

March 12, 2020

PUBLIC SAFETY COMMITTEE
REPORT NO. 5

ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:

- a. COMM. 5E-1 (2020)
COMPTROLLER: "Report on Financial Impact of NYS's Bail Reform Efforts"
(Chair's Ruling)
- b. COMM. 5E-4 (2020)
COUNTY EXECUTIVE: "Forensic Laboratory Personnel Modification"
(Chair's Ruling)

2. COMM. 5E-3 (2020)
COUNTY EXECUTIVE & SHERIFF

WHEREAS, in 2019, New York State amended the public health law to allow local correctional facilities to use body scanning equipment. The purpose of the change was to enable local jails to implement the equipment to reduce the smuggling of contraband and increase safety for inmates and jail personnel; and

WHEREAS, the introduction of contraband jeopardizes the safety of inmates and jail personnel. Whether it is a weapon or drugs, contraband can be used to intimidate, manipulate or injure Deputies, medical staff, social workers, and other inmates; and

WHEREAS, whether it is weapons or drugs, contraband can be used to intimidate, manipulate or injure Deputies, medical staff, social workers, and other inmates; and

WHEREAS, while proper techniques are deployed when searching inmates, contraband secreted in body cavities is extremely difficult to detect. The use of a contraband detection scanner can significantly reduce or eliminate smuggled goods into the jails; and

WHEREAS, the Erie County Sheriff's Office (ECSO), has experienced numerous smuggling incidents where the individual has secreted contraband in body cavities. In one incident, a female inmate was rushed to an area hospital where the attending staff discovered several hypodermic needles in her vaginal cavity; and

WHEREAS, the contraband detection equipment would have discovered these items earlier in the individual's incarceration and prevented additional medical care; and

WHEREAS, the use of this equipment will allow Deputies to safely search inmates in a less intrusive manner, and gain greater results in searching for contraband; and

WHEREAS, the Erie County Sheriff's Office would utilize Telephone Revenue funds to purchase the high-security, contraband detection body scanner which will eliminate any burden to the taxpayer or affect the 2020 Erie County Budget; and

WHEREAS, due to space limitations within the sally port of the holding center, the dimensions of the Intercept Tek84 Body Scanner best fit both the space and the needs of the jail; and

WHEREAS, the contract includes manufacturer installation, on-site training, and two (2) year parts and labor for the system; and

WHEREAS, the Sheriff's Office will purchase an additional three (3) year warranty to cover the equipment after the manufacturer's initial two (2) year warranty; and

WHEREAS, the Intercept Tek84 Body Scanner is included on the New York State GSA equipment bid list and the Erie County Sheriff's Office will utilize GSA's bid list to purchase the equipment; and

WHEREAS, because the body scanner is included on the NYS GSA bid list, the Erie County Sheriff's Office seeks to waive Section 19.08 of the Erie County Administrative Code because the ECSO will utilize GSA Contract #GS-35F-210DA for a Tek84 Intercept Whole Body Security Scanning System, which will not exceed the amount on the GSA contract; and

WHEREAS, the Sheriff and the County Executive agree the aforementioned items are necessary for the operation of the ECHC; and

WHEREAS, the purchase complies with COMM. 6E-24, 2013, which states that telephone revenue "shall be dedicated to the general operation of the Holding Center and Correctional facility"; and

WHEREAS, as of January 31, 2020, the Telephone Revenue account has a balance of \$1,139,624.00; and

WHEREAS, this resolution transfers \$179,000.00 from the Telephone Revenue account, and this resolution will not have any impact on the 2020 County Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature authorizes the Erie County Sheriff's Office and the Division of Budget and Management to transfer \$179,000.00 in available Telephone Revenue funds to the appropriate Erie County Sheriff's Office accounts:

ERIE COUNTY SHERIFF'S OFFICE

Sheriff – SAFS Funded Program

<u>REVENUE</u>		<u>DECREASE</u>
415622	Jail Telephone Revenue Funds	<u>\$1,139,624.00</u>

<u>APPROPRIATION</u>		<u>INCREASE</u>
561410	Lab and Tech Equipment	<u>\$179,000.00</u>
Total Revenue		<u>\$179,000.00</u>

and be it further

RESOLVED, the Erie County Legislature hereby waives the procedures, as impractical, provided for in Section 19.08 of the Erie County Administrative Code for purposes of securing the services of Tek84, 13495 Gregg Street, Poway, CA 92064, to be retained to provide services associated with Tek84 Intercept Whole Body Security Scanning System; and be it further

RESOLVED, ECSO will utilize GSA Contract #GS-35F-210DA for a Tek84 Intercept Whole Body Security Scanning System, which will not exceed the amount on the GSA contract plus the additional three years of warranty; and be it further

RESOLVED, that the Erie County Sheriff's Office and the Division of Budget and Management are authorized to have any unused funds either remain in or returned to Telephone Revenue account; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of the approved resolution are sent to the County Executive, the Department of Public Works - Division of Building and Grounds, the Division of Purchasing, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's Office for implementation. (5-0)

HOWARD J. JOHNSON, JR.
CHAIR