**Erie County Community Corrections Advisory Board**

**Minutes – January 8, 2013**

**1. Call to Order: Rev. Pierce 1:06 pm**

**2. Pledge of Allegiance**

**3. Roll Call**

Present

Ansari

Burgin

Cercone

Colon

Culhane

Diina

Haynes

Lex

Marciniak

Pierce

Sacco

Schultz

Absent

Amin

**4. Reappointment of members whose terms expire in 2013**

Michal Lex - will not seek reappointment when his current term expires on 2/15/2013. Probation Department will select new appointee.

Richard Carr - will be retiring as of 1/31/2013. Teamsters Local 264 will select new appointee.

Nan Haynes - seeking reappointment by Eight Judicial District.

Thomas Diina - needs to be reappointed by Division of Jail management.

William Burgin - will not seek reappointment when his current term expires on 2/15/2013. Department of Mental Health will select new appointee.

\*\*Correction on contact member sheet – David Marciniak was recommend by the Department of Health, not Department of Mental health.\*\*

**5. Approval of Minutes from December 6, 2012 meeting**

\*\* Correction - Inmates at the EECF/ECHC are informed they can participate in programs available as long as they complete the application and are appropriately classified for participation. There is no background check required.

Motion to approve minutes made by David Marciniak

2nd by Thomas Diina

All in favor

None opposed

Motion carries

**6. Communications**

**Joseph Sacco**

Sent a letter to County Attorney Michael Siragusa on November 29th, 2012 requesting a legal opinion of the proper financial process for handling phone revenues. Response was sent December 11th 2012. In his response, Siragusa states that “in accordance with New York State County Law Sections 201, 205 and 407, the Sheriff does not have sole control over the telephone revenues generated and that such revenues must be remitted to the Erie County Comptroller and appropriated through established county procedures”.

**Rev. Pierce**

What is the next step as far as a follow up?

**Joe Cercone**

The telephone revenue would be handled according to the established appropriation, accounting and purchasing procedures.

**Rev. Pierce**

Legislator Betty Jean Grant drafted a resolution dealing with this same issue. She has asked us as a board to read the resolution in and give input on it. Chair grant will be here in the meeting shortly and we can ask her any questions regarding the resolution when she gets here.

**7. ECCCAB - Annual Report to the Legislature**

**Rev. Pierce**

It is time for the board to submit its annual report for the year 2013. Do we want to have a discussion at this time about what needs to go into the report this year? There are many items in the report from last year that we continue to focus on this year.

**Nan Haynes**

It’s sad to say, but we really haven’t accomplished anything listed in the annual report up until today, when David Marciniak stated that there will be a telephone number published for families to call regarding the medical condition of those confined at ECCF/ECHC. Although I am happy to see Legislator Grant has resubmitted the Ombudsman resolution back to the Public Safety Committee, my feeling is that we have not made any progress as far as information listed on the report.

**Tom Diina**

I dispute that to a small extent. Since our last meeting, I have had direct contact with the director of the AA program at the correctional facility, and we have a meeting this coming Monday to iron out the details about providing AA in the downtown facility. I have also reached out to the director of NA, but unfortunately have not yet heard back from him.

**Nan Haynes**

I thought there was NA/AA already downtown.

**Tom Diina:**

No. Only in Alden at this time.

**Nan Haynes**

We received the two page letter from the Sheriff’s Department outlining the current programs they have at the facilities, yet most of the items on this list are not programs at all.

**Tom Diina**

May not all necessarily be programs but they are things that we do with the inmates within the facilities.

**Nan Haynes**

Maybe we need to have a discussion about what type of programming we mean. Types that have some meaning behind them besides cleaning and mopping floors

**Tom Diina**

A lot of these programs can be expanded on. Many of these programs are a good start, and we are working on ways to improve them. Currently we are looking into a program where inmates work in the garage on fleet vehicles.

**Michael Lex**

For those of us who were on the board in 2011, I think we have made substantial progress. There was a successful voter registration drive. We started a conversation about the telephone funds, which resulted in the resolution from the Chairwoman Betty Jean Grant.

**David Marciniak**

Points out statement on the annual report that reads:

“Despite a major overhaul of medical and mental health policy and procedures, staff remain hindered by a lack of timely access to arrested individual medical and mental health information.”

It appears as though the “access of information” may be referring to family and friends knowing medical information. Our medical professionals in the jail have access to all medical information available about the inmates.

The statement may have been true before, but it is not true now. Therefore I would ask that in the report for this year, that statement be removed or amended. We will make sure the number for family members to call will be advertised on the website.

**Barry Covert**

From my end in dealing with parents and siblings, it is a huge deal that there will be a phone number made available. I get several people who tell me they call the holding center and no one ever picks up the phone. So this is a huge step in the right direction. Yet we still need to implement more NA/AA programming at the ECCF and begin it at the downtown facility. There is also a need for domestic violence programming.

This list of programs given by the Department of Jail management is disingenuous at best to be labeled programming. Putting people to work is not running a program. If there are so many programs listed that put inmates to work, then why are the bathrooms at Alden so dirty? I don’t understand why we are being told we have all of these work programs, yet can’t provide basic programs such as AA/NA, chaplaincy and domestic violence. Every time someone comes into the holding center on drugs, drunk or suicidal there needs to be someone to speak to them, and currently there is not.

**Tom Diina**

I’ve made it clear that we are working on these programs, and in addition, I am working on manipulating the manpower to assist staffing these programs without increasing overtime. I will let you know next week the latest update on the AA program after I meet with the director

**\*Skip to item nine to Chair Grant can address the board\***

**9. Ombudsman Position**

**Legislator Betty Jean Grant**

I am here to day to assure you my support for this committee remains as strong as it was at the time we established it a couple years ago. I know there have been some glitches, but there have been many positive things to come out of this committee. As the chair of the legislature, I would just like to commend you for all of the work you have done. I remain strong in support for the need of an Ombudsman. I think we need a neutral party in place, and that we have to find the funding for it somewhere. I remain hopeful that this board and I can do a lot of positive things together for all the citizens of Erie County.

**Rev. Pierce**

At the time the ombudsman resolution was crafted by member of this board, the only one who voted against it was Cheryl Green. Other than that the entire board voted in favor of the ombudsman resolution.

**Betty Jean Grant**

That resolution actually fell off of the agenda because it had been on there for two years with no action taken. I had it resubmitted and clocked in again.

**Barry Covert**

Is there something that we can do to help with the ombudsman issue?

**Betty Jean Grant**

You can lobby for the funds to pay for it. The allocating needs to come from the county executive, so maybe the board needs to invite the county executive or a representative over to see if funding can be allocated for an ombudsman.

**Joe Sacco:**

Last month at our meeting, Legislator Hogues said due to budget constraints and the improvements made by superintendent Diina, that the ombudsman issue would be tabled for right now. I'm confused as to how it is now back on the table.

**Betty Jean Grant:**

My position was that the ombudsman issue remains on the table, and since I was instrumental in creating this board, I feel that the issue remaining on the table for discussion will not impede the Sheriff or his department in any improvements they want to make.

**Nan Haynes:**

In order to see if there is improvement, can we see copies of inmate grievances that were denied from 2011-2012?

Also, our resolution states we need to get input from the community on what improvements they feel need to take place within the facility. That is not a job of the Department of Jail Management or the Sheriff.

I would like to make clear that even though am in litigation against the county, I will recuse myself from reviewing any grievances that may be submitted.

**8. Inmate telephone fund -** tabled until resolution form Betty Jean Grant can be reviewed.

**10. Chaplaincy Program –** no new business

**11. Other Business**

Inmate Classification proposal for February meeting - Tom Diina will have someone next meeting to discuss inmate classification

Rev. Pierce will contact the federal Ombudsman Association requesting a member of their organization be present at our next meeting.

**12. Adjournment 2:09pm**

Rev. Pierce makes a motion to adjourn

2nd by David Marciniak

All in favor

None opposed

Motion carries