

**PUBLIC SAFETY AND EMERGENCY SERVICES COMMITTEE
MINUTES**

**THURSDAY, JANUARY 19, 2023
3:30 P.M.**

PRESENT: Kevin W. Hines, Chairman
Glenn R. Ehlers, Janet Sutherland, Robert C. Sassi, Genesis Ramos

ALSO

PRESENT: Katie Bonelli, Chairwoman
Peter V. Tuohy, Legislator
Betsy N. Abraham, Esq., Legislative Counsel
Harold J. Porr, III., Deputy County Executive
David M. Hoover, District Attorney
Christopher Borek, Chief Assistant District Attorney
Richard Moran, Chief Trial Assistant District Attorney
Richard B. Golden, County Attorney
Kerry Gallagher, Commissioner of Finance
Alison Tyack, Director of Personnel Management, Human Resources
Paul Arteta, Sheriff
Wilfredo Garcia, Undersheriff
Evelyn Mallard, Assistant Undersheriff
Brendan Casey, Commissioner of Emergency Services
Timothy A. Davidian, Director, Probation Department
Deborah Slesinski, Budget Director
Gretchen Riordan, Deputy Budget Director
Erin L. Sztendor, Budget Analyst

Chairman Hines opened the meeting at 3:30 p.m. and asked everyone to stand for the Pledge of Allegiance. All committee members were present with the exception of Legislators Sierra and Stegenga who were absent.

Ms. Ramos moved to discuss an update regarding the Crime Status in Orange County, seconded by Mr. Sassi.

District Attorney Hoover addressed the committee with a presentation regarding the **Criminal Justice Reform Act** (and the mountain of digital evidence that it has created for prosecutors) (see original committee packet) which included the Background, Mountains of Electronic Evidence, Digital Evidence, Data and Prosecution, Ever Increasing Needs, Video Resolution Comparison, In Perspective, Declining Arrests Impact on the Office, Needs for the Future, Cost Impact, Funds that are needed, and How Not Spending Anything Will Cost Us Much More. In closing, Mr. Hoover stressed that even though arrests have decreased, the workload has increased. The District Attorney's Office will need IT in the future which will be costly.

Mr. Hines commented that the District Attorney's Office received grant funds for staffing and asked if anyone was hired.

Mr. Hoovler replied the funds were just cleared and he does have several resumes.

Mr. Hines then asked if the arrests are down because crime is down or are they down because no one is being caught.

Mr. Hoovler responded that the arrests are down because the police are not arresting at the same rate they used to and it is more difficult to prosecute certain cases such as driving without a license and low level drug possession.

Mr. Hines further asked if prosecutions are getting thrown out because they cannot keep up with the work.

Mr. Hoovler replied yes. He stated that in New York City, 82% of all misdemeanors are dismissed, but Orange County is not that high as we are around 30% to 32%. The simple fact of it is, is that there is a lot of data that the police have to transfer, morale of the police is in a very low stage and he does not see it getting better. The pay as well as the technology need to be better. Furthermore, the police are not arresting the same amount of people like they were before, but the crime rate in Orange County is down.

Mr. Sassi thanked Mr. Hoovler for the informative presentation. He then commented that the progressive policies coming out of Albany are working because the arrest are down. It is clear that this system favors the criminal and undermines every district attorney in the state because the burden is not on the criminal.

Mr. Hoovler agreed.

Ms. Ramos asked what the most feasible next steps to be better positioned are so they can be as proactive as possible and if there are other municipalities/states that have begun this process or are doing a good job so that the county can mirror some of it.

Mr. Hoovler replied the Department of General Services along with the Department of Emergency Services are doing very well, it is just very complicated and time consuming. In his opinion, he would like to see the county hire, at whatever cost, one or two people that have advanced degrees in computer engineering or software that can advise the District Attorney's Office on what they need to do to make things work.

Mr. Sassi commented that technology for litigation is a must and asked Mr. Hoovler what happens to litigation if there is no technology.

Mr. Hoovler replied it suffers.

Mr. Sassi then asked Mr. Hoovler if he is seeing that now.

Mr. Hoovler replied they are upgrading and trying as it is a work in progress because there are changes every day. He stated that they must be aware of the costs that are coming.

Mr. Ehlers moved to approve the request confirmation of appointments to the Orange County Police Advisory Board (P. Arteta, J. Ewanciw, D. Doellinger), seconded by Ms. Sutherland.

Mr. Porr stated these appointments will replace the existing ones.

Motion carried. All in favor.

Before discussing the Corrections Report, Mr. Hines asked that Sheriff Arteta tell the committee about his new ideas, programs, and about his team.

Sheriff Arteta introduced Wilfredo Garcia, Undersheriff and Evelyn Mallard, Assistant Undersheriff who both have a wealth of knowledge and many years of law enforcement with the State Police and District Attorney. Assistant Undersheriff Mallard worked with Sheriff Arteta for a short period of time before she went to Ulster County. They have been going around the entire facility, they visited as many employees as they could (different shifts and those on leave), and visited every department in the county. He stated they are on track with everything, making some moves, and changing a few things that they may hear about, but it is in the best interest of the Sheriff's Office. There are some people who are assigned to different units that will be pulled back as well as address some of the deficiencies regarding coverage within the county. Furthermore, this will be a positive change for the Sheriff's Office. A lot of the command staff is falling right in line and are excited to move forward with several projects.

Mr. Sassi moved to discuss the November Corrections Report, seconded by Mr. Ehlers.

Assistant Undersheriff Mallard stated the total population at the end of the month was 318, of those 37 were ICE detainees, and the year-to-date boarder revenue is \$5,505,298.00. She added that they did not have any federal boardings in November and December.

Mr. Sassi asked the current ICE population.

Assistant Undersheriff Mallard replied there are 56 ICE detainees.

Ms. Sutherland moved to discuss the December Corrections Report, seconded by Mr. Ehlers.

The total population at the end of December was 300, of those, 54 were ICE detainees and the year-to-date boarder revenue is \$5,858,779.00. She stated that there are sporadic audits done by the federal government so they can make sure everything is up to their standards.

Mr. Hines commented that the prior administration told the committee that the staffing at the jail had to remain constant regardless of the population and asked the assistant undersheriff if that is her opinion as well.

Assistant Undersheriff Mallard replied yes, there are different classifications, so staffing needs to remain constant. Each housing unit requires manpower.

Mr. Hines then asked if they will expand and/or contract the ICE detainees as the previous administration stated they could save money on staffing by sending some of the ICE detainees back.

Sheriff Arteta replied there is legislation in Albany proposing that the ICE detainees are removed from the facility. Without knowing this, they have been researching because it may be

more beneficial to remove them due to the cost associated with overtime as well as injuries to officers, and the complaints received. He added that lawsuits are also costing them a lot of money.

Assistant Undersheriff Mallard further commented that the cost has a lot to do with prescription medications, so once an inmate comes in, the facility becomes responsible for their physical and mental wellbeing.

Sheriff Arteta stated they have been reviewing the numbers to see the amount of overtime compared to the revenue that makes sense.

Mr. Hines mentioned that in the past they made \$9.5 million a year on the revenue side, but it has decreased significantly due to the number of ICE detainees.

Further discussion continued regarding the ICE detainees and what occurs within the facility which is causing several issues.

Assistant Undersheriff Mallard stated that more cameras within the facility would help in disputing issues and litigation.

Sheriff Arteta invited the legislators to take a tour of the facility to see the different deficiencies as well as ways they are trying to overcome them, so they get a better idea of what is needed.

Mr. Hines stated they have all been to the facility.

Sheriff Arteta pointed out that there are a lot of blind spots and not enough manpower for the camera coverage they have.

Mr. Tuohy wished them the best in their new roles.

Mr. Sassi moved to discuss the November Sheriff's Report, seconded by Mr. Ehlers.

Sheriff Arteta explained there will be slight changes to the report in the next few months because he would like to summarize it and give the "nuts and bolts" of it.

Mr. Hines clarified that they plan to pull investigators away from programs and asked what that would look like.

Sheriff Arteta stated that is correct. When they originally started with both federal task forces, they would send their investigators who would come back and train the others on what they learned. He needs to "beef" up the narcotics task force because he wants to combat guns, fentanyl, and different things that occur within our community and not so much worry about the business of other agencies, specifically the federal agencies. He has nothing against them, he needs the manpower. There are 26 uniformed deputies for three different hourly patrols and that is not working; therefore, he is bringing the investigators back to start taking care of Orange County residents and then as they see fit, they will start helping the other agencies. Furthermore, they can work them on a part-time basis if needed. The City of Newburgh has a non-fatal shooting task force, our investigator who they invest a lot of money into, is handling all of their cases. He stated they need to hire their own, but the Sheriff's Office will back them up if needed, but he cannot have his

investigator taxing the Orange County taxpayers for one location. It is costing them a lot of money. He reiterated they are bringing their investigators back and can still do different things, but from the Sheriff's Office.

Undersheriff Garcia stated that there are seven moves total, six investigators and one senior investigator that will come back to the Sheriff's Office.

Mr. Hines mentioned that the District Attorney told the committee that his investigators are the primary investigators in the City of Newburgh because there is an experience issue.

Sheriff Arteta stated that with the GIVE grants, the District Attorney and the City of Newburgh are getting grant funds for that. Their investigator was there at their costs and they are not getting reimbursed, so the City has the money, but were using the Sheriff's Office to facilitate it.

Undersheriff Garcia further stated that the City of Newburgh is a tough place and he has spent a lot of time there when he was with the District Attorney's Office. He reiterated that they will still assist them, and this is a big county that they need to take care of.

Mr. Hines asked if the patrol side is fully staffed.

Sheriff Arteta replied no, they need to make a few promotions, one being a chief which will open other positions. After that they will work through the list.

Mr. Hines then asked how many entry level vacancies are there.

Sheriff Arteta replied there are six and a new list will be coming out.

Assistant Undersheriff Mallard stated that nationwide, it has been difficult for law enforcement. It is difficult to get people to take the test and then once they take the test, the list is very small.

Sheriff Arteta commented that they have a vision for a program they have been working on closely with the Department of Human Resources and they are hopeful that it will encourage the youth to get into corrections or police work. If they do not fall into that, they will have a chance to assist with not only helping incarcerated individuals, but with the youth and helping get them into trades. The vision for the program is in the infant stages.

Mr. Hines stated the past administration only wanted legislators to contact the Sheriff's Office at a certain level and not directly. He then asked if the calls should go to any of the three of them.

They agreed to be contacted directly with any questions.

Mr. Sassi moved to approve the request to create one (1) Per Diem CPR Instructor I, Salary: \$35.00 per hour and one (1) Per Diem CPR Instructor II, Salary: \$42.00 per hour. These positions will be funded 100% by County Taxation, seconded by Mr. Ehlers.

Mr. Casey explained these positions are in response to the County Executive's initiative to provide CPR training to anyone who asks for it, so he needs to hire per diem people on a needed basis.

Mr. Hines clarified that there is no cost to the individual.

Mr. Casey stated that is correct.

Motion carried. All in favor.

Mr. Sassi moved to approve the request for supplemental appropriation to existing approved Capital Project No. 373 CRAC (Computer Room Air Conditioning) Units replacement due to increased cost of equipment to replace Units with more reliable and efficient units, \$180,000.00 (bonding), seconded by Ms. Sutherland.

Mr. Casey stated this is reoccurring due to the increase in price. These are two critical pieces of equipment that are essential.

Motion carried. All in favor.

Mr. Sassi moved to approve the request to create one (1) Systems Integration Manager, Management Grade 23. Position to be funded through the Criminal Justice Discovery Reform Grant. Position to be created with the stipulation that the position will automatically be abolished upon the cancellation of the grant funding, seconded by Ms. Sutherland.

Mr. Davidian stated with the amount of technology they are using in the county as a whole and in the Probation Department, as well as interactions with the Department of Emergency Services, the Sheriff's Office, and the District Attorney's Office there is a lot of information technology that is not working as smooth as it should be. The hope is that this person can help keep the in-house affairs in order as well as the interactions and connectivity with the other agencies throughout the county.

Motion carried. All in favor.

Mr. Sassi moved to approve the request to close Capital Project No. 310 which was created under Resolution No. 126 of 2022 and increase the amount of Capital Project No. 323 by \$126,107.46. The increase in funding in Capital Project No. 323 will be offset by \$126,107.46 in unallocated State Aid which has already been accepted, seconded by Ms. Sutherland.

Mr. Davidian explained this is a housekeeping issue and the resolution was passed regarding Raise the Age funding that would be applied to the body cameras instead. The capital project had to be closed and the funds had to be reallocated.

Mr. Hines asked how the body cameras were going.

Mr. Davidian replied it is going very well and there is a good quality video.

Mr. Hines then asked if there is someone who specifically handles the storing of the videos.

Mr. Davidian replied that a lot of it is automatic downloads and the officers are responsible for tagging and labeling their individual videos. It is adding about a half hour to a regular supervision route.

Mr. Hines clarified that the camera is on the entire site visit.

Mr. Davidian stated that is correct. The camera is activated as they are walking up to do the visit.

Motion carried. All in favor.

The meeting adjourned at 4:27 p.m.