09	6,205	295
6. Onondaga	467,026	48	0.10	12,999	271
7. Dutchess	297,488	24	0.08	5,676	237
8. Orange	372,813	43	0.12	9,134	212
9. Rockland	311,687	31	0.10	4,757	153
10. Richmond	468,730	47	0.10	6,819	145
11. Westchester	949,113	124	0.13	15,264	123
TOTALS	5,285,646	564	0.10	137,571	244

Part I Index Crimes are down approximately 9% this year.

We have increased our focus on prosecuting what I call core offenders, conic repeat offenders; people that have been arrested that are the horror stories that you read about. Those arrested 5, 6, 7 times within a couple year period. We have specifically targeted those individuals.

When any gun crime is committed in Onondaga County there is a special bureau in my office that will prosecute those individuals. I hope that you notice some of the extended sentences that they have been getting; we are not getting slap on the wrist type sentences. We are getting 10, 12 and 15 year sentences. In the recent case where we found that there was a gun trafficking ring operating between Cleveland and Syracuse, New York, we went to the feds like we always do and asked them if they would assist us, but they said no. For some reason it didn't attract their attention even though they continue to get accolades for it as recently as yesterday in the paper. They had nothing to do with the case. Mike Ferrante from my office prosecuted the offender. He received a 143 year sentence and will essentially die in prison. This is because of the aggressiveness of that particular bureau.

The homicide rate in Onondaga County, as we speak now, is down by almost 50%. That doesn't happen by accident. Sometimes it is because of excellent medical intervention at our hospitals here but sometimes it is because of our good coordinated efforts in police work.

I want you to be aware of other things that they are doing. I always sing the praises of the crime laboratory whenever I speaks to you. Their work is nothing short of phenomenal. If not for the foresight of some of the people in this room, we wouldn't have that crime laboratory. I took a leadership role in that 8 -9 years ago when the lab was developed.

We also have one of the best abused persons units. They will now be housed at the new McMahan Ryan Center. If you haven't had an opportunity to visit; it's mostly privately funded; I would suggest that you take a couple of minutes to stroll over there. Ask for Julie Cecile and she will be more than happy to show you around. You will come back amazed. It is going to be one of the jewels in the State of New York. It is also going to bring in a lot of outside people. We are already scheduled for conferences to be held there; training sessions which bring in, in a very direct way, revenue to Onondaga County.

We will continue our hard work with IMPACT. I emphases again, Mario Cuomo once told me, "Son, if you don't toot your own horn there isn't going to be any freaking music in the room". So let me emphases again, that project IMPACT is run by the District Attorney's office. We meet regularly; Rick usually chairs the meetings. In 2010 we were awarded over \$8 million dollars. A lot of counties saw significant reductions, we saw a reduction but not as significant because Albany recognizes that we do it right, here in Onondaga County.

You are also, I hope, familiar with the Crime Analysis Center. There are 14 state funded positions as of November the first. New York State has invested almost \$3 million dollars in the Onondaga Crime Analysis Center. It has increased my ability to bring chronic offenders and gang members successfully to court.

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In 1991 the year before I took office, there were no specialized Units or Bureaus in the DA's office. One person would handle City Court arraignment, another person would handle Grand Jury, another person would handle the felony hearings, and another person would handle the felony trials. So you might have a young victim come into court. He or she was shuttled from 3 to 4 Assistant District Attorneys; a very, very bad way to do business. There was no Child Advocacy Center; there was no Forensic Crime Laboratory to speak of. There certainly was no Abused Persons Unit.

In 2011 we have 9 specialized prosecution bureaus, including the Special Victims Bureau which started almost immediately.

We have vertical prosecution. The child comes in, he or she is going to meet one Assistant DA. That Assistant DA is going to take the child from beginning to end, through the sometimes painful process of bringing someone to justice.

We now have a countywide Abused Persons Unit and as I just said, the McMahon Ryan Child Advocacy Center.

No reflection on my immediate predecessor but historically the Investigations Bureau and the DA's office was filled with patronage. My Investigations Bureau, I am very proud to say, has several centuries of police experience.

I remind everyone in this room that the DA's office has a 14 member Police department that needs to be funded like a Police department; including their vehicles. We do wiretaps, the DIRT program, internal Police and Municipal Corruption Investigations.

In 1991 there were no programs designed to essentially protect the taxpayers out of defrauded money. Now we have Medicaid Fraud Unit and C.A.R.P. (Crimes against Revenue Program). For the last 3 years, the C.A.R.P. has uncovered almost \$1.5 million dollars of fraud. Of that, we have recovered almost \$300,000 dollars. Another \$1.5 million is being collected under judicial order and supervision.

Medicaid fraud; in just the last year we have arrested 47 defendants who have defrauded the taxpayers out of over \$1.5 million dollars. \$230,000, almost ¼ million dollars has already been recouped in restitution and another \$483,000 is currently being collected through judicial intervention.

Proactive programs that they have developed; in 1991 there were no coordinated programs or efforts to reintegrate convicted felons back into the community. I want you to understand that this is not an office that is solely interested in locking people up, throwing away the key.

We started several years ago, a re-entry program. We take a selected group of parolees who come back into this community; whether we like it or not. We try to job train them, get them skills, and get them employment. It serves, at any given moment, over 100 parolees. Over 85% of those are at high risk of reoffending. Our recidivism rate is much better than the statewide average.

Internet safety was something really not on the horizon in 1991. Child pornography cases back then basically involved magazines and photographs. In 2011 we have the Internet Crimes Against Children Task Force (ICAC), we have the Cyber Justice Program and the R.I.S.K Program (Real Life Internet Safety for Kids). At no costs to the taxpayers, at no cost to the school districts of Onondaga County, my Assistant DA's have made over 65 presentations. I get letters on occasion; I have never gotten more letters complimenting the office about this program. Over 10,000 kids, parents and teachers have been trained about internet safety.

The Cyber Justice Diversion Program; a lot of times you will pick up the paper and see some idiot at school has taken a salacious photo of his girlfriend and because as I said he is an idiot, he thinks it would be really cool, he starts to disseminate it into mainstream commerce and putting it on the internet. Well what this genius has done is committed a felony. What we do is, when we get that type of offender, we put them through the Cyber Justice Diversion Program and try to educate them and keep them out of the criminal justice system. That has been working very well.

In the area of forensic science; in 1991 we had 2 separate non-accredited police laboratories. We had a tremendous backlog on rape kits and other physical evidence that needed to be tested. The SAFIS System, the automated fingerprint system was used sporadically. In fact when I took office in 1992, I found that several SAFIS hits had been made on pending violent felonies, including a homicide and nothing had been done about it.

In 2011, and I hope you don't take these things for granted; you have a fully accredited nationally recognized civilian-run crime laboratory at the Wallie Howard Forensic Science Center. DNA and several other forensic disciplines are conducted there on a regular basis. You also have 2 members of the Forensic Science Center who happen to be from Onondaga County, myself and Dr. Kathleen Corrado.

We have the Cold Case Task Force, in 1991 there was no such thing. Since we established the Cold Case Task Force, we have reviewed over 110 murder cases and 38 of those cases have been closed; 11 by arrest, conviction and sentencing.

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Other factors that don't show up; there are things that save the taxpayer's money. We have gotten grant money because of the relationships that I have developed over the years with Governor Spitzer, Governor Paterson and now Governor Cuomo, whom I consider a very, very good friend. We have gotten in over \$12.9 million dollars over the last 9 years.

We experience many costs that I have no control over and these things sometimes seem to be arbitrarily slashed. Expert witness fees, I don't know if tomorrow I am going to need an expert witness. I know that I am going to need an expert witness in one case because the Chief of Police has already said that the man was completely out of his mind when he committed the murder and didn't know what he was doing. I assume that I am going to have to hire an expert witness in that particular case.

I also have travel, witnesses have to be housed. I don't know that there is much thought that goes into those cuts that seem to be arbitrarily made to my budget.

I also have the Office of Court Administration that is the fourth branch of government, creating these boutique courts. Despite a decrease in population and crime, you now have 8 City Court Judges instead of the 6 that you had 20 years ago. You also have the Intergraded Domestic Violence Court, Drug Court, Community Court, Domestic Violence Court, and on and on and on. Now they want to have a Mental Health Court. They want to have a Veteran's Court. Well Assistant DA's have to be there to staff these things; they don't give this any thought.

Intergraded Domestic Violence Court, you tell me, you listen to your constituents, are we really making a difference in that area when an Assistant DA has to sit in a courtroom for 20 minutes while they argue about who gets the family dog and then spend 5 minutes deciding whether or not someone should go to jail for punching his wife. Every Judge that I know, that is elected is qualified to do this. Never the less, I live with it. I am not pulling out of any courts or anything. You have staff these courts. There are 19 towns and villages, they all have Justice Courts.

I have talked to you folks for years about the idea of District Courts. It would save money. It would increase public safety, would cut assigned counsel costs, would create numerous improvements for the Sheriff as he wouldn't have to send Deputies out to every part of Onondaga County. But keep in mind, as long as we have those Justice Courts they have to be staffed. Some of those courts go from 7:00 p.m. to midnight. Those are staffed by Assistant DA's who don't receive a dime in overtime.

We also have an on-call program. We attend Neighborhood Watch meetings. Every Assistant DA is assigned to a neighborhood watch.

I'd also talked very briefly about our appellate record, which quite frankly is the envy of New York State. Jim Maxwell, who is one of the most respected appellate lawyers within the State of New York, has a successful appellate rate into the high 90's. We had 44 felony trial convictions affirmed in just the last calendar year. And only one reversed and that individual will be retried. We have a very vigilant effort to prevent wrongful convictions in Onondaga County.

If the name Mike Nifong doesn't ring a bell with you, I suggest that it should. The State of North Carolina is in the process of paying millions and millions of dollars to three wrongfully accused individuals. Other communities throughout the state and country have had judgments of seven-figures because of wrongful conventions due to prosecutorial misconduct and so on. I can tell you that in 20 years we have not had a wrongful conviction in Onondaga County.

I can also indicate to you that I have been very proactive, not only at the local level but at the state and national level, at preventing wrongful convictions. I am a Co-Chair of the American Bar Association's Committee on Science and Technology. I have just been elected as an Officer of the National District Attorney's Association. I am the New York State representative to the National District Attorney's Association and am appointed to a group of 5 prosecutors from around the country who will meet on a regular basis with the Attorney General of the United States to discuss state, local and national criminal justice issues. All of these things I say to you, because I think it increases and enhances the already outstanding reputation of Onondaga County.

I am going to leave you with one last particular case and this is where I apologize for not having the power point presentation. Jenni-Lyn Watson is the name that is familiar to everybody in this room. A young woman came home for a Thanksgiving break from college to spend quality time with her parents and every parent's nightmare occurred. I wish everybody in this room who has a legislative decision over my office's budget and functioning could have shadowed me and Rick Trunfio for the several weeks that we spent with the men and women of the Onondaga County Sheriff's office. You could have seen the cooperation and teamwork that occurred in that particular case. How we tracked Jenni-Lyn's cell phone using forensic techniques, how we pinpointed a likely location where the body would be found and where we did eventually, tragically find the body of Jenni-Lyn Watson.

Here is the thing I want you to take most note of. The crime occurred on November 19, 2010. On March 8, 2011, Steven Piper was sentenced to 23 years-to life in prison without any possibility of appeal; a period of 110 days. Just compare that to any other high-profile murder case. Compare it to the Casey Anthony murder trial, where you had 2 1/2 years from crime to verdict. We all know what the verdict was; it wasn't the same verdict that met Mr. Piper.

I would be glad to answer any questions you may have.

Mr. Lesniak stated that he knows the DA has been a strong advocate for DNA upon arrest and asked if there was any movement in that direction. Mr. Fitzpatrick:

- All Crimes Conviction Bill presented last year would have resulted in DNA collection for anyone convicted of a crime, not at arrest
- Mythology if you take someone's DNA you are privy to biological secrets; state laboratory would not have the software and technology necessary for this and would be committing a felony, from 1995 to the present there have been no investigations of crime laboratory personnel abusing a DNA sample
- Will continue to advocate for DNA at arrest, hopes the DNA All Crimes Conviction Bill presented will pass in the near future

Mr. Lesniak asked if the County received any restitution from Medicaid Fraud. Mr. Fitzpatrick:

- Believes Medicaid fraud restitution comes back through the County and goes to the state
- Onondaga County sees the savings as people are removed from public assistance

Mr. Lesniak added he was hoping that the County would be able to retain their proportionate share. Mr. Fitzpatrick responded that he would check on this as he is not 100% sure of the answer.

Mr. Lesniak questioned the number of investigators assigned to the Investigation Bureau and if there were any personnel assigned there from the Sheriff's department. Mr. Fitzpatrick responded the there are 14 investigators and 2 are contracted personnel.

Mr. Lesniak stated that Rochester and Monroe County have a joint taskforce for investigators in their county. He is not sure if the DA's office was also included and asked if Mr. Fitzpatrick was familiar with this. Mr. Fitzpatrick responded that he was not, and would check with Mike Green, the DA for Monroe County.

In answer to Mr. Lesniak, Mr. Fitzpatrick confirmed that the funds for Operation IMPACT pass through his office.

Mr. Lesniak requested a breakdown down of Operation IMPACT, including what agencies the funds are going to.

Mr. Lesniak asked if all the ADA positions were filled and if they were still experiencing turnover. Mr. Fitzpatrick:

- ADA positions are all filled; just hired someone within the last 2 weeks
- Not experiencing turnover, the office attracts career prosecutors because they love it
- Salary is not competitive to the private sector, hopes everyone appreciates the sacrifices that these people make

Mr. Warner asked if the DA was going after any of the doctors involved with Medicaid fraud. Mr. Fitzpatrick:

- Can't speak of pending investigations
- State is developing software to earmark doctors submitting claims that seem to be out of proportion
- No hesitation to go after a doctor for fraud

Mr. Warner questioned who was in opposition to streamlining the courts. Mr. Fitzpatrick:

- People want a person they know handling traffic tickets, a relative as Town Clerk and so on
- State legislation is necessary, could be done within 5 years with the help of Senator DeFrancisco and Assemblyman Magnarelli

Mr. Warner stated he believes that District Courts are something to take a look at.

Mr. Kilmartin questioned DWI prosecution trends, asset seizure funds and fine collections. Mr. Fitzpatrick:

- Mr. Weiss has the information on fine collection; he will be presenting next
- Leandra's Law has resulted in 3-4 dozen prosecutions in one year
- Drug dealers are getting smarter, rent or lease cars, can't remember the last time they seized a decent car
- Total number of forfeit and seizures are down

Mr. Kilmartin questioned the distribution of Operation IMPACT funds. Mr. Fitzpatrick:

9.20.11 WAYS & MEANS 2012 BUDGET REVIEW OF PUBLIC SAFETY

- Use of Operation IMPACT funds are determined by crime trends
- Appropriate money is used for reinforcement

Mr. Kilmartin questioned the challenges for the DA's office in 2012. Mr. Fitzpatrick:

- A number of things, we will keep doing what we are doing
- DCJS report card shows that what we are doing is working, Index 1 Crimes are down, NY is the safest largest state in America due to intelligent law enforcement
- One of the biggest challenges is reminding people that cooperation works, coordination of investigations

Chair Jordan requested a breakdown on the 7 positions that are authorized and unfunded. Mr. Weiss responded that most of the unfunded positions have been like this for a number of years. They will provide a written breakdown.

STOP DWI (pg. 3-41) - Barry Weiss, Coordinator

Mr. Weiss stated, to answer Mr. Kilmartin's question, revenue is down. As you can see in the proposed budget it is down about \$50,000. This is a projection. It is based on a couple of things. Surcharges that were imposed by NYS a number of years ago are really having a detrimental effect on people paying fines. The courts are demanding the surcharge first and then the fine as opposed to all at once. This is really a factor.

Overall the biggest activity we have had this year is the ignition interlock and Leandra's Law. Since August 15, 2010 we have had 221 interlocks ordered for those who have conditional discharge. This does not count the ones that are on probation that Stop DWI does not monitor. Of the 221, 104 were installed. The trend is that people assigned to interlock say that they no longer own the car; they give it away to or sell it. This is the trend for all of New York State. The Legislature is looking at ways to tighten this up for the future. In that same period of time 12 have been de-installed. There has been 1 request for financial assistance to pay for the interlock; covered by the interlock providers themselves. In fact he can report that Installations Unlimited has hired 2 people to cover installations. This is an economic boom.

Overall arrest for the first two quarters of 2011, down by 21 compared to a year ago. As just mentioned, the revenue is down currently about \$33,000 compared to last year. He is not sure if the trend with the State is to keep the money a little longer before passing onto the County, as it was in the past.

Chair Jordan asked what the 570 line was for. Mr. Weiss:

- 570 line is distribution of funds to police agencies
- Just a budget figure for now, don't know the actual figure until it comes in; adjusted based on revenue figures
- Each police agency in the County has a contract with Stop DWI to perform these duties and based on a DWI arrest will be reimbursed for it

Mr. Lesniak asked how Leandra's Law impacts the Stop DWI revenues. Mr. Weiss:

- Doesn't believe Leandra's Law effects the revenues; these people were already committing the DWI
- Difference is they aren't just paying a fine, there is a consequence of equipment being installed on their vehicle; research has shown that the interlock will reduce the habitual abuser
- Over time we may see a reduction in DWI arrest
- Individual charged with the crime pays \$100 for installation, \$100 per month for use and \$100 for de-installation; Installations Unlimited is the only one providing this service in Onondaga County

EMERGENCY MANAGEMENT (pg. 5-63) – Kevin Wisely, Commissioner; Christopher Duncombe, Budget Analyst

Commissioner Wisely presented the following:

Good morning. I am here to present the Emergency Management budget for 2012. As everyone here knows the Office of Emergency Management is a 24/7/365 office that is very active. In my first month in a half, we have had any number of emergencies and incidents including preparing for floods, hurricanes, tornados and even an earthquake that we had to prepare for.

2012 ANNUAL BUDGET

Ways & Means Committee Report

EMERGENCY MANAGEMENT

JOANNE M. MAHONEY, COUNTY EXECUTIVE
Kevin E. Wisely, COMMISSIONER




Emergency Management

MISSION STATEMENT

To ensure the quality of life for all citizens of Onondaga County, it is the mission of the Department of Emergency Management to continually engage in emergency planning and preparedness for our entire community, and provide technical skills development for all first responders.

The Department of Emergency Management provides comprehensive, coordinated response and recovery for our Citizens and Community by providing training and coordination of Countywide fire services and emergency medical services, and by partnering with government agencies, community and volunteer organizations. Additionally, the Department of Emergency Management develops and coordinates procedures for the continuity of government and its functions during emergencies and disasters.








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2011 – YEAR IN REVIEW




Key Accomplishments

2011 proved to be a challenging year for Emergency Management, our key accomplishments were :

1. Transition to new Department Head and Code Enforcement Officer
2. Joined with Urban Area Security Initiative (UASI) partners the City of Syracuse, Madison County and Oswego County to continue an update of jurisdictional Comprehensive Emergency Management Plans to reflect current regionalization efforts and current capabilities.
3. Expanded response protocols; trained and exercised with EM50, County Mobile Command Unit. The Unit was deployed more than 15 times during the year in support of public safety organizations for both emergency situations and planned events.
4. Continued expansion of the Regional Hazardous Materials/Special Operations Response Team and protocols by integrating the County Hazardous Materials Team and the City of Syracuse Fire Department Hazardous Materials Response Team.
5. Exercise participation included: aircraft accident response, chemical weapons; hospital and long-term care facility evacuation; mutual-aid evacuation plan; isolation and quarantine; bio-detection system; radiological emergency; water emergency; severe winter storm; ice storm; and several hazardous materials drills.
6. Represented the County Fire Service in all aspects of the new Interoperable Radio System, Computer Aided Dispatch implementation and Records Management system development.
7. Coordinated over 1600 hours of State fire instruction for volunteer fire departments and assisted in the delivery of additional local training sessions.
8. Provided administrative and managerial sponsorship for 20 EMS training sites and 50 CPR instructors.
9. Trained 1,856 EMS/Fire/police personnel and civilians in First Aid and CPR/Automated External Defibrillation (AED)

Grant Programs Managed

In 2011 Emergency Management continued to manage multiple federal and state grant programs.



1. Urban Area Security Initiative (UASI) – Although we continue manage dollars from previous FY, this program has been defunded by Federal Government due to budgetary cuts.
2. State Homeland Security Program (SHSP)
3. Regional Hazardous Materials Grant Program
4. Emergency Management Performance Grant (EMPG)
5. Interoperable Emergency Communications Grant Program (IECGP)

Assisting Other Departments

2011 was an important year in expanding the services Emergency Management provides to other County Departments. Over the course of the past year Emergency Management provided direct assistance for:

1. First Aid and CPR Training
2. Code Enforcement & Building Inspections
3. Partnering on Citizen Preparedness Initiatives
4. Continued work on Communication Interoperability
5. Evacuation and Preliminary Business Continuity Planning

2011 KEY ACCOMPLISHMENTS

RESPONSE & PLANNING PHOTOS

Emergency Management in the Field



Planning/Preparedness Meeting









Department of Emergency Management Personnel


Emergency Management Staff
 Kevin E. Wisely, Commissioner
 Joseph Rinefield, Director Fire Bureau
 Anthony DiGregorio, Director EMS Bureau
 Michael Huppmann, Program Assistant
 Currently Vacant, Code Enforcement Officer
 Elizabeth Haas, Planner/DHS Fiscal Management
 Daniel Wears, Project Coordinator/UASI Coordinator

Part Time Staff
 Dave Cowburn, Part-time Special Operations Coordinator
 6 – Part-time Fire Investigators
 4 – Part-time Emergency Medical Services Instructors

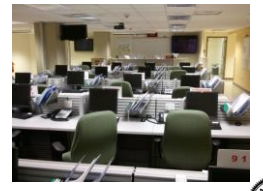
Volunteer Personnel
 15 – Volunteer Deputy Emergency Management Coordinators
 12 – Volunteer Auxiliary Police Officers



Managed Personnel
 8 – Part-time State Fire Instructors (Employed by NYS, coordinated by EM Department)

Credentialing Project



Emergency Operations Center



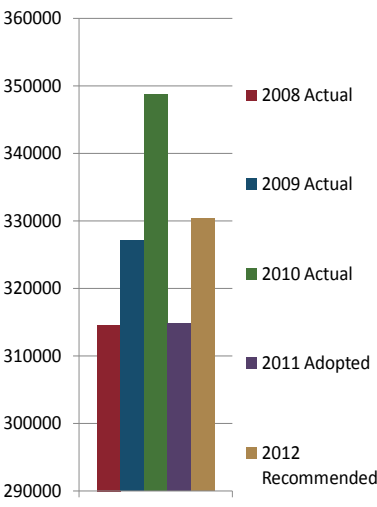
2011 BUDGET REVIEW

Photos above show projects they continue to work on:

Credentialing Project - Began in 2011 and will further expand in 2012; ID all fire, police and EMS in Onondaga County with a common marking; people arriving on the scene of an incident will know who they are, their affiliation and qualifications.

Emergency Operations Center – Continue to work on plans for activation, goal is to have a County exercise towards year end activating the center so that everyone understands its use. Going into 2012 they will continue to work on upgrades; deploying laptops purchased in previous year and allowing the Emergency Operations Center to be more mobile.

Year to Year 101 Trend





101 Trend - 01
Operating Budget

Future Budget Impacts

- Increased Fire Investigations
- Increased Response to Emergency Incidents
- Decreased Grant Funding
 - UASI Reclassified and Defunded for Syracuse-Onondaga County Regional Area
- Personal Protective Equipment for EM Staff, including Fire Investigation Unit, and Volunteer Deputy Emergency Management Coordinators
- Equipment maintenance, calibrations and upkeep.



Financial Summary

- 101 YTD on track to meet 2011 Adopted; 01-Operating and 030-Grant Budgets
- 102 \$ 0 YTD; 01-Operating and 030-Operating Budgets
- 103 YTD trending up due to increased fire investigation deployments.

BUDGET SUMMARY ANALYSIS

2012 BUDGET OVERVIEW

01 – Operating Budget

	2011 Adopted	2012 Recommended
Sub-Total Direct Appropriations	433,714	512,248
Sub-Total Interdepartmental	660,893	612,552
Total Appropriations	1,094,607	1,124,800
Sub-Total Direct Revenues	205,307	279,743
Sub-Total Interdepartmental	14,100	14,100
Total Revenues	219,407	293,843
Local (Appropriations – Revenues)	875,200	830,957

030 – Grant Budget

	2011 Adopted	2012 Recommended
Total Appropriations	3,666,781	675,309
Total Revenues	3,666,781	675,309
Local (Appropriations – Revenues)	0	0

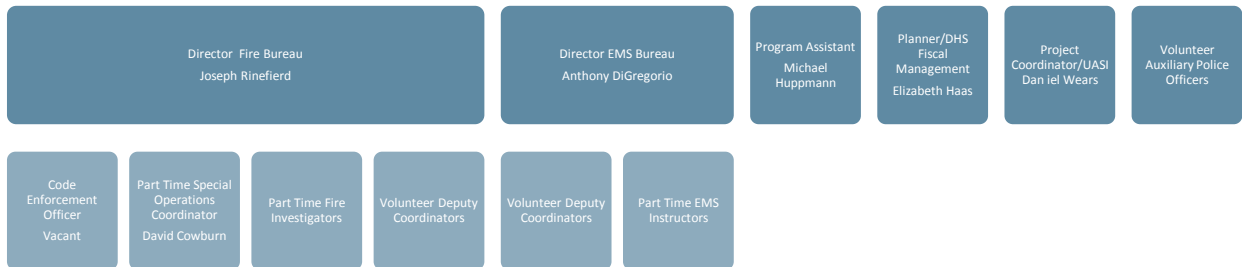
Emergency Management Funding Adjustments

- Personnel**
- Net personnel funding increased by \$15,000 due to standard salary and wage adjustments.
- Supplies and Materials**
- Increase of \$5,000 due to restoring depleted supplies removed from the 2011 Adopted Budget
- Fees for Services**
- Increase of \$56,000 due to additional training of Emergency Response personnel, which is entirely reimbursed by New York State
- Revenue**
- Code Enforcement**
- Decrease of \$12,000 due to not renewing the Enforcement Assistance Program contract with the Village of Solvay
- Federal Aid Civil Defense**
- Increase of \$28,000 due to additional funding availability through the Federal/NYS Local Emergency Management Performance Grant Program.
- New York State Emergency Training**
- Increase of \$56,000 for training of additional Emergency Response personnel
- Homeland Security Grants**
- Decrease of \$2,937,000 in the Homeland Security Grant program due to federal budget cuts and receiving \$0 funding in the Urban Area Security Initiative Grant Program.



Organizational Structure

**Department of Emergency Management
Commissioner Kevin E. Wisely**



2012 Budget Summary

Personnel

- Funding in the 101 reflects new hire steps for the Commissioner and Code Enforcement Officer positions.

Code Enforcement

- Enforcement Assistance Program contract with the Village of Solvay was not renewed.


Homeland Security Grants

- Major funding decrease in the Homeland Security Grant program due to federal budget cuts and receiving \$ 0 funding in the Urban Area Security Initiative Grant Program.

Cooperative Effort – County and City Resources Operating in Baldwinsville August 8, 2011



2012 PRIORITIES






2012 Priorities

2012 Priorities Needing Special Attention



2012 CONSIDERATIONS

- Comprehensive review of Emergency Operations Center (EOC) technology and operational procedures. Assess the feasibility of implementing a Disaster Management Software program.
- Provide comprehensive and coordinated response and recovery capabilities to our emergency responders and citizens of Onondaga County.
- Provide training and coordination of our County-wide fire and emergency medical services.
- Partner with government agencies, community and volunteer organizations to further promote Citizen Preparedness.
- Move forward our Regional Credentialing Project, which would include Onondaga County and Syracuse City agencies.
- Complete work on our next phase of Communication Interoperability within Onondaga County and in conjunction with Oswego, Madison, Cortland and Cayuga Counties.
- Expand our EMS certification training to increase student enrollment.
- Complete revision of our Comprehensive Emergency Management Plan (CEMP).

- Emergency Management Assets - Equipment Co-located in one County Facility
 - EM 50 Unified Incident Command Vehicle
 - Haz Mat Decon Trailer and Tractor
 - CBRNE Response Trailers and Squads
 - Haz Mat & CBRNE Response Equipment Caches
- Special Operations Team – Design and Capabilities
 - Hazardous Materials Response
 - Volunteer participation is low
 - City resource availability may diminish
 - Requirements for training
 - Appropriate Team Leaders
 - High/Low Angle Rescue Team (Rope Rescue)
 - Never formalized, however need is there
 - Underwater Recovery Team
 - Currently independent of County Umbrella
 - Respond outside Onondaga County when requested
 - Training and Team make-up requirements are increasing
 - Wilderness Search and Rescue team
 - Currently independent of County Umbrella
 - Respond outside Onondaga County when requested
- Memorandums of Understanding (MOU's)
 - Various MOU's need to be developed and executed
 - Attempts have been made yet no conclusion to date






STRATEGIC LOOK FORWARD – 2013 THROUGH 2015 AND BEYOND

Future Considerations

- Reduced grant funding sources
 - UASI already defunded by Federal Government
- Equipment maintenance and upgrade needs will continue
 - Specialized equipment needed for response capabilities must continue to be maintained once grant funding runs out.
- Continuity of Operations Planning
 - All County Departments should have or be developing Business Continuity Plans that deal with potential eventualities. Such as the loss of Office Space, Computer network, etc.
- Increased response requests: Special Operations, Fire Investigations, Code Enforcement
 - As the County continues to age the emergency requests for assistance will continue to rise.
- Comprehensive Emergency Management Plan assistance for Towns and Villages
 - The next step towards coordinated county-wide preparedness
- Staff and train an Onondaga County Incident Management Team (IMT) that could be deployed through NYS whenever the need arises.
 - This in turn will benefit our community, during times of natural disasters, as other counties will reciprocate

2013 AND BEYOND

Chair Jordan questioned the reductions in their grant budget. Mr. Wisely:

- Bulk of reduction in grants budget costs relates to loss of Urban Area Security Initiative (UASI) funds
- Close to \$3 million was received in previous years, as the funds were coming in a program outlined certain uses for the funds

Mr. Lesniak asked what the reduction in grant funding was used for and what would no longer be done. Mr. Wisely:

- UASI has been defunded for 2012, still have urban area working group together are working down on previous grant funds received, grant funds have a 3 year time span mainly, used for cooperative effort with the City of Syracuse, Madison and Oswego Counties; planning, response, equipment and training
- 2012 will see a reduction in specific training and purchase of response and detection equipment for emergency response

Mr. Lesniak requested a breakdown of Emergency Management grant funds; fund balance for the grant and projected usage over the next year.

Mr. Lesniak stated that he had mentioned this to the executive team previously and they said it was a commitment that they had made. Mr. Wisely started working in his current position on August 1st and you are now proposing an upgrade to that position. Mr. Millea responded that this was a discussion that they had during the hiring process. They certainly understood the aversion to advance step hires and did not propose an advance step hire. They do feel very strongly, the work that is being done, the responsibilities of the Commissioner, the workload ahead and currently, are worthy of the grade increase. There is also the standard issue that they have seen across the board from time to time; the subordinates making more than the Commissioner. They feel that the grade increase at this time, is well justified.

Mr. Lesniak stated the grants are significantly reduced and questioned if they were looking at other programs for additional grant funding. Mr. Wisely:

- Continue to look for grant programs, currently nothing new
- State Homeland Security Program Grant will continue for the near term

Mr. Lesniak questioned the vacant Codes Enforcement Officer position and where they were in relation to codes enforcement for the Village of Solvay. Mr. Wisely:

- Position has been vacant since August 1st, are in the process of beginning to fill the position
- No longer supply codes enforcement for Solvay, onetime deal that has been completed

In answer to Mr. Lesniak, Mr. Wisely confirmed that they are out of the business of supplying codes enforcement for others.

Mr. Warner asked how the fire investigators are paid, if insurance companies were billed for any of the hours spent by his staff on fire investigation and what the total budget was for fire investigators. Mr. Wisely:

- Fire Investigators are paid out of the operating budget, part time hourly wage
- Insurance companies are not billed for any fire investigation; they have their own personnel for investigations
- Our fire investigators are in support of the County Volunteer Fire Service, required by law to provide a cause and origin determination of fires
- \$22,400 total fire investigation budget

Mr. Warner stated that it seemed as if he was doing some free work for the insurance companies. Mr. Wisely responded that he believes insurance companies are required to do their own investigations. The fire departments are required by law to do their own cause and origin determination.

Mr. Kinne stated he has been here 20 years and is still confused by the Code Enforcement Officer. The city, towns and villages have code enforcement staff. He questioned what the Code Enforcement Officer actually does. Mr. Wisely responded that this position serves to do code enforcement and building inspections for all of Onondaga County owned facilities, as well as any new construction at places such as OCC. The Code Enforcement Officer must be certified by New York State.

Mr. Kinne questioned if the salary was competitive for this position. Mr. Wisely responded that he believes so. There are towns and villages that pay more and some that pay less. The position has been vacant for six weeks. In order to get someone fully certified and hired from the civil service list, they are looking to do a lateral move into the position. Resumes have been accepted and they will be setting up interviews.

Mr. Kinne questioned the need for this position; why can't we call the city, town or village enforcement officer as needed. Mr. Wisely stated that they have County facilities throughout the Onondaga County. Any number of times, they have to do inspections for any modifications of buildings. Towns and villages have their own work load and this would be added work load for them. He believes this position is a very important position for our County. They make sure that our buildings and facilities are up to code. When there is new construction, modifications and changes they make sure that they meet the building code; working closely together with County Facilities.

Mr. Kilmartin asked if Facilities had any Code Enforcement Officers within their ranks. Mr. Wisely responded, not to his knowledge.

Mr. Kilmartin asked if the Town of Onondaga Code Enforcement Officer was required by law to inspect or would inspect any building at OCC. Mr. Wisely responded that he does not believe that the Town of Onondaga's Code Enforcement Officer would follow up on anything at OCC; we would do the inspection being a County facility.

Mr. Kilmartin referenced pg 5-68, and asked for an explanation of the decrease to the 495 Interdepartmental Expenses. Mr. Duncombe explained that this charge is determined by other departments charging Emergency Management. There is a decrease in charges from the Law department to Emergency Management.

Mr. Kilmartin requested a breakdown of the 495 Interdepartmental charges.

Mr. Kilmartin stated that there have been a few references and articles in the paper relating to responses to recent fires. He has had members of the community question why the County and Emergency Management are not more actively involved with the Volunteer Fire departments, districts, issues and responses. He asked if the Commissioner had any global comments on these issues and County involvement. Mr. Wisely responded that New York State is a home rule state. The local municipality has authority over their departments, they make the decisions. We do not have the authority to do an audit and tell them how to operate. With that said, some of the things that we have already begun to do in specific to the Jamesville fire that brought this issue to light. He has had conversations with the Chief of Jamesville to talk about what they can do to consult, advise and assist them. They are also looking at different ways that they can begin to assist the local fire departments with ideas on how to staff with volunteers; standby crews and volunteer incentives. He sees this as an opportunity to assist and work with local fire Chief's in order to provide assistance in how they address. Overall the response times, on average have gotten better. We have to recognize that it is the volunteer nature of the County Fire departments. He is looking to reach out to the Fire Chief's to advise them with the experience he has obtained over the years.

Mr. Kilmartin stated in terms of the one fire in Jamesville, he believes there was an issue raised that Jamesville was contacted to respond, but Dewitt was closer in proximity to the incident and was not called. He asked the Commissioner or Mr. Lesniak to high light the issues as to how an agency is or is not called to respond to a specific incident. Mr. Wisely responded that each fire department has a designated district. They are set up a little differently, some are fire protection districts and some are corporations.

He added that this particular call was within the Jamesville Fire District, so they were activated. It was an automobile accident with a fire; their response plan, for this type of alarm just activates that department initially. The Fire Chief responds, volunteers go to the fire house, staff the apparatuses and respond in. It would be the Fire Chief's decision on arrival, based on his awareness of what is happening and what the possibilities are, to make a determination to call for assistance.

Mr. Lesniak added that there may be set box alarms that were set up for some departments, depending on what the need is for any particular event. An example would be if a school alarm goes off, different districts are

called for mutual aid based on what the need is. Mr. Wisely agreed, adding if this had been a structure fire, Dewitt would have been part of the response plan. The response plan is designated based on the type of event.

Mr. Kilmartin stated that geography primarily drives who is responding, but also the response plans that are set in place. Mr. Wisely confirmed that the response plans are set by the individual fire jurisdiction.

Mr. Kilmartin asked if there was an opportunity to revise the plans. Mr. Wisely responded that anytime a department revises their plans, they are sent to the Emergency Management office for review before being sent to the 911 system. If there are any large issues, they would contact the Fire Chief and work with them. The Jamesville response plans have been in place for a while. They are not typically updated unless something changes within their jurisdiction. Sometimes as volunteer Chief's change they do make modifications and updates. Mr. Lesniak added that plans are usually a coordinated effort of the Chief's in the geographical area to try and figure out what is needed.

Mr. Kinne stated this is 2012 and society has changed dramatically. He does not believe that any taxpayer with a need for response cares who responds; they just want someone there as soon as possible. This may be a home rule situation but he fails to understand why we can't have a more efficient system; common sense dictates that the closest responder be called. He is not sure what can be done about this but he hopes that Commissioner Wisely would take a proactive role and look into this.

Mr. Kinne stated that he wanted to follow up on the Codes Enforcement Officer. He questioned who inspected the Board of Elections building. Mr. Wisely stated that as a backup, his second in command Joe Rinefield is a qualified Code Enforcement Officer. He has been trying to keep up with the work load and has been doing the inspections at the Board of Elections.

Mr. Lesniak requested a breakdown of the 495 Interdepartmental charges for all departments from Mr. Rowley.

Mr. Kilmartin stated that he knows there are jurisdictional issues and many sub issues with how different districts set their response plans. He asked if it would make any sense to modify the plans so that the closest department responds. Mr. Wisely responded that as this is a jurisdictional issue. However, there are a number of things going on in Onondaga County with the Volunteer Fire departments. We are working with them to be more efficient with their response plans. They are currently working with 3 fire departments in the Town of Clay that are looking to do just that; to be able to utilize the closest resources on a particular event based on the automatic vehicle locator system that is available through the CAD system. This is in the infancy stages.

Mr. Kilmartin stated that he appreciates this and is not criticizing any department. He doesn't pretend to understand the intricacies of their plans but asked if there was anything he was missing as to why each of them wouldn't have a plan that says the closest physical department will be called to respond.

Mr. Millea added that he was not surprised this came up. This clearly is a priority of the County Executive; one of the first steps that the County Executive asked them to take was to publicize the response times. He believes this has led to some healthy discussion. The Commissioners' background will be very helpful as they continue with this discussion, also with Commissioner Bleyle. They will be coming to committee meetings to continue to brief them on developing issues. The County Executive has asked them to drill down into this and offer assistance to local departments, to answer the questions you have been asking. It is very complex. There are long standing traditional, procedural and practical issues. He has learned a lot over the last few weeks. One of the specific parts of the event in Jamesville is that Dewitt could have been there, but also taking into consideration the judgment call of the Chief and his experience. Bringing Dewitt to Jamesville takes them out of their jurisdiction and potentially puts them at risk for traveling and takes them out of an area where they could be responding to a call that may not be under control. This is an important lesson that he has learned; we really don't want to do much second guessing of the operational command and control on the ground. He is not a fire professional, nor are the 911 dispatchers. This is something that they will spend a lot of talking about.

Mr. Lesniak requested a breakdown of the 101 line; listing which positions were paid for by grant funds (\$149,542) and the positions paid for via county funds.

PROBATION (pg. 4 -119) - Al Giacchi, Commissioner; James Czarniak, Director of Hillbrook and Juvenile Justice; Andrew Sicherman, Principal Probation Officer; Pat Bane, Accountant ; Phil Galuppi, Juvenile Justice Supervisor; Edith Williams, Budget Analyst

Commissioner Giacchi presented the following:

The Onondaga County Probation Department has made great strides during the first nine months of 2011 to improve efficiency, coordination of services, and continued protection of the community.

In a time of reduced resources, but a static caseload, we have had to find ways to continue to provide our mandated services in a quality and cost-effective manner. This meant a review of all of our services and adjusting our methods of performance.

To that end, the following are a number of changes and challenges this year has brought:

- *Pre-Trial Release: Our department has provided the Pre-Trial Release services for Onondaga County since the program's inception in 1963. However, this is not a mandated function of Probation. In other counties, private agencies perform this function. With this in mind, we RFP'd the program in an effort to save money and lower long-term county liabilities. If the Legislature approves of the transfer of duties, Cayuga Counseling Services will provide this service, effective November 2011.*
- *Reduction in Staff: As of January 1, 2012, we will have a total staff of 87, 64 of which will be line Probation Officers. In 2005 with basically the same caseload numbers, we had 105 total staff. The per P.O. caseload numbers have increased for both supervision and investigations. However, advances in automation have assisted probation officers to efficiently address these increases to continue providing a quality service.*
- *Restitution/Fees: The worldwide economic breakdown has a dramatic impact on our clients' ability to find employment and in turn pay any restitution and fee obligations. We have set the collection of restitution for victims as a priority. However, the difficulty of finding a job when you have a criminal record and in many cases a limited educational background predicts a reduction in our collection rates for both restitution and fees.*
- *On Care Access Team: Our partnership in On Care has afforded us the opportunity to be a member of the Access Team to provide expanded and coordinated services to youth and families. We have dedicated a Probation Officer to this team. The results have allowed us to funnel our initial intake calls from our department to this team for evaluation and referrals. It has reduced the workload of calls and crisis for our Juvenile Intake Unit.*
- *Operation IMPACT: As we begin our eighth year of Operation IMPACT, our department's Probation/Police/Parole details continue to be one of the strongest operations in the program. Home visits, street corner sweeps, and searches continue to result in the enforcement of conditions of probation and the protection of the community.*
- *Active Shooter Staff: Thirteen volunteer members of our staff, including POs, a supervisor, and an Administrator have been trained to respond to a potential active shooter incident in the Civic Center/COB complex. They have been provided with police radios to allow them instant communication with other building security.*
- *Juvenile Justice: Our Juvenile Justice Unit continues to be a model for the State. We utilize best practices and evidence based programs to divert as many cases from Family Court without jeopardizing public safety. Our Juvenile Justice Units provide referrals for counseling for both the youth and their families based on a completed assessment identifying the risks and needs of each individual youth.*

Through the use of grant money, we plan to add two (2) probation officers to assist us and our partners in our effort at detention reform. They will be part of our alternatives to detention programming allowing us to expand our services to youth and families in the community instead of incostly, inefficient facilities. If the grant ends the positions will be unfunded.

As the State of New York begins their biggest Juvenile Justice reform in decades, Onondaga County is well positioned for this transition and is, in fact, already performing several of the State mandated functions.

- *Caseload Explorer: We are very excited about our move to Caseload Explorer, a web-based case management system that will increase efficiency and allow for data sharing with the DCJS Office of Probation and*

Correctional Alternatives. The transformation to this system has been both exciting and challenging. I would like to take this opportunity to thank my staff and the staff of the County IT department for their hard work on this difficult project. Presently there are 42 New York counties live with Caseload Explorer and we expect to join them by November 1, 2011.

In closing, I would like to thank the hard working members of my staff for their patience and flexibility in adjusting to new technology and programs in our continuous effort at rehabilitation of the offender and the protection of the community.

Chair Jordan thanked the Commissioner for all of his efforts. He knows that it has been difficult with all the cut backs they have suffered in the last few years. He appreciates all of their efforts.

In response to Chair Jordan, Mr. Giacchi stated 5 Probation Assistant positions were eliminated as part of the Pre-Trail Release program being transitioned to Cayuga Counseling Services.

Chair Jordan asked to be provided with list of vacant unfunded positions.

Mr. Lesniak asked for a breakdown of the 101 positions; listing grant funded (\$222,592) and county funded positions.

Mr. Lesniak questioned the decrease in the 570 contracted services line going from \$770,000 to \$378,000. He would have thought that this would have been an increase. Mr. Bane stated they had a contract with the Salvation Army for the prison program, it was approximately \$570,000. This has been moved into the Department of Social Services budget. They have an increase of \$278,000 for the pre-trail release contract. Netting the two together should equal the difference.

Mr. Lesniak questioned if Social Services would receive reimbursement from the State. Mr. Bane responded that he believes they are reimbursed at 63%. In the past DSS was reimbursing probation at 100% and taking the 37% local hit in their budget.

Mr. Lesniak asked if Operations IMPACT funds were in the 101 salaries or overtime. Mr. Bane responded that part of it was; approximately \$48,000 is in the 101 line but it is not listed in their budget. It is the DA's budget. The \$222,592 listed under the 101 grant budget does not include Operation IMPACT funds.

In answer to Mr. Lesniak, Mr. Bane stated the 413 maintenance, utilities and rents decreased due to their personal computer lease expiring; approximately \$15,000 per year. Their computers are paid for; they still have them but no longer have to pay the lease payment. This is the majority of the decrease.

Mr. Warner questioned if the Pre-Trail Release Program provided for any bail. Mr. Sicherman responded that it doesn't provide bail it provides for an alternative to bail.

Mr. Warner questioned the liability if someone is granted pre-trail release and they end up committing another crime during this time. Mr. Sicherman responded that ultimately the Judge makes the decision for pre-trail release; they simply make a recommendation and the Judge decides whether to proceed with it. He would assume without consulting the Law department, it is the same as any other issue as far as probation supervision or any other function that they perform.

Mr. Kilmartin questioned the increase of approximately \$300,000 to the 120 employee benefits line. He asked if this was the net reflection of increases for many employees in the department and the reduction in staff. Mr. Giacchi responded, "Yes". Mr. Seitz added employee benefits went up about 9% countywide. The two biggest pieces are employee retirement and health costs. Health costs are up \$5 to \$6 million and retirement costs increased \$6 to \$7 million countywide. Retirement costs are passed through by the State.

Mr. Kilmartin asked the Commissioner to take him through the process of how Probation would apply for and receive funds from Operation IMPACT, adding that he knows the DA's office is a pass through. Mr. Giacchi responded that they were invited to participate in Operation IMPACT as one of the law enforcement partners in the community. As you know this is a federal, state, local coalition. One of the things they did when they

made their application to participate in the program was to ask for a Probation Officer or Field Intelligence Officer as we call them. He gets the intelligence from other partners and passes it onto our staff and takes intelligence from our staff and passes it onto the other partners. We receive funding from Operation IMPACT for 1 FIO position and some overtime money for the details. They have received this funding for the past 7 years.

In response to Mr. Kilmartin, Mr. Giacchi confirmed that on an annual basis the make application for the FIO position and it is funded through Operation IMPACT. The decision on the distribution of funds is made by an Executive Committee of Operation IMPACT based on the amount awarded by the state each year.

Mr. Giacchi stated that the 2 grant positions mentioned earlier are not through Operation IMPACT, they are different positions. Mr. Czarniak stated the money, which he will talk about in the Hillbrook presentation, is a new stream of funding through NYS to provide alternatives to detention. The State is working to drive down detention costs as well. This is SDSJP Partnership funding that will hopefully keep children out of Hillbrook and reimbursed at 62% versus 49% for those held at Hillbrook.

In response to Mr. Kilmartin, Mr. Czarniak confirmed that the State is paying 62% of these two positions.

Mr. Kilmartin asked for clarification on the Access Team and how it operates. Mr. Galuppi responded that this is a single point of entry so that services can be coordinated among all the various agencies. The Access Team is comprised of staff from the Mental Health department, Social Services and Probation. They take all the previous PIN streaming calls that were coming through their department and send them through the Access Team. They are reviewed by the team and referred for services.

Mr. Kilmartin asked if there was any commitment to the time line for the availability of the SDSJP grant. Mr. Czarniak responded that it is year to year and was effective April 1, 2011. It will be through the Executive budget of the Governor on an annual basis. The State has made a commitment that this is the trend that they want to go toward statewide to reduce juvenile detention.

Mr. Kinne stated that this will be his last budget and he wanted to take this opportunity to thank the Probation department for all the work that they do, especially under the circumstance of losing staff. He also wanted to thank them on behalf of the Valley Men's Club. He is a member of this organization and each year they have field days to raise money to give back to the community. The Probation department has been coming down for 7 years and we have not had any incidents for the last 5 years. Basically the youth are more afraid of the Probation Officer's than the police. He is grateful for all that they do in assisting them in raising these funds.

Mr. Kinne continued stating that studies have shown a good Probation department not only protects the community but saves money. He wishes they could have more Probation Officers in the field with smaller caseloads, because in the long run this saves us money and does a better job of protection the community.

Mr. Lesniak questioned the 101 line figures. adding if you take the modified 2011 101 line and apply a 3.5% wage increase and then take out 5 probation assistants at \$38,000 the number is still over \$100,000 more than projected. Mrs. Williams responded that there is the addition of 2 Probation Officer's that were on grants that are now on the 101, the unfunding of 5 Probation Assistants, 1 unfunded Probation Supervisor, 1 unfunded Probation Officer, in addition there is a chargeback for part of Hillbrook's personnel as well.

Mr. Lesniak requested a detailed breakdown of the 101 line.

In response to Chair Jordan, Mr. Bane stated \$3,000 is for conference travel. A large part of this is for Peace Officer training. Whenever they have a new Officer, they need to go to Albany for 2-3 weeks, budgeting \$4,000 for this costs. Mr. Giacchi added that he is also required by the State Division of Probation to attend the NYS Council and Probation Administrators Conference. This is held twice a year; summer and winter. The \$1,500 fee is for his attendance.

Chair Jordan questioned the membership fees listed on the 410 line. While they don't add up to a lot, they have 10 different organizations that they are paying memberships to; this seems a little excessive. Mr. Giacchi

responded that the Elbridge Rod and Gun Club memberships are used for fire arm requalification each year for fire arms instructors. The other professional memberships are used for shared information, magazines and training.

Chair Jordon stated the 413 breakdown indicates 65 cell phones at \$14.50 per month and 30 air cards at \$1,600 per month. Mr. Giacchi responded that for safety purposes each Probation Officer has a cell phone. The air cards are used for greater efficiency; able to use the laptops in the field. Chair Jordan asked if they could negotiate a little better price. Mr. Bane responded that each cell phone is \$5.00 per month plus a shared minute line. They have been grandfathered in at this price for years. This is as low as you can go.

In answer to Chair Jordan, Mr. Galuppi stated that J Risk Liberty Resources is in their grant budget. The money goes to Liberty Resource to pay for MSD therapy. This is one of the top evidence based therapies used for juveniles. The MSD therapy is used as an alternative to placement. Placement cost \$200,000 per year and is used as a last alternative. MSD is a home-based therapy and has been shown to be a very promising alternative to placement.

HILLBROOK (pg. 4-131) - James Czarniak, Director

Director Czarniak presented the following:

Thank you very much for the opportunity to present Hillbrook's budget to you today. The mission of the Hillbrook Detention Center is to ensure public safety while encouraging individual success for youth through restorative justice, strength-based programming and family and community involvement that incorporates and extends beyond the juvenile justice system. Hillbrook provides detention services to youth age 10-16 who have been accused of committing a crime. Detention is a mandated service and provides a critical service to law enforcement and judges so that they can effectively do their jobs and promote the best outcomes for our community's safety and for the children in the juvenile justice system.

This year, State legislative reform and the Governor's budget initiative have impacted the use and funding of detention and have also allowed for changes aimed at driving down the local cost of detention. Because of State reform and our decision to restructure the staffing at Hillbrook, we are able to present a 2012 budget that significantly reduces costs and the local dollars spent on detention. The budget also provides State approved alternatives to detention that will not compromise public safety and can provide more effective outcomes for youth and our community.

We are proposing a budget that is \$1,218,938 in local dollars, which is \$474,739 less than last year's 2011 adopted budget. While we have a lowered census, our staffing, oversight and programming reflect that. Specific cost savings measures include:

- *Child Care and Education Services Realignment. As we presented last week to the Ways & Means Committee, Hillbrook has begun the restructuring of Child Care and educational services at Hillbrook. Due to decreased census and shifting work requirements from the front line child care staff to supervisory staff, we are able to reduce the classification of nine staff from Grade 9 to Grade 5. The lowered census also allows us to restructure the educational services component, going from two full-time teachers to two part-time teachers. This will result in a savings of \$255,000 in regular employee wages while also saving an additional \$82,000 in employee benefits.*
- *The abolishment of the County's non-secure contract with Hillside Family Services. New York State reform allows counties to receive a higher reimbursement rate (62% vs 49%) to address youth who traditionally would qualify for non-secure detention. By partnering with the Department of Social Services, we will provide this service using therapeutic foster care and additional supervision at a lower overall cost while getting a higher percentage reimbursement from New York State. This transition will save the County more than \$100,000 in FY 2012.*
- *Since Juvenile Justice Reform efforts continue to be successful and we continue to maintain a lowered census, other ancillary costs such as food, clothing and medical services are also reduced in the proposed 2012 budget.*
- *Increased Revenue. New York State reform has provided additional funding to assist counties in reducing the use of detention. This strategic shift by the State, in addition to the revenues we receive from other counties that detain their youth at Hillbrook, allows us to offset the costs of detaining our own Onondaga County youth. While new State funding allows our County to create effective alternative programs that keep our census low, other counties that utilize our facility reimburse us at 100% of costs.*

As a recognized leader in the State, Onondaga County has experienced tremendous success in its Juvenile Justice Reform efforts. Onondaga County's approach that utilizes secure detention only when necessary (Hillbrook) coupled with effective alternative to detention programming has been applauded by the State not only in words but in their funding decisions. There are few areas in the State where reimbursement is increasing and our juvenile justice programming is one of them where our previous 49% reimbursement rate has been increased to 62%.

In closing, we have created effective programming as alternatives to detention, have streamlined our operation at Hillbrook, and have produced better outcomes for youth as a result. For perspective, in 2005, the Legislature passed an Adopted Budget for Hillbrook in the amount of \$2.3 million, almost twice what we are proposing today. We look forward to continuing the Juvenile Justice Reform initiatives presented in this budget and building on our success.

Thank You.

Chair Jordan asked if the reimbursement for out of county detentions was a true 100% reimbursement of all costs. Mr. Czarniak:

- Total final budget costs divided by the total care days equals per diem rate; 49% paid by NYS and 51% paid by the county asking for detention

Chair Jordan asked if there was an analysis done for the perfect mix of out of county detentions. Mr. Czarniak:

- Ratio of \$900 per day for 11 average Onondaga County residents; without the out of county residents the rate would be approximately \$1,400 per day, helps to defray the costs
- Tracking throughout the year to insure they are not incurring additional overtime, have the right to refuse out of county; have never gotten to this point, always in their best interest to accept outside counties
- Very attractive to 22 counties within the state; they know how easy our process is, makes it easy for them to call on us

Mr. Lesniak questioned the overtime budget and fees for services. Mr. Czarniak:

- Overtime has been hard to predict with different classes of employees
- Now more static, should be able to hit this mark; haven't been able to do so in the past, have gone over but have compensated for the difference via other initiatives such as leave without pay and 101 salary savings
- Increase in the 408 Fees for Services Line due to Court ordered physiological evaluations not covered under the CMC medical contract; mistakenly taken out last year; individual physiologist performs the service, classified by the Comptroller as professional services

Mr. Lesniak asked for a breakdown of the 969 transferred debt services line, including how long we have left.

Mr. Lesniak questioned the large increase in the interdepartmental line. In 2010 the charges were \$175,000, adopted 2011 \$560,000 and \$479,000 for 2012. Mr. Czarniak responded that this represents the action medical contract, going from having private nurses, doctors and contracts at Hillbrook to the larger CMC medical contract this is billed interdepartmentally through the Sheriff department. All these expenses came out of their direct appropriations and moved last year to interdepartmental through the Sheriff department.

Mr. Lesniak asked be provided detail on the interdepartmental charges for 2011; how much of the \$560,000 was actually used.

In response to Mr. Kilmartin, Mr. Czarniak stated that one of the changes from the State has been that a general education can be provided to the youth. The teachers are being reclassified as general teachers so that they may teach all subject matters. Effective January 1, 2012 the teachers will go from full time to part time, half time employees.

The meeting was adjourned at 11:12 a.m.

Respectfully submitted,



KATHERINE M. FRENCH, Deputy Clerk
Onondaga County Legislature