

June 1, 2017

PUBLIC SAFETY COMMITTEE
REPORT NO. 10

ALL MEMBERS PRESENT, EXCEPT LEGISLATOR MORTON.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

- 1. RESOLVED, the following item is hereby received and filed:
 - a. COMM. 8E-30 (2017)
RATH: "Letter to Deputy Commissioner-Fire Safety Regarding Report of Inventory for Turnout Gear at the Fire Training Academy"
(Chair's Motion)

- 2. COMM. 9E-21 (2017)
COUNTY EXECUTIVE AS AMENDED
WHEREAS, the Erie County Legislature has already approved the 2017-2018 Department of Central Police Services Gun Involved Violence Elimination ("GIVE") Grant in the 2017 Adopted Budget Book B; and

WHEREAS, the contract received from the New York State Division of Criminal Justice Services authorizes positions and funding levels for Central Police Services (CPS) different from the adopted budget; and

WHEREAS, there is a need to reduce the backlog of firearm cases while providing critical work with the CPS GIVE grant partners; and

NOW, THEREFORE, BE IT

RESOLVED, effective July 8, 2017, authorization is hereby provided to add the position of Firearms Examiner I, JG 9 (B100 #9296), in the Department of Central Police Services (CPS) Gun Involved Violence Elimination (GIVE) grant 165GIVE1718; and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the CPS GIVE Grant, in fund 281, to match authorized State funding levels, to be adjusted as follows:

CENTRAL POLICE SERVICES
GUN INVOLVED VIOLENCE ELIMINATION GRANT
165GIVE1718
7/1/17-6/30/18

<u>Revenue</u>	Original	Adjustment	Final
409000 State Aid	\$116,642	\$31,490	\$148,132
479000 County Share	<u>\$58,176</u>	<u>\$33,282</u>	<u>\$91,458</u>
Total Revenue	\$174,818	\$64,772	\$239,590

<u>Appropriation</u>	Original	Adjustment	Final
500000 Full Time Salaries	\$109,261	\$40,014	\$149,275
502000 Fringe Benefits	\$65,557	\$24,008	\$89,565
510100 Out of Area Travel	<u>\$0</u>	<u>\$750</u>	<u>\$750</u>
Total Appropriations	\$174,818	\$64,772	\$239,590

and be it further

RESOLVED, that there is sufficient funding to cover the County Share portion in Funds Center 16500, Fund 110, G/L Account 559000- County Share Grants; and be it further

RESOLVED, that the Director of the Division of Budget and Management is hereby authorized to adjust budgets as required to comply with State approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, the Office of the Comptroller, the Division of Personnel and the Department of Central Police Services.
(6-0)

- 3. INTRO. 10-3 (2017)
SAVAGE AS AMENDED
WHEREAS, Car break-ins, commonly referred to as "car pops" are a major quality of life issue throughout Erie County; and

WHEREAS, "Car Pops" not only result in theft of property and often expensive vehicle damage, but also are major violations of privacy which detrimentally impact property values, commercial business, and the public's sense of feeling safe in their community; and

WHEREAS, According to the Erie County District Attorney's Office, there were 3801 reported "car pops" in the City of Buffalo alone over the last two years; and

WHEREAS, Despite this high number of reported incidents, only 147 arrests were made, in large part due to the lack of a felony charge available to law enforcement; and

WHEREAS, According to the Erie County District Attorney's Office, thirteen individuals constituted 27% of those charged with "car pops" in the City of Buffalo over the last two years, each with multiple arrests. In some cases, the same offender was charged 8 separate times as the result of a "car pop"; and

WHEREAS, Due to the lack of a felony charge available, there are no real consequences for these very serious quality of life crimes despite the hard work of law enforcement, prosecutors, and the courts, often resulting in a "revolving door" for offenders through the criminal justice system; and

WHEREAS, New York State law limits prosecutions for burglary to dwellings or buildings, thus there is no felony burglary charge available in instances where one's automobile is broken into, leaving lesser charges such as misdemeanor larceny as the only available recourse; and

WHEREAS, Other states such as Florida recognize the serious nature of "car pop" crimes and the tremendous impact they have on the quality of life in communities and have expanded its definition of burglary to also include motor vehicles as "conveyances" for these purposes. which allows law enforcement and prosecutors to charge offenders with a felony; and

WHEREAS, New York State should adopt similar legislation in the interest of protecting the quality of life of its residents; and

WHEREAS, New York State Senators Timothy Kennedy and Chris Jacobs have introduced legislation, S6504, in the State Senate to address this very important public safety and quality of life issue.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body hereby calls on the New York State Legislature to adopt legislation, similar to the State of Florida, to include motor vehicles within its definition of burglary to provide law enforcement with the ability to charge individuals who break into cars ("car poppers") with a felony to preserve the quality of life of our residents; and be it further

RESOLVED, that this Honorable Body hereby goes on record in support of NYS Senate Bill S6504, and that certified copies of this resolution be sent to Governor Cuomo and the members of the Western New York Delegation to the New York State Senate and Assembly.

(6-0)

4. COMM. 10E-19 (2017)
COUNTY EXECUTIVE

WHEREAS, the NYS Department of Homeland Security and Emergency Services has agreed to provide funding in the amount of \$1,096,094 in federal assistance to continue the implementation of a program to enhance the ability of Erie County to manage emergency and disaster situations; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contact and accept \$1,096,094 in federal resources to provide funding to purchase the necessary equipment to enhance the ability of Erie County to manage emergency and disaster situations.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the NYS Department of Homeland Security to receive \$1,096,094 in grant funding for the Department of Homeland Security and Emergency Services; and be it further

RESOLVED, that this grant, under the Department of Homeland Security and Emergency Services, will be utilized to enhance the ability of Erie County to manage emergency disaster situation to meet the goals and objectives of the grant; and be it further

RESOLVED, that the authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Department of Emergency Services FY16 Statewide Interoperable Communications Grant (SICG)	
Revenue	Increase
Account 414000 Federal Aid	\$1,096,094
Appropriations	Increase
Account 561410 Lab & Technical Equipment	<u>\$1,096,094</u>
Total Appropriations	\$1,096,094

; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State approved funding levels; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Personnel, the Department of Homeland Security and Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(6-0)

5. COMM. 10E-20 (2017)

COUNTY EXECUTIVE

WHEREAS, the Department of Homeland Security and Emergency Services purchased a Vision 30" V Front Flat top trailer out of FY 2015 Technical Rescue Grant funds; and

WHEREAS, the FY 2015 Technical Rescue Grant is a regional grant with deliverables to purchase equipment for the partners participating in the grant, one being the Niagara Frontier Search and Rescue Team; and

WHEREAS, the Niagara Frontier Search and Rescue Team agrees to take over the maintenance and repairs needed to the trailer; and

WHEREAS, because this is a homeland security purchase, the Niagara Frontier Search and Rescue Team agrees if the Department of Homeland Security and Emergency Services is audited on the FY 2015 Technical Rescue Grant they will allow the auditors access to the trailer for auditing purposes.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the transfer of the Vision 30" V Front Flat top trailer, VIN # 53BLTEA11HA034092, search and rescue trailer to the Niagara Frontier Search and Rescue Team; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the Department of Homeland Security and Emergency Services c/o Melissa Calhoun, the County Comptroller, and the County Attorney.

(6-0)

EDWARD A. RATH, III
CHAIR