

**Law Enforcement & Public Safety Committee
Regular Meeting Minutes**

DATE & TIME: September 2, 2020 – 5:15 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656
Meeting ID: 919 5078 2552
PRESIDING OFFICER: Chairwoman Eve Walter
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk, Fawn Tantillo, Senior Legislative Staff
PRESENT: Legislators Fabiano, Haynes, Heppner & Parete
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Sheriff Figueroa & Jarrid Blades, Esq. – URGENT, Steve Peterson, Director – UC Emergency Management/Emergency Communications

Chairwoman Walter called the meeting to order at 5:16 PM.

Motion No. 1: Moved to **APPROVE** the Minutes & Transcript of the August 5, 2020 meeting

Motion By: Legislator Fabiano
Motion Seconded By: Legislator Heppner

Discussion: None

Voting In Favor: Legislators Fabiano, Haynes, Heppner, Parete & Walter
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Minutes & Transcript APPROVED**

Chairwoman Walter recognized Sheriff Figueroa to introduce Jarrid Blades, Esq., the new URGENT Commander.

See attached transcript.

Resolutions for the September 15, 2020 Session of the Legislature

Resolution No. 308: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Homeland Security And Emergency Services For Participation In The Emergency Management Performance Grant COVID-19 Supplemental (EMPG-S) Program For Federal Fiscal Year 2020 And Amending The 2020 Ulster County Budget – Emergency Communications/Emergency Management

Resolution Summary: This resolution authorizes the Chair to execute an agreement with NYS DHSES in the amount of \$39,895 for participation in the Emergency Management Performance Grant COVID-19 Supplemental program for Federal Fiscal Year 2020.

Motion No. 2: Moved **Resolution No. 308 FOR DISCUSSION**
Motion By: Legislator Fabiano
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Fabiano, Haynes, Heppner, Parete & Walter
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 309: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement And Any Amendments Thereto, With The New York State Division Of Homeland Security And Emergency Services For FY20 State Homeland Security Program (SHSP) – Emergency Communications / Emergency Management

Resolution Summary: This resolution authorizes the Chair to enter into an agreement with NYS DHSES in the amount of \$257,748 for the contract period from September 1, 2020 through August 31, 2023, for participation in the FY20 SHSP which supports planning, equipment, training, and exercise needs associated with preparedness and prevention activities for terrorist events using weapons of mass destruction involving biological, nuclear, incendiary, chemical, explosive and radiological materials.

Motion No. 3: **Moved Resolution No. 309 FOR DISCUSSION**
Motion By: Legislator Haynes
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Fabiano, Haynes, Heppner, Parete & Walter
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 317: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. – Emergency Management

Resolution Summary: This resolution approves the execution of a contract amendment with Accucare Nursing & Homecare, Inc. to increase the not to exceed amount by \$150,000 to \$450,000 from August 1, 2020 – March 10, 2021 to provide on-site nursing services related to the COVID-19 pandemic.

Motion No. 4: **Moved Resolution No. 317 FOR DISCUSSION**
Motion By: Legislator Haynes
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Fabiano, Haynes, Heppner, Parete & Walter
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 318: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – New York Communications Company, Inc. – District Attorney

Resolution Summary: This resolution approves the execution of a contact with New York Communications Company, Inc. in the amount of \$68,100 for the lease of radio equipment for the District Attorney’s Office for the period August 1, 2020 – July 31, 2025.

Motion No. 5: **Moved Resolution No. 318 FOR DISCUSSION**

Motion By: Legislator Haynes

Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Fabiano, Haynes, Heppner, Parete & Walter

Voting Against: None

Votes in Favor: 5

Votes Against: 0

Disposition: **Resolution ADOPTED**

Chairwoman Walter updated the members on the Criminal Justice Reform Task Force.

See attached transcript.

Chairwoman Walter asked the members if there was any other new or old business, and hearing none;

Adjournment

Motion Made By: Legislator Parete

Motion Seconded By: Legislator Heppner

No. of Votes in Favor: 5

No. of Votes Against: 0

TIME: 6:32 PM

Respectfully submitted: Deputy Clerk Mahler & Confidential Secretary Lichtenstein (transcript)

Approved: October 7, 2020

**Law Enforcement & Public Safety Committee
Regular Meeting Transcript**

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PRESIDING OFFICER: Chairwoman Eve Walter
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk, Fawn Tantillo, Senior Legislative Staff
PRESENT: Legislators Fabiano, Haynes, Heppner & Parete
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Sheriff Figueroa & Jarrid Blades, Esq. – URGENT, Steve Peterson, Director – UC Emergency Management/Emergency Communications

Chairwoman Walter called the meeting to order at 5:16 PM.

Chairwoman Walter: Call to order Law Enforcement and Public Safety, September 2, 2020. I'll take a motion to approve the August 5th meeting minutes and transcript.

Legislator Fabiano: I'll move it.

Legislator Heppner: Second.

Chairwoman Walter: So, Dean and Jon Heppner. All in favor?

Committee Members: Aye.

Chairwoman Walter: Opposed? Abstained? Okay.

So, we have four resolutions. The first resolution is ... oh, wait, I'm sorry. Before I start on the resolutions, the Sheriff would like to talk to us a little bit. Sorry. It's been a long day.

Sheriff Figueroa: Thank you, Madam Chair. And I'm sure you guys have heard about the man-second indictment and extradition from New Jersey on an individual that was dealing fentanyl knowingly and killed one of our residents in the Town of Rochester, that was this morning.

Good afternoon, Madam Chair and all members of the Legislative Law Enforcement Committee. I'm here because I wanted to have a few minutes of your time in regard to the new leadership change at U.R.G.E.N.T. This actually occurred about a little more than about two-and-a-half, three months ago. And Jarrid Blades, who was a prosecutor with the District Attorney's Office, became the Chief Civil Administrator for the Sheriff's Office last year.

There was a change of leadership in regard to U.R.G.E.N.T. and I asked Jarrid to step into that position and it was approved by the District Attorney, myself, and the other sitting colleague of the commission that runs URGENT. I wanted to get the opportunity to introduce him to you.

The importance of this is that there's a civilian oversight over U.R.G.E.N.T., a prosecutor, an attorney who knows about the law, who knows about search warrants, and in the proper way of going after cases, and actually making sure we prosecute these cases properly, and that we do everything right. So, I'm pretty happy to have Jarrid on the team. So, without further ado, I'm going to introduce to you the new commander of U.R.G.E.N.T. And if you have any questions, by all means, please ask.

Jarrid Blades: Hello everyone, good evening. So, the Sheriff asked me to do a brief intro. Is that what you guys would be okay with?

Chairwoman Walter: That'd be great. Thank you.

Jarrid Blades: So, the Sheriff's introduced me. Thank you, Sheriff. My name is Jarrid Blades. Born and raised in Ulster County, Ellenville, actually, a proud Ellenville graduate here. I started my career in the Monroe County DA's Office. I had the opportunity to transfer back and be a prosecutor in Ulster County for several years, mainly prosecuting cases in Kingston City Court. Cases for U.R.G.E.N.T. and mainly narcotics and gang cases.

So, throughout my career in the DA's office, I handled those types of cases. I also have referred, you'd have to check the stats, but I'm pretty sure I've referred more cases to Drug Court than any other prosecutor in the office. A very good friend and mentor of mine, Judge Ball, down in City Court. And I was able to get a taste of Treatment Courts up in Monroe County. They've got a Veterans Court, and a Mental Health Court, and a Drug Court, and I'm a firm believer in those.

But I've drafted search warrants with the DA's Office, and I drafted drug treatment court contracts when I was with the DA's Office. I have litigated cases through jury trial that have resulted in state prison sentences. I've also made referrals to Drug Treatment Court. And I've had the honor to dismiss a charge completely when someone graduated Drug Court. Which is, believe it or not, slightly more rewarding than a conviction after trial. I think it's more meaningful and harder to get to. It's a long road.

So, those are some of the positive things. The Sheriff and the Police Chiefs voted and named me the new Commander of U.R.G.E.N.T. It's an honor, I'm very humbled by it. I don't believe the men and women in the U.R.G.E.N.T. task force will ever get the credit that they deserve for a lot of the great work. But I'm proud to lead that organization and bring light to the positive things we can do.

I think it's important to embrace our past but look to the future. And I think the future has quite a few intersecting areas. I think it involves treatment. It involves intelligence-based policing. It involves coordination with federal partners, state partners, the District Attorney's Office. I have a phenomenal relationship with all the DAs up in the DA's Office.

And we have a phenomenal group of investigators. A lot of the cases that you'll see in press releases, even just this week, are holding, are looking to hold people accountable for homicide offenses related to overdoses and drug dealing. And a huge, large fentanyl-laced heroin busts. We're going after the big targets, people who are maybe crossing county lines and bringing it back into Ulster County.

And I think that's a newer approach. I think it's a more surgical approach. It takes a lot of time, a lot of surveillance. But I think that's the new way of doing things. And the Sheriff obviously has a background in narcotics most of his career. So, he's a phenomenal resource for me.

And as a civilian, the rights of everyone, either before they're accused or when they're accused are paramount. So, the... Anything we can do to keep all the investigators and anyone in this office updated on case law, anything we can do to enhance our investigations, but at the same time, even if someone's accused of something, still protecting their rights.

So, that's kind of what I'm about. I really appreciate the time. If there are any questions, I'd be happy to answer them. I did speak with the Police Chiefs Association today. I was a member prior to my appointment in U.R.G.E.N.T., but I stress to them any time any day anybody has a question, or something that I can assist with, I would love to make my information available. And I would encourage you to never be bashful to reach out.

Chairwoman Walter: Thank you. And thank you so much for introducing yourself. It sounds very exciting. All the background you, you're bringing to the table. I think you know, one of the things you had mentioned was the fact that a lot of the work that's done by U.R.G.E.N.T. goes unnoticed. Perhaps we could figure out a way, that on a regular basis, you could at least share with this group, not just the big busts that go in the newspaper, but really share the process, and evolution, and what's going on. That way we at least, we are more familiar with the efforts of U.R.G.E.N.T. That would be great.

Jarrid Blades: Absolutely. I think transparency is paramount. And I think there's a lot that I would love to share with you guys and take you through some things. Individual case studies that I think are absolutely fascinating. I'd like to highlight a lot of the good, which I think we did this week, in big busts. But I think there's a lot of good. I'd love to report to you the amount of people we've referred to Drug Court and how many people have graduated. I think that's just as important to our work.

And actually, since being involved with U.R.G.E.N.T., we've had discussions about, is there any reason to believe this person's a user? And we coordinated with the DA's Office. We roll up our sleeves and say, here's exactly what we know about this person. And I have to say, we're using... and the DA's Office is even, we're using ORACLE. Where if we have a drug bust, but there's someone, who maybe during surveillance, did a deal. They're not a criminal. They're someone who needs potential rehab or resources. We're able to share our intelligence with ORACLE. Have ORACLE discreetly dispatched out to them, to assist people who, I think, would like help in a non-handcuff situation.

And it's a... there is on this side of it, yes, there's people need to be held accountable for dealing drugs. But at the same time, I think U.R.G.E.N.T. is taking that next step in sharing intelligence with other agencies and trying to do the right thing. We coordinate with TPS. But I think ORACLE has been suffering thing that we're able to track. We've had investigators assist driving people to rehab. That is something we should be doing, and we will continue to do that. But we've been, we've had actually, we've had constructive conversations with the DA's Office whenever we believe someone could and should be referred to Drug Court. And we're fortunate to have one located right in Kingston.

Chairwoman Walter: That's great. I think we should do a lot more to talk about the successes of ORACLE and Drug Court. So, I look forward to learning more. Do other people have questions?

Well, thank you so much, both of you for giving us some time today. We look forward to seeing you a lot in the future.

Jarrid Blades: Thank you. I appreciate what you guys do as well, and the Sheriff. Thank you.

Legislator Heppner: Thank you.

Chairwoman Walter: Thanks.

Sheriff Figueroa: Hello, everybody. And again, thank you just briefly on this last arrest from this morning. This started back in January where the road patrol, and criminal detectives, showed up at a fatality in the Town of Rochester. He was a 35-year-old male. On his phone, there were messages going back and forth with his dealer. And the parents gave permission to U.R.G.E.N.T. to talk to that individual on their son's phone.

We were able to transfer to another phone where they were able to talk with the dealer. They went, U.R.G.E.N.T. actually went to New Jersey, worked with the DA and New Jersey State Police. Down in New Jersey and they did what is called a [inaudible], to make the deal, and he got arrested.

That was the person that was responsible for the death for a resident here in Ulster County. He was extradited on Monday. And the District Attorney's Office indicted him. And he is presently awaiting his court adjudication at the Ulster County Jail.

That's just one of the small, you know, big cases, by the way, it was the first time in Ulster County's history, and probably in the Hudson Valley that someone was charged for manslaughter second, in relation to knowingly selling fentanyl to someone and causing the death of someone. So, that's just some of the work that we do.

I don't want to hold up a lot of your time. I know you're busy, but I wanted to thank you for giving me the opportunity to introduce the U.R.G.E.N.T. Commander. So, thank you very much.

Chairwoman Walter: Thank you, Sheriff. Thank you for everything that you do.

Legislator Heppner: Thank you.

Sheriff Figueroa: John, I owe you a call, I'll give you a call.

Chairwoman Walter: Okay, so let's move on to our resolutions. The first resolution, Resolution 308: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The New York State Division Of Homeland Security And Emergency Services For Participation In The Emergency Management Performance Grant.

Motion to discuss.

Legislator Fabiano: I'll move it for discussion.

Legislator Heppner: Second.

Chairwoman Walter: Okay, Fabiano. Heppner, second. Any discussion?

Legislator Fabiano: This is basically getting free money, correct?

Director Peterson: Yes. This is Steve. Thank you, everybody for having me on. It's the emergency management planning grant. So, it's a supplemental grant for \$39,000. That's specifically going to be used for COVID, COVID expenses.

Chairwoman Walter: Great. All in favor of Resolution number 308.

Committee Members: Aye.

Chairwoman Walter: Opposed? Abstain? All right. Unanimous

Resolution Number 309: Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement And Any Amendments Thereto, With The New York State Division Of Homeland Security And Emergency Services For FY20 State Homeland Security Program.

Motion to discuss.

Legislator Haynes: I'll make that motion, Haynes.

Legislator Heppner: Second.

Chairwoman Walter: Haynes. Heppner second. Steve, is there anything you want to add on this one?

Director Peterson: This is our typical State Homeland Security Program Grant we get every year. This year, it's slightly down a little bit than it was previously. It's \$257,748. But it's, it's going to be used for, to supplement law

enforcement, SLE TPP funding, as well as the Health Department, and the radio system. The public safety radio system, as well.

Chairwoman Walter: Great. Thanks. Any other questions for Steve or any comments about this? All in favor of Resolution number 309.

Committee Members: Aye.

Chairwoman Walter: Against, abstained? Okay, so moved.

Chairwoman Walter: Resolution 317: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. Motion to discuss?

Legislator Haynes: I'll make that motion, Haynes.

Legislator Heppner: Second.

Chairwoman Walter: Heppner. Second. Steve, you have anything to say on this.

Director Peterson: This is the contract nurses that are assisting the public health portion of the Department of Health for response to COVID. I think there was a discussion yesterday, or a couple days ago, at another meeting with Marc, as well. This is 75% reimbursable. The whole contract is reimbursable by FEMA during the disaster declaration. So, 75%, at least 75% of this funding will be coming back to the county.

Chairwoman Walter: Legislator Haynes.

Legislator Haynes: So, we've increased this not to exceed amount, as well, that's attached to this, is that correct?

Director Peterson: Yeah.

Chairwoman Walter: So, it was \$300K. And it's now \$450K, it is not to exceed.

Legislator Haynes: And if I'm correct, and you know, please correct me if I'm wrong, clearly, this reimbursable money from FEMA, though we could be looking several years out.

Chairwoman Walter: And it's not guaranteed. I mean, that's the other part. It's, it should be reimbursed at 75%. But at the Public Health meeting, it was, that was specifically asked by Legislator Bruno. And Marc had said that there is not a guarantee of this money.

Legislator Haynes: Okay

Chairwoman Walter: I'll add to that, and I don't know, Steve, if you know, I think some of the concern also at the Public Health meeting was that the resolution lacked the documentation that said, specifically, this is what we found we needed to increase by \$150,000, that just two months ago, we had the do not exceed to \$300,000. It moved to \$150K. But there was not necessarily the clarification as to where that number came from. Do you know if there's the possibility of getting to the Legislature, the actual back information so that we can understand where those counts and where those numbers come from? Because I think that might help alleviate some concerns.

Director Peterson: Yeah, sure. The reasoning for the increase, yes, we can, I can provide some backup documentation for that.

Chairwoman Walter: That would be great. Legislator Fabiano.

Legislator Fabiano: Yes. In contracts prior to this, has FEMA come through with their funding?

Director Peterson: In previous disasters?

Legislator Fabiano: Yes.

Director Peterson: Yeah, they have. Yes.

Legislator Fabiano: So, they never really didn't come through when they said they were going to fund whatever they were, whatever we were doing.

Director Peterson: Not with my experience. I mean, we're... it oftentimes takes some time to get the funding.

Legislator Fabiano: I understand.

Director Peterson: In fact, we just received the Irene and Lee disaster funding check here previous... just recently. But not to my knowledge that hasn't been funded.

Legislator Fabiano: Okay. Thank you.

Chairwoman Walter: Yeah, I mean, I think that to just clarify, it wasn't so much that it we shouldn't count on it. It's just we can't guarantee. And with COVID it's different than in the past. The federal government change, you know, has a lot of things so we could never know for sure, 100%. And we will be responsible for 25% of this no matter what, at least.

Legislator Fabiano Right

Chairwoman Walter: So, I do think it'd be very helpful to have that documentation and truly understand what role, you know, I would imagine no one in the legislature, I could feel safe speaking for everyone, has an issue against nurses, and feels that if nurses are needed, nurses are needed. But I think knowing, really documenting what this is. Especially given that the do not exceed \$300K was just a couple months ago. What changed in these two months that there was this add on to \$150,000 would be very helpful.

Director Peterson: Yeah, that's not an unreasonable ask. I'll do my best to get you some backup documentation.

Chairwoman Walter: Great. Other people have any questions?

Okay. All in favor of approving Resolution Number 317.

Committee Members: Aye.

Chairwoman Walter: Opposed? Abstained? Okay.

Last, we have Resolution Number 318: approving the execution of a contract of \$50,000 entered into the county for our communications for the district attorney. Motion to discuss.

Legislator Haynes: I'll make that motion, Haynes.

Chairwoman Walter: Haynes. Second? Hepner. Any discussion? Okay, all in favor of resolution 318.

Committee Members: Aye.

Chairwoman Walter: Opposed? Abstained? All right.

Criminal Justice Reform Task Force, the only update... Well, so, the update... There are three subcommittees of the Task Force that are very productive. There is the Restorative Justice Subcommittee. There is a Centralized Arraignment Subcommittee. And there is the Criminal Justice Discrimination Subcommittee. Again, they're each moving forward in their own ways.

The Centralized Arraignment is currently challenged a bit by needing to have buy-in from the judges before we could have a centralized arraignment. For those of you who are less familiar with that, that deals with any case that's seen in the middle of the night. Rather than having a judge wake up in whatever town or village that they might be in, you'd have one centralized court, and the judges would rotate. And that way, there would always be someone there. And that way, there'd also always be a public defender there, and someone from the District Attorney's Office. And this is happening in other counties. If we do get buy in, we'll have to pass a legislative local law to make us a centralized arraignment location. But until we know that the judges have fully bought into this, we can't proceed, but that will be something going further.

The restorative justice, I wanted you to also know that they have decided to start having monthly restorative justice trainings. These are led through Family of Woodstock and the Restorative Justice Center. So, Kim Mapes and Dana Katz, they're two hours and they're intended for two purposes.

On the far end, is the goal is, ultimately, that there's somebody trained in all areas of Ulster County. So, that they could eventually create, have these circles to divert cases from trial to a criminal, to a restorative justice circle, when appropriate, as deemed by the district attorney and the public defender.

The second part is just to understand about restorative justice. So, many people attend the training just to learn more about it. You don't have to attend the training and commit to being a facilitator. But if you did want to be a facilitator, you can. I believe that the meetings, and I was looking before this, to get the dates, I believe that they were talking about always doing it like the third Monday of every month. I'm going to have to confirm when that is. But which would give you a few weeks, if you want it to come to September's or to spread it out. The idea would be that, again, we since we do need facilitators, ultimately, across the county, that we eventually let people know in all of our municipalities, about these trainings, so that we have people everywhere. But you're all welcome to come, or anything Legislator, or any other person who just wants to learn about restorative justice.

Legislator Haynes: Yeah, I actually signed up for the 21st.

Chairwoman Walter: Oh, good, it is the 21st. Thank you.

Legislator Haynes: Yeah.

Chairwoman Walter: I thought so. And if that doesn't work, again it'll be the third Monday of every month is the plan going forward.

Great. Any new business anybody wants to bring up?

Okay, any old business that anyone wants to put to rest?

All right, I'll take a motion to adjourn.

Legislator Fabiano: So moved.

Legislator Heppner: Second.

Chairwoman Walter: Okay. All in favor?

Committee Members: Aye.

Chairwoman Walter: Thanks. All right. Thank you. Have a good evening.

Legislator Fabiano: You too. Thanks.