

Public Safety Committee
Warren County Office of Emergency Services
AGENDA
February 24, 2020

Committee Members: LEGGETT, Simpson, Braymer, Diamond, Driscoll, Seeber and Shepler

- I. Committee meeting called to order by Chairman
- II. Motion to approve minutes of prior committee meeting
- III. Action Agenda/New Business
 1. **Request:** Resolution request to approve revisions to the Warren County Comprehensive Emergency Management Plan (CEMP).
Rationale: This document is the over-arching plan for all response plans within Warren County and is updated annually.
- IV. Referral/Pending Items
- V. Information for Discussion/Review
 1. Committee review of the First Responder's Bill proposed by Assemblyman Stec.
- VI. Privilege of the Floor to discuss any additional items to come before the Committee
- VII. Motion to adjourn

Attachments
#1 Miscellaneous

RESOLUTION REQUEST FORM NO. 20

MISCELLANEOUS

**Please List All Other Requests Not Covered by Previous Resolution Request Forms Here.
Please attach any backup information available and be as detailed as possible.*

DEPARTMENT NAME: Office of Emergency Services

DATE: February 24, 2020

(a) Purpose of Request: To approve revisions to the Warren County Comprehensive Emergency Management Plan.

(b) Details:

(c) Previous Resolution Number: 777 of 2003, 129 of 2014, 120 of 2015, 107 of 2016, 94 of 2017, 110 of 2018 and 109 of 2019

(d) Where are the Funds (if required)? List Budget Code, Object Code, Full Title* and Amount:

Sample: A.8021 470 Planning & Community Development – Contract

* as listed in budget and LOGOS

STATE OF NEW YORK

9107

IN ASSEMBLY

January 21, 2020

Introduced by M. of A. STEC, WALSH -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to ensuring privacy protections for all emergency personnel present at a crime scene

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Paragraph (c) of subdivision 1 of section 245.20 of the
2 criminal procedure law, as added by section 2 of part LLL of chapter 59
3 of the laws of 2019, is amended to read as follows:
4 (c) The names and adequate contact information for all persons other
5 than law enforcement personnel, ambulance services or advanced life
6 support first response services, certified first responders, firefight-
7 ers, emergency medical technicians or advanced emergency medical techni-
8 cians, who are employed by or enrolled members of any such service, whom
9 the prosecutor knows to have evidence or information relevant to any
10 offense charged or to any potential defense thereto, including a desig-
11 nation by the prosecutor as to which of those persons may be called as
12 witnesses. Nothing in this paragraph shall require the disclosure of
13 physical addresses; provided, however, upon a motion and good cause
14 shown the court may direct the disclosure of a physical address. Infor-
15 mation under this subdivision relating to a confidential informant may
16 be withheld, and redacted from discovery materials, without need for a
17 motion pursuant to section 245.70 of this article; but the prosecution
18 shall notify the defendant in writing that such information has not been
19 disclosed, unless the court rules otherwise for good cause shown.
- 20 § 2. Subdivision 4 of section 245.70 of the criminal procedure law, as
21 added by section 2 of part LLL of chapter 59 of the laws of 2019, is
22 amended to read as follows:
23 4. Showing of good cause. In determining good cause under this section
24 the court may consider: constitutional rights or limitations; danger to
25 the integrity of physical evidence or the safety of a witness; risk of
26 intimidation, economic reprisal, bribery, harassment or unjustified
27 annoyance or embarrassment to any person, and the nature, severity and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [] is old law to be omitted.

LBD14752-01-0

1 likelihood of that risk; a risk of an adverse effect upon the legitimate
2 needs of law enforcement, ambulance services or advanced life support
3 first response services, certified first responders, firefighters, emer-
4 gency medical technicians or advanced emergency medical technicians, who
5 are employed by or enrolled members of any such service, including the
6 protection of the confidentiality of informants, and the nature, severi-
7 ty and likelihood of that risk; the nature and circumstances of the
8 factual allegations in the case; whether the defendant has a history of
9 witness intimidation or tampering and the nature of that history; the
10 nature of the stated reasons in support of a protective order; the
11 nature of the witness identifying information that is sought to be
12 addressed by a protective order, including the option of employing
13 adequate alternative contact information; danger to any person stemming
14 from factors such as a defendant's substantiated affiliation with a
15 criminal enterprise as defined in subdivision three of section 460.10 of
16 the penal law; and other similar factors found to outweigh the useful-
17 ness of the discovery.

18 § 3. This act shall take effect on the ninetieth day after it shall
19 have become a law.



Subject: Fwd: For IMMEDIATE Release: January 16, 2020 TEDISCO, STEC & WALSH CALL FOR NEW BILL TO PROTECT FIRST RESPONDERS FROM BEING TARGETED BY CRIMINALS UNDER CONTROVERSIAL BAIL/DISCOVERY LAW

From: Deb Capezzuti <capezzutid@nyassembly.gov>

Date: 2/19/2020, 9:56 AM

To: Deb Capezzuti <capezzutid@nyassembly.gov>

----- Forwarded Message -----

Subject: For IMMEDIATE Release: January 16, 2020 TEDISCO, STEC & WALSH CALL FOR NEW BILL TO PROTECT FIRST RESPONDERS FROM BEING TARGETED BY CRIMINALS UNDER CONTROVERSIAL BAIL/DISCOVERY LAW

Date: Thu, 16 Jan 2020 12:08:31 -0500

From: Michael Barse <barse4456@gmail.com>

For IMMEDIATE Release: January 16, 2020

Contact: Michael Barse, 518-455-5053

TEDISCO, STEC & WALSH CALL FOR NEW BILL TO PROTECT FIRST RESPONDERS FROM BEING TARGETED BY CRIMINALS UNDER CONTROVERSIAL BAIL/DISCOVERY LAW

As the controversial bail and discovery reform law continues to see a revolving door of individuals charged with violent crimes being released back out into the community, Sen. Jim Tedisco (R,C,I,Ref-Glenville), Assemblyman Dan Stec (R,C,I-Queensbury) and Assemblywoman Mary Beth Walsh (R,C,I-Ballston) today introduced new legislation to protect the privacy of emergency first responders and their families from retaliation and becoming crime victims under the discovery portion of the law.

The ill-conceived discovery reform law, which was passed in the dark of the night in the state budget without holding public hearings and getting input from all stakeholders, overhauled the discovery process to require an expedited timeline to provide police reports, radio transmissions, body-worn and dash-cam video and witness names and contact information related to the prosecution of a crime to defendants within 15 days of arraignment.

Current law protects law enforcement personnel from the disclosure of name and contact information in this process to safeguard them and their families from threats and intimidation. However, the same protection was not extended to emergency first responders such as firefighters and EMS workers, who are often the first ones to provide life-saving services at emergency crime scenes.

Tedisco, Stec and Walsh's legislation (^{A. 9107} S.7280) would protect the privacy of all emergency first responders from having their personal information shared during discovery.

“Several first responder groups have contacted me with their concerns about this terrible new bail and discovery reform law and the impact it will have on their ability to recruit and retain personnel,” said Tedisco, who is also sponsoring legislation for a full repeal of the bail and discovery reform law (S.6849/A.8855) and to give judges greater discretion on bail (S.6861/A.9047). “Violent criminals and vicious gangs like MS-13 are known to not only intimidate witnesses but also to murder them and their loved ones. Our emergency first responders are always there to treat anyone in need of care, no matter whether they’ve committed a crime or not. These first responders are already challenged in their ability to recruit new members and this discovery law just makes it more difficult for them because our community heroes want to help people and save lives – not see themselves as the victims.”

“Our first emergency first responders are prepared to put their own lives on the line but they never bargained for the possibility that their families could become targets. We can’t allow open season on our heroic emergency service personnel and see them victimized by predators who will take advantage of this new discovery reform law to threaten their lives and their family’s well-being,” said Tedisco.

“We’re barely two weeks into 2020, and it’s clear the so-called bail ‘reform’ is a disaster that leaves law enforcement and first responders more vulnerable than ever,” said Stec. “We need to take action immediately. That’s why I’m proud to sponsor a bill that protects these heroes of our communities from dangerous criminals, who, thanks to the new laws, now have access to their personal information. The men and women who put their lives on the line for our well-being deserve the maximum amount of protection the law can provide. This legislation goes a long way toward accomplishing exactly that.”

“It is hard enough to recruit volunteer firefighters, EMS workers and other first responders as it is, and who would want to expose themselves or their family members to possible contact with criminal defendants,” said Walsh. “Like law enforcement officers, firefighters and EMS workers who are simply doing their jobs deserve anonymity from this type of potential scrutiny or risk, and I am proud to co-sponsor legislation with Sen. Jim Tedisco and Assemblyman Dan Stec that would ensure the protections they deserve.”

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—Attachments:—

Stec,Tedisco, Walsh Joint Release.docx

983 KB