

March 14, 2002

PUBLIC SAFETY
COMMITTEE
REPORT NO. 3

ALL MEMBERS PRESENT EXCEPT LEGISLATOR DUSZA.

1. Item Page -2002 (Comm. 4E-44)

COUNTY EXECUTIVE

WHEREAS, Coordinated Care is a not-for-profit human service organization that provides long-term care information, referral and services to the Western New York community; and

WHEREAS, the Telephone Assurance Program (TAP), operated by Coordinated Care with primary financial assistance from Erie County's Department of Senior Services, is a free service that connects seniors who live alone to volunteers via periodic phone calls, allowing participants to keep in contact with the community and decreasing the potential for isolation and loneliness; and

WHEREAS, Senior citizens account for 15.8 percent of the local population, and as this number continues to grow, so does the demand for more and better services; and

WHEREAS, based on a funding request from the Coordinated Care, a not-for-profit organization, the County will provide \$5,000 in support of the Telephone Assurance Program (TAP) for the fiscal year of 2002.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into the necessary agreements to provide funds to this organization for purposes noted above; and be it further

RESOLVED, that funds in the amount of \$5,000 are hereby transferred from the Regionalism/Economic Development Fund (DAC 110 9043038301299) to the following subaccount under Contractual Agencies in Department 302, Public Benefit Agencies, as monitored by Environment and Planning:

0935 Coordinated Care \$5,000

and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive, County Comptroller, Director of the Division of Budget, Management and Finance, the Commissioner of the Department of Environment and Planning, and the President/CEO of Coordinated Care, located in the Statler Towers, Suite 1800, 107 Delaware Avenue, Buffalo, New York 14202.

(4-0) Legislator Dusza absent.

2. Item Page -2002 (Comm. 4E-47)

COUNTY EXECUTIVE

WHEREAS, Erie County has been awarded a block grant from the New York State's Governor's Traffic Safety Committee for traffic safety awareness and enforcement, and

WHEREAS, Erie County has been awarded additional funds for the "Child Passenger Safety" program, and

WHEREAS, the County budget must be amended to agree with the final approved State grant award,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are hereby authorized in order that the amended budget will agree with the final State grant award:

OFFICE OF TRAFFIC SAFETY

Project #459
10/1/01-9/30/02

<u>APPROPRIATIONS</u>	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
ACCT. 800 PERSONAL SERVICES	\$48,669	167	\$48,836
ACCT. 805 FRINGE BENEFITS	10,708	1,990	12,698
ACCT. 810 OFFICE SUPPLIES	350	800	1,150
ACCT. 814 MEDICAL & HLTH SUPLS	0	9,700	9,700
ACCT. 824 TRAVEL & MILEAGE	1,100	300	1,400
ACCT. 825 OUT OF AREA TRAVEL	1,400	700	2,100
ACCT. 826 OTHER EXPENSE	5,956	10,099	16,055
ACCT. 880 INTERFUND			
1100 DEPT. OF COUNTY EXEC	4,870	0	4,870
1500 SHERIFF'S DEPT.	11,000	(11,000)	0
5100 D.I.S.S.	2,112	0	2,112
ACCT. 933 LAB & TECHNICAL EQUIP	<u>0</u>	<u>1,800</u>	<u>1,800</u>
TOTAL APPROPRIATIONS	\$86,165	\$14,556	\$100,721

REVENUE

ACCT. 592 STATE AID DEPT OF TRANSPORTATION	<u>\$86,165</u>	<u>\$14,556</u>	<u>\$100,721</u>
TOTAL REVENUE	\$86,165	\$14,556	\$100,721

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, the County Executive's Office, Erie County STOP-DWI, the Sheriff's Department and the Office of Traffic Safety.
(4-0) Legislator Dusza absent.

AS AMENDED

3. Item Page -2002 (Intro. 4-3)
**FISHER, PEOPLES, HOLT, SWANICK, MARINELLI, KUWIK, DALE,
 SCHROEDER, DUSZA, CHASE, LARSON & McCARVILLE**

WHEREAS, a wealth of research has demonstrated the harmful effects of domestic violence on children in the home, and

WHEREAS, partner abuse occurs in approximately 50% of households where child abuse takes place, and

WHEREAS, many battered women do not report abuse to the police or courts for fear of having child protective proceedings brought against them and ultimately losing custody of their children, and

WHEREAS, proper training in the dynamics of domestic violence will improve the ability of child protection workers to ensure a child's safety, and

WHEREAS, training is a vital aspect of a coordinated community response to domestic violence, a strategy that better serves the goals of victim safety and offender accountability, and

WHEREAS, at this time, however, domestic violence training is not a required component of the core training for new child protective workers across the state, and

WHEREAS, the Office for the prevention of Domestic Violence, the Model County Policy and the National Council of Juvenile and Family Court Judges Family Violence Department recommend improved coordination of child protective services and domestic violence systems to promote the safety and well being of families, and

WHEREAS, legislation filed in both houses of the New York State Legislature Thursday, January 31, 2002, Assembly Bill A.7763 and Senate Bill S.396, seek to amend Section 421 of the state's Social Services law by specifying that the dynamics of domestic violence be included in course training for new hired and existing employees of a child protective service, and

WHEREAS, this legislation will require that all new and current child protective service employees across the state be trained in the dynamics of domestic violence and the connection between domestic violence and child abuse, and will not add undue financial constraints,

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature remains firmly committed to the goals of protecting women and children from violence in the home, holding domestic violence offenders accountable for their actions and promoting healthy stable families, and be it further

RESOLVED, that this Honorable Body does hereby call upon the members of the New York State Legislature to further the realization of these goals by passing Assembly Bill A.7763 and Senate Bill S.396 which would require mandatory domestic violence training for child protection

workers, and does further memorialize Governor Pataki to sign such legislation into law, and be it further

RESOLVED, that certified copies be sent to the local delegations to Governor George E. Pataki, the New York State Assembly and the New York State Senate, the Commissioner of Social Services, and the Executive Director of the Erie County Commission on the Status of Women.

Fiscal Impact: None for Resolution.
(4-0) Legislator Dusza absent.

4. Item Page -2002 (Comm. 5E-15)

SHERIFF

WHEREAS, the State of New York Governor's Traffic Safety Committee has awarded \$4,000 to the Erie County Sheriffs Office towards the purchase of one Datamaster breath testing instrument and,

WHEREAS, this equipment will provide reliable evidence to successfully prosecute alcohol impaired motor vehicle arrests.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Sheriffs Office is hereby authorized to accept funding from the State of New York Governor's Traffic Safety Committee in the amount of \$4,000 and be it further

RESOLVED, that authorization is hereby provided to budget those funds as follows:

Department 931 - Sheriffs Office

<u>REVENUE</u>	<u>Increase</u>
Acct. 639 State Aid Miscellaneous	<u>4,000</u>
TOTAL REVENUE	<u>4,000</u>
<u>APPROPRIATIONS</u>	<u>Increase</u>
Acct. 933 - Lab & Tech Equipment	<u>4,000</u>
TOTAL APPROPRIATIONS	<u>4,000</u>

and it be further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Comptroller's Office and the Office of Sheriff for implementation.
(4-0) Legislator Dusza absent.

5. Item Page -2002 (Comm. 5E-49)

COUNTY EXECUTIVE

WHEREAS, in 2001 County Executive Joel A. Giambra established Go Safe, a cooperative effort with the hospitality and taxi industry, that provides a sustainable alternative to drunken driving by offering free taxi rides to patrons of participating establishments, and

WHEREAS, Go Safe has removed over 235 potential drunken drivers from Erie County Roads and has provided for over 600 future rides when needed, and

WHEREAS, Go Safe is endorsed by the Niagara Chapter of Remove Intoxicated Drivers (RID) and Erie County Mothers Against Drunk Driving (MADD), and

WHEREAS, project # 571 and the Go Safe Reserve Account were established to receive donations and pay the expenses of operating Go Safe, and

WHEREAS, donations to the Go Safe Project in the amount of \$10,000 will be utilized for this request,

NOW, THEREFORE, BE IT

RESOLVED, that the following transactions are authorized to amend the budget and to establish the Go Safe Program as an ongoing grant:

GO SAFE PROGRAM

Project #571

2/15/01 - Ongoing

<u>REVENUES</u>	<u>FROM</u>	<u>CHANGE</u>	<u>TO</u>
ACCT. #360 GO SAFE REVENUE	<u>\$20,000</u>	<u>\$10,000</u>	<u>\$30,000</u>
TOTAL REVENUES	\$20,000	\$10,000	\$30,000

APPROPRIATIONS

ACCT 821 - DUES & FEES	\$ 2,000	\$2,000	\$4,000
ACCT 826 - OTHER EXPENSE	<u>18,000</u>	<u>8,000</u>	<u>26,000</u>
TOTAL APPROPRIATIONS	\$20,000	\$10,000	\$30,000

and be it further

RESOLVED, that transfers from the trust account will be made only for those moneys in the grant, and be it further

RESOLVED, that the County Executive is authorized to accept donations to the Go Safe Reserve Account, and be it further

RESOLVED, that the Go Safe Program is, authorized to directly pay invoices from taxi services providing rides under the Go Safe Program, and be it further

RESOLVED, that the STOP-DWI Office is authorized to continue a general liability policy in the amount of \$1 million per incident and a \$5 million umbrella policy from the Selective Insurance Company in order to mitigate the risks associated with Go Safe, and be it further

RESOLVED, that the STOP-DWI Office will make an annual accounting of the donations and expenses of the Go Safe Program to the Erie County Legislature, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Comptroller's Office, the Division of Budget, Management and Finance, and the STOP-DWI Office.

(4-0) Legislator Dusza absent.

6. Item Page -2002 (Comm. 5E-52)

COUNTY EXECUTIVE

WHEREAS, the funds are available from the Federal Emergency Management Agency (FEMA) through the New York State Emergency Management Office (SEMO), and

WHEREAS, the funds received for the Terrorism Consequence Grant III will be used to purchase needed supplies and to hire a Student Intern to continue to update the Domestic Preparedness Annex and the Emergency Resource Lists, and

NOW, THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Department of Emergency Services, is hereby authorized to create a third Terrorism Consequence Grant and accept \$11,000.00 in funding from FEMA through SEMO, and be it further

RESOLVED, that the following transactions are authorized for the purchase of supplies and to hire a student intern to update the Domestic Preparedness Annex and the Emergency Resource lists.

Department of Emergency Services
Terrorism Consequence Grant #III

Revenue

SFG 684	Federal Revenue - Other	\$11000
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Appropriations

SFG 810	Office Supplies	\$ 2000
SFG 826	Other Expenditures	\$ 4000
SFG 830	Contractual	\$ 5000

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Division of Budget, Management and Finance, Office of the Comptroller, Department of Law and the Department of Emergency Services.

(4-0) Legislator Dusza absent.

AS AMENDED

7. Item Page -2002 (Intro. 5-3)
SWANICK, HOLT, DUSZA, KUWIK, FISHER, CHASE, LARSON & McCARVILLE

WHEREAS, In the aftermath of the horrific terror attacks on America this past September, along with the cowardly anthrax attacks using the U.S. Postal Service, Americans have responded by coming together like never before with a resolve to defeat terrorism, and

WHEREAS, As Americans remember those murdered and injured in these vicious attacks against our very way of life, it is in their memories that we must act to prevent future attacks, and

WHEREAS, While terrorists - those who are known and those who are unknown - continue to exist as a threat to all Americans, a universal resolve to defeat terrorism must include new laws to help law enforcement in this life and death battle, and

WHEREAS, Governor George Pataki and Attorney General Eliot Spitzer have proposed new legislation that aims to combat terrorism by creating new terrorism crimes and toughens penalties for terrorists and bio-terrorists, and

WHEREAS, Coupled with the Anti-Terrorism Act of 2001, this new legislation further strengthens existing laws, closes certain loopholes, and counters technological advances that have been used by terrorists and terror networks, and

WHEREAS, The new legislation would, among other things:

- Mandate life imprisonment without parole when a person is convicted of the new crime of criminal use or criminal possession of a chemical or biological weapon in the first degree;
- Eliminate the statute of limitations for all terrorist offenses;
- Permit roving wiretaps by law enforcement;
- Eliminate the need for accomplice testimony in terrorist cases;
- Subject terrorists' property located outside New York State to civil forfeiture;
- Include the term "hazardous substance" in the list of items that, if falsely placed, will give rise to a prosecution for a violent felony offense;
- Create new crimes of money laundering for terrorism, and add these and all terrorism offenses to the list of offences that may give rise to a prosecution for enterprise corruption;
- Prevent the suppression of reliable evidence of guilt in terrorism cases when law enforcement officials make mistakes in good faith about search and seizure requirements;

- Create the new offenses of criminal facilitation of terrorism and conspiracy to commit terrorism;

and

WHEREAS, These new measures are what law enforcement and experts in terrorism have said they need to counter the terrifying scenarios that evil terrorists would unleash against the good, decent and law-abiding citizens of New York State, and

WHEREAS, With these new tools law enforcement could conceivably thwart an act of terrorism before it occurs, or help apprehend those responsible for an act of terror before further acts occur, or permanently remove from society individuals convicted of a terrorist act before their actions graduate to unimaginable mass murder or mass injury,

NOW, THEREFORE, BE IT

RESOLVED, That the Erie County Legislature does hereby reaffirm its commitment to maintaining the safety and welfare of New Yorkers and thwarting the efforts of those who seek to cause damage to our citizenry upon our own soil, and be it further

RESOLVED, that this Honorable Body does hereby memorialize both houses of the New York State Legislature to consider and adopt bi-partisan legislation proposed by Governor George Pataki and Attorney General Eliot Spitzer to help law enforcement combat terrorism and bio-terrorism, Senate Bill S.5823, and be it further

RESOLVED, That certified copies of this resolution be forwarded to Governor George Pataki, Attorney General Eliot Spitzer, the members of the Western New York delegation to the Assembly and Senate, the Erie County Sheriff and the Erie County Commissioner of Emergency Services.

FISCAL IMPACT: None for resolution.
(4-0) Legislator Dusza absent.

JEANNE Z. CHASE
CHAIRPERSON