



Onondaga County Legislature

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Chairman

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Deputy Clerk

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WAYS AND MEANS COMMITTEE REVIEW OF THE 2016 TENTATIVE BUDGET PUBLIC SAFETY COMMITTEE DEPARTMENTS - SEPTEMBER 22, 2015 DAVID H. KNAPP, CHAIRMAN

MEMBERS PRESENT: Mr. Jordan, Mr. May, Mrs. Ervin,
MEMBERS ABSENT: Mr. Holmquist, Mr. Kilmartin, Ms. Williams
ALSO ATTENDING: Mr. Ryan, ¹Chairman McMahon

Chair Knapp called the meeting to order at 3:05 p.m.

DISTRICT ATTORNEY – pg. 3-64: William Fitzpatrick, District Attorney; Dominic Trunfio, Deputy District Attorney; Barry Weiss, Administrative Officer

Mr. Fitzpatrick presented the following:

Office of the District Attorney 2016 Budget

September 22, 2015

Mission:

- Pursue Justice
- Public Safety
- Perpetrator Accountability

- Divert nonviolent offenders from the criminal justice system whenever possible

History of Fiscal Responsibility

➤ 1992

Inherited a budget $\frac{3}{4}$ Million in the Red.
Since then this Office has had 23 Budgets,
each one ended the year in the black.

➤ 2015

With the legislature's continued support
and assistance, especially with last
month's transfer, we will have completed
24 straight years of running our operation
in the black

Workload, Staffing & Performance

1992
vs.
2015

- Excellent record of fiscal responsibility including 2015

101 Line Comparison

➤ 1992

120 Full Time Employees = \$3.4 Million

➤ 2015

103 Full Time Employees = \$5.5 Million

Volume of Cases

- **53,000** Cases Per Year Funneling in From Over 20 Different LE & Police agencies (Ranging From V&T's - over 100,000 - to Violent Felonies)



- All cases must be addressed by a DA

We have seen a 40% workload increase in the last 13 years

Example: Felony Indictments

- **2001:** 1,035 Felony Indictments/SCIs
- **2014:** 1,250 Felony Indictments/SCIs

2014 Prosecutions

- 3,565 Felony Arrests
 - ✓ Almost **28%** are violent felonies
- 1,250 Indictments/SCI's
- 7,214 Misdemeanor Arrests
- Tens of Thousands of Violations and Vehicle & Traffic Dispositions

- SCI - document allows one to plead guilty in superior court, same effect as an indictment but forgoes the grand jury processes – 99.9% have agreed upon sentence for disposition; increase do to cybercrime, ability to track child pornography, human trafficking and white-collar crimes

Projections for 2015

Felony Indictments

1,400+

Felony Trials **50+**

Conviction Rate

Overall 2014 Conviction Rate

- NYS Average: 95%
- **Onondaga County: 97.7%**

Efficiency: Time to Disposition

Overall Felonies

- NYS Average: **337 days**
- **Onondaga County: 174 days**

Violent Felonies

- NYS Average: **401 days**
- **Onondaga County: 198 days**

Workload and Funding Comparisons

Based Upon UCR Part One Crimes
(Murder, Rape, Robbery, Assault,
Burglary, Larceny & Auto Theft)

- Proud of disposition time - saves time and tax dollars; number of lawsuits from people held at Rikers Island awaiting trial, on case to 3 years - could result in millions paid out by NYC

Total Part I Crime

County	*2014 Est. Population	# of ADA's		Part I Crime	
		Current	Per 1000	**2014	Per 1000
1 Erie	922,835	89	0.10	28,348	30.7
2 Monroe	749,857	79	0.11	21,317	28.4
3 Onondaga	468,196	48	0.10	12,957	27.7
4 Westchester	972,634	119	0.12	12,104	12.4
5 Albany	308,171	37	0.12	9,019	29.3
6 Orange	376,099	43	0.11	7,781	20.7
7 Richmond	473,279	46	0.10	6,865	14.5
8 Niagara	213,525	23	0.11	6,219	29.1
9 Oneida	232,871	23	0.10	5,747	24.7
10 Dutchess	296,579	25	0.08	4,722	15.9
11 Rockland	323,866	31	0.10	3,710	11.5

Part I Crimes Per ADA

County	*2014 Est. Population	# OF ADA's		Part I Crime	
		Current	Per Part I	**2014	Per 1000
1 Erie	922,835	89	318.5	28,348	30.7
2 Oneida	232,871	21	273.7	5,747	24.7
3 Niagara	213,525	23	270.4	6,219	29.1
4 Onondaga	468,196	48	269.9	12,957	27.7
5 Monroe	749,857	79	269.8	21,317	28.4
6 Albany	308,171	37	243.8	9,019	29.3
7 Dutchess	296,579	24	196.8	4,722	15.9
8 Orange	376,099	43	181.0	7,781	20.7
9 Richmond	473,279	46	149.2	6,865	14.5
10 Rockland	323,866	31	119.7	3,710	11.5
11 Westchester	972,634	119	101.7	12,104	12.4

Workload Comparisons

- Onondaga County Ranks 3rd Highest Out of 11 similar upstate in the Number of **Part I Crimes**
- Our ADA to **Part I Crimes** Ratio Ranks 4th Out of those same 11 Counties

Comparative Crime Rates Downstate & Upstate

	2014		
	*Population	**Part I Crime	Crime Rate Per 1000
New York City	8,493,093	185,191	21.8
Non-New York City	11,253,134	223,084	19.8
NY State	19,746,227	408,275	20.7
11 Counties	5,337,912	118,789	22.3
Onondaga	468,196	12,957	27.7

- Crime rates between downstate and upstate unacceptable

Consider this Perspective in Summary...

Onondaga County's crime rate:

- **34% higher** than the NYS average
- **27% higher** than the NYC average
- **24% higher** than the 11 County average...

Yet we rank 4th out of the 11 largest counties outside of NYC in ADAs per capita Part 1 Crime

Current Trends

We have progressive & aggressive approach to adapt to changing trends

Homicides are Increasing

- Gun Homicides are up 37% over same period last year (Jan-Aug) from 8 to 11
- All Homicides are up 67% over same period last year (Jan-Aug) from 11 to 18
- SPD homicide solve rate hovers around 40%

Gun Violence

- Since 2001 There Have Been Over **4,042** Shooting Incidents in the City of Syracuse

1,324 Persons Have Been Shot

1,165 Persons Survived

159 Homicides

- The District Attorney's Office Has Prosecuted Every Case Where an Arrest Was Made

- Majority of homicides in City of Syracuse – SPD solve rate lowest in 24 year DA history

Year-to-Date 2015 Gun Prosecutions

- City CPW Arrests = 163
- County = 20
- Total CPW cases this year: 183
- Cases Referred to Feds = 43
- Federal Adopted Cases = 0
- Federal Adoptions in 2014=0

Witness Intimidation

- Witness intimidation is rampant, critically impacting witness cooperation and our ability to successfully prosecute violent criminals
- Funds for witness protection and/or witness relocation are non-existent in our budget
- New York Prosecutors Research Institute(NYPTI) offers some witness relocation money but it is extremely limited

- All cases prosecuted – very stringent plea-bargaining policy
- Witness intimidation number one law enforcement problem – not asking for anything in current budget – need some funds for witness protection; referenced 2014 Resto case – witnesses killed in Puerto Rico and NYC

Need for Translation Services and Interpreters

- We continue to see a fast growing population of non-English speaking witnesses, victims and defendants which is fueling a dramatic increase in translation services

Continued Spikes in Heroin, Synthetic Drugs and Prescription Drug Abuse

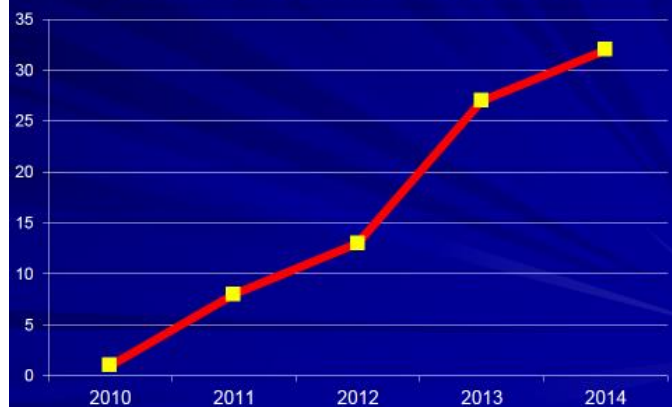
- SNADD program, 7 collection points throughout County for sharps, needles and drugs
- Increase in Crystal Meth Lab Seizures
1992 – 2012: 1 seizure in 11 **years**,
2014 – 2015: 6 seizures
in only 18 **months**

- Drug abuse is a national disgrace – need assistance of state and federal governments, need doctors to stop prescribing large number of oxycodone when other medications could easily treat the problem; crystal meth disturbing trend - crime increases geometrically once meth operators make a foothold in a community

Drug Overdose Police Calls Up 230%



Heroin OD Deaths 2010-14



Synthetic Marijuana Overdoses



Onondaga Drug Dependency

According to the Upstate NY Poison Center, Onondaga County has the highest rate in the state of babies born with some form of drug dependency - about 26 in every 1,000 births.

That's three times higher than the statewide average of 6.9 per 1,000 births.

- SPD and DA office's recently collaborating – agreed to charge sellers with reckless endangerment, a misdemeanor

Staying Ahead of Tech Savvy Criminals

- Use of computers, smart phones and the internet to commit and facilitate crimes including financial crimes, identity theft and child pornography
- The emergence of social media and smart phones as an avenue for evidence
- Requires constant training and new equipment

Increase in Appellate Workload

- 63 cases briefed and argued and decided by Appellate Division (10% increase over 2013-2014)
- 172 post verdict motions
- Dramatic increase in 440 motions and hearings challenging convictions years after sentence
- 6 Cases argued and decided by the Court of Appeals which decided important questions of law

- Need federal government's assistance - major smartphone companies allowed to manufacture and sell encrypted phones, law enforcement unable to listen
- Unacceptable and astonishing government lapse – will be addressing both as a member of the NYS DA's Association and as president of the National DA's Association
- Retrying conviction from 22 years ago, 3 time indicted forensic pathologist opined time of death may have been off by 10-12 hours

Rapidly Changing Landscape of Appellate Work

- Steady increase in standard appeals (10% increase per year for the last several years)
- Additionally, post verdict motions and motions filed by incarcerated defendants filing "wrongful conviction" claims is dramatically rising every year
- More sophisticated and complex legal issues continue to be raised and entertained by all levels of state and federal courts
- Legal Aide has increased number of appellate attorneys and aggressively pursue appeals

Legal Research Coordinator

- Need for appellate support and advanced legal research and technical assistance during trial to address complex legal issues
- Prevent legal error that could later reverse case on appeal, ultimately saving money and preserving justice by avoiding costly re-trials
- More DA's Offices around the state are creating similar positions for these reasons

Proactive Programs, Policies and Procedures that Effect Enhanced Performance and Success

Sex Crime Prosecutions

- 1992 – Creation of the DA's Office Special Victims Bureau
- 1996 – Creation of the Abused Person's Unit of Sheriff and Syracuse Police
- 2011– McMahon/Ryan Child Advocacy Center
- Since August 2013 - a prosecutor has been co-located at the CAC as an integral part of the multi-disciplinary team

- Sex crime highest recidivism; advocacy center model for NYS

Internet Crimes Against Children

Task Force Created in 2008:

- 14 Police officers from OCSO, NYSP, SPD
- Specialized ICAC Training
- Executed 116 Search warrants Leading to 81 Arrests and Felony Prosecutions for Possession and Distribution of Child Pornography
- 23 Enticement & Traveler Cases (up over 50% from last year)

R.I.S.K. PROGRAM (Real-life Internet Safety for Kids)

Since it's Inception in 2007:

- Over 100 Presentations in Onondaga County
 - School Parent Groups, Schools and Organizations
 - Over 20,000 Kids, Parents & Teachers (up 20% from last year)
- Conducted Numerous Professional Trainings For Police Officers, Advocates & Counselors Who Work with Children

- Task force present at NYS Fair had concern for human trafficking - 30 cases range from prostitution, promoting prostitution, enticement and traveling; would have had many more but shut down early due to issues with officers safety
- No additional funds for RISK program – volunteer time; legislators can reach out to DA's office if they would like the program presented to a middle or high school in their district

CYBER JUSTICE DIVERSION PROGRAM

- Collaborative Effort Between DA's Office, Police Agencies, Educators and Parents
- Two Hour "Scared Straight" educational and disciplinary diversion program for teens and youths who have been caught sexting or cyber-bullying
- 29 Classes held since 2011
- 130 Teens have been referred since program inception

"COLD CASE" TASK FORCE

- Since 2002, we have worked together with the Crime Lab and the police to solve old, unsolved crimes at no extra cost to the taxpayers
- Reviewing 110 Cases Dating Back to 1966
- **40 Cases Closed**, 12 by Arrest, Indictment or Conviction

- Diversion program successful – many teen don't realize they are committing a crime; program started 4 years ago

PEOPLE vs. RONALD MEADOW

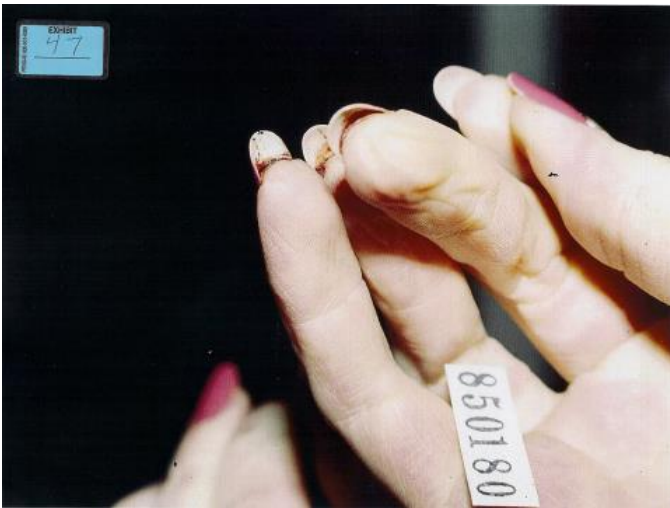
Murder in the Second Degree
1985 Cold Case



- One of the last cases worked as Assistant DA – Colleen Meadow was hogtied and left to die in her own apartment



- Estranged husband prime suspect; began intensive reexamination of case along with SPD Derek McGork several years ago
- Onondaga County crime lab best in the state - identified Ron Meadow's fingerprints on box under deceased feet



- Nails bent backwards key evidence, likely scraped DNA from attacker while resisting – crime lab ran Y-STR analysis of DNA under fingernails, able to distinguish male DNA via new technology

Comparison Table from Report

Item # and Description	Haplotype															
	DYS456	DYS389I	DYS390	DYS389II	DYS458	DYS19	DYS385 a/b	DYS393	DYS391	DYS439	DYS635	DYS392	Y-GATA H4	DYS437	DYS438	DYS448
2-1A Left Hand Clippings ♦	14	13	25	30	14	16	11,14	13	10	10	23	NA	12	14	11	NA
31 R. Meadow	14	13	25	30	14	16	11,14	13	10	10	23	11	12	14	11	20

NA – No activity detected

♦This profile was generated for the report for Lab #02-3437 report #5 dated 11/19/13.

- 4,000 to 1 likelihood Ron Meadow attacked and strangled Colleen Meadow - now in state prison

USING DNA

- Coordination of CODIS Hits
- DNA Collection
- Using DNA Technology in New Ways to Enhance the Proof in Our Cases
- DNA Database Expansion and Advocacy for DNA on Arrest

CODIS

- Combined DNA Index System (CODIS) assists in identifying suspects by comparing DNA evidence collected at crime scenes with DNA samples from known offenders
- Successful prosecutions can be built around CODIS "hits" placing a defendant at the scene of a crime
- FBI population data base correction

- Pioneer of DNA use – advocates for and thinks DNA will eventually be taken at arrest

Newest Examples of Innovation

- Assigned Senior ADA's to Police POP (Problem Oriented Policing) Areas In Crime-Ridden Neighborhoods
- County-wide School Resource Officer(SRO)program coordinated by DA's Office; recently updated reporting protocols to ensure safe schools
- TIP 411 – County-wide Coordination of All Anonymous Tips Received By Police
- Project L.E.A.D.

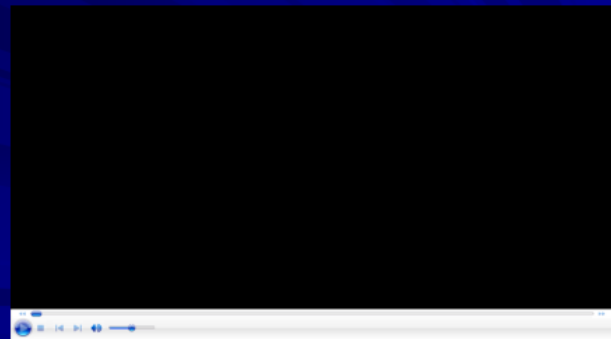
Technology Update

1. In the process of upgrading PCMS (Prosecutors Case Management System provided by NYPTI at no cost to taxpayers) **County Savings: \$1 million**
2. Most recent upgrade of courtroom presentation technology has been completed in 2014-15
3. We continue to evaluate new technology to assist us in detecting crime and presenting our cases in the courtroom

- City of Syracuse considering elimination of SRO's – backward thinking, SRO's provide calming influence and intelligence
- Continually updated and trained on PCMS

PEOPLE vs. DR. ROBERT NEULANDER Murder 2nd Degree

Neulander Animations



- Over 1 year ago explained case would be difficult to try – facing defendant with unlimited budget, came into court with expert witnesses and animations
- One example of counterevidence - 3d animation of victim's nightstand, shows blood splatter landing on 2 water bottles

Neulander Animations



CRIME ANALYSIS CENTER

- Mission: To Reduce Crime in Onondaga County by Providing Crime Analysis to Promote and Direct the Most Efficient Use of Police Resources
- 14 State Funded Positions as of Nov. 1st
- NYS Continues to Invest Millions in the Onondaga CAC for Personnel, Equipment & Software.
- One of Five Sites In Upstate NY
- Network Interface With All Five Sites to Enhance Intelligence and Analysis and soon to be connected to the northern border

- Defense provided animation of how Mrs. Neulander fell in the shower, countered with demonstration showing defense theory was impossible

Focus Crimes & Offenders

- Violent Felonies
 - ✓ In concert with the Syracuse PD and other law enforcement agencies, the DA's Office coordinates the investigation and prosecution of the most dangerous offenders in the County.
 - CORE List
 - Gang List
 - Bi-annual DCJS Chronic Offenders List

Re-Entry Program

- Reduce Crime by Reducing Recidivism.
- NYS DCJS Belief in the Effectiveness of the DA's Office
- Total Awards of \$2,285,658
- State funding For 2015-16 is \$270,240
- Program Successfully Restructured to Enhance Existing County Resources to Reduce Crime

- CORE list – repeat offenders prosecuted with full resources of the office
- Hundreds of parolee's return to CNY each month, until recently there was no coordinated effort for re-entry – determines problem, e.g., job training, substance abuse, mental disease

Veteran's Diversion Program

- Program created and designed to address the needs of military veterans who have served our country in combat or combat –related support
- Address issues like Post Traumatic Stress Disorder or combat related injuries that may have resulted in criminal behavior and arrest while ensuring public safety
- Since its inception in 2011:
 - ✓ 100 cases
 - ✓ Trained all T&V Judges and the local bar association

INVESTIGATIONS BUREAU

2014

- Provided witness protection
- Over 8,100 Subpoenas Served in 2014

2015 (as of 9/1/15)

- 4,800 Subpoenas Served Already

- NY Times erroneous story suggested returning veterans more likely to be involved in crimes of domestic violence and homicide – prosecutors put stats side by side to general population comparable and the veterans were less likely to

offend; some problems are unique to veteran's, program allows respect for service given and avoids criminal conviction

- Continually reminds people DA's office has a police department, a group of dedicated police officers with over 350 years of felony investigation experience - serve subpoenas, do investigations and initiate own cases at times

INVESTIGATIONS BUREAU

Drug Interdiction and Response Team(DIRT)

- Most prolific use of wiretaps outside NYC metropolitan area in long term investigations
- Almost 200 arrests, seized 45 lbs of cocaine and heroin, over 100 lbs of marijuana and hundreds of pounds of synthetic marijuana.
- Much heroin coming into Onondaga from NYC and Northern New Jersey.
- Partner in HIDTA (*High Intensity Drug Trafficking Area*)
- ✓ \$75,000 of federal money targeted for Onondaga County each year for a drug intelligence officer and operational budget

CRIMES AGAINST REVENUE PROGRAM

Since 2007:

- 575 cases and uncovered over **\$6.7 million** in Fraud and Theft, almost half, **\$3.2 million**, was in Government Fraud
- Onondaga County over **\$2 million** in welfare fraud
- Recovered **\$635,198** for NYS taxpayers
- In 2014 -15 County taxpayers will save **\$4.4 million** in welfare disqualifications

- Continually work with state and federal government partners to increase ability to identify and convict major drug traffickers
- Program pays for itself - receive state grant

SOCIAL SERVICES FRAUD

For 2015 (Through 09/08/15):

- 360 Welfare Recipients Disqualified From Receiving Further Benefits
- 24 criminal prosecutions for Welfare Fraud representing \$262,567 in alleged theft
- **TOTAL TARGETED FUNDS TO RECOUP OR RECOVER: \$1,109,682**
- Total YR 2014 "**COST AVOIDANCE**": **Approximately \$1.8 million**

Factors That Don't Show Up on Any Budget Line

1. Leadership
2. Saving Local Tax Dollars & Infusing Grant Money into County
3. Necessary Costs Controlled by External Forces
4. Duties & Responsibilities
5. Obligations & Mandates

- Another program that pays for itself

LEADERSHIP

- Continued Leadership Has Been Critical to Increase and Maintain Collaboration & Coordination with Federal, State & Local Law Enforcement
- On their own time, DWI ADA's give a dozen presentations a year to student groups regarding drunk driving.
- Increased Collaboration = Increased Efficiency and Increased Success in Reducing Crime
- Reduction in Crime = Safer Community

Saving Local Tax Dollars

Total Grant Money Infused into Onondaga County in last 11 years:

\$18.5 Million !!

- State \$16,595,885
- Federal \$1,866,203
- Innovative & Proactive Programs and Initiatives to Reduce Crime
 - ✓ Crimes Against Revenue Project
 - ✓ Re-Entry Task Force
 - ✓ Victim Assistance Program
 - ✓ Gun Involved Violence Elimination (GIVE)
 - ✓ NYPTI Witness Protection Program

2015 GIVE PROGRAM

(Formerly known as Operation IMPACT)

- The State has replaced Operation IMPACT with the Gun Involved Violence Elimination Project (GIVE).
- Same Collaboration between City, County, State and federal law enforcement with the mission of eliminating gun violence through cooperative, multi-jurisdictional strategies.
- **2015 Give Awards** (includes OCDA, OCSO, OCPD. & Syracuse PD):

TOTAL 2015 GIVE Award:	\$1,150,520
COUNTY Awards:	\$728,020
DA's Office Awards:	\$368,773

But....we experience many costs necessary to the function of our office that are controlled by external forces.

- GIVE program coordinated by DA's office – Rick Trunfio leads the meetings

- Expert witness fees
- Specialized forensic testing
- Transcript costs and increase in court reporter fees
- Printing & binding costs
- Court mandates
- Witness travel & lodging
- Witness Protection
- Translation Fees
- Costs for duplicating recordings

Legislative & Office of Court Administration Created Mandates

- Drug Law Reform Act
- Justice Task Force/Innocence Project constant source of legislative change
- OCA Continues to create and maintain numerous and new "Boutique Courts" that **requires staffing with ADAs**
 1. Integrated Domestic Violence Court
 2. Domestic Violence Court
 3. Drug Court
 4. Adolescent Diversion Part
 5. Community Court
 6. Human Trafficking Court
 7. New Part 9 in Syracuse City Court

- Many unfunded mandates; need for specialized forensics testing lessened, required to provide multiple copies of police records to defense

¹Chairman McMahon arrived at the meeting.

- All of these things are required and come without funds for an additional ADA

Hurrell-Harring Settlement

- NYCLU Lawsuit against 5 upstate counties, including Onondaga claiming assigned counsel program provides sub-standard and in some cases, ineffective assistance of counsel
- AG settled case on behalf of NYS and this county
- Settlement agreement requires a plan to ensure criminal defendants have representation at all lower court arraignments
- Settlement agreement also requires DA to be present at these justice court arraignments or defendant can be released

Additional Duties of an ADA (Without Compensation!!)

- On-Call Duty
- Neighborhood Watch liasion
- Town & Village Night Court Coverage

- Bogus lawsuit - ultimate objective was to create a statewide public assistance program in NYS, designed to correct a nonexistent problem; no state funding for ADA mandated presence
- Multiple ADA's on call, respond to every felony scene

Justice Courts

- ADA Staffing After Hours With No Additional Compensation for Time or Mileage
- V&T Dispositions Facilitate Money to Towns and Villages
- Taking ADAs Out of Justice Courts Would Force PD's to Prosecute V&T Cases, Dramatically Increasing Overtime Costs for OCSO and T & V Police Agencies

In my 24 year tenure the citizens of this county have received an extraordinarily high level of performance by a nationally respected District Attorney's Office...

- Justice Courts are revenue producers – staffed by ADA's

I welcome my obligation to pursue justice and public safety and I am very proud that in carrying out my duties as the chief law enforcement officer of Onondaga County, I continue to be fiscally responsible to the taxpayers.

Thank You

- Cherish relationship – more than an equal branch of government, very responsive to his needs; goals are the same – make Onondaga County one of the safest counties in the nation

Chairman McMahon:

- Apologized for being late
- Thanked DA for the job done, fiscal management, and leadership with NDAA
- Great partnership past 24 months dealing with budgetary items - looks forward to continuing

Mr. Fitzpatrick:

- Appreciates the comments
- Thanked Mr. Morgan – great partner in this

Mr. May:

- Questioned where GIVE revenue was located

Mr. Trunfio:

- In salaries - 3 ADA's assigned for gun cases

Mr. May:

- Questioned if the funds were under the grant side

Mr. Trunfio:

- Yes

Mr. May:

- Question how GIVE program was going – any comments appreciated

Mr. Trunfio:

- Going well in terms of coordination - amazing to see federal, state and local level executives at the same table reviewing empirical data; focus efforts on troublesome problems, neighborhoods and mostly gangs
- From Give came TRUCE – focused deterrents for gangs
- 2-year assessment completed - law enforcement profession tends to self-criticize, questioned if they could do better
- Problem multifaceted, put gang members in prison, then have even more restless 15/16 year-old wannabes - it is a struggle
- Poverty and lack of education driving force

Mr. Fitzpatrick:

- Often hears cliché war on drugs is a failure – does not agree and doesn't use the expression
- Never waged war on drug addicts – 2nd county in NYS to have treatment program
- Need to question war on poverty – money spent on one verses the other is 100 to 1; resultant failures end up in criminal justice system
- Need programs now for next generation – LEAD program will have direct impact on the problem; will be back to discuss further, won't ask for more money, will be asking large donors to contribute

Mr. May:

- Referenced synthetic drug problem - questioned if the legislature was doing the right things to help attack the problem

Mr. Fitzpatrick:

- Yes – Mr. Weiss chairs prescription drug taskforce, doesn't involve synthetic marijuana but the issue are related
- Substance made illegal, China then tweaks chemical formula, need someone in Albany to say this is illegal covering a full range of stuff
- In May, Chief Fowler and DA Fitzpatrick sent a letter to every store owner in Syracuse advising them that sales of the product was the same as selling poison – currently have one prosecution; continually sending letters on regular basis
- Decrease in poison control calls for overdoses on synthetic marijuana from May to present – still out of control

Chair Knapp:

- Legislature passed local law regarding bath salts and synthetic marijuana - now up to the state

Mr. Fitzpatrick:

- Agreed – now up to state and federal
- Department of Justice very cooperative
- Criticized US Congress for China's favored nation status – the country exports poison and US does nothing about it; President of China visiting – doubts this will be on the agenda, would be on his agenda; if US was sending to China, first person caught would be beheaded – should modify trade status

Mr. May:

- Reinstated funding for CNY police chiefs last year
- Funds parked in DA budget - don't see them for 2016

Mr. Weiss:

- Was in Stop DWI budget

Mr. May:

- Likely find a way to work funds back in – good program that went by the wayside, providing cooperative purchasing and training
- Legislature previously provided scalable amount – last year requested \$10,000 per year
- Predictability is a good thing

Mr. Weiss:

- Not currently in the budget

Mr. Ryan:

- Asked for elaboration on problem oriented policing (POP)

Mr. Fitzpatrick:

- Relationship with chief of police not good, hadn't effected public safety over past 5 years, now starting to
- Over 1 year ago, suggested sitting down with SPD's best detectives and 3 GIVE ADA's to highlight problem areas of the city on a map – idea rejected in writing
- After pressure, recognizes it as a proper way to attack criminal and gang activity – trying to identify hotspots, saturate area with police and use legal law enforcement methods to make best case
- Heartbreaking to see neighborhoods taken away; Iris Resto took away huge hunk of Northside, put her away through combined efforts of law enforcement and the DA office – what POP is designed for

Mr. Ryan:

- Glad to hear there is collaboration
- Some neighborhoods in his district only want to talk about drug issues at neighborhood meetings – call him at home to say they are watching people shoot heroin

Mr. Fitzpatrick responded to Mr. Ryan off the record.

Mr. Ryan:

- Innovation and willingness to partner is great
- Many complaints from "Skunk City", area behind Sacred Heart Church terrible – near Westside also
- Dealers back on the streets the day after arrest – understands this is the judicial branch

Mr. Fitzpatrick:

- Sometimes minor offense, under law judges have no choice
- Wishes the Chief would listen to him, talked to him about deployment, quality of life crimes and what they mean - people are making 8 hours overtime for 15 minutes work, questions if this is proper deployment of resources
- All ears for any legislator with a pipeline to city hall – will sit down and discuss making community safer with anyone; can't deploy officers for him how to build cases - solve rate less than 40% disgraceful
- ADA's used to be embedded in cases – now lucky to get a phone call; Chief would have a different prospective
- Do what they can - POP primarily designed to work with organized crime

Mrs. Ervin:

- Commended DA on his record
- Questioned duties of the legal research coordinator position being created

Mr. Fitzpatrick:

- Person already on staff - works with him in real-time
- Worked on Neulander trial - new issue daily, also Ron Meadow trial, currently working on another murder trial being put together
- Provided legal resource needed ASAP

Mrs. Ervin:

- Thanked DA for work being done

Off the record discussion continued in answer to Mr. Jordan.

Mr. Jordan:

- Questioned \$12,000 increase in travel and training

Mr. Weiss:

- Normal expenses - prices increased, bringing in more professional witnesses from across the country

Mr. Jordan:

- Questioned \$69,000 increase in professional services to grants budget

Mr. Weiss:

- Through GIVE program

Chair Knapp:

- Questioned \$25,000 increase to supplies for preventive maintenance

Mr. Weiss:

- General – new copiers, dealing with cellphones and new technology

Chair Knapp:

- Questioned how they looked for rest of 2015

Mr. Weiss:

- Pretty good

Chair Knapp:

- Professional services and all other expense lines significantly decreased - questioned comfortable sustaining decrease

Mr. Weiss:

- Yes – much was due to increases in their budget for 2 trials

Chair Knapp:

- Questioned how they handled the influx of refugees and if there was enough for all the different languages

Mr. Trunfio:

- Huge problem – must communicate with witness to get their story, use court certified interpreter for grand jury, at trial defense lawyer wants their own interpreter
- Problematic when listening to wiretap recordings – must be interpreted by certified person
- Issue not going away

Chair Knapp:

- Agreed - going to become more complex

Chair Knapp:

- Questioned type of penetration provided to schools regarding RISK and Cyber Justice Diversion program – were schools letting them in the door

Mr. Fitzpatrick:

- Yes – response very good
- Can see kids deleting information – not realizing it was a felony crime

Mr. Trunfio:

- Hit each school district at least once

Chair Knapp:

- Congratulated DA on how the office was represented – recent opportunity for jury duty, witnessed ADA who was incredibly professional, totally prepared and exuded confidence
- Congratulations on NDAA – anytime Onondaga County can be in the limelight and have national input was a great thing

Mr. Fitzpatrick:

- Appreciates that – brags about this county, do things right for the most part
- Meeting with Attorney General Loretta Lynch in 2 weeks, will be mentioning the county and what they do here

The meeting adjourned at 4:05 p.m.

Respectfully submitted,

KATHERINE M. FRENCH, Deputy Clerk
Onondaga County Legislature