

Erie County Community Corrections Advisory Board
Meeting #6—June 5, 2012—1:00pm
Minutes

Members Present:

Rev Pierce
Barry Covert
Charles Culhane
Karima Amin
Nan Haynes
Joseph Cercone
Jonny Cabrera
Robert Koch
William Burgin
Richard Carr

Absent:

Michael Kubik
Lavonne Ansari
Michael Lex
Joseph Sacco

Introduction of new board members

Joseph Cercone introduced as a new member to the committee

Election of officers:

Ms. Eve opens the floor for nominations of the election.
Rev. Pierce is nominated
Richard Carr nominated Robert Koch- Barry Covert seconded the nominee

A roll call vote for the chair of the Advisory Board was taken with the following votes:

Charles Culhane votes for Rev. Pierce
Barry Covert votes for Rev. Pierce
Karima Amin votes for Rev. Pierce
Nan Haynes votes for Rev. Pierce
Joseph Cercone votes for Rev. Pierce
Jonny Cabrera votes for Rev. Pierce
Robert Koch votes for himself
William Burgin votes for Rev. Pierce
Richard Carr votes Robert Koch
Rev. Pierce votes for himself

**Rev. Eugene Pierce was elected chair of the Advisory Board with the final vote of Pierce-8,
Koch-2**

Motion to close. Robert Koch seconded it

Ms. Eve opens the floor for nominations of the Vice Chair
Robert Koch and Nancy Haynes were nominated

A roll call vote for the Vice chair of the Advisory Board was taken with the following votes:

Charles Culhane votes for Nan Haynes
Barry Covert votes for Robert Koch
Karima Amin votes for Nan Haynes
Nan Haynes votes for herself
Joseph Cercone votes for Robert Koch
Jonny Cabrera votes for Robert Koch
Robert Koch votes for himself
William Burgin votes for Robert Koch
Richard Carr votes Robert Koch
Rev Pierce votes for Nan Haynes

**Robert Koch was elected vice chair of the Advisory Board with the final vote of Koch-6,
Haynes-4**

Motion to close.

Ms. Eve opens the floor for nominations of the secretary.
Haynes was the only one nominated and won unanimously.

Ombudsman Position

Legislator Dixon and Rath III wrote to County Attorney and Attorney replied back in a letter which the Board read. Date of letter: May 22, 2012.
Haynes gave a few minutes to read letter and make suggestions.
She then made comments after everyone finished reading.

Erie county legislature-Republican caucus letter

When Haynes spoke to the public safety committee, she did not represent anything that was not discussed in previous meetings.

Haynes would be happy to write to Legislator Hogues and she will help draft the bill if approved. She is teaching a course on drafting legislation. She is hoping Legislator Hogues will sponsor the draft and write it as a bill.

Questions of the Erie County Attorney: Michael A. Siragusa

1st question: all the Language missing will be incorporated into a proper bill

2nd question: Haynes did not know where any law that states that. She is also unsure if the Sheriff

has full authority to investigate full complaints. She is skeptical.

3rd question: If the bill is passed, the legislature should grant the Board authority to hire the ombudsman, which would not be seen as a problem.

4th question: It doesn't mention any thing about the telephone funds, which have drawn more attention from the Public Safety committee.

Nan reads out a regulation to support that claim. Haynes says she is not sure if the telephone funds really matter. Her observations are based on her reading of the law.

The Board members should find someone in the legislature who can draft and sponsor a bill regarding the ombudsman position

The Board needs people to volunteer at the different branches of county government.
[Legislature rep: Charles Culhane; Executive rep: Nancy Haynes; Sheriff rep: Karima Amin]

Q: Can a local law can be in the form of a resolution?

Asks if any member is willing to work on the drafting of the bill.
We need members who will talk to county officials

Karima is willing to speak to the Sheriff Department.

Budget question by William Burgin: Who manages the telephone funds?
(Funds: \$550,000)

What type of employee (ombudsman) do they need?
The Ombudsman is not an employee of Sheriff's Department.
Sheriff's letter states 2011 expenses; he spent \$200,000 on prison welfare and \$758,000 on "other expenses."

Ombudsman Salary: possibly paid by the Sheriff's funds through the authority of the legislature (\$200,000).

Joseph Cercone:

Stated if we take too money from the sheriff's budget, he will not have those funds available. He wanted to make a point, since some people believe this revenue is neutral to the county.

Michael Szukala -Erie County Deputy Comptroller

May 8th: started looking at telephone funds; for 18 months the phones were tracked.
Funds for commissary and telephone services are received by the Sheriff; Comptroller makes sure funds are used appropriately.

Deputy Comptroller explained that the funding will be investigated through a review instead of an

audit in order to report back to the Comptroller in a **timely** manner.

Culhane Questioning

2007 Audit revealed that funds that were allocated elsewhere are missing.

Q: Were the problems found in 2007 corrected? (Culhane)

A: They will answer that in their report (Michael Szukala)

Q: Does the report include the \$800,000 (improperly spent funding)?

A: Michael: Sheriff has been cooperative with Comptroller. We worked with Bob Koch and the Undersheriff.

Nan Haynes: There are no rules on how telephone funds should be spent. Who deals with telephone funds?

A: Sheriff has control over the money by permission of Commissioner.

Michael: It is part of our work and we are looking for one.

If there is one, it will be on our review report.

Q: How will advisory board benefit from this report?

A: I'm not sure. I am pursuing this project because my boss asked me. It is not definite if it will benefit the advisory board

The report and investigation should be completed within 4 to 5 weeks.

Question: Will any information be available next meeting?

Answer: Not sure

Rev. Pierce does not have enough time to adequately follow up with complaints from family members regarding their relatives being housed in the holding center and correctional facility. He states that he does not have time to properly inquire regarding these complaints. Karima Amin also responds to complaints and she does not have the adequate time to provide families with adequate responses. This is a prime example of how the ombudsman position would be utilized.

Currently, there are no means in addressing these concerns.

There was a debate between board members on the issue on jail management of suicidal inmates.

Carr walked out.

Back to Agenda

10. Wrongly release inmate for the third time

This was addressed at a public safety committee meeting.

The Sheriff explained that it was the deputy's fault because he had failed to look at a wrist band.

11. Division of jail management.

Rev. Pierce stated the mission statement of the Sheriffs inmate program be emailed to the board members and from there they will be ready to speak on that. This will answer the question of “What is the mission of jail management?”

Johnny Cabrera: Sanitation of the prison is not well-kept. Cleaners do not do their job well and supervision needs to take responsibility.

8. Johnny Cabrera: Today will be his last meeting. He must send a letter to the Chair of the public committee or Mr. Graber to be reappointed.

Haynes: Cabrera will hold his seat until someone is appointed.

Other business

2:12pm Comptroller Erie County arrives.

His office received a letter from a prisoner (Erie County Tip line)

1. They believe the Sheriff office is overcharging necessities in jail.
2. Grievances are being thrown away.
3. Amin commented those deputies are throwing away/ripping up grievances

Comptroller: We do not plan on comparing Erie County’s inmate telephone funds to other counties. However, they will compare commissary charges and see if they charge more or less than Erie.

It is not the job of the Comptroller to decide how money is spent.

Amin: Questions the issue of grievances.

Comptroller: Inmates should keep a log of complaints and improper treatment. Every time something happens, the prisoners should write down as much info as possible date, time, etc. This will be good evidence in court.

Meeting adjourned 2:20 pm