Judiciary & Public Safety Committee

Committee Meeting

~ Minutes ~

60 Central Ave.
Cortland, NY 13045
http://www.cortland-co.org

Tuesday, November 8, 2022 **9:00 AM** **Board Room**

CALL TO ORDER

The meeting was called to order at 9:00 AM by Committee Chair Kelly L. Fairchild-Preston

Attendee Name	Organization	Title	Status	Arrived
Christopher Newell	Cortland County, NY	Committee Member	Present	
Douglas Bentley	Cortland County, NY	Committee Member	Excused	
Kelly L. Fairchild-Preston	Cortland County, NY	Committee Chair	Present	
Cathy Bischoff	Cortland County, NY	Committee Member	Present	
Susan Wilson	Cortland County, NY	Committee Member	Present	
Joseph Nauseef	Cortland County, NY	Committee Vice Chair	Present	
Eugene Waldbauer	Cortland County, NY	Committee Member	Present	
Kevin Fitch	Cortland County, NY	Chair of the Legislature	Present	
Rob Corpora	Cortland County, NY	County Administrator	Present	
Savannah Hempstead	Cortland County, NY	Clerkof the Legislature	Present	
Hon. Elizabeth Burns	Cortland, NY	City Court Judge	Present	
Michael Cardinale	Cortland County, NY	Assigned Counsel Plan Administrator	Present	
Nicole Albro	Cortland County, NY	Probation Director	Present	
Scott Roman	Cortland County, NY	Director of Emergency Response and Communications	Present	
Sandra Price	Cortland County, NY	Board Member	Present	
George Wagner	Cortland County, NY	Board Member	Present	
Victoria J. Monty	Cortland County, NY	County Attorney	Present	
Mark Helms	Cortland County, NY	Sheriff	Present	
Budd Rigg	Cortland County, NY	Undersheriff	Present	
Keith Dayton	Cortland County, NY	Public Defender	Present	
Andrea Herzog	Cortland County,	Finance Director	Present	

	NY			
Patrick Perfetti	Cortland County, NY	District Attorney	Late	9:09 AM
John Conlon	Cortland Standard	Reporter	Remote	

MINUTES

1. Judiciary & Public Safety Committee - Committee Meeting - Oct 18, 2022 8:15 AM

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Christopher Newell, Committee Member
SECONDER:	Joseph Nauseef, Committee Vice Chair
AYES:	Newell, Fairchild-Preston, Bischoff, Wilson, Nauseef, Waldbauer
EXCUSED:	Douglas Bentley

RESOLUTIONS

AGENDA ITEM NO. 1 – Appoint Members Assigned Counsel Plan Committee - Office of Assigned Counsel

RESULT:	**APPROVED [UNANIMOUS]** **Next: 11/17/2022 6:00 PM**
MOVER:	Christopher Newell, Committee Member
SECONDER:	Cathy Bischoff, Committee Member
AYES:	Newell, Fairchild-Preston, Bischoff, Wilson, Nauseef, Waldbauer
EXCUSED:	Douglas Bentley

ON MOTION OF FAIRCHILD-PRESTON **RESOLUTION NO.**

Appoint Members Assigned Counsel Plan Committee - Office of Assigned Counsel

WHEREAS, the Cortland County Legislature adopted Resolution No. 61-15 which created the Assigned Counsel Plan and the Assigned Counsel Plan Administrator, AND

WHEREAS, the Assigned Counsel Plan calls for the appointment of an Assigned Counsel Plan Committee to oversee the operation of the Assigned Counsel Plan and its Administrator, AND

WHEREAS, the Assigned Counsel Plan specifies that the Assigned Counsel Plan Committee shall consist of four members of the Bar Association elected by membership as a whole, and four members of the County Legislature to be selected as the County may determine, NOW THEREFORE BE IT

RESOLVED, that the following individuals are hereby appointed to serve on said Assigned Counsel Plan Committee for a term commencing immediately upon adoption of this resolution and expiring on December 31, 2023.

LEGISLATORS

Douglas Bentley, LD 1
Ronald VanDee, LD 4
Kelly Preston, LD 10
Joseph Nauseef, LD 12

ATTORNEYS

Lenore Lefevre
Zela Brotherton
Karen Leahy
Janice Stafford

AGENDA ITEM NO. 2 – Local Law No. "M" of 2022 - a Local Law Prohibiting the Sale, Possession And/Or Use of Dangerous Substances, Which Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled, or Injected, to Mimic the Effects of Controlled Substances and/or Marijuana and that Have No Other Legitimate Therapeutic Use or Purpose

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Eugene Waldbauer, Committee Member
SECONDER:	Christopher Newell, Committee Member
AYES:	Newell, Fairchild-Preston, Bischoff, Wilson, Nauseef, Waldbauer, Fitch
EXCUSED:	Douglas Bentley

ON MOTION OF FAIRCHILD-PRESTON **RESOLUTION NO.**

Local Law No. "M" of 2022 - a Local Law Prohibiting the Sale, Possession and/or Use of Dangerous Substances, Which Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled, or Injected, to Mimic the Effects of Controlled Substances and/or Marijuana and that Have No Other Legitimate Therapeutic Use or Purpose

WHEREAS, the Cortland County Legislature adopted Local Law 3 of 2012 - A Local Law Prohibiting Within Cortland County the Use, Possession, Purchase, Attempted Purchase, Selling, Public Display for Sale, Attempted Sale, or Giving of Alternative and/or Synthetic Marijuana as Defined Herein, AND

WHEREAS, the Judiciary and Public Safety Committee recognizes the need to change the Local Law due to changes in New York State laws, the varying compounds used in the composition of dangerous substances and to encompass other dangerous substances not previously included in Local Law 3 of 2012 for Cortland County, AND

WHEREAS, it is the recommendation of the Judiciary and Public Safety Committee to repeal Local Law 3 of 2012 - A Local Law Prohibiting With Cortland County the Use, Possession, Purchase, Attempted Purchase, Selling, Public Display for Sale, Attempted Sale, or Giving of Alternative and/or Synthetic Marijuana as Defined Herein (Resolution No. 133-12) , AND

WHEREAS, it is the recommendation of the Judiciary and Public Safety Committee to adopt Local Law No. "M" of 2022 - a Local Law Prohibiting the Sale, Possession and/or Use of Dangerous Substances, Which Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled, or Injected, to Mimic the Effects of Controlled Substances and/or Marijuana and that Have No Other Legitimate Therapeutic Use or Purpose, AND

WHEREAS, the Judiciary and Public Safety Committee recommends that the Local Law be brought before the Cortland County Legislature at the December 22, 2022 Legislative Session, AND

WHEREAS, a public hearing was held before the Cortland County Legislature in accordance with Municipal Home Rule Law, Section 20, following the approval of Judiciary and Public Safety Committee, AND

WHEREAS, this Local Law was brought before the Cortland County Legislature for adoption on December 22, 2022, AND

WHEREAS, said Local Law has been in its final form upon the desks of the Cortland County Legislature at least seven (7) calendar days exclusive of Sunday, prior to this date, NOW THEREFORE BE IT

RESOLVED, that Local Law 3 of 2012 - A Local Law Prohibiting With Cortland County the Use, Possession, Purchase, Attempted Purchase, Selling, Public Display for Sale, Attempted Sale, or

Giving of Alternative and/or Synthetic Marijuana as Defined Herein be and hereby is repealed, AND BE IT FURTHER

RESOLVED, Local Law No. "M" of 2022 - a Local Law Prohibiting the Sale, Possession and/or Use of Dangerous Substances, Which Are Mislabeled or Unlabeled, Whose Intended Purpose is to be Ingested, Inhaled, or Injected, to Mimic the Effects of Controlled Substances and/or Marijuana and that Have No Other Legitimate Therapeutic Use or Purpose

BE AND HEREBY IS ENACTED AS FOLLOWS:

SECTION I: LEGISLATIVE INTENT

A. Findings

The County Legislature of the County of Cortland, New York, finds that the potential or actual harm to residents from certain intoxicating chemical compounds or dangerous substances to be such that these chemical compounds or dangerous substances should be proscribed as unlawful.

B. Statement of Purpose

1. It is the purpose of this local law to prohibit the sale, possession, and/or use of mislabeled dangerous substances ("synthetic drugs"), which substances are mislabeled or unlabeled, whose intended purpose is to be consumed or ingested in order to mimic the effects of controlled substances and/or marijuana and which have no other legitimate use or purpose.

2. It is the purpose of this local law to promote public health, safety, and general welfare, and to minimize public and private injury to the citizens of the County of Cortland due to the permissive availability of certain intoxicating chemical compounds or dangerous substances; thus, requiring the prohibition of such chemical compounds or dangerous substances.

3. It is the purpose of this local law to protect human life and health.

4. It is the purpose of this local law to aid in the interdiction of such chemical compounds and dangerous substances along with other narcotics and illicit intoxicants.

5. It is the purpose of this local law to aid in the prosecution of such offenses through the sanctions and penalties imposed herein as an additional and appropriate response to the proliferation of the described "synthetic drugs." Such sanctions and penalties are reasonable and necessary in order to protect the health and safety of the people of the County of Cortland.

C. DEFINITIONS

1. "Person" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association or other entity or business organization of any kind.

2. "Possess" shall mean to have physical possession or otherwise to exercise dominion or control over tangible property, as that term is defined in New York State Penal Law § 10.00 (8).

3. "Sale" shall mean to sell, exchange, give, or dispose of to another, or to offer or agree to do the same, as that term is defined in New York State Penal Law, § 220.00 (1).

4. "Mislabeled Dangerous Substance" or "Synthetic Drugs" shall mean any substance or product which contains a chemical which under the circumstances in which it is sold, possessed or used indicates or demonstrates the intent that it be ingested or consumed in an attempt to replicate the effects of controlled substances or marijuana; and either (a) is substantially similar in chemical makeup to a controlled substance or marijuana, or is a structural analog to a controlled substance or marijuana, or shares similar structural analogs, salts or isomers to a controlled substance or marijuana, or is a synthetic chemical compound which is a cannabinoid receptor agonist, or mimics the physical or pharmacological effects of controlled substances or marijuana, or is not a drug approved by the FDA; or (b) the substance has no other legitimate commercial or private use or purpose.

5. "Possession of Controlled Substance Presumptions" as set forth in Article 220 of the New York State Penal Law shall apply to mislabeled dangerous substances and synthetic drugs.

SECTION II: AUTHORITY

Municipal Home Rule Law, §§ 10 (2), (4) (b), and (4) (c).

SECTION III: LAW

A. No person shall sell or offer to sell, exchange, give or otherwise dispose of to another any Synthetic Drug or Mislabeled or Unlabeled Dangerous Substance in Cortland County.

B. No person shall be in possession of any Synthetic Drug unless said Synthetic Drug is expressly prescribed by a physician or person otherwise licensed to prescribe such medication within the State of New York, and at the time of the alleged violation, the person in possession of the synthetic drug is able to provide written proof to the law enforcement officer(s) that the synthetic drug was so prescribed.

C. In order to prevent the creation, possession, and use of the drug commonly known as "Water," the unauthorized use of Embalming Fluid or similar compounds is hereby prohibited within the County of Cortland, with such unauthorized use of embalming fluid or similar item defined herein and pursuant to Section 3400 of the New York State Public Health Law and any applicable provision of federal law. For the purposes of this local law, embalming fluid means any chemicals or substances manufactured primarily for the use by licensed funeral directors, undertakers, or embalmers, or registered residents, to prepare, disinfect, or preserve, either hypodermically, arterially, or by any other recognized means the body of a deceased person for burial, cremation or other final disposition. In particular, such unauthorized use shall include dipping a marijuana or regular cigarette in embalming fluid.

SECTION IV: PENALTIES

A. Confiscation - if any of the aforementioned intoxicating chemical compounds or dangerous substances are found in the possession of any person, such may be confiscated and destroyed by Law Enforcement Officials.

B. Any person found to be in violation of this section will be guilty of a Class "A" misdemeanor and subject to a definite term of imprisonment not to exceed One (1)

year, a term of probation not to exceed three (3) years, or a fine not to exceed one-thousand dollars ($1,000.00), or both such fine and either a definite term of imprisonment or term of probation. Each day during which violation of Section III, subsection A of this local law occurs shall constitute a separate offense.

C. The County of Cortland shall have the authority to seek an injunction to compel the compliance by any business that fails or refuses to comply with this section.

SECTION V: ENFORCEMENT

This local law may be enforced by any police officer, as that term is defined by New York State Criminal Procedure Law, § 1.20(34) within the County of Cortland.

SECTION VI: CONSTRUCTION AND CONFLICT WITH OTHER LAWS

A. This Local Law augments New York Penal Law, Articles 220 and 222 *et seq.*, and New York Public Health Law, §§ 3302 and 3306.

B. In its interpretation and application, the provisions of this local law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standard, shall govern.

SECTION VII: SEVERABILITY

If any provision of this law is held invalid, such invalidity shall not affect the remaining provisions of this section, which shall remain effective less the invalid provision, and to this end, the provisions of this section are declared to be severable.

SECTION VIII: EFFECTIVE DATE

This Local Law shall take effect upon filing in the Office of the New York State Secretary of State as provided by Municipal Home Rule Law § 27.

DISCUSSION ITEMS

1. Cortland City Court - Hope Court Update from Judge Burns

RESULT:	**COMPLETED**

2. Synthetic Drugs Local Law

RESULT:	**COMPLETED**

3. Bail Reform

Committee Chair Preston asked for anyone wishing to bring forward a resolution regarding Bail Reform to please draft one and bring it forward.

RESULT:	**COMPLETED**

MONTHLY REPORTS

1. District Attorney Monthly Statistics

RESULT:	**COMPLETED**

2. Probation Monthly Report

RESULT:	**COMPLETED**

3. DOERC - Monthly Report November 2022

RESULT:	**COMPLETED**

4. Coroner Death Report

RESULT:	**COMPLETED**

ACTION ITEMS

1. Authorize the Clerk of the Legislature to Draft a Resolution in Opposition of Restrictions on Second Amendment Rights in Accordance with Jefferson County and Fulton County's Resolutions

RESULT:	**APPROVED [4 TO 3]**
MOVER:	Joseph Nauseef, Committee Vice Chair
SECONDER:	Eugene Waldbauer, Committee Member
AYES:	Cathy Bischoff, Joseph Nauseef, Eugene Waldbauer, Kevin Fitch
NAYS:	Christopher Newell, Kelly L. Fairchild-Preston, Susan Wilson
EXCUSED:	Douglas Bentley

ADJOURNMENT

The meeting was closed at 10:01 AM

Judiciary & Public Safety Committee

Committee Meeting

~ Minutes ~

60 Central Ave.
Cortland, NY 13045
http://www.cortland-co.org

Tuesday, October 18, 2022 **8:15 AM** **Room 302**

CALL TO ORDER

The meeting was called to order at 8:15 AM by Committee Chair Kelly L. Fairchild-Preston

Attendee Name	Organization	Title	Status	Arrived
Christopher Newell	Cortland County, NY	Committee Member	Present	
Douglas Bentley	Cortland County, NY	Committee Member	Late	8:21 AM
Kelly L. Fairchild-Preston	Cortland County, NY	Committee Chair	Present	
Cathy Bischoff	Cortland County, NY	Committee Member	Late	8:18 AM
Susan Wilson	Cortland County, NY	Committee Member	Present	
Joseph Nauseef	Cortland County, NY	Committee Vice Chair	Excused	
Eugene Waldbauer	Cortland County, NY	Committee Member	Present	
Kevin Fitch	Cortland County, NY	Chair of the Legislature	Present	
Rob Corpora	Cortland County, NY	County Administrator	Present	
Savannah Hempstead	Cortland County, NY	Clerkof the Legislature	Present	
Victoria J. Monty	Cortland County, NY	County Attorney	Present	
George Wagner	Cortland County, NY	Board Member	Present	
Denise Bushnell	Cortland County, NY	Coroner	Present	
Nicole Albro	Cortland County, NY	Probation Director	Present	
Mark Helms	Cortland County, NY	Sheriff	Present	
Budd Rigg	Cortland County, NY	Undersheriff	Present	
Michael Cardinale	Cortland County, NY	Assigned Counsel Plan Administrator	Present	
Elizabeth Larkin	Cortland County, NY	County Clerk	Present	
John Conlon	Cortland Standard	Reporter	Remote	
Andrea Herzog	Cortland County, NY	Director of Finance	Remote	

Minutes Acceptance: Minutes of Oct 18, 2022 8:15 AM (MINUTES)

MINUTES

1. Judiciary & Public Safety Committee - Committee Meeting - Sep 13, 2022 9:00 AM

RESULT:	**ACCEPTED [4 TO 0]**
MOVER:	Christopher Newell, Committee Member
SECONDER:	Eugene Waldbauer, Committee Member
AYES:	Christopher Newell, Kelly L. Fairchild-Preston, Susan Wilson, Eugene Waldbauer
EXCUSED:	Joseph Nauseef
AWAY:	Douglas Bentley, Cathy Bischoff

RESOLUTIONS

AGENDA ITEM NO. 1 – Amend Resolution No. 188-22 for Jail Physician, Physician's Assistant and Registered Nursing Services - Sheriff's Office

RESULT:	**APPROVED [5 TO 0]**
	Next: 10/18/2022 10:00 AM
MOVER:	Eugene Waldbauer, Committee Member
SECONDER:	Christopher Newell, Committee Member
AYES:	Newell, Fairchild-Preston, Bischoff, Wilson, Waldbauer
EXCUSED:	Joseph Nauseef
AWAY:	Douglas Bentley

ON MOTION OF FAIRCHILD-PRESTON **RESOLUTION NO.**

Amend Resolution No. 188-22 for Jail Physician, Physician's Assistant and Registered Nursing Services - Sheriff's Office

WHEREAS, New York State Correction Law § 501 requires the County to appoint a reputable physician duly authorized to practice medicine as the physician to the jail of the County, AND

WHEREAS, Resolution No. 188-22 was approved August 25, 2022, which appointed Marshall M. Trabout, M.D. as the Cortland County Jail Physician to serve at the pleasure of the County Legislature, and authorized an agreement to pay the Jail Physician an additional monthly rate of $11,109 for services rendered by a Registered Nurse(s) (RN(s)) at the Cortland County Jail from January 1, 2023 through December 31, 2025, AND

WHEREAS, the Physician has requested a higher rate as follows:

"Doctor Trabout, Jail Physician, has just informed the Sheriff's Office that, due to the increase of RN salaries in our region, he will not be able to sign the contract as it is. He had based the rate at $35.00 per hour and the current rate is $45.00 an hour. Based on that the monthly RN rate would need to be $15,600.00 for two RN positions."

, NOW THEREFORE BE IT

RESOLVED, that the current Physician's contract as approved by Resolution No. 188-22 be amended as follows:

"The County hereby agrees to pay the Physician an additional monthly rate of $15,600 for services rendered by a RN(s) at the Cortland County Jail. Such RN(s) will be an employee of the physician and will work 80-hours per workweek at Cortland County jail. The Sheriff and the Physician will determine the work schedules for this position, including, but not limited to, scheduling of days off and the RN's

Minutes Acceptance: Minutes of Oct 18, 2022 8:15 AM (MINUTES)

shift assignment. The physician agrees to provide RN(s) who will be acceptable to both him and the Sheriff. This Contract does not provide for compensation for relief coverage during the absence of an RN(s)."

AGENDA ITEM NO. 2 – Authorize/Accept Funds from New York State Office of Indigent Legal Services - Distribution 13 - Public Defender's Office

RESULT:	**APPROVED [5 TO 0]**
	Next: 10/18/2022 10:00 AM
MOVER:	Cathy Bischoff, Committee Member
SECONDER:	Eugene Waldbauer, Committee Member
AYES:	Newell, Fairchild-Preston, Bischoff, Wilson, Waldbauer
EXCUSED:	Joseph Nauseef
AWAY:	Douglas Bentley

ON MOTION OF FAIRCHILD-PRESTON **RESOLUTION NO.**

Authorize/Accept Funds from New York State Office of Indigent Legal Services - Distribution 13 - Public Defender's Office

WHEREAS, the New York State Office of Indigent Legal Services has awarded the Cortland County Public Defender's Office $150,522.00 for the multi-year period from January 1, 2023, to December 31, 2025, payable $50,174.00 in year 1 (2023), $50,174.00 in year 2 (2024) and $50,174.00 in year 3 (2025) to improve the quality of mandated indigent legal representation, AND

WHEREAS, this grant money shall be used to continue to provide salary and fringe benefits funding for Paralegal services within the Public Defender's Office, AND

WHEREAS, as required by the County or NYS Office of Indigent Legal Services, the Public Defender shall collect and report data annually, in statistical and narrative form, to measure this project and shall continuously analyze and evaluate case outcomes to ensure effective use of the funds, NOW THEREFORE BE IT

RESOLVED, that the County Administrator, upon review and approval of the County Attorney or designee, is hereby authorized and directed to sign an agreement with New York State Office of Indigent Legal Services.

AGENDA ITEM NO. 3 – Resolution in Opposition to New York State's Actions Restricting Second Amendment Rights

Ms. Bischoff MADE A MOTION TO AMEND the resolution to replace the entire resolution with the language drafted by Ms. Bischoff, Ms. Preston SECONDED THE MOTION TO AMEND, and upon voice vote of members present, MOTION CARRIED. Mr Waldbauer VOTED NO.

Ms. Bischoff MADE A MOTION TO AMEND the resolution, as amended to remove the last WHEREAS clause and to include the language taken from the original resolution in its place, and remove the word punish and replace with the word impede as follows:

WHEREAS, on July 1, 2022 Governor Hochul, in response to the Bruen Opinion, signed into law Senate Bill S.51001 (Assembly Bill A.41001) during an Extraordinary Session, AND

Minutes Acceptance: Minutes of Oct 18, 2022 8:15 AM (MINUTES)

WHEREAS, these laws were drafted and passed by the New York State Legislature and signed by the Governor without input or conference with any of the parties who are commissioned with implementing these laws thereby producing laws that are unclear, conflicting, and in some instances, unenforceable, AND

WHEREAS, the new laws restrain and impede law-abiding citizens who wish to exercise their Second Amendment Rights, AND

WHEREAS, the newly enacted Concealed Carry Improvement Act presents procedural roadblocks in the form of privacy violations, subjective standards, financial burdens and overt restrictions on individuals seeking to exercise a fundamental right, NOW THEREFORE BE IT

Ms. Preston SECONDED THE MOTION TO AMEND, and upon unanimous voice vote of members present, MOTION CARRIED.

RESULT:	**APPROVED [UNANIMOUS]**
	Next: 10/27/2022 6:00 PM
MOVER:	Eugene Waldbauer, Committee Member
SECONDER:	Kelly L. Fairchild-Preston, Committee Chair
AYES:	Newell, Bentley, Fairchild-Preston, Bischoff, Wilson, Waldbauer
EXCUSED:	Joseph Nauseef

ON MOTION OF FAIRCHILD-PRESTON **RESOLUTION NO.**

Resolution in Opposition to New York State's Actions Restricting Second Amendment Rights

WHEREAS, the Supreme Court held in the ***N.Y. State Rifle & Pistol Association, Inc. vs. Bruen, Superintendent of New York State Police, et al.,*** that New York's law requiring anyone seeking a concealed carry license demonstrate they had a special need for self-defense was subject to arbitrary interpretation and enforcement, and a violation of a **citizen's constitutional rights**, AND

WHEREAS, the Supreme Court also held in ***Bruen*** that a state did have the authority to impose objective licensing requirements to include background checks, firearms training, a check of mental health records, and fingerprinting, requirements not necessarily prone to subjective interpretation, AND

WHEREAS, the Supreme Court also affirmed in ***Bruen*** Justice Antonin Scalia's opinion for the court in ***District of Columbia v. Heller,*** (2008) which stated, "[N]othing in our opinion," Scalia wrote, "should be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms", AND

WHEREAS, the subsequently passed New York *Concealed Carry Improvement Act* was recently temporarily blocked by NY Federal District Judge Suddaby because, in part, it imposed standards such as "good moral character" and "three years' worth of social media accounts" no less subjective than the previous self-defense special need standard, and expanded the list of "sensitive areas" to include areas way beyond the scope likely to be inferred from the opinions in both ***Heller*** and ***Bruen***, leaving in place restrictions for those areas that do conform to those decisions such as schools, courts and polling places, AND

WHEREAS, on July 1, 2022 Governor Hochul, in response to the Bruen Opinion, signed into law Senate Bill S.51001 (Assembly Bill A.41001) during an Extraordinary Session, AND

Minutes Acceptance: Minutes of Oct 18, 2022 8:15 AM (MINUTES)

WHEREAS, these laws were drafted and passed by the New York State Legislature and signed by the Governor without input or conference with any of the parties who are commissioned with implementing these laws thereby producing laws that are unclear, conflicting, and in some instances, unenforceable, AND

WHEREAS, the new laws restrain and impede law-abiding citizens who wish to exercise their Second Amendment Rights, AND

WHEREAS, the newly enacted Concealed Carry Improvement Act presents procedural roadblocks in the form of privacy violations, subjective standards, financial burdens and overt restrictions on individuals seeking to exercise a fundamental right, NOW THEREFORE BE IT

RESOLVED, that the Cortland County Legislature demands that the New York State Legislature rewrite the NY *Concealed Carry Improvement Act* such that it is found to be in conformance with the Supreme Court decisions articulated in ***District of Columbia v. Heller*** and ***N.Y. State Rifle & Pistol Association, Inc. vs. Bruen, Superintendent of New York State Police, et al.***

Minutes Acceptance: Minutes of Oct 18, 2022 8:15 AM (MINUTES)

DISCUSSION ITEMS

1. Bath Salts Local Law

RESULT:	**TABLED** **Next: 11/8/2022 9:00 AM**

2. Bail Reform

RESULT:	**TABLED** **Next: 11/8/2022 9:00 AM**

MONTHLY REPORTS

1. Coroner Monthly Report

RESULT:	**COMPLETED**

2. Probation Monthly Statistics

RESULT:	**COMPLETED**

3. District Attorney Monthly Statistics

RESULT:	**COMPLETED**

4. Assigned Counsel Monthly Report

RESULT:	**COMPLETED**

5. October 2022 Report - DOERC

RESULT:	**COMPLETED**

6. Public Defender Monthly Report September 2022

RESULT:	**COMPLETED**

7. Inmate Total Day Report September 2022

RESULT:	**COMPLETED**

EXECUTIVE SESSION

It was MOVED by Ms. Preston, seconded by Ms. Bischoff, and unanimously approved by voice vote of members present, to enter into an executive session to discuss the employment history of a particular person or corporation. MOTION CARRIED.

An executive session was held from 9:53 a.m. to 10:09 a.m., at which time on motion of Mr. Waldbauer, seconded by Ms. Bischoff, it was unanimously approved by voice vote to exit executive session.

ADJOURNMENT

The meeting was closed at 10:09 AM

Minutes Acceptance: Minutes of Oct 18, 2022 8:15 AM (MINUTES)

ON MOTION OF ~~CHAIRMAN~~ ~~~~** **RESOLUTION NO.: ~~XX~~ ~~22~~~~**~~

Local Law ~~number~~No. ____ of 20~~21~~22: A LOCAL LAW ~~TO PROSCRIBE AS UNLAWFUL~~ PROHIBITING THE SALE~~,~~ ~~AND~~ POSSESSION, AND/OR USE OF ~~SYNTHETIC DRUGS~~ DANGEROUS SUBSTANCES~~, INCLUDING THOSE COMMONLY KNOWN AS "BATH SALTS," WITHIN THE COUNTY OF CORTLAND, NEW YORK.~~ WHICH ARE MISLABELED OR UNLABELED, WHOSE INTENDED PURPOSE IS TO BE INGESTED, INHALED, OR INJECTED, TO MIMIC THE EFFECTS OF CONTROLLED SUBSTANCES AND/OR ~~MARIHUANA~~MARIJUANA AND THAT HAVE NO OTHER LEGITIMATE THERAPEUTIC USE OR PURPOSE.

SECTION I: LEGISLATIVE INTENT

A. Findings

The County Legislature of the County of Cortland, New York, finds that the ~~use of Synthetic Drugs, including those commonly referred to as "Bath Salts" poses a distinct risk to the life, health, and safety of users and the public at large. These chemicals are being marketed as plant food, glass cleaner, insect repellant, and stain remover and are readily available at storefront retailers, online retailers, and indirectly through other individuals. These products are composed of chemical compounds capable of producing a hallucinogenic effect when ingested or consumed by human beings.~~

~~Human consumption of Synthetic Drugs, including "Bath Salts" and such other similar products containing these chemicals, can cause hallucinations, psychosis, increased heart rate, chest pain, agitation, anxiety, extreme paranoia, delusions, suicidal thoughts, violent behavior, nausea, and vomiting. Use of these chemicals has also been linked to multiple suicides in the United States.~~

~~The County Legislature of the County of Cortland hereby determines that it is necessary to ban, within Cortland County, the sale and possession of Synthetic Drugs, including "Bath Salts" and any products containing these chemicals, to protect the life, health, safety and welfare of Cortland County residents.~~ potential or actual harm to residents from certain intoxicating chemical compounds or dangerous substances to be such that these chemical compounds or dangerous substances should be proscribed as unlawful.

B. Statement of Purpose

1. It is the purpose of this local law to prohibit the sale, possession, and/or use of mislabeled dangerous substances ("synthetic drugs"), which substances are mislabeled or unlabeled, whose intended purpose is to be consumed or ingested in order to mimic the effects of controlled substances and/or ~~marihuana~~marijuana and which have no other legitimate use or purpose.

~~1.~~2. It is the purpose of this local law to promote public health, safety, and general welfare, and to minimize public and private injury to the

Attachment: Dangerous Substances Local Law_REDLINE (11092 : Local Law "M" of 2022 – a Local Law Prohibiting Dangerous

citizens of the County of Cortland due to the permissive availability of certain intoxicating chemical compounds or dangerous substances; thus, requiring the prohibition of such chemical compounds or dangerous substances~~;~~.

~~2.~~3. It is the purpose of this local law to protect human life and health~~;~~. ~~and,~~

4.~~3~~ It is the purpose of this local law to aid in the interdiction of such chemical compounds or dangerous substances along with other narcotics and illicit intoxicants~~, and to aid in the prosecution of such related offenses.~~

5.~~4.~~ It is the purpose of this local law to aid in the prosecution of such offenses through the sanctions and penalties imposed herein as an additional and appropriate response to the proliferation of the described "synthetic drugs." Such sanctions and penalties are reasonable and necessary in order to protect the health and safety of the people of the County of Cortland.

C. DEFINITIONS

1. "Person" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association or other entity or business organization of any kind.

2. "Possess" means to have physical possession or otherwise to exercise dominion or control over tangible property, as that term is defined in ~~.~~New York State Penal Law~~,~~ § 10.00 (8).

3. "Sale" shall mean~~s~~ to sell, exchange, give, or dispose of to another, or to offer or agree to do the same~~.~~, as that term is defined in New York State Penal Law, § 220.00 (1).

~~4.~~ "Mislabeled Dangerous Substance" or "Synthetic Drugs" shall mean ~~the following:~~

~~I.~~ ~~A~~any substance or product which contains a chemical which under the circumstances in which it is sold, possessed~~,~~ or used indicates or demonstrates the intent that it be ingested or consumed in an attempt to replicate the effects of controlled substances or ~~marihuana~~marijuana; and either (a) is substantially similar in chemical makeup to a controlled substance or ~~marihuana~~marijuana, or is a structural analog to a controlled substance or ~~marihuana~~marijuana, or ~~is a~~shares similar structural analogs, salts or isomers to a controlled substance or ~~marihuana~~marijuana, or is a synthetic chemical compound~~,~~ which is a cannabinoid receptor agonist, or mimics the physical or pharmacological effects of

Attachment: Dangerous Substances Local Law_REDLINE (11092 : Local Law "M" of 2022 – a Local Law Prohibiting Dangerous

controlled substances or ~~marihuana~~marijuana, or is not a drug approved by the FDA; or (b) ~~.~~

~~III. Any substance prohibited in an Order for Summary Action in the Matter of the Sale and Distribution of Synthetic Cannabinoids issued by the New York State Department of Health dated March 28, 2012, and any similar Order subsequently issued by the State of New York Department of Health.~~

~~V. Any substance prohibited in the federal "Synthetic Drug Abuse Prevention Act of 2012"~~

4. ~~T~~the substance has no other legitimate commercial or private use or purpose.

~~VII.~~5. "Possession of Controlled Substance Presumptions" as set forth in Article 220 of the New York State Penal Law shall apply to mislabeled dangerous substances and synthetic drugs.

SECTION II: AUTHORITY

Municipal Home Rule Law, §§ 10 (2), (4) (b), and (4) (c).~~; and Op Atty Gen 85-23,~~

SECTION III: LAW

A. No person shall sell or offer to sell, exchange, give or otherwise dispose of to another any Synthetic Drug or Mislabeled or Unlabeled Dangerous Substance in Cortland County.

B. No person shall be in possession of any Synthetic Drug unless said Synthetic Drug is expressly prescribed by a physician or person otherwise licensed to prescribe such medication within the State of New York, and at the time of the alleged violation, the person in possession of the synthetic drug is able to provide written proof to the law enforcement officer(s) that the synthetic drug was so prescribed.

C. In order to prevent the creation, possession, and use of the drug commonly known as "Water," the unauthorized use of Embalming Fluid or similar compounds is hereby prohibited within the County of Cortland, with such unauthorized use of embalming fluid or similar item defined herein and pursuant to Section 3400 of the New York State Public Health Law and any applicable provision of federal law. For the purposes of this local law, embalming fluid means any chemicals or substances manufactured primarily for the use by licensed funeral directors, undertakers, or embalmers, or registered residents, to prepare, disinfect, or preserve, either hypodermically, arterially, or by any other recognized means the body of a deceased person for burial, cremation or other final disposition. In particular, such unauthorized use shall include dipping a marijuana or regular cigarette in embalming fluid.

SECTION IV: PENALTIES

Attachment: Dangerous Substances Local Law_REDLINE (11092 : Local Law "M" of 2022 – a Local Law Prohibiting Dangerous

A. Confiscation -- if any of the aforementioned intoxicating chemical compounds or dangerous substances are found in the possession of any person, such may be confiscated and destroyed by Law Enforcement Officials.

B. Any person found to be in violation of this section will be guilty of a Class ~~"B"~~ "A" misdemeanor and subject to a definite term of imprisonment not to exceed ~~three (3) months~~ One (1) year, a term of probation not to exceed three (3) years, ~~-~~or a fine not to exceed ~~five hundred dollars ($ 500.00)~~ one-thousand dollars ($1,000), or both such fine and either a definite term of imprisonment ~~and fine~~ or term of probation. Each day during which violation of Section ~~IV~~ III~~,~~ subsection A of this ~~act~~ local law occurs shall constitute a separate offense.

C. The County of Cortland shall have the authority to seek an injunction to compel the compliance by any business that fails or refuses to comply with this section.

SECTION V: ENFORCEMENT

This local law may be enforced by any police officer, as that term is defined by New York State Criminal Procedure Law, § 1.20(34) within the County of Cortland.

SECTION VI: CONSTRUCTION AND CONFLICT WITH OTHER LAWS

A. This Local Law augments New York Penal Law, Articles 220 and 222 *et seq.*, and New York Public Health Law, §§ 3302 and 3306.

B. In its interpretation and application, the provisions of this local law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standard, shall govern.

SECTION VII: SEVERABILITY

If any provision of this law is held invalid, such invalidity shall not affect the remaining provisions of this section, which shall remain effective less the invalid provision, and to this end, the provisions of this section are declared to be severable.

SECTION VIII: EFFECTIVE DATE

This Local Law shall take effect upon filing in the Office of the New York State Secretary of State as provided by Municipal Home Rule Law, § 27.

Attachment: Dangerous Substances Local Law_REDLINE (11092 : Local Law "M" of 2022 – a Local Law Prohibiting Dangerous

Our Mission is Keeping Our Participants Alive!

Community Resources/H.O.P.E. Court Partners

- Cortland City Court
- Cortland County Court Town and Village Courts of Cortland County C Cortland County Probation
- Family Counseling Services
- Syracuse Recovery Service
- Catholic Charities Cortland
- HospitalGuthrie
- Cortland County Sheriff'sOffice
- Cortland City Police
- NYS Troopers Cortland
- County FirstResponders
- Cortland County DSS

Contact Information

Hon. Elizabeth A. Burns
Hon. Lawrence J. Knickerbocker
Presiding Judges

Julie Nedza
Resource Coordinator

Jason Seidel
Case Manger

607-218-3307
Cell-607-221-1841

Family Counseling Service:
607-753-0234

Syracuse Recover Services:
607-756-9164

These are **24-Hour hotlines** to call if you are struggling:

Crisis Services 24-Hour Hotline 607-442-6900

Substance Abuse Help-Line
1-800-662-4357

Cortland County H.O.P.E. Court

Hon. Elizabeth A. Burns
City Court and
Acting County Court Judge

Hon. Lawrence J. Knickerbocker
City Court Judge

The Cortland County Heroin Overdose Prevention Effort Court (H.O.P.E.) is a judicially supervised Triage Program where participants are linked with Medication Assisted Treatment (M.A.T.) and/or Substance Abuse Treatment within hours of their arrest or overdose.This program gives you the tools and knowledge to jump start your path to **HOPE**.

DRAFT

Attachment: HOPE Court Pamphlet Draft (11010 : Cortland City Court - Hope Court Update from Judge Burns)

Program Overview

The Cortland County H.O.P.E. Court is an Overdose Prevention Court presided over by the Hon. Elizabeth A. Burns and a network of professional staff members and agencies committed to helping youstabilize and start changing your life.

Intervention Process

- ✓ Divert Participants at Arraignment
- ✓ Place in Treatment within 48 hrs.
- ✓ Hold Criminal Charges in Abeyance
- ✓ Link with Ancillary Services
- ✓ 8 pm Curfew
- ✓ Random Drug Testing
- ✓ Random "Wellness Checks"
- ✓ Frequent Face-to-Face Contact
- ✓ Case Conferences During Treatment.

"The mentality and behavior of drug addicts and alcoholics is wholly irrational until you understand that they are completely powerless over their addiction and unless they have structured help, they have no hope." - Russell Brand

Focus on What is Important

Participating in the H.O.P.E. Court requires regular court appearances before the Hon. Elizabeth A. Burns and the treatment team. You will be required to follow a treatment plan. Treatment begins immediately upon your first appearance in Court. You will be referred to the Coordinator, located on the third floor at Cortland City Hall, 25 Court St., for an initial screening and evaluation.

Treatment plans may consist of Medication Assisted Treatment (M.A.T.), outpatient or inpatient treatment, alcohol/drug and/or mental health treatment, self-help attendance, employment assistance, job readiness programs and schooling.

The entire program will be explained to you at your first appearance. You are required to appear in Court every

Opioid Court Guidelines

- ☐ You are required to report tocourt **Daily** at the Cortland City Courthouse.
- ✓ If you have any scheduling conflicts that interfere with court appearances, let the Coordinator know as soon as possible by calling or texting 607-221-1841.
- ✓ You have an 8PM Curfew.You must call 607-221-1841 every evening to check-in by leaving a message with the Coordinator/ Case Manager.
- ✓ If you attend an evening self-help meeting, call the curfew number before and after your meeting. Get self-help slip signed and bring to court the next day.
- ✓ Expect fully-observed random tests throughout the program.

It is important to admit any use to H.O.P.E Court Staff BEFORE being tested.

DRAFT

Cortland County H.O.P.E. Court

You have been referred to the Cortland County H.O.P.E. Court.

Our purpose is to save lives by providing immediacy to treatment and services in order to combat the increasing number of overdoses in our community.

You will attend court 3 times a week with Judge Burns or Judge Knickerbocker at and will report to the Hope Court staff on no Court days.
Your first appearance will be:
Date: _____
This is simply to monitor your progress. Your legal case will be put on hold until you are stabilized.
At this first appearance, you will meet with the coordinator. They will get you connected as quickly as possible with addiction treatment,
possibly including medications and other services. If you have any questions, pleasecontact

Julie Nedza Coordinator,
Phone: 607-221-1841
E-mail: JNedza@nycourts.gov

DRAFT

Attachment: HOPE Court Pamphlet Draft (11010 : Cortland City Court - Hope Court Update from Judge Burns)

ON MOTION OF ~~CHAIRMAN~~ ~~~~** **RESOLUTION NO.: ~~XX~~ ~~22~~~~**~~

Local Law ~~number~~No. ____ of 20~~21~~22: A LOCAL LAW ~~TO PROSCRIBE AS UNLAWFUL~~ PROHIBITING THE SALE~~,~~ ~~AND~~ POSSESSION, AND/OR USE OF ~~SYNTHETIC DRUGS~~ DANGEROUS SUBSTANCES~~, INCLUDING THOSE COMMONLY KNOWN AS "BATH SALTS," WITHIN THE COUNTY OF CORTLAND, NEW YORK.~~ WHICH ARE MISLABELED OR UNLABELED, WHOSE INTENDED PURPOSE IS TO BE INGESTED, INHALED, OR INJECTED, TO MIMIC THE EFFECTS OF CONTROLLED SUBSTANCES AND/OR MARIHUANA AND THAT HAVE NO OTHER LEGITIMATE THERAPEUTIC USE OR PURPOSE.

SECTION I: LEGISLATIVE INTENT

A. Findings

The County Legislature of the County of Cortland, New York, finds that the ~~use of Synthetic Drugs, including those commonly referred to as "Bath Salts" poses a distinct risk to the life, health, and safety of users and the public at large. These chemicals are being marketed as plant food, glass cleaner, insect repellant, and stain remover and are readily available at storefront retailers, online retailers, and indirectly through other individuals. These products are composed of chemical compounds capable of producing a hallucinogenic effect when ingested or consumed by human beings.~~

~~Human consumption of Synthetic Drugs, including "Bath Salts" and such other similar products containing these chemicals, can cause hallucinations, psychosis, increased heart rate, chest pain, agitation, anxiety, extreme paranoia, delusions, suicidal thoughts, violent behavior, nausea, and vomiting. Use of these chemicals has also been linked to multiple suicides in the United States.~~

~~The County Legislature of the County of Cortland hereby determines that it is necessary to ban, within Cortland County, the sale and possession of Synthetic Drugs, including "Bath Salts" and any products containing these chemicals, to protect the life, health, safety and welfare of Cortland County residents.~~ potential or actual harm to residents from certain intoxicating chemical compounds or dangerous substances to be such that these chemical compounds or dangerous substances should be proscribed as unlawful.

B. Statement of Purpose

1. It is the purpose of this local to prohibit the sale, possession, and/or use of mislabeled dangerous substances ("synthetic drugs"), which substances are mislabeled or unlabeled, whose intended purpose is to be consumed or ingested in order to mimic the effects of controlled substances and/or marihuana and which have no other legitimate use or purpose.

~~1.~~2. It is the purpose of this local law to promote public health, safety, and general welfare, and to minimize public and private injury to the

Attachment: Synthetic Drugs Local Law - PDF Version (10861 : Synthetic Drugs Local Law)

citizens of the County of Cortland due to the permissive availability of certain intoxicating chemical compounds or dangerous substances; thus, requiring the prohibition of such chemical compounds or dangerous substances~~;~~.

~~2.~~3. It is the purpose of this local law to protect human life and health~~;~~. ~~and,~~

~~4.3~~ It is the purpose of this local law to aid in the interdiction of such chemical compounds or dangerous substances along with other narcotics and illicit intoxicants~~, and to aid in the prosecution of such related offenses.~~

5.~~4.~~ It is the purpose of this local law to aid in the prosecution of such offenses through the sanctions and penalties imposed herein as an additional and appropriate response to the proliferation of the described "synthetic drugs." Such sanctions and penalties are reasonable and necessary in order to protect the health and safety of the people of the County of Cortland.

C. DEFINITIONS

1. "Person" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association or other entity or business organization of any kind.

2. "Possess" means to have physical possession or otherwise to exercise dominion or control over tangible property, as that term is defined in ~~.~~New York State Penal Law~~,~~ § 10.00 (8).

3. "Sale" shall mean~~s~~ to sell, exchange, give, or dispose of to another, or to offer or agree to do the same~~.~~, as that term is defined in New York State Penal Law, § 220.00 (1).

~~4.~~ "Mislabeled Dangerous Substance" or "Synthetic Drugs" shall mean ~~the following:~~

~~I.~~ ~~A~~any substance or product which contains a chemical which under the circumstances in which it is sold, possessed~~,~~ or used indicates or demonstrates the intent that it be ingested or consumed in an attempt to replicate the effects of controlled substances or marihuana; and either (a) is substantially similar in chemical makeup to a controlled substance or marihuana, or is a structural analog to a controlled substance or marihuana, or ~~is a~~shares similar structural analogs, salts or isomers to a controlled substance or marihuana, or is a synthetic chemical compound~~,~~ which is a cannabinoid receptor agonist, or mimics the physical or pharmacological effects of controlled substances or marihuana, or is not a drug approved by the FDA;

Attachment: Synthetic Drugs Local Law - PDF Version (10861 : Synthetic Drugs Local Law)

(b) .

II. Any substance prohibited in an Order for Summary Action in the Matter of the Sale and Distribution of Synthetic Cannabinoids issued by the New York State Department of Health dated March 28, 2012, and any similar Order subsequently issued by the State of New York Department of Health.

III. Any substance prohibited in the federal "Synthetic Drug Abuse Prevention Act of 2012"

4. Tthe substance has no other legitimate commercial or private use or purpose.

IV.5. "Possession of Controlled Substance Presumptions" as set forth in Article 220 of the New York State Penal Law shall apply to mislabeled dangerous substances and synthetic drugs.

SECTION II: AUTHORITY

Municipal Home Rule Law, §§ 10 (2), (4) (b), and (4) (c).; and Op Atty Gen 85-23,

SECTION III: LAW

A. No person shall sell or offer to sell, exchange, give or otherwise dispose of to another any Synthetic Drug or Mislabeled or Unlabeled Dangerous Substance in Cortland County.

B. No person shall be in possession of any Synthetic Drug unless said Synthetic Drug is expressly prescribed by a physician or person otherwise licensed to prescribe such medication within the State of New York, and at the time of the alleged violation, the person in possession of the synthetic drug is able to provide written proof to the law enforcement officer(s) that the synthetic drug was so prescribed.

C. In order to prevent the creation, possession, and use of the drug commonly known as "Water," the unauthorized use of Embalming Fluid or similar compounds is hereby prohibited within the County of Cortland, with such unauthorized use of embalming fluid or similar item defined herein and pursuant to Section 3400 of the New York State Public Health Law and any applicable provision of federal law. For the purposes of this local law, embalming fluid means any chemicals or substances manufactured primarily for the use by licensed funeral directors, undertakers, or embalmers, or registered residents, to prepare, disinfect, or preserve, either hypodermically, arterially, or by any other recognized means the body of a deceased person for burial, cremation or other final disposition. In particular, such unauthorized use shall include dipping a marijuana or regular cigarette in embalming fluid.

SECTION IV: PENALTIES

Attachment: Synthetic Drugs Local Law - PDF Version (10861 : Synthetic Drugs Local Law)

A. Confiscation -- if any of the aforementioned intoxicating chemical compounds or dangerous substances are found in the possession of any person, such may be confiscated and destroyed by Law Enforcement Officials.

B. Any person found to be in violation of this section will be guilty of a Class ~~"B"~~ "A" misdemeanor and subject to a definite term of imprisonment not to exceed ~~three (3) months~~ One (1) year, a term of probation not to exceed three (3) years, or a fine not to exceed ~~five hundred dollars ($ 500.00)~~ one-thousand dollars ($1,000), or both such fine and either a definite term of imprisonment ~~and fine~~ or term of probation. Each day during which violation of Section ~~IV~~ III~~,~~ subsection A of this ~~act~~ local law occurs shall constitute a separate offense.

C. The County of Cortland shall have the authority to seek an injunction to compel the compliance by any business that fails or refuses to comply with this section.

SECTION V: ENFORCEMENT

This local law may be enforced by any police officer, as that term is defined by New York State Criminal Procedure Law, § 1.20(34) within the County of Cortland.

SECTION VI: CONSTRUCTION AND CONFLICT WITH OTHER LAWS

A. This Local Law augments New York Penal Law, Articles 220 and 222 *et seq.*, and New York Public Health Law, §§ 3302 and 3306.

B. In its interpretation and application, the provisions of this local law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standard, shall govern.

SECTION VII: SEVERABILITY

If any provision of this law is held invalid, such invalidity shall not affect the remaining provisions of this section, which shall remain effective less the invalid provision, and to this end, the provisions of this section are declared to be severable.

SECTION VIII: EFFECTIVE DATE

This Local Law shall take effect upon filing in the Office of the New York State Secretary of State as provided by Municipal Home Rule Law, § 27.

Attachment: Synthetic Drugs Local Law - PDF Version (10861 : Synthetic Drugs Local Law)

DATA COLLABORATIVE FOR JUSTICE
AT JOHN JAY COLLEGE

New York's Reformed Bail Law

What is it? What are its Effects?

Krystal Rodriguez & Michael Rempel
(krrodriguez@jjay.cuny.edu & mrempel@jjay.cuny.edu)
Data Collaborative for Justice at John Jay College

Presented via Zoom:
Before and After: Data on the Impact of Bail Reform
Wednesday, September 21, 2022

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

New York State Historical Context

Legal Rationale for bail: *Ensure court appearance*

Pretrial Options Pre-Reform:

- **Release on Recognizance (ROR)**

- **Money Bail**
  - ***No charge based criteria***
  - ***No clear limits on use of amounts, BUT....***
  - ***Alternative forms of bail were included***
    - ***Surety and Appearance bonds***

- **Detained without Bail (Remand)**
  (for felonies)

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Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

New York Reformed Bail Statute

Limits the use of money bail. But, how?

1. By Charge
   a. Qualifying offenses

2. By Factual Circumstances
   a. Allows for judicial discretion to use bail

3. By Considering Finances
   a. Ability to pay provision
   b. Alternative forms of Bail

4. By Prioritizing Release
   a. Presumption of Release
   b. Risk of Flight
   c. Least Restrictive Condition

1. By Charge

Qualifying offenses

- **Violent Felony Offenses**
  - *Exceptions*:
    Robbery 2nd Degree(1);
    Burglary 2nd Degree(2)
- **Felony Witness Tampering**
- **Felony Witness Intimidation**
- **Class A Felonies**
  - *Exceptions*: Drug Offenses
  - *Exception to the Exception:*
    Penal Law 220.77
- **Felony & Misdemeanor Sex Offenses**
- **Conspiracy to Commit Murder**
- **Specific Felony Terrorism Charges**
- **Felony & Misdemeanor DV Criminal Contempt**
- **Specific felonies involving children**

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

1. By charge

Qualifying offenses, continued

- Specific Vehicular Assault Offenses
- Assault and Arson as Hate Crimes
- Aggravated Assault of a Child
  - Less than 11 years old
- Specific Gun offenses
- Specific Financial Crimes
- Failure to Register as a Sex Offender
- Bail jumping and Escaping Custody Offenses

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

2. By Factual Circumstances

Categories allowing for judicial discretion to use bail

- Felony charge and on probation or post release supervision
- Felony charge and potentially a persistent felony offender
- "Harm to Harm Provision", Pending Felony or Class A misdemeanor involving:
  - Harm to an identifiable person or property, OR
  - Criminal Possession of a Firearm, as defined in 265.01-b, AND
  - Re-arrested for similar offense.

3. By Considering Finances

a. Ability to pay provision

- If monetary bail is authorized,....the principal's **individual financial circumstances**, and, in cases where bail is authorized, the principal's **ability to post bail** without posing **undue hardship**, as well as his or her ability to obtain a **secured, unsecured, or partially secured bond**;

b. Alternative forms of Bail

- The court shall direct that the bail be posted in any **one of three or more** of the forms....designated in the alternative, and may designate different amounts varying with the forms, **except that one** of the forms **shall be** either an **unsecured or partially secured surety bond**, as selected by the court.

4. By prioritizing release

a. Presumption of Release

- Creates default of release with no conditions, UNLESS....

b. Risk of Flight

- The court can make an individualized determination of risk of flight

c. Least Restrictive Condition

- Once determination is made, the least restrictive condition should be applied to ensure court appearance and compliance with court orders.
- Non-monetary conditions include:
  - Contact with, supervision by pretrial service agencies
  - Mental health assessments
  - Mandatory programming (Counseling, treatment, IPV intervention programs)
  - Refrain from firearms possession
  - Maintain employment or educational enrollment

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Bail Reform & Pretrial Decisions

1. **Less Bail & Detention:** *19,000 fewer cases detained in 2020 (DCJ)*

2. **Significant Variability by Region & County** *(multiple studies):*
   - **NYC:** ↓ Bail, ↑ Supervised Release, ↓ ROR (75% → 67%, DCJS).
   - **Non-NYC:** ↓ Bail, ↑ Supervised Release, ↑ ROR (52% → 61%, DCJS).

3. **Low ROR for Violent Felonies** *(required absent "risk of flight"):*
   - **NYC:** 37% → 24% (DCJS)
   - **Non-NYC:** 10% → 13% (DCJS)

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Bail Reform & Pretrial Decisions

4. More Bail-Setting Starting Spring 2020:

Bail + remand rates in felony cases, Quarters 1 vs. 4, 2020 (DCJ):

- **NYC:** 25% → 38%.
- **Suburbs:** 32% → 37%.
- **Upstate:** 48% → 56%.

5. Less Bail Payment *(despite affordability provisions):*

- **Cash Bail Amounts:** No change or increase (multiple studies).
- **Bail Payment Rates:** *Lower* in 2020 & 2021 (multiple studies).
  - **2021 Payment at Arraignment:** 10% NYC, ~11% Non-NYC (DCJS).
  - **2021 Payment within 5 Days:** Just over 20% statewide (DCJS).

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Bail Reform & Crime: Larger Context

[Studies with Matched Samples & Tracking Periods]

- **Consistent Negative Effect of Pretrial Detention:**
  - **Step 1:** Modest pretrial recidivism ↓
  - **Step 2:** Modest post-disposition recidivism ↑
  - **Net:** No study supports detention (NYC, Houston, Miami, Pittsburgh, Philadelphia, Kentucky).

- **Bail Reform Elsewhere: No Link to Recidivism:**
  Cook County (IL), Harris County (TX), New Jersey (statewide), Philadelphia.

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DCJS Re-Arrest Data: What Stands Out?

- **Overall Pretrial Re-Arrest Rates:**
  - **Pretrial Re-Arrest Rates ~20%** (16%-22% based on year or region)
  - **Violent Felony Re-Arrest Rates ≤ 5%** (1%-5%)
  - **Firearm Re-Arrest Rates ≤ 1%** (0%-1%)
  - **Firearms Re-Arrest Rates on Initial Firearms Cases ≤ 3%** (2%-3%)

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Future Research: Key Requirements

- **True Apples-to-Apples Comparisons:**
  - Matched charge & criminal history composition.
  - Equal tracking periods (e.g., average pretrial period is longest in 2020).
- **Pretrial AND Post-Disposition Recidivism.**
- **Data Transparency:** DCJS & OCA data sharing.

Available Resources

Resource Page on the May 2022 Bail Convening Website:
https://www.jjay.cuny.edu/bail-reform-conference

- **Explainers** (About the 2019 Reforms; 2020 & 2022 Amendments)
- **Valid New York Bail Reform Research**
- **Links to NY Data Dashboards & Tools**
- **Relevant Research from Other Jurisdictions**

Sources of Valid Research *(not exhaustive):* Brennan Center for Justice, Center for Court Innovation, Criminal Justice Agency, Data Collaborative for Justice, Envision Freedom, NYC Comptroller, Vera Institute of Justice.

Public Data & Dashboard Sources: CJA, DCJS, MOCJ, OCA.

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NEW YORK STATE | Division of Criminal Justice Services

Supplemental Pretrial Release Data Summary Analysis: 2019 - 2021

September 21, 2022

1

Timeline of Pretrial Procedure Reforms

2019 bail law (eff. Jan 1, 2020) – Release required, except for certain qualifying offenses. Non-monetary conditions added as an option for defendants charged with release required or bail qualifying offenses.

2020 amendments (eff. July 2, 2020) - Expanded the list of qualifying offenses/circumstances

- New Qualifying Offenses: Burglary 2nd *in the living area of a dwelling* (PL 140.25 02), several Class A felony PL 220 offenses, Level 3 sex offender failure to register, bail jumping, escaping from custody, strangulation, and unlawful imprisonment
- Felony Arraign while on Probation/Parole: Defendant under probation or parole supervision charged with any felony
- Harm to Identifiable Persons or Property while on ROR or Released Under Conditions: Charged with a felony or Class A misdemeanor involving harm to an identifiable person or property while awaiting trial on a similar pending arrest
- Possible Persistent Felony Offender: Felony defendant who, if convicted of a felony, would be eligible for sentencing as a persistent felony offender per PL 70.10 qualifies for remand under the amendments.

2022 amendments (eff. May 9, 2022)

- Considerations for Securing Order: listed specific information to consider (e.g., current charges, firearm history, violation of OP, alleged harm to others)
- New Qualifying Offenses: Crim. Possess. Firearm (PL 265.01-b) while ROR, NMR or DAT pending arraignment for felony or A misdemeanor involving harm; CPW 3 (PL 265.02); Crim. Sale Firearm to Minor (PL 265.16)
- Defining "harm": including non-negligible theft of or damage to property
- New Release Conditions: mental health assessment and evaluation, involuntary assessment pending release

2

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

3

Pretrial Release Data Development

- State law requires the Division of Criminal Justice Services (DCJS) and the Office of Court Administration (OCA) to provide detailed information to the public that describes pretrial release decisions made by *judges upon arraignment, including release on recognizance, bail, or non-monetary conditions, as well as* remand to custody.
- DCJS and OCA coordinated and compiled one comprehensive data file to meet the statutory reporting *obligations because neither agency maintains all the data necessary to fulfill the requirements under the* bail reform law.
  - Data within the file include the sex, race, and ethnicity of the individual arrested; the most serious arrest charge; the number and type of charges the individual has faced previously; and if the individual failed to appear in court or was re-arrested while the case was pending, among other data. The information provided does not identify the individuals charged.
- DCJS and OCA also coordinated to develop a supplemental data file containing information on pretrial release outcomes in 2019, 2020 and 2021. The supplemental data file will be available today on DCJS's website, providing the public and policymakers with additional information about the impact of bail reform. This presentation provides a preliminary analysis of the supplemental data file.

3

4

Description of Supplemental Data File

	Supplemental DCJS Pretrial Release Data File (Criminal Arrest Cycle-Based)
Unit of Analysis	• Top charge CCH adult criminal arrest cycles • May include multiple arraignments per person per court per day
Count and Time Period	• 560,000 criminal cycles • Arraignments held Jan 1, 2019, through Dec 31, 2021
Charges	• Fingerprintable felonies and misdemeanors • File shows most serious charge at arrest, arraignment and conviction
Courts	• NYC Criminal Courts • Non-NYC City and District Courts • NYC Supreme Criminal Courts (beginning 2021) • Non-NYC County Courts (beginning 2021)
Dispositions	• Final case disposition based on arrest cycles in CCH data

4

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

5

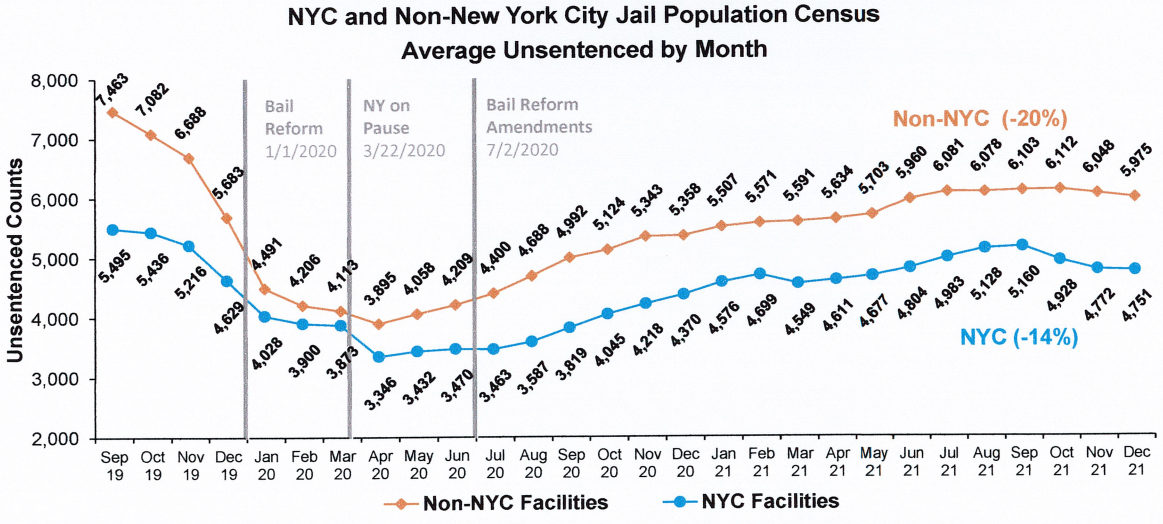
Trends in Pretrial Release

NEW YORK STATE | Division of Criminal Justice Services

5

6

Jail populations back to pre-pandemic levels

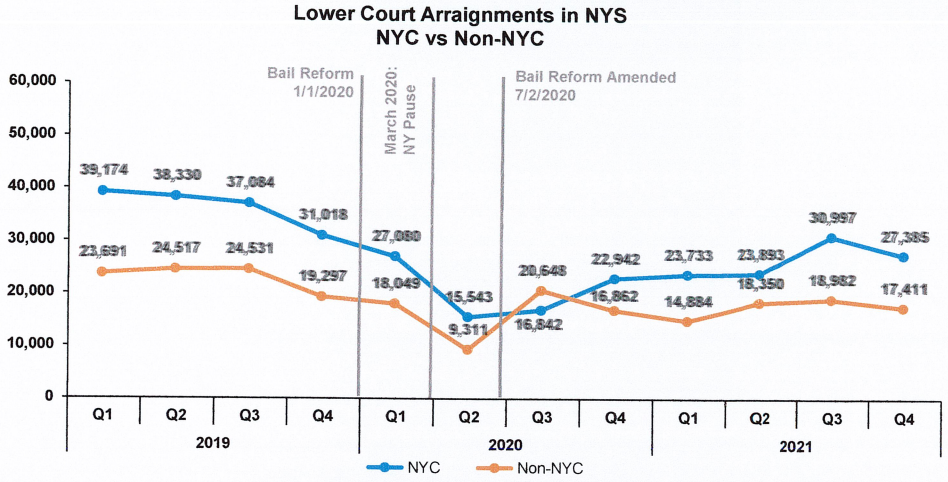


6

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

7

Arraignment volume back to pre-pandemic levels

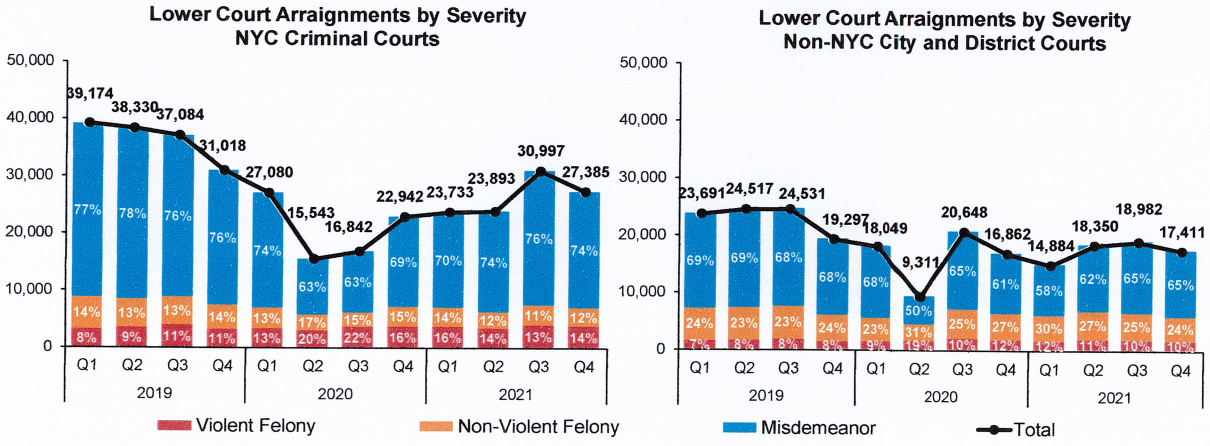


Notes:
Arraignments in DCJS CCH that were not matched to OCA pretrial release information are not included.
Non-NYC lower court arraignments limited to City and District Courts.
DCJS, Computerized Criminal History system (as of May 20, 2022)

7

8

Most arraignments are for misdemeanors



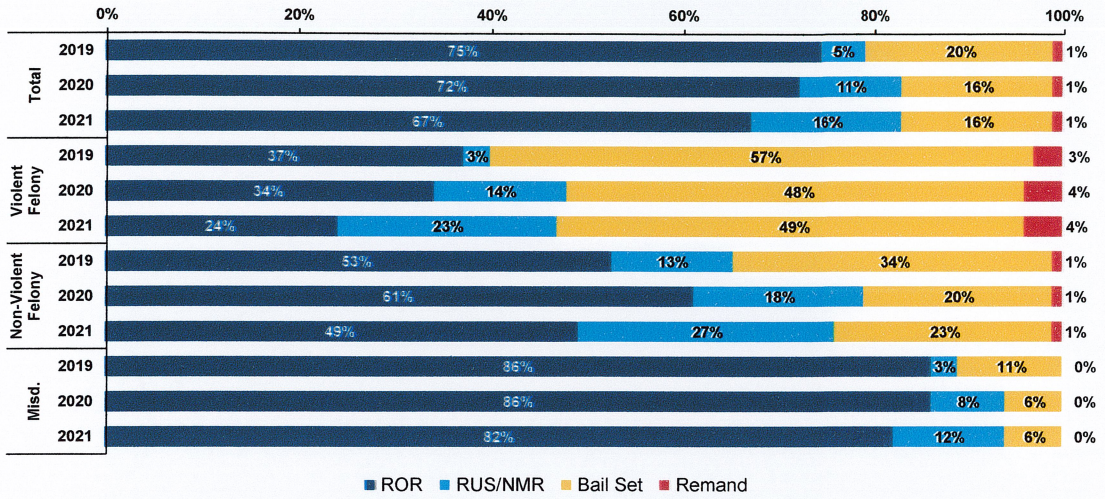
Notes:
Percentages are based on Total Arraignments.
DCJS, Computerized Criminal History system (as of May 20, 2022)

8

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

9

NYC: More ROR pre-reform than post, even VFOs

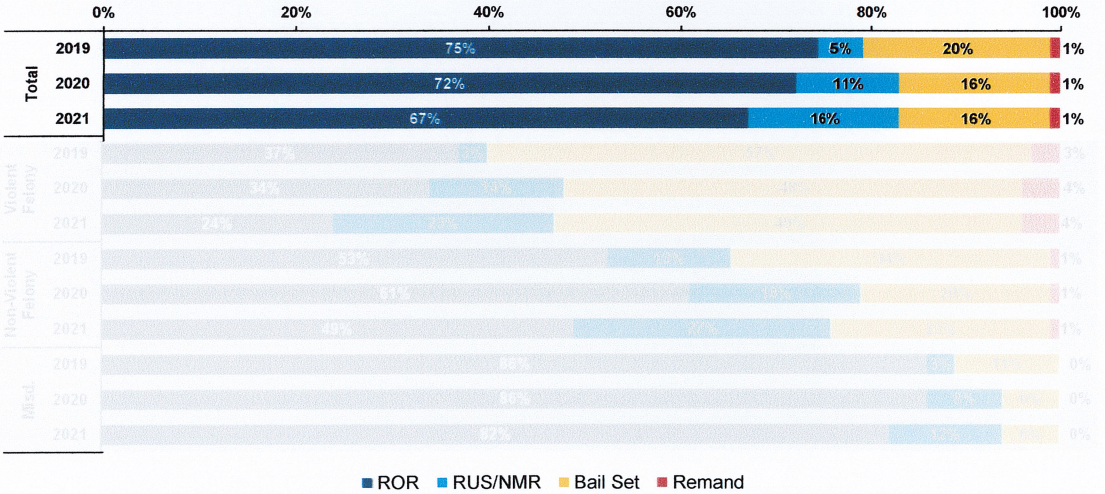


Notes:
Percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included.
DCJS, Computerized Criminal History system (as of May 20, 2022)

9

10

NYC: More ROR pre-reform than post



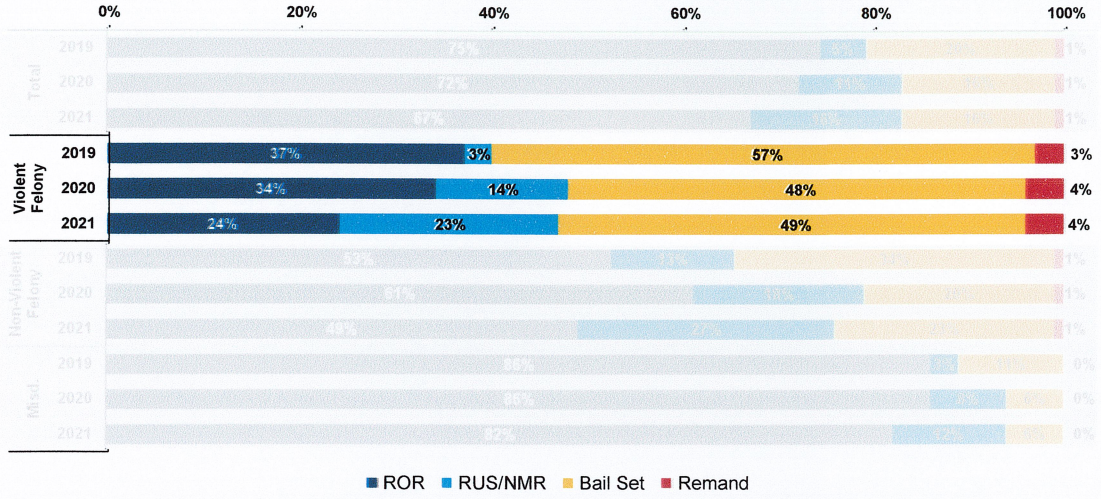
Notes:
Percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included.
DCJS, Computerized Criminal History system (as of May 20, 2022)

10

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

11

NYC: Significant increases in RUS/NMR post-reform

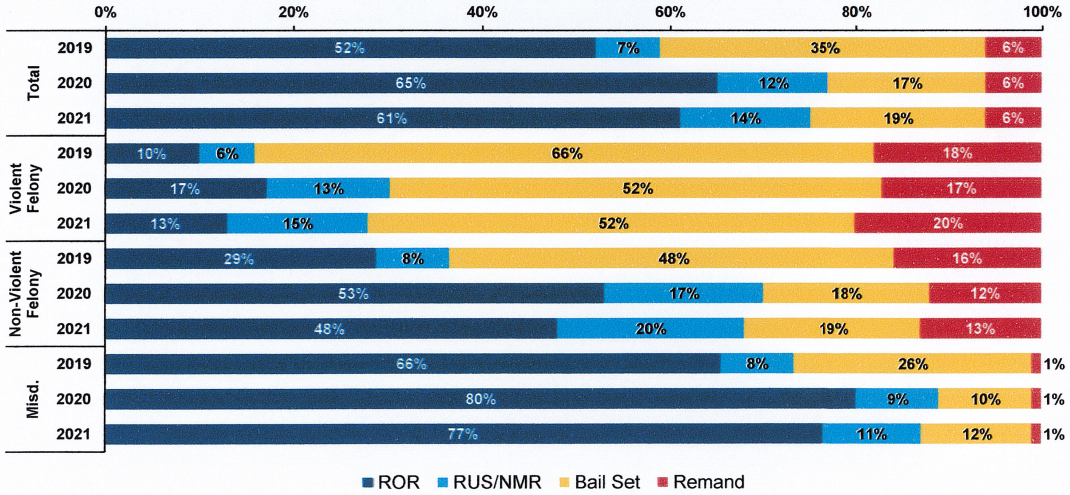


Notes:
Percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included.
DCJS, Computerized Criminal History system (as of May 20, 2022)

11

12

Non-NYC: More ROR post-reform, including VFOs



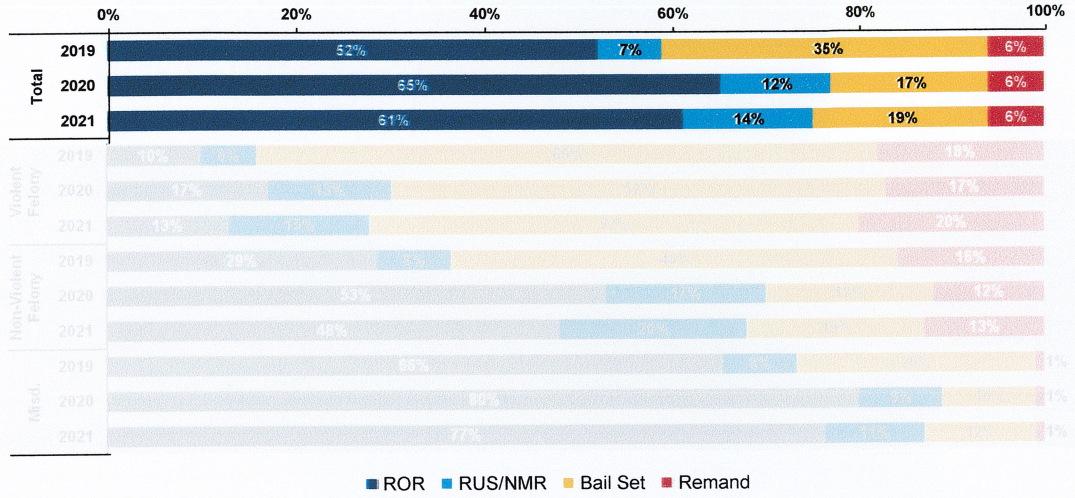
Notes:
Percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included in the table.
DCJS, Computerized Criminal History system (as of May 20, 2022)

12

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

13

Non-NYC: More ROR post-reform than pre; less bail set

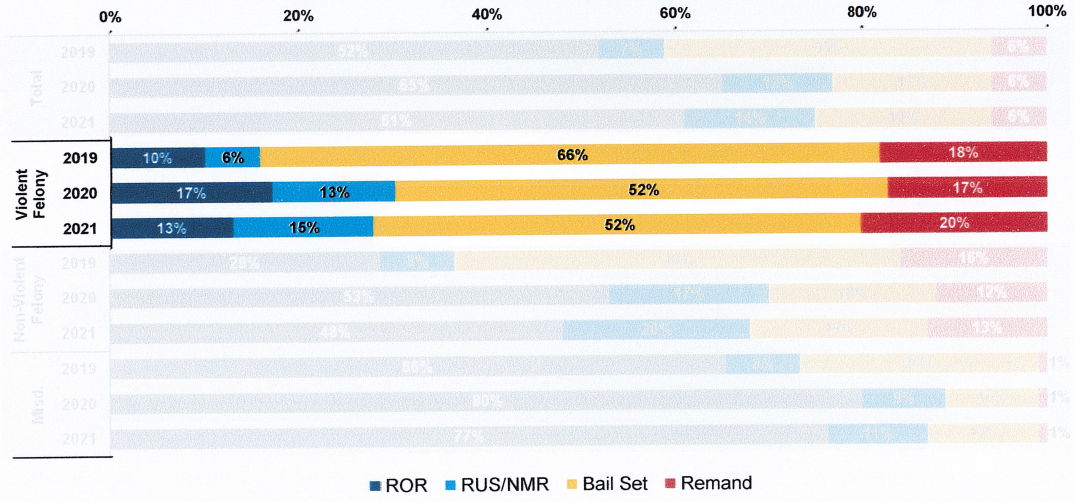


Notes:
Percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included in the table.
DCJS, Computerized Criminal History system (as of May 20, 2022)

13

14

Non-NYC VFO: Increase in NMR, decrease in bail set



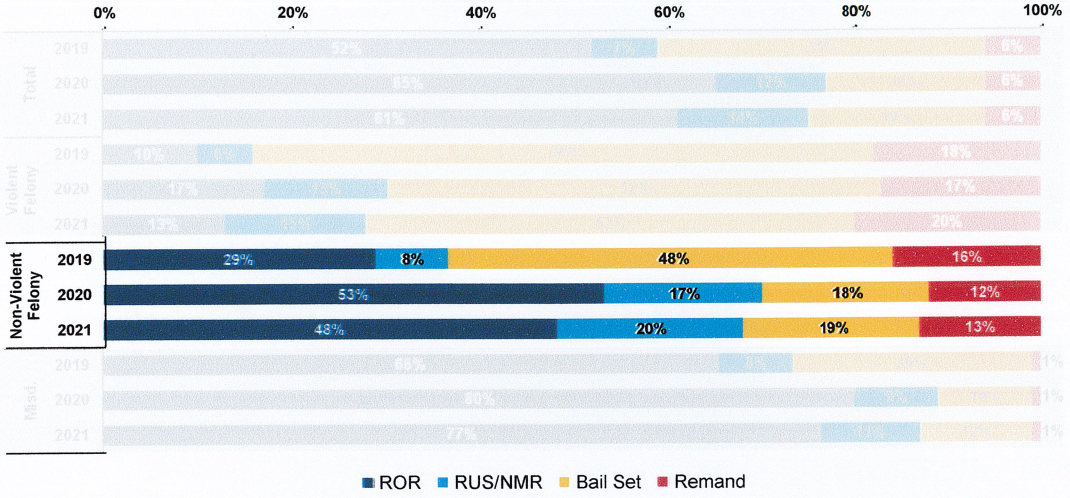
Notes:
Percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included in the table.
DCJS, Computerized Criminal History system (as of May 20, 2022)

14

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

15

Non-NYC: Most change among non-violent felonies

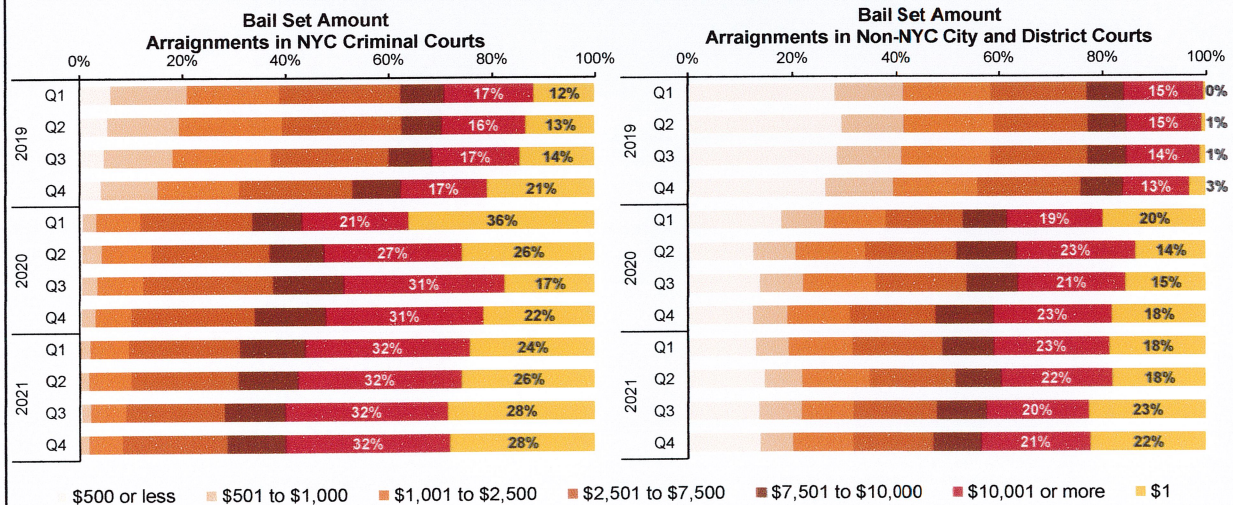


Notes:
Percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included in the table.
DCJS, Computerized Criminal History system (as of May 20, 2022)

15

16

Cash bail set increased over time



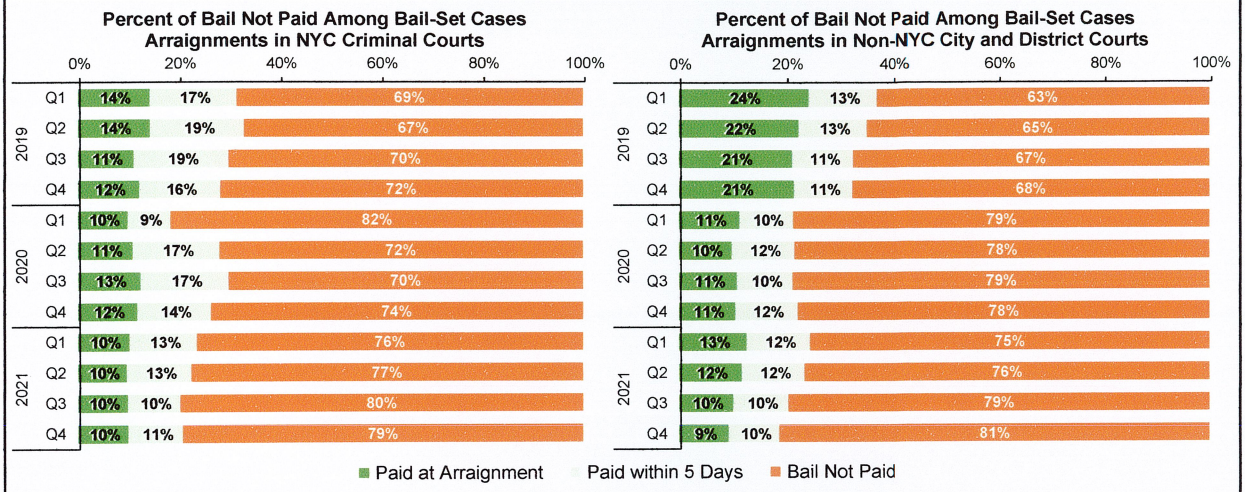
Notes:
Percentages are based on Total Arraignments with Bail-Set at Arraignment.
DCJS, Computerized Criminal History system (as of May 20, 2022)

16

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

17

Fewer cases pay bail post-reform

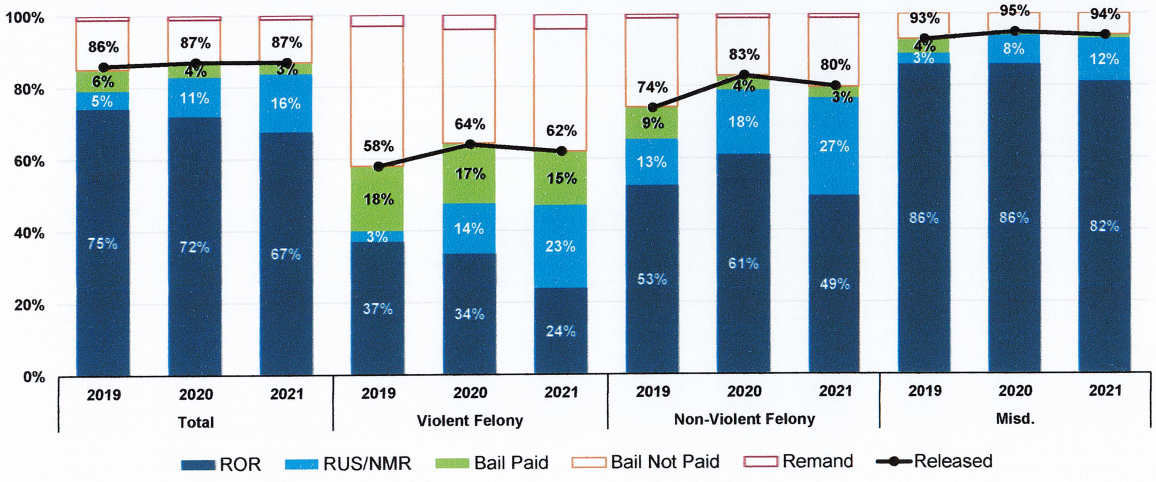


Notes:
Percentages are based on Total Arraignments with Bail Set at Arraignment.
DCJS, Computerized Criminal History system (as of May 20, 2022)

17

18

NYC: Marginal increases in release; bigger changes in release type



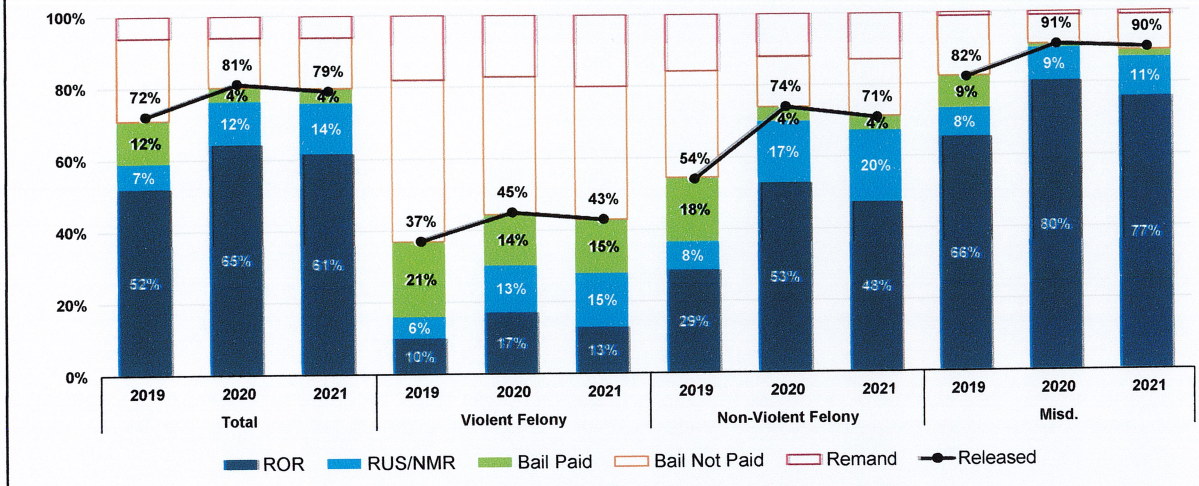
Notes:
Released and Not Released percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included.
DCJS, Computerized Criminal History system (as of May 20, 2022)

18

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

19

Non-NYC: Increases in release, esp. non-violent felony

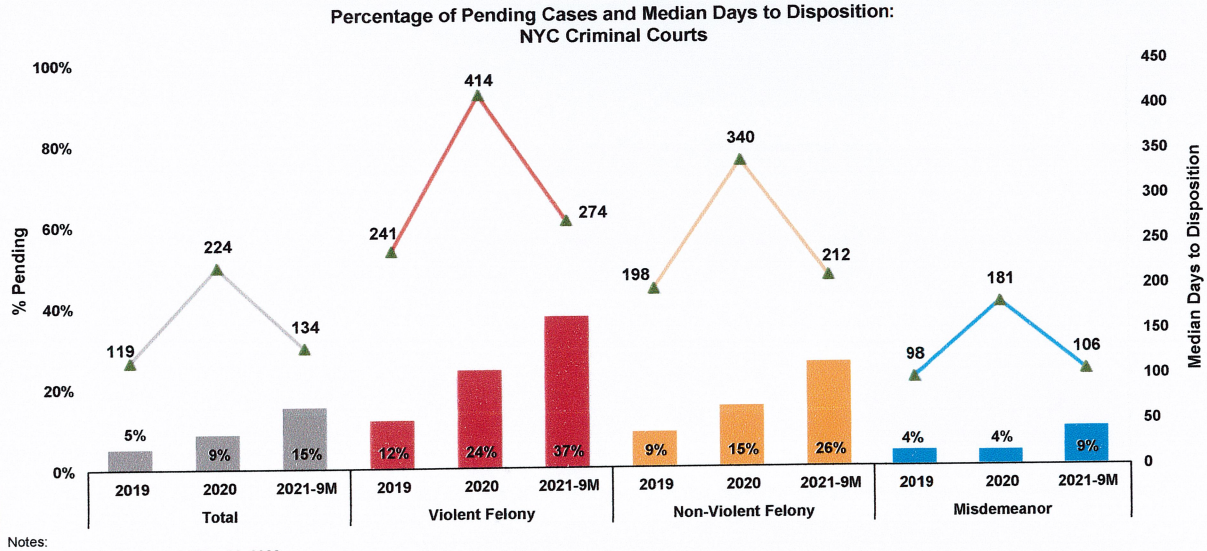


Notes:
Released and Not Released percentages are based on Total Arraignments with Pretrial Release Decisions.
Cases disposed at arraignment or with unknown pretrial release decisions are not included.
DCJS, Computerized Criminal History system (as of May 20, 2022)

19

20

NYC: Time to dispo. coming back down; many cases still pending



Notes:
Pending final disposition as of May 20, 2022.
2021 arraignments limited to January through September.

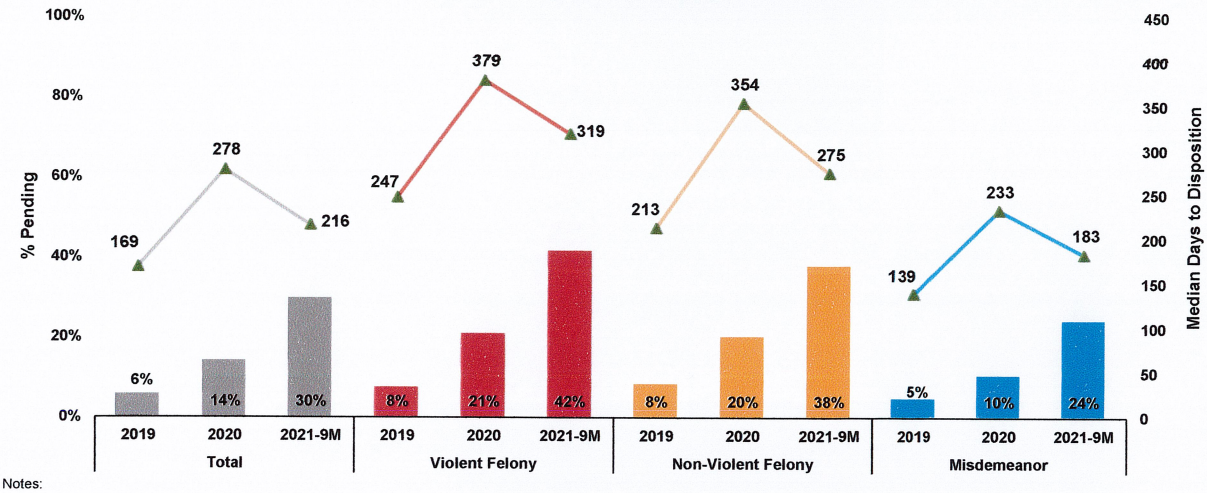
20

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

21

Non-NYC: time to dispo. coming back down; many cases still pending

Percentage of Pending Cases and Median Days to Disposition:
Non-NYC City and District Courts



Notes:
Pending final disposition as of May 20, 2022.
2021 arraignments limited to January through September.

21

22

Failures to Appear and Rearrests

NEW YORK STATE | Division of Criminal Justice Services

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Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

23

FTA declined in NYC; remained stable in Non-NYC

Failure to Appear (FTA) Before Final Case Disposition

		NYC Criminal Courts			Non-NYC City and District Courts		
		Total Releases	Failure to Appear		Total Releases	Failure to Appear	
	Release Type	#	#	%	#	#	%
2019	**Any Release Type**	**97,286**	**14,750**	**15%**	**61,587**	**10,202**	**17%**
	ROR	85,242	12,177	14%	44,865	7,323	16%
	RUS	5,133	1,754	34%	6,386	1,545	24%
	Bail Paid	6,911	819	12%	10,336	1,334	13%
2020	**Any Release Type**	**63,574**	**4,770**	**8%**	**47,886**	**9,004**	**19%**
	ROR	52,608	3,125	6%	38,662	7,082	18%
	NMR	7,879	1,472	19%	6,999	1,673	24%
	Bail Paid	3,087	173	6%	2,225	249	11%
2021-9M	**Any Release Type**	**57,160**	**5,132**	**9%**	**38,176**	**6,811**	**18%**
	ROR	44,701	3,067	7%	29,567	5,025	17%
	NMR	10,062	1,972	20%	6,531	1,584	24%
	Bail Paid	2,397	93	4%	2,078	202	10%

Notes:
Percentages based on arraignments releasing through ROR, RUS/NMR, or Bail Paid.
2021 Total Releases limited to January through September.
DCJS, Computerized Criminal History system (as of May 20, 2022)

NEW YORK STATE | Division of Criminal Justice Services

23

24

FTA highest among RUS/NMR

Failure to Appear (FTA) Before Final Case Disposition

		NYC Criminal Courts			Non-NYC City and District Courts		
		Total Releases	Failure to Appear		Total Releases	Failure to Appear	
	Release Type	#	#	%	#	#	%
2019	Any Release Type	97,286	14,750	15%	61,587	10,202	17%
	ROR	85,242	12,177	14%	44,865	7,323	16%
	RUS	**5,133**	**1,754**	**34%**	**6,386**	**1,545**	**24%**
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	NMR	**10,062**	**1,972**	**20%**	**6,531**	**1,584**	**24%**
	Bail Paid	2,397	93	4%	2,078	202	10%

Notes:
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2021 Total Releases limited to January through September.
DCJS, Computerized Criminal History system (as of May 20, 2022)

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Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

25

NYC: Rearrests decreased for ROR and bail paid

	NYC Criminal Courts								
				Rearrest Severity					
	Total Releases	Any Rearrest		Violent Felony		Non-Violent Felony		Misdemeanor	
	#	#	%	#	%	#	%	#	%
Total Releases									
2019	97,286	18,913	19%	3,048	3%	7,884	8%	7,981	8%
2020	63,574	13,972	22%	3,411	5%	6,325	10%	4,236	7%
2021-9M	57,160	11,684	20%	2,568	4%	5,368	9%	3,748	7%
ROR									
2019	85,242	15,239	**18%**	2,384	3%	6,252	7%	6,603	8%
2020	52,608	10,163	**19%**	2,432	5%	4,572	9%	3,159	6%
2021-9M	44,701	7,215	**16%**	1,517	3%	3,286	7%	2,412	5%
RUS/NMR									
2019	5,133	1,994	39%	329	6%	844	16%	821	16%
2020	7,879	3,162	40%	781	10%	1,469	19%	912	12%
2021-9M	10,062	4,004	40%	904	9%	1,878	19%	1,222	12%
Bail Paid									
2019	6,911	1,680	**24%**	335	5%	788	11%	557	8%
2020	3,087	647	**21%**	198	6%	284	9%	165	5%
2021-9M	2,397	465	**19%**	147	6%	204	9%	114	5%

Notes:
Counts rearrests within 180 days of arraignment or final case disposition, whichever came first.
2021 Total Releases limited to January through September.
DCJS, Computerized Criminal History system (as of May 20, 2022)

25

26

NYC: Rearrests highest and stable for RUS/NMR

	NYC Criminal Courts								
				Rearrest Severity					
	Total Releases	Any Rearrest		Violent Felony		Non-Violent Felony		Misdemeanor	
	#	#	%	#	%	#	%	#	%
Total Releases									
2019	97,286	18,913	19%	3,048	3%	7,884	8%	7,981	8%
2020	63,574	13,972	22%	3,411	5%	6,325	10%	4,236	7%
2021-9M	57,160	11,684	20%	2,568	4%	5,368	9%	3,748	7%
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2019	85,242	15,239	18%	2,384	3%	6,252	7%	6,603	8%
2020	52,608	10,163	19%	2,432	5%	4,572	9%	3,159	6%
2021-9M	44,701	7,215	16%	1,517	3%	3,286	7%	2,412	5%
RUS/NMR									
2019	5,133	1,994	**39%**	329	6%	844	16%	821	16%
2020	7,879	3,162	**40%**	781	10%	1,469	19%	912	12%
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Bail Paid									
2019	6,911	1,680	24%	335	5%	788	11%	557	8%
2020	3,087	647	21%	198	6%	284	9%	165	5%
2021-9M	2,397	465	19%	147	6%	204	9%	114	5%

Notes:
Counts rearrests within 180 days of arraignment or final case disposition, whichever came first.
2021 Total Releases limited to January through September.
DCJS, Computerized Criminal History system (as of May 20, 2022)

26

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

27

Non-NYC: Rearrests highest for RUS/NMR and bail paid

	Non-NYC City and District Courts								
				Rearrest Severity					
	Total Releases	Any Rearrest		Violent Felony		Non-Violent Felony		Misdemeanor	
	#	#	%	#	%	#	%	#	%
Total Releases									
2019	61,587	9,601	**16%**	907	1%	3,062	5%	5,632	9%
2020	47,886	11,128	**23%**	1,546	3%	4,081	9%	5,501	11%
2021-9M	38,176	8,201	**21%**	1,182	3%	2,994	8%	4,025	11%
ROR									
2019	44,865	6,326	**14%**	548	1%	1,824	4%	3,954	9%
2020	38,662	8,314	**22%**	1,109	3%	2,933	8%	4,272	11%
2021-9M	29,567	5,719	**19%**	785	3%	2,009	7%	2,925	10%
RUS/NMR									
2019	6,386	1,414	**22%**	165	3%	520	8%	729	11%
2020	6,999	2,257	**32%**	342	5%	914	13%	1,001	14%
2021-9M	6,531	1,950	**30%**	304	5%	774	12%	872	13%
Bail Paid									
2019	10,336	1,861	**18%**	194	2%	718	7%	949	9%
2020	2,225	557	**25%**	95	4%	234	11%	228	10%
2021-9M	2,078	532	**26%**	93	4%	211	10%	228	11%

Notes:
Counts rearrests within 180 days of arraignment or final case disposition, whichever came first.
2021 Total Releases limited to January through September.
DCJS, Computerized Criminal History system (as of May 20, 2022)

27

28

Firearm Arraignments

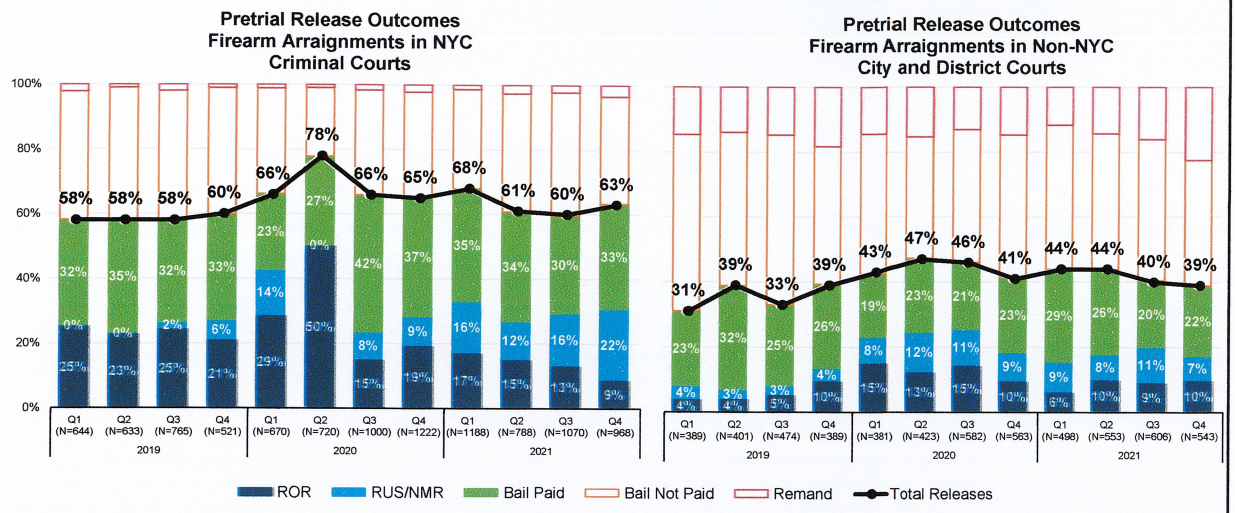
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Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

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Firearm arraignments: More likely released, esp. RUS/NMR



Notes:
Cases disposed at arraignment or with unknown pretrial release decisions are not included.
DCJS, Computerized Criminal History system (as of May 20, 2022)

29

30

Rearrests lower among firearm than other arraignments; marginally more likely to be rearrested for firearm offense

	NYC Criminal Courts						Non-NYC City and District Courts					
	Total Arraignments			Top Charge Firearm Arraignments			Total Arraignments			Top Charge Firearm Arraignments		
Rearrest	2019	2020	2021-9M	2019	2020	2021-9M	2019	2020	2021-9M	2019	2020	2021-9M
Total Releases	97,286	63,574	57,160	1,500	2,461	1,923	61,587	47,886	38,176	586	863	706
Any Rearrest	19%	22%	20%	15%	16%	14%	16%	23%	21%	15%	16%	15%
Rearrest Severity												
Violent Felony	3%	5%	4%	5%	5%	5%	1%	3%	3%	3%	5%	5%
Non-Violent Felony	8%	10%	9%	6%	6%	5%	5%	9%	8%	6%	4%	4%
Misdemeanor	8%	7%	7%	5%	5%	4%	9%	11%	11%	6%	7%	6%
Top Charge Firearm Rearrest	0%	1%	1%	2%	3%	3%	0%	0%	1%	2%	3%	3%

Notes:
Counts rearrests within 180 days of arraignment or final case disposition, whichever came first.
Rearrest percentages based on arraignments released through ROR, RUS/NMR, or Bail Paid.
2021 Total Releases limited to January through September.
Top charge firearm arraignments/rearrests include offenses involving the use, display, possession, or sale of a firearm, as well as displaying what appears to be a firearm. Most arraignments and rearrests for firearm offenses are violent felonies.
DCJS, Computerized Criminal History system (as of May 20, 2022)

30

Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

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Supplemental Pretrial Release Data File

Data will be available at: www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm

- Supplemental Pretrial Release Data File
- Supplemental Pretrial Release Data File Source Notes
- Supplemental Pretrial Release Data Dictionary
- Supplemental Pretrial Release Summary Tables

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Attachment: NY Reformed Bail Law - Sept 21, 2022 (11004 : Bail Reform)

From: Victoria J. Monty
To: Kelly L. Preston
Cc: Savannah Hempstead
Subject: plead_decision-order_judgment_20220920.pdf
Date: Friday, September 23, 2022 11:24:56 AM
Attachments: plead_decision-order_judgment_20220920.pdf

Hi Kelly –

I know you are interested in including specific examples of how the bail "reform" is working/not working so I wanted to share this recent case with you. In this case, the defendant (principal) has at least two (2) prior convictions and charged with a Class B Felony here in Cortland County. He also has felony charges pending in Ontario and Seneca Counties. Ontario County had to have him extradited back to NYS from Georgia due to his failures to appear to answer his charges there. His criminal history also shows that he has a pending Escape charge in Seneca County. Nonetheless, the new statute does not permit bail to be set on a "non-qualifying offense" and removes all discretion from the Courts and, frankly, it defies common sense and logic.

If I come across anything else, I will share it with you.

Victoria

Victoria J. Monty
COUNTY ATTORNEY
County of Cortland
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60 Central Avenue, Suite 312
Cortland, NY 13045
Phone: (607) 753-5095
Fax: (607) 756-3489
Email: VJMonty@cortland-co.org

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Attachment: plead_decision-order_judgment_20220920 (11004 : Bail Reform)

At a Special Term of the Supreme Court of the State of New York, held in and for the Sixth Judicial District, at the Cortland County Courthouse, in the City of Cortland, New York, on the 20th day of September 2022.

PRESENT: HON. MARK G. MASLER
Justice Presiding

STATE OF NEW YORK
SUPREME COURT: COUNTY OF CORTLAND

People of the State of New York, Ex. Rel
BRANDON C. GREGORY,

Petitioner,

v

MARK HELMS, Cortland County Sheriff, and PATRICK PERFETTI, Cortland County District Attorney,

Respondents.

DECISION, ORDER, AND JUDGMENT

Index No. 22-395
RJI No. 2022-0243-M

APPEARANCES:

CORTLAND COUNTY PUBLIC DEFENDER'S OFFICE
Attorneys for Petitioner
By: Kayla Hardesty, Esq.
60 Central Avenue
Cortland, New York 13045
khardesty@cortland-co.org

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Cortland County Attorney
Attorney for Respondents
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Original Filed SEP 20 2022
ELIZABETH LARKIN, CO. CL

Attachment: plead_decision-order_judgment_20220920 (002) (11004 : Bail Reform)

MARK G. MASLER, J.S.C.

On September 7, 2022, petitioner Brandon C. Gregory was arrested and charged with, among things, criminal possession of a controlled substance in the third degree (Penal Law § 220.16 [1]). Petitioner has two prior felony convictions. Accordingly, when he was arraigned in Cortland City Court he was remanded to the Cortland County Jail pending bail review in County Court. On September 13, 2022, County Court conducted a bail review and set bail at $10,000 cash, $20,000 insurance company bail bond, and 10% of $100,000 partially secured surety bond. Petitioner commenced this proceeding on September 14, 2022 seeking his immediate release based solely on the assertion that he is not charged with a qualifying offense which permits bail to be set. Respondents submitted the affidavit of counsel, who asserted that CPL 510.10 (1) authorizes a court to fix bail and commit the principal to the custody of the sheriff upon an individualized finding that the principal poses a risk of flight to avoid criminal prosecution. She averred that County Court made such a finding with respect to petitioner based on the following: (1) petitioner has a pending charge for escape in the third degree (Penal Law § 205.05) in Seneca County, New York; (2) Ontario County, New York had to retrieve petitioner from the State of Georgia to answer charges pending in that County; and (3) petitioner has no contacts with Cortland County.

At oral argument, respondents' counsel acknowledged that petitioner is not charged with a qualifying offense. Accordingly, resolution of the petition turns entirely on whether County Court is authorized to fix bail and commit petitioner to the custody of the Cortland County Sheriff based on its well-founded individualized determination that he poses a risk of flight to avoid criminal prosecution. CPL 510.10 (3) is dispositive in this case. It provides that:

> "In cases other than as described in subdivision four of this section [defining qualifying offenses] the court shall release the principal pending trial on the

Attachment: plead_decision-order_judgment_20220920 (002) (11004 : Bail Reform)

> principal's own recognizance, unless the court finds on the record or in writing that release on the principal's own recognizance will not reasonably assure the principal's return to court. In such instances, the court shall release the principal under non-monetary conditions, selecting the least restrictive alternative and conditions that will reasonably assure the principal's return to court. The court shall explain its choice of alternative and conditions on the record or in writing" (emphasis added).

Thus, where, as here, a principal who is not charged with a qualifying offense is found to be a flight risk, the statute limits the court conducting bail review to a single option: releasing the principal under the least restrictive non-monetary conditions; the statute prohibits the court from fixing bail even if release on non-monetary conditions is unlikely to result in the principal returning to court. Although the court understands County Court's determination that the imposition of bail was necessary in this case to reasonably assure petitioner's return to court, it is constrained to conclude that County Court had no authority to set bail. Accordingly, the matter is remitted to the County Court for the purpose of considering petitioner's application for bail review in accordance with this decision, order, and judgment (see e.g. People ex rel. Steinagle v Howard, 204 AD3d 1491, 1492 [2022] [where a bail-setting court has failed to comply with the statutory mandate of CPL 510.10, the matter is properly remitted to that court for further proceedings]).

This decision constitutes the order and judgment of the court. The filing of this decision, order, and judgment, or transmittal of copies hereof, by the court shall not constitute notice of entry (see CPLR 5513).

Dated: September 20, 2022
Cortland, New York

ENTER

MGML

Digitally signed by Hon. Mark G. Masler
DN: C=US, OU=Cortland County Supreme Court, O=Sixth Judicial District, CN=Hon. Mark G. Masler, E=crtmasler_chambers@nycourts.gov
Date: 2022.09.20 14:10:18-04'00'

HON. MARK G. MASLER
Supreme Court Justice

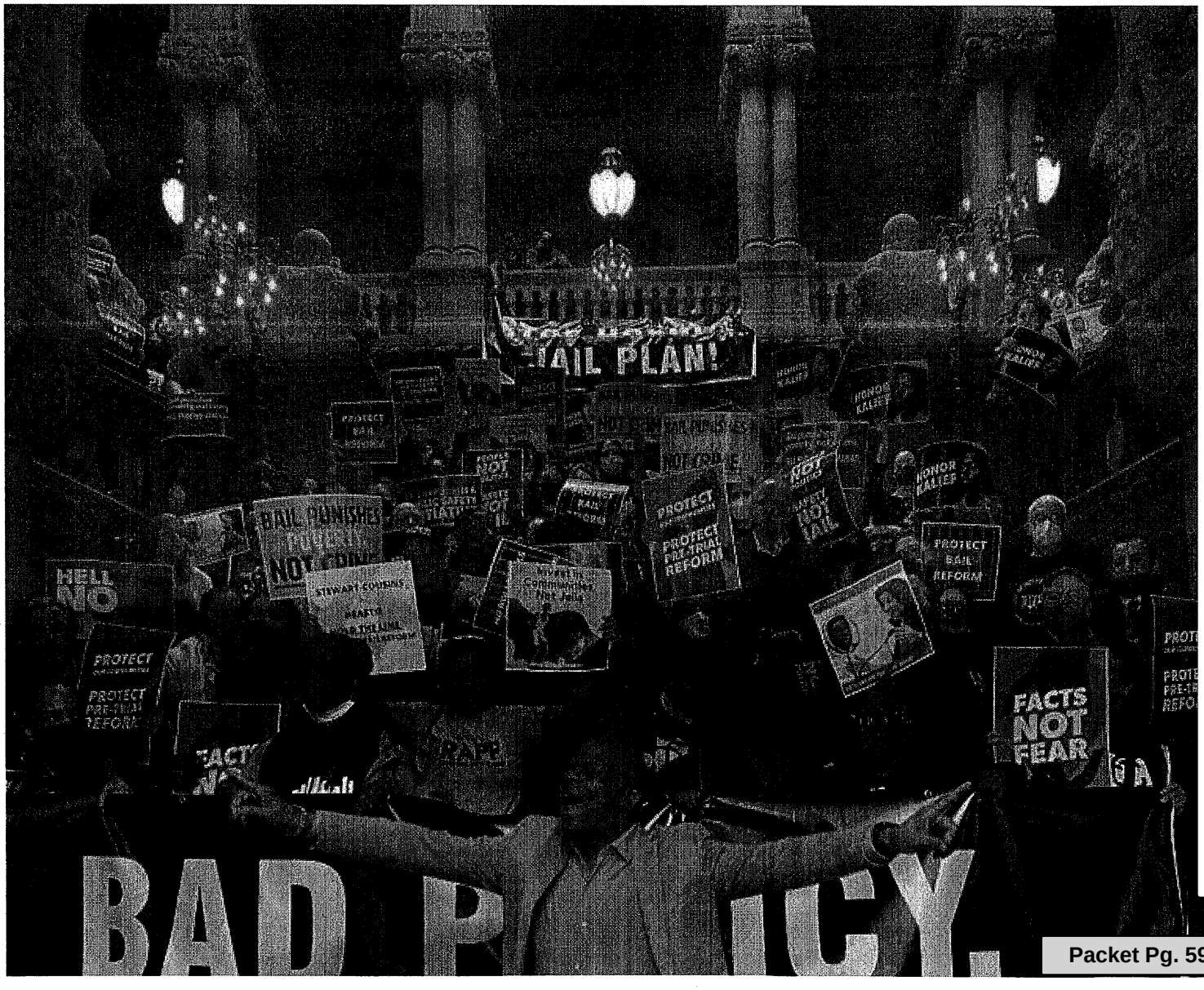
Attachment: plead_decision-order_judgment_20220920 (002) (11004 : Bail Reform)

Brooklyn Daily Eagle

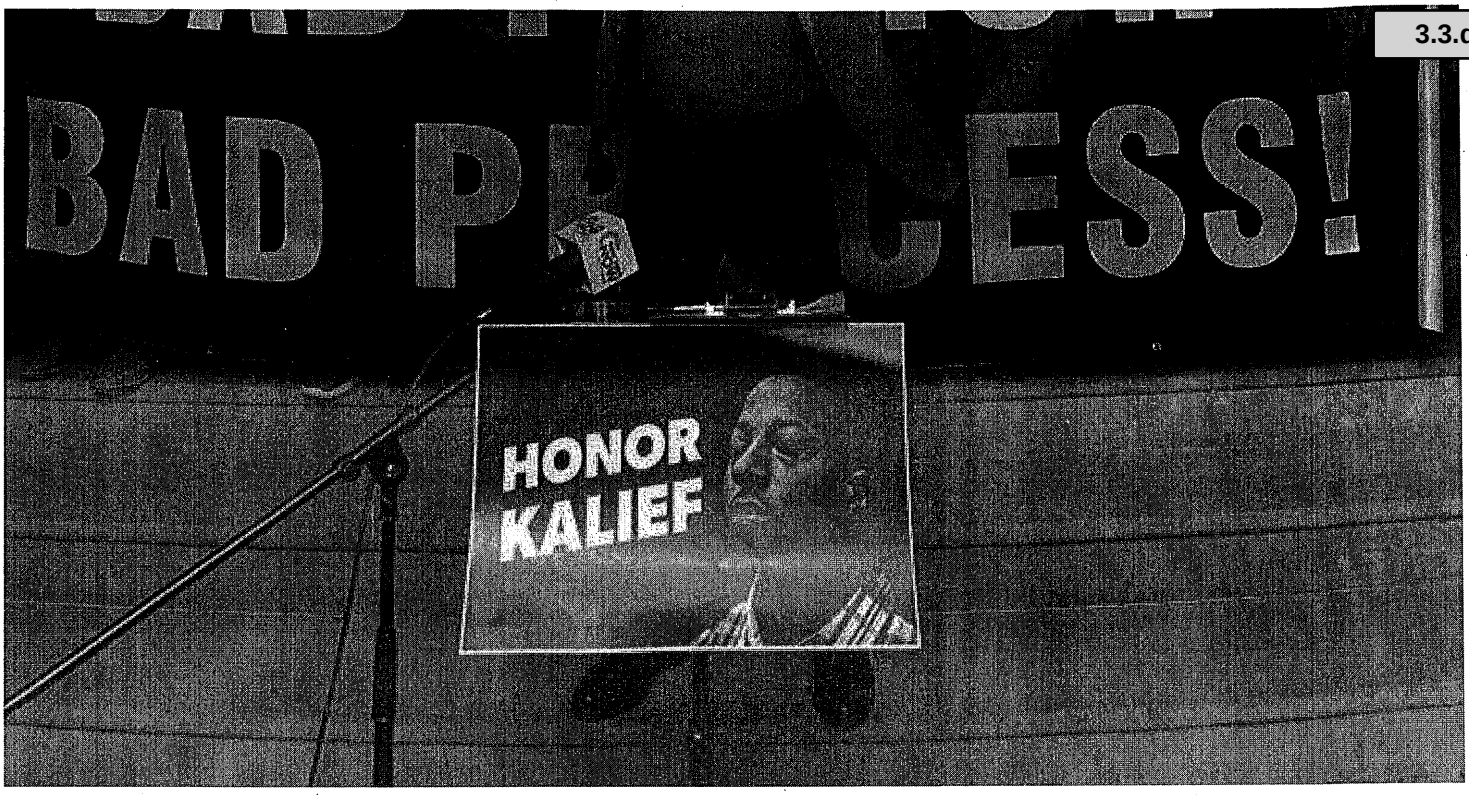
| SUNSET PARK MAN SENTENCED TO LIFE FOR FATAL SHOOTING | AMAZON WORKEF

Bail reform advocates: 'Statistics are proving us right'

September 21, 2022 Rob Abruzzese



Attachment: Brooklyn Daily Eagle - Bail Reform Article 9-21-22 (11004 : Bail Reform)



Marvin Mayfield on March 28th, 2022 in Albany, speaking at a rally calling on elected leaders to follow the evidence on reforms and resist calls for rollbacks. Photo courtesy of Center for Community Alternatives, Inc.

Share this:

The Department of Criminal Justice Services (DCJS) issued a report on Wednesday and the numbers it showed are being cheered by bail-reform advocates.

"The data released today by DCJS confirms what we have seen in other data sets and directly disproves the talking points of opponents who have sought to score political points from intentionally spreading misinformation," said Marvin Mayfield, director of organizing at the Center for Community Alternatives.

Critics of bail reform, which emphasized no cash bail, or bail alternatives in non-violent cases, to bring our local bail laws more in line with the rest of the country, have sounded the alarm that the reforms and made claims that the reforms created a revolving door for criminals who are likely to reoffend.

The statistics released by the DCJS on Wednesday showed that in 2019, prior to bail reform, a total of 19 percent of the jail population were re-arrested, and in 2021 that number stood at 20 percent post reform. Among the arrested who received an ROR (release on recognizance), 18 percent were re-arrested in 2019, but just 16 percent were re-arrested in 2021.

In New York State, and under the system of innocent-until-proven-guilty, the system of bail is not meant to be a punishment for people. Instead, it is merely supposed to be a system that ensures people return to court. Advocates have long insisted that there are viable alternatives to cash-bail that ensures people return to court.

According to the date released by the DCJS on Wednesday, people are returning to court for their trials more often now than they were prior to reforms with 15 percent of the population failing to appear in 2019, and only nine percent failing to appear in 2021.

Attachment: Brooklyn Daily Eagle - Bail Reform Article 9-21-22 (11004 : Bail Reform)

Bail reform is working," Mayfield said. "More New Yorkers have had their constitutional rights protected, benefiting rather than undermining safety and wellbeing. Re-arrest rates, while a faulty measure, have remained the same pre- and post-bail reform and have decreased on firearm charges. Failure to appear rates have decreased remarkably in New York City, meaning more people are making all their court dates post-bail reform than they did pre-bail reform.

One of the biggest impacts bail-reform seems to have had is on the number of times bail is set under $500, and under $1,000, which advocates claimed to have disproportionately impacted poor people.

According to the DCJS, in 2019, six percent of arraignments ended with bail being set at $500 or less, and bail was set at $1,000 or less 15 percent of the time. In 2021, those numbers dropped to zero percent and two percent, respectively.

Bail reform was urgently needed to address the criminalization of poverty and it has done just that," Mayfield said. "There has been a dramatic decrease in the number of people incarcerated on bail amounts under $500 or $1,000 and many fewer people charged with low-level misdemeanors are in jail pre-trial, particularly in upstate counties."

0 Comments

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Attachment: Brooklyn Daily Eagle - Bail Reform Article 9-21-22 (11004 : Bail Reform)

2022 DA Statistics

	Jan 2021	Jan 2022	Feb 2021	Feb 2022	Mar 2021	Mar 2022	Apr 2021	Apr 2022	May 2021	May 2022	June 2021	June 2022
Fel-County & City	14	15	17	24	28	25	22	25	35	26	22	29
Misd City	23	23	18	20	26	26	36	21	40	30	24	42
Misd County	37	43	30	36	22	29	27	37	30	46	35	43
Violations City	6	9	2	4	9	6	11	12	9	8	7	5
Violations County	16	3	6	5	10	1	4	1	0	2	5	1
Sealed Indictments	0	0	0	0	0	4	0	0	0	0		1
TOTALS:	96	93	73	89	95	91	100	96	114	112	93	121
Vehicle and Traffic	277	277	222	240	283	293	319	225	153	260	120	297
DWI's	13	13	4	13	16	20	8	14	15	15	19	14
	July 2021	**July 2022**	**Aug 2021**	**Aug 2022**	**Sep 2021**	**Sep 2022**	**Oct 2021**	**Oct 2022**	**Nov 2021**	**Nov 2022**	**Dec 2021**	**Dec 2022**
Fel-County & City	18	24	16	26	16	13	13	28	**22**		**33**	
Misd City	30	17	43	26	36	20	17	41	**25**		**25**	
Misd County	32	50	40	33	46	31	25	42	**30**		**48**	
Violations City	11	8	2	14	16	16	25	15	**7**		**19**	
Violations County	3	5	4	6	3	10	4	4	**6**		**5**	
Sealed Indictments			0	0	0	0	0	0	**0**		**0**	
TOTALS:	94	104	105	105	117	90	84	130	**90**	0	**130**	0
Vehicle and Traffic	684	260	377	272	293	338	203	246	**385**		**353**	
DWI's	16	15	13	12	19	6	6	4	**11**		**23**	

Attachment: DA Statistics - November 2022 (11075 : District Attorney Monthly Statistics)

PROBATION STATISTICS October 2022

CRIMINAL COURT

	Jan		Feb		March		April		May		June		July		August		Sept		Oct		Nov		Dec	
Year 20'	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**
On Probation	412	379	412	377	416	370	414	365	410	362	407	364	391	363	397	353	410	354	379	**357**	381		381	
Reports Completed	28	28	23	27	26	32	27	31	33	36	27	43	46	30	33	34	9	34	19	**30**	18		18	

FAMILY COURT

	Jan		Feb		March		April		May		June		July		August		Sept		Oct		Nov		Dec	
Year 20'	21	**22**	21	**22**	21	22	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**	21	**22**
Adult Probation	15	18	15	19	17	19	17	18	16	23	15	27	16	26	16	28	20	28	21	**28**	21		17	
Youth Probation	14	8	14	9	14	9	14	7	15	7	15	6	15	6	15	4	15	4	10	**3**	10		11	
PINS in Diversion	23	31	25	29	29	30	33	32	33	34	32	31	26	30	23	28	25	28	30	**25**	33		32	
JD in Diversion	3	2	2	1	1	1	4	4	3	5	3	2	5	5	3	7	6	8	4	**5**	2		3	
Reports Completed	0	1	2	0	0	2	1	1	0	1	2	1	0	1	0	1	0	1	0	**1**	3		1	

TOTAL ON PROBATION ALL COURTS and receiving Diversion Services:

2021 **–** Jan. 441, Feb. 441, Mar. 447, April 445, May 477, June 472, July 422, August 443, Sept. 445, Oct. 435, Nov.445, Dec. 431

2022 – Jan. 438, Feb.435, March 449, April 426, May 431**,** June 430, July 430**,** August 420**,** Sept. 422**, Oct. 418**

RELEASED TO ATI (Pre-trial):

2021 **–** January 71, February 73, March 65, April 59, May 71, June 71, July 77, August 89, Sept. 89, Oct. 89, Nov. 85, Dec. 90

2022 – January 109, February 110, March 120, April 126**,** May 136, June 123**,** July 127**,** August 101**,** Sept. 93**, Oct.88**

Attachment: JPS - Probation Statistics October 2022 (11054 : Probation Monthly Report)

November 2022

911

- Staffing issues
  - 1 current opening
  - Civil service list results are no longer valid; less than 3 people
- Radio system upgrades scheduled for first week of November
- Vesta (911 telephone) software upgrade – first and second week of November
- 911 Telephone system due for complete refresh
- Auto discovery recordings work continues

Emergency Management

- Work is progressing on obtaining NYS accreditation
- County, working with the state, is updating its County Emergency Preparedness Assessment
- Working with County Administration on County employee emergency notification program
- Training center is getting heavily used in the fall months – schedule is avail online
- Met with County Auditor – inter-departmental review

Fire Service

- Using NYS State fire for Fire investigations
- Still supporting repairs to radios under grant funding

Conferences – trainings

- NYS 911 Coordinators conference, October 17-21
- Regional Fire Administrators – November 9 & 10

Grants Awarded

- 2023 SHSP - $51,215 Detective canine, data access fees, tactical LE equipment
- 2023 EMPG - $23,603 Partial salary – Deputy Director
- 2022 PSAP - $197,805 Operational costs related to 911
- 2022 SICG – $1,572,808 22 West Court Street; PM on the radio system
- 2022 DVT - $172,413 Combating Domestic Terrorism

Grants Awaiting

- SICG targeted

Attachment: November 2022 (11028 : DOERC - Monthly Report November 2022)

22 West Court Street

Architect: King & King, Syracuse NY

November 2022

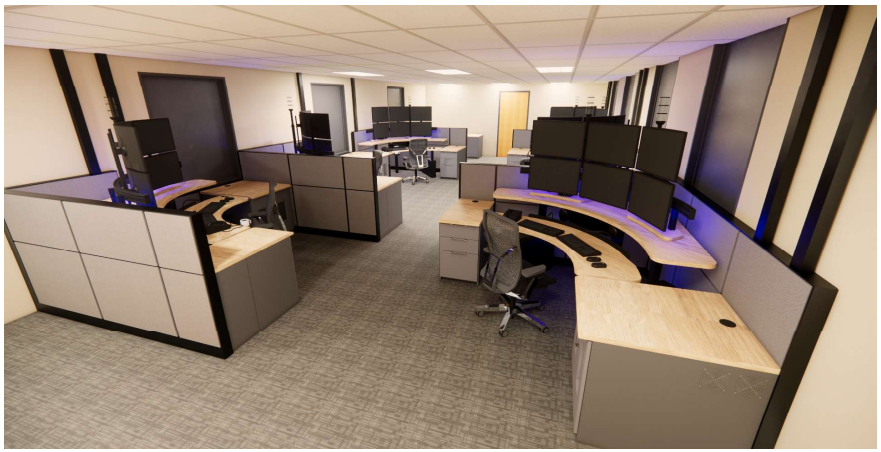
Updates

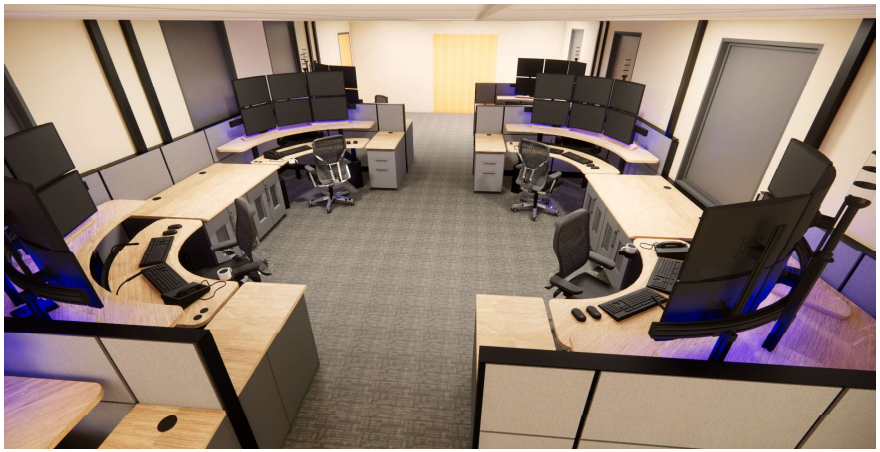
- IT progressing with Fiber optics on utility poles to the site
- Revised contract to County Attorney clearance on engagement documents
- Design and bid document work is progressing – plan of Nov 2022 bid cycle
    - Phase 4 interior construction
        - Plans to be put to bid on November 16, 2022
            - Multiple contractors (GC, plumbing, electrical)
        - Bid responses due December 16, 2022
        - Architect evaluation by January 3, 2023
        - Contract execution by February 15, 2023
    - Phase 5 exterior site work
    - Phase 6 site/security improvements
- Site clearing being conducted
- Planning on ordering Generator & CCTV system in December 2022 using 2022 funds due to supply chain issues

Work completed

- Phase 1 - Interior demolition
- Phase 2 - Roof replacement
- Phase 3 - Window replacement

Attachment: 22 West Court November 2022 (11028 : DOERC - Monthly Report November 2022)





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www.xybix.com

Sales : Susanne Lottie
Email : SusanneL@xyb
Designer : Sarah Noon
Email. : SarahN@xybix

Department of Emergency Response & Communication
54 Breenbush St
Cortland, NY 13045

Opportunity: 00154

Drawing Name:
COVER PAGE

SHEET: 1 of 5

SCALE 12" =

FINISH SELECTIONS

Panel Trim : Black
Panel Fabric Upper : CF Stinson Focus Shade FOS55
Panel Fabric Lower : CF Stinson Focus Shade FOS55
3D Laminate Counter : Dackor Riviera Oak, Mistral D097
3D Laminate Drawer&Door Front : surf(x) Matte Luxe, Charcoal 537348
Melamine : Panolam Storm TFL S565
Edgeband : Panolam Storm TFL match
Handle : Eagle Silver

REVISIONS

REV	DESCRIPTION	DATE	DSGN
16	Change fixed height table to full station. Add lockers in locker room	11.07.19	SN
17	New layout per new construction plan	02.19.20	SN
18	84H lokcers with 1 door. 20 total lockers. Add storage and mailslots in locker room	03.27.20	SN
19	Rotate WS1 next to WS6. Update to axys	08.24.22	SN
20	Update dims and locker room configuration. Rotate WS1	09.15.22	SN
21	Rotate WS1. New dims per CAD. Lockers only on East wall	10.10.22	SN

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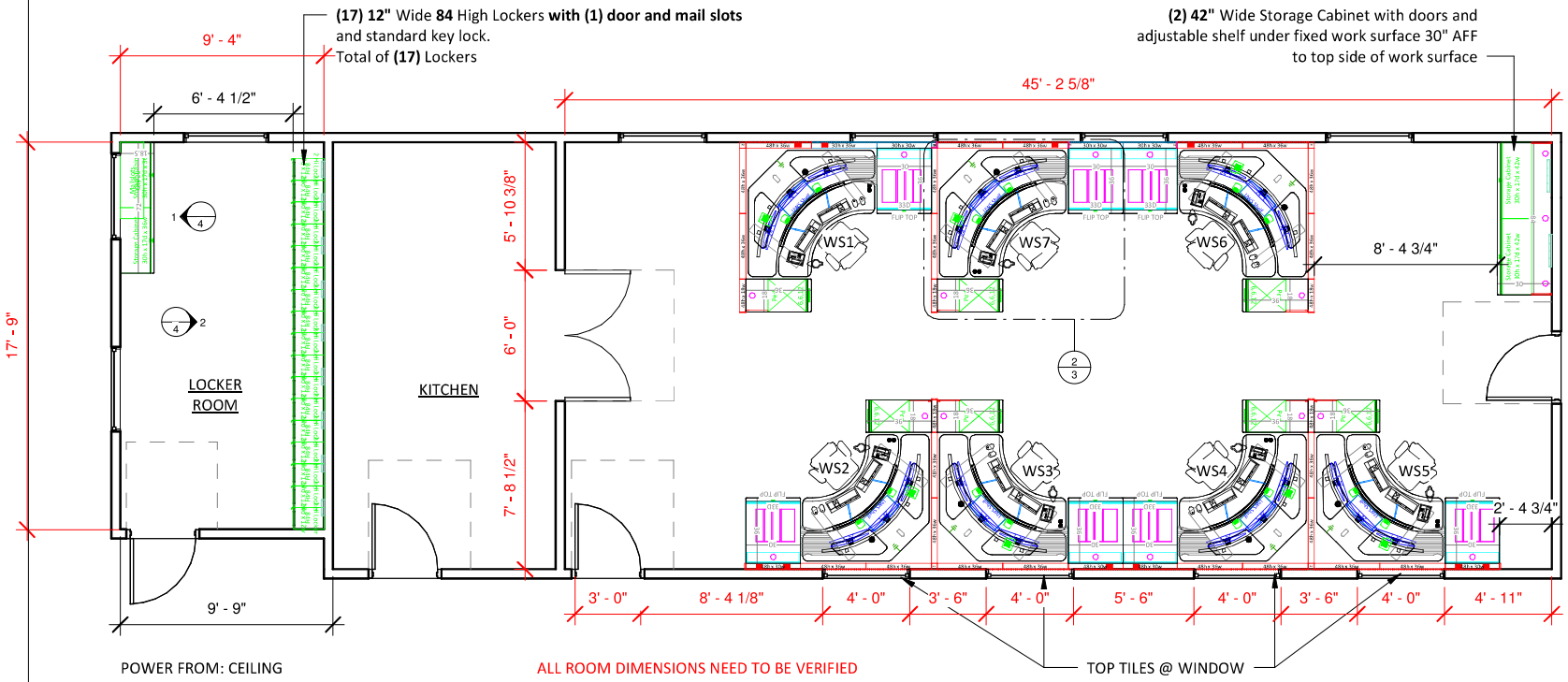
SIGN OFF APPROVAL: Furniture orders and product installation shall not proceed until the Client has given approval to these documents. Approval of the Client shall constitute approval of the drawings for contents, scope of work and all dimensions regarded by the Client as being necessary to the use of space, furnishings and equipment. Furniture orders, or product installation authorized by the Client from these documents, shall be interpreted by XYBIX as approval in full to these documents by the Client. Revisions after approval shall result in additional costs.

Signature:_____ Title:_____ Date:_____

Sign-Off Initials:

X_____

Attachment: Xybix November 2022 drawings (11028 : DOERC - Monthly Report November 2022)



POWER FROM: CEILING

CEILING HEIGHT:

ALL ROOM DIMENSIONS NEED TO BE VERIFIED
PRIOR TO INSTALLATION AND SIGN OFF

1 OVERALL VIEW
3/16" = 1'-0"

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Sales : Susanne Lottie
Email : SusanneL@xyb
Designer : Sarah Noon
Email. : SarahN@xybix

Department of Emergency Response & Communication
54 Breenbush St
Cortland, NY 13045

Opportunity: 00154

Drawing Name:
OVERALL VIEW

SHEET:	SCALE
2 of 5	3/16"

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Sign-Off Initials:

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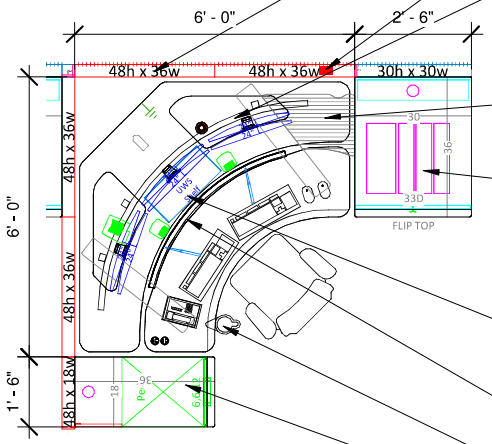
Attachment: Xybix November 2022 drawings (11028 : DOERC - Monthly Report November 2022)

PANEL FABRIC	3D LAMINATE COUNTER	3D LAMINATE DRAWER/DOOR FRONT	MELAMINE	HANDLE
FOCUS SHADE	RIVIERA OAK MISTRAL	MATTE LUXE CHARCOAL	STORM	SILVER

FINISHES

CONCEPTUAL IMAGES. REFER TO ACTUAL COLOR SAMPLES FOR EXACT COLOR REPRESENTATION





Xybix **72"x72"** Dual Surface Console with true sit to stand adjustment range of 22"-48" AFF, with L**5S** Table Base.

WITH: R56 Grounding

Axys Control System
User Interface controlled through Windows, Andriod, and IOS Fan
Heat: (2) 250w Forced Air Heaters
Task Light: (2) Dimmable lights with flexible mounting arm on keyboard surface.
Footwell Lighting
Down Bias Lighting
Status Light: (3) High with Red, Yellow, Green LED's

48" High sound absorptive panel system. .55NRC Rating Standard

Cable Poles: 96"H (1) Power & (1) Data attached from the Panel System to Ceiling

"Rollervision" Monitor Mounting system capable of 10" of focal depth adjustment. Accommodates up to
TOP ROW: 24", 24", 24"
BOTTOM ROW: 24", 24", 24"

Cable Management Bridge for cable organization from desk to CPU cabinet
NOTE: Not a shelf

(3) Micro CPU and (1) Standard CPU Enclosure, **30" wide**, under **flip top** work surface with front locking access doors, **fixed shelf** and (2) silent 45 CFM fans for active ventilation. Maximum CPU dimension:
(1) 18"H x 7.5"W x 18"D
(3) 18"H x 4"W x 18"D

Single shelf with grommet, under monitor surface
19"W x 5 1/4"H x 9"D
WITH Power-Only USB Ports

Data Dock - Keyboard surface cable organizer
(**8**) USB Ports & (1) CAT6 Port

Swivel Cup Holder

Under fixed work surface, Drawer Pedestal 18"W with **6",6",12"** drawers

② TYPICAL WORKSTATION
3/8" = 1'-0"

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Designer : Sarah Noon
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Opportunity: 00154
Drawing Name: TYPICAL WORKSTA

SHEET: 3 of 5
SCALE As indi

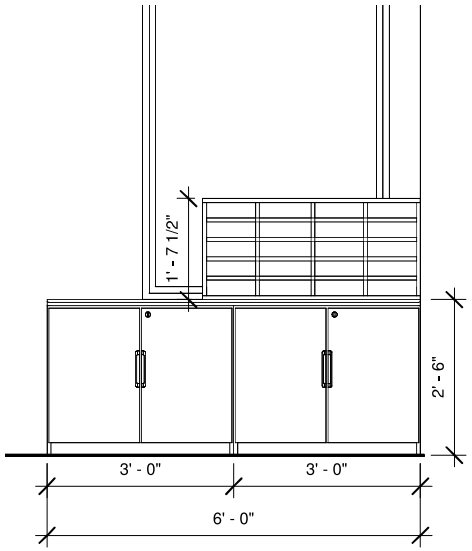
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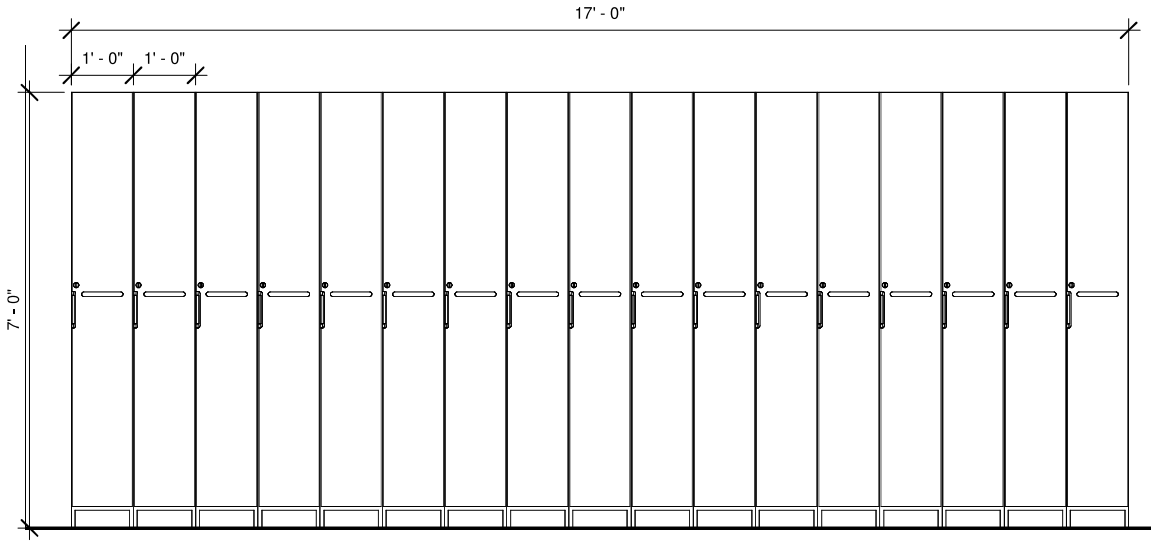
Attachment: Xybix November 2022 drawings (11028 : DOERC - Monthly Report November 2022)







1 LOCKER ROOM WEST WALL
1/2" = 1'-0"



2 LOCKER ROOM EAST WALL
1/2" = 1'-0"

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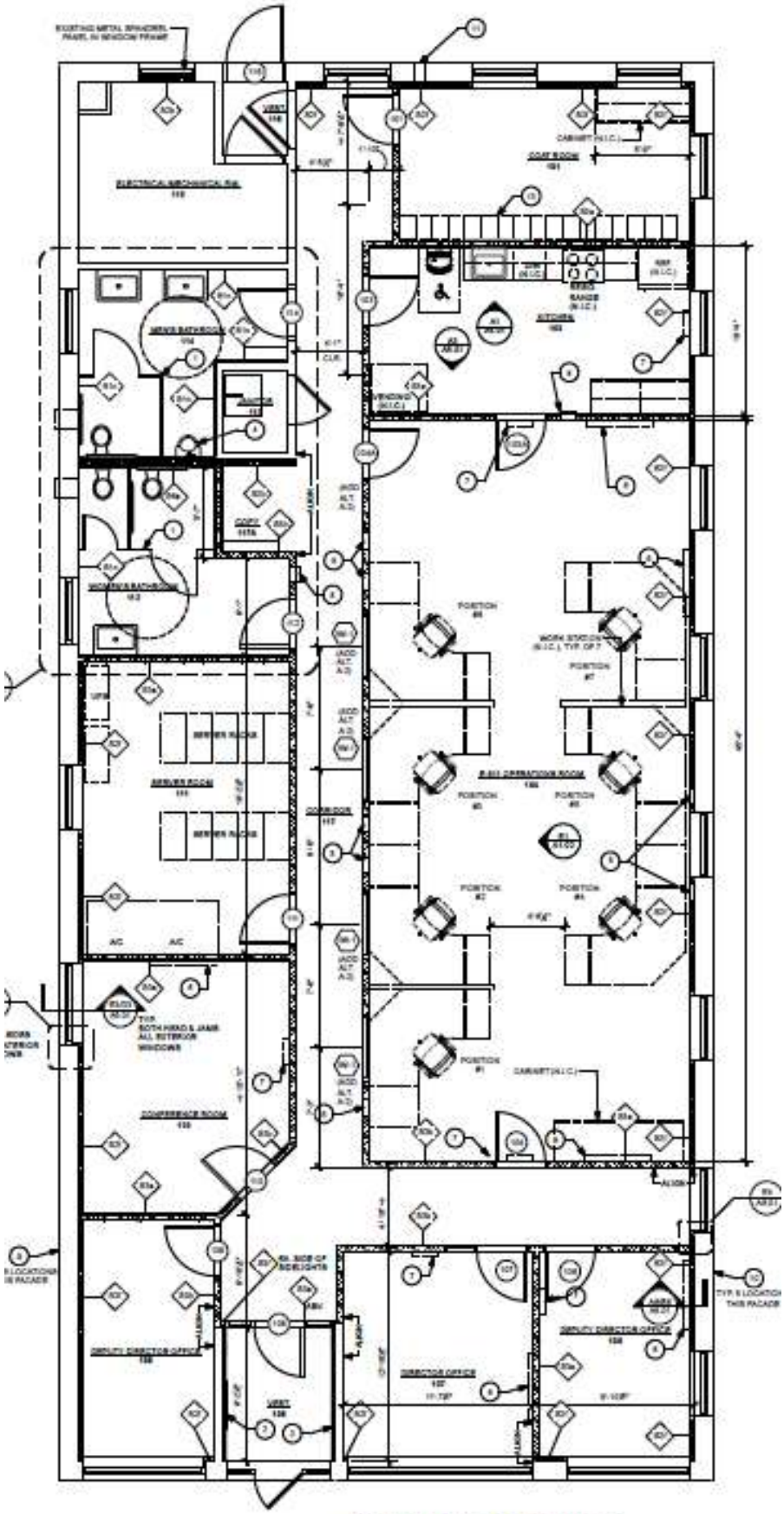
Opportunity: 00154
Drawing Name:
LOCKERS

SHEET:	SCALE
4 of 5	As indi

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Sign-Off Initials:
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Attachment: Xybix November 2022 drawings (11028 : DOERC - Monthly Report November 2022)



GENERAL CONSTRUCTION NOTES:

Attachment: 22 West Court interior layout (11028 : DOERC - Monthly Report November 2022)

EXAMINATION OF CONTRACT DOCUMENTS
Contract Documents may be examined at the following locations:

King + King, Architects LLP
358 West Jefferson Street
Syracuse, NY 13202
315.682.6180
315.682.7891 (f)

Plan and Print Systems, Inc.
6160 Eastern Avenue
Syracuse, NY 13211
315.437.5111
315.463.1510 (f)

Builders Exchange of the Southern Tier
15 Belden Street
Binghamton, NY 13903
607.771.7000
607.771.7001 (f)

Syracuse Builders Exchange
6563 Ridings Road
Syracuse, NY 13206
315.437.9936
315.437.5044 (f)

Tri-County Builders Exchange Plan Room, c/o
Pickett Building Management
6459 State Highway 23
Oneonta, NY 13820
607.432.6641
607.433.6284 (f)

Builders Exchange of Rochester
180 Linden Oaks
Suite 100
Rochester, NY 14625
585.586.5460
585.586.1580 (f)

Syracuse Builders Exchange
6563 Ridings Road
Syracuse, NY 13206
315.437.9936
315.437.5044 (f)

Mohawk Valley Builders Exchange
10 Main Street, Suite 202
Whitesboro, New York 13492
315.736.2441
315.736.2445 (f)
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BidClerk
28 N. Clark Street, Suite 450
Chicago, IL 60602
www.bidclerk.com

Southern Tier Builders Association
65 E Main Street
Falconer, NY 14733
716.665.4026

McGraw-Hill Construction
www.construction.com

Attachment: Plan rooms for bid documents (11028 : DOERC - Monthly Report November 2022)

11/02/22 DEPARTMENT OF EMERGENCY RESPONSE AND COMMUNICATION 4402
09:32 Total CAD Calls Received, by Nature of Call Page: 1

Nature of Call	Total Calls Received	% of Total
911 HANG UP	151	1.92
911 NOT DISPATCHED	130	1.66
911 OPEN LINE	61	0.78
ABDOMINAL PAIN	2	0.03
ABDOMINAL PAIN II	12	0.15
ADMINISTRATIVE	163	2.08
POLICE ALARM	69	0.88
ALCOHOL OFFENSE	6	0.08
ALLERGIC REACTION	3	0.04
ALLERGIC REACTION II	1	0.01
ANIMAL PROBLEM	154	1.96
ANIMAL BITE II	3	0.04
ARREST III	1	0.01
ARREST VI	3	0.04
ARREXT X	11	0.14
ASSAULT	7	0.09
ASSAULT VI	2	0.03
ASSIST	363	4.63
ATTEMPT TO LOCATE	33	0.42
FIRE ALARM	70	0.89
BACK PAIN	1	0.01
BACK PAIN II	5	0.06
BAR CHECK	26	0.33
TROUBLE BREATHING	55	0.70
TROUBLE BREATHING III	5	0.06
GRASS/BRUSH FIRE	3	0.04
BURGLARY	23	0.29
BURNS II	2	0.03
CARBON MONOXIDE	6	0.08
CHEST PAIN	30	0.38
CHEST PAIN II	1	0.01
CHOKING	1	0.01
CITY CODE VIOLATION	9	0.11
CIVIL ONLY	257	3.28
CRIMINAL MISCHIEF	29	0.37
SPECIAL DETAIL	104	1.33
DIABETIC PROBLEM	5	0.06
DIABETIC PROBLEM II	4	0.05
DISORDERLY CONDUCT	87	1.11
DISTURBANCE	107	1.36
DOMESTIC	85	1.08
DRUG INVESTIGATION	17	0.22
DSS ASSIST/HOME VISIT	36	0.46
DSS NOTIFICATION	62	0.79
ILLEGAL DUMPING	10	0.13
EMOTIONALLY DISTURBED PERSON	64	0.82
EMS	11	0.14
EQUIPMENT PROBLEM	5	0.06
EXPLOSION	1	0.01
EYE II	1	0.01
FALL	9	0.11
FALL II	98	1.25
FALL III	1	0.01
FALL IX	1	0.01
FIELD INVESTIGATION	89	1.13

Attachment: October 2022 CAD calls (11028 : DOERC - Monthly Report November 2022)

Nature of Call	Total Calls Received	% of Total
OUTSIDE FIRE	16	0.20
FOLLOW UP INVESTIGATION/ACTIO	616	7.85
FOUND PROPERTY	53	0.68
FRAUD	34	0.43
HARASSMENT	138	1.76
HAZARDOUS CONDITION	13	0.17
HEADACHE	1	0.01
HEADACHE II	2	0.03
HEART	6	0.08
HEMORRHAGE	6	0.08
HEMORRHAGE II	10	0.13
INVESTIGATION	99	1.26
JUVENILE PROBLEM	25	0.32
LARCENY	139	1.77
LIFTING ASSISTANCE	4	0.05
LOST PROPERTY	13	0.17
MISSING PERSON	16	0.20
NOISE COMPLAINT	40	0.51
NOTIFICATION	30	0.38
OVERDOSE/POISONING V	2	0.03
OVERDOSE/POISONING VII	5	0.06
OVERDOSE/POISONING X	8	0.10
OPEN DOOR	7	0.09
COMMUNITY OUTREACH INTERACTIO	83	1.06
PARKING COMPLAINT	51	0.65
PROPERTY DAMAGE MVA	180	2.29
PERSONAL INJURY MVA	22	0.28
PERSONAL INJURY MVA IX	3	0.04
PREGNANCY	3	0.04
PROCESSING	7	0.09
PROPERTY CHECK	1598	20.37
REPOSSESSION	12	0.15
RESCUE	1	0.01
RESCUE IX	1	0.01
ROAD FLOODING/CLOSURE	1	0.01
SEIZURES	7	0.09
SEIZURES II	1	0.01
SEND	28	0.36
SERVICE CALL	25	0.32
SEX CRIME	10	0.13
SEX OFFENDER	16	0.20
SHOTS FIRED	8	0.10
SICK PERSON	32	0.41
SICK PERSON II	56	0.71
STOLEN VEHICLE	9	0.11
STROKE	10	0.13
STRUCTURE FIRE	9	0.11
SUSPICIOUS	108	1.38
TEST CALL	12	0.15
TRAFFIC PROBLEM	67	0.85
TRANSFER	3	0.04
TRANSPORT	131	1.67
TRAUMATIC	1	0.01
TRAUMATIC II	6	0.08
TREE DOWN	2	0.03

Attachment: October 2022 CAD calls (11028 : DOERC - Monthly Report November 2022)

11/02/22 DEPARTMENT OF EMERGENCY RESPONSE AND COMMUNICATION 4402
09:32 Total CAD Calls Received, by Nature of Call Page: 3

Nature of Call	Total Calls Received	% of Total
TRESPASSING	64	0.82
TRAFFIC STOP	1076	13.72
UNCONSCIOUS/FAINTING	14	0.18
UNCONSCIOUS/FAINTING II	6	0.08
UNKNOWN PROBLEM	29	0.37
VEHICLE COMPLAINT	125	1.59
VEHICLE FIRE	6	0.08
WARRANT ARREST	31	0.40
WATER PROBLEM/PUMPING DETAIL	5	0.06
PERSON WITH A WEAPON	10	0.13
WELFARE CHECK	191	2.43
WIRES DOWN	7	0.09
Total Calls:	7845	

Report Includes:
All dates between `00:00:00 10/01/22` and `23:59:59 10/31/22`
All nature of incidents
All cities
All types
All priorities
All agencies

*** End of Report /tmp/rptZPJWFW-rpcdtccr.r1_1 ***

Attachment: October 2022 CAD calls (11028 : DOERC - Monthly Report November 2022)

Cortland County Coroner

2022 Death Report

January 10 deaths 3 autopsies	**February** 10 deaths 3 autopsies	**March** 11 deaths 5 autopsies
April Deaths 10 3 Autopsies	**May** Deaths 5 Autopsies 3	**June** Deaths 7 Autopsies 5
July Deaths 5 Autopsies 1	**August** Deaths 9 Autopsies 4	**September** Deaths 4 Autopsies 1
October Deaths 21 Autopsies 8	**November** deaths autopsies	**December** deaths autopsies

Attachment: Coroner Death Report November 2022 (11077 : Coroner Death Report)