

CRIMINAL JUSTICE MEETING
PROBATION AGENDA
1/31/11

- I. Committee Meeting called to Order by Chairman
- II. Motion to approve minutes prior to Committee Meetings
- III. Action Agenda
 - **Request** – Resolution Request to extend contract with NYS Office of Probation and Correctional Alternatives for Probation Eligible Funding for 1/1/11 – 12/31/11 in the amount of \$21,319.
Rational – Funding Source for Probation that is utilized for our involvement with felony Treatment Court.
 - **Request** – Resolution Request to extend contract with Community Action in the amount of \$27,000 as well as approximately \$6,000 in State Funding for 1/1/11 to 12/31/11.
Rational - This funding is used to support the Alternative Sentencing Program (Community Service) that is used by the Criminal Courts.
 - **Request** – Resolution Request to extend MOU with DSS in the amount of \$60, 000 for 1/1/11 – 12/31/11.
Rational – Funding is for Preventative Services that funds one Juvenile Probation Officer.
 - **Request** – Resolution Request seeking permission for Robert F. Iusi, Jr. to Attend American Probation and Parole Conference (APPA) 2/27/11 to 3/2/11 in Orlando, FL. Paid for by NYS Council of Probation Administrators (COPA). No Cost to the County.
Rational – Robert Iusi is President of NYS COPA. President of Association generally attends National APPA Conference.
- IV. OLD BUSINESS

Update on costs associated with the Ignition Interlock Plan and report of terms associated with the Federal Grant.
- V. TOPICS TO BE REPORTED ON/DISCUSSIONS/UPDATE

Mandate Relief.

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RESOLUTION REQUEST FORM NO. 4

Request for Extending, Rescinding or Amending Existing Contract

DEPARTMENT NAME: Probation

DATE: 1/31/11

- (a) Purpose of Contract Change: To extend contract with NYS Office of Probation and Correctional Alternatives for Probation Eligible Funding
- (b) Resolution Number, or Numbers if Amended, which Authorized the Original Contract: 772 of 2009
- (c) Name of Contractor: NYS Division of Criminal Justice Services Office of Probation and Correctional Alternatives
- (d) Address of Contractor: 4 Tower Place, Albany, NY
- (e) Contractor's Contact Person and Telephone Number: Linda Valenti, 485-7392
- (f) Commencement Date of Extension: 1/1/11
- (g) Termination Date of Extension: 12/31/11
- (h) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed \$21,319
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (i) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR** Capital Project **OR** Capital Reserve Project Number, and Title, and Amount: A.3144 Probation - Day Reporting - Estimated Revenue \$20,000

Sample: A.1010 470 Legislative Board – Contract \$xx.xx

RESOLUTION REQUEST FORM NO. 4

Request for Extending, Rescinding or Amending Existing Contract

DEPARTMENT NAME: Probation

DATE: 1/31/11

- 0636
- (a) Purpose of Contract Change: To extend contract with Warren-Hamilton Counties ACEO, Inc, to operate the Adult Sentencing Program for Adults in Warren County.
 - (b) Resolution Number, or Numbers if Amended, which Authorized the Original Contract: 69 of 2010
 - (c) Name of Contractor: Warren-Hamilton Counties, Acting Committees for Economic Opportunity, Inc.
 - (d) Address of Contractor: 190 Maple Street, Glens Falls, NY 12801
 - (e) Contractor's Contact Person and Telephone Number: Lynn Ackershoeck, 793-0636
 - (f) Commencement Date of Extension: 1/1/11
 - (g) Termination Date of Extension: 12/31/11
 - (h) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed \$27,000 as well as estimated \$6,000 from NYS DPCA
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
 - (i) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR** Capital Project **OR** Capital Reserve Project Number, and Title, and Amount: A.3140.470 Probation-Contract \$72,066

Warren County Board of Supervisors

RESOLUTION No. 69 OF 2010

Resolution introduced by Supervisors Bentley, Goodspeed, Kenny, VanNess, Strainer, Taylor and McCoy

AUTHORIZING EXTENSION OF AGREEMENT WITH WARREN-HAMILTON COUNTIES ACTION COMMITTEE FOR ECONOMIC OPPORTUNITY, INC. FOR ALTERNATIVE SENTENCING PROGRAM FOR ADULTS OF WARREN COUNTY - PROBATION DEPARTMENT

RESOLVED, that the Chairman of the Board of Supervisors be and hereby is authorized to execute an extension agreement with Warren-Hamilton Counties Action Committee for Economic Opportunity, Inc., for Alternative Sentencing for Adults of Warren County, extending the term from January 1, 2010 through December 31, 2010, in an amount of Twenty-Seven Thousand Dollars (\$27,000) in addition to the estimated amount of Seven Thousand Thirty-Three Dollars (\$7,033) anticipated to be received from the New York State Division of Probation and Correctional Alternatives, in a form approved by the County Attorney.

RESOLUTION REQUEST FORM NO. 4

Request for Extending, Rescinding or Amending Existing Contract

DEPARTMENT NAME: Probation

DATE: 1/28/11

- (a) Purpose of Contract Change: To extend MOU with Warren County Department of Social Services for Preventive Services.
- (b) Resolution Number, or Numbers if Amended, which Authorized the Original Contract: 728 of 2009
- (c) Name of Contractor: Warren County Department of Social Services
- (d) Address of Contractor: Human Services Building
- (e) Contractor's Contact Person and Telephone Number: Sheila Weaver, 761-6309.
- (f) Commencement Date of Extension: 1/1/11
- (g) Termination Date of Extension: 12/31/11
- (h) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed \$60,000
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (i) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR** Capital Project **OR** Capital Reserve Project Number, and Title, and Amount: A.3140.1582; DSS Reimburse Probation PINS, \$60,000

Sample: A.1010 470 Legislative Board – Contract \$xx.xx

Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx

RESOLUTION REQUEST FORM NO. 15

Requesting Approval for Out-of-State Travel*

****If the conference announcement or details are available in writing, please attach.***

DEPARTMENT NAME: Probation

DATE: 1/31/11

- (a) Dates of Travel: 2/27/11 to 3/2/11
- (b) Purpose (include complete name of any conference, school, etc.): American Probation and Parole 2011, Winter Training Institute
- (c) City/Town & State: Orlando, FL
- (d) Employee(s) Traveling (include title(s): Robert F. Iusi, Jr., Director of Probation
- (e) Is County paying the costs or is another Agency? No, NYS Council of Probation Administrators, no cost to the county.
- (f) Mode of Transportation to be Use: Airplane
(County Vehicle or Mass Transportation)

Please note: If County vehicle use is requested, upon resolution approval, please provide Fleet Manager Frank Morehouse with vehicle request form properly completed.

NYSAC Mandate Relief Initiatives Survey

Warren County Probation Department

January 25, 2011

1. Greater State reimbursement for Probation Services in order to adequately fund probation departments and the important services they provide. Warren County supports the full takeover of Probation funding and oversight by the Office of Court Administration, recognizing the important role that County Probation departments play to keep our communities safe.
2. Adequate funding for county entities that are required to monitor the ignition interlock provisions of Leandra's Law. The \$3 million Federal National Highway Traffic Safety Administration (NHTSA) funds provide through the Governor's Traffic Safety Committee (GTSC) to counties to help defray the cost of implementing Leandra's Law and the supervision and monitoring associated with Ignition Interlock Devices (IID's) expires at years end.

3. Fees

Impose an Electronic Enhancements Benefit Fee. Many local probation departments currently provide defendants with the option of utilizing certain state-of-the-art advancements in supervision which facilitate compliance with conditions of probation. These include electronic monitoring, voice recognition check-in systems, kiosks, video alcohol testing and other similar innovations. These innovations provide a benefit to the offender in that they make it more convenient for offenders to comply with their probation requirements. In addition to the convenience factor, these innovations also make it possible for offenders to maintain employment and to be productive citizens.

Utilizing these services is an option which the defendant may choose if the defendant finds that these services are beneficial in assisting him or her in complying with applicable conditions of probation. The provision of these services is costly for local probation departments and counties should be authorized to charge a fee to recoup costs expended to provide these convenience services to the defendant.

Warren County proposes that counties should be *given the option* of charging a monthly fee for the utilization of certain electronic enhancements. An individual monthly fee not to exceed \$10 could be charged for each enhancement which the defendant chooses to utilize, with the exception of electronic monitoring which is a more costly enhancement. For electronic monitoring, counties should be given the option of charging a fee not to exceed the actual cost to the county of providing electronic monitoring.

Impose a Supervision Fee on Sex Offenders and Domestic Violence Offenders. Currently, offenders convicted of driving while intoxicated offenses are charged a probation supervision fee of \$30 per month (Section 257-c of the Executive Law). Warren County proposes authorizing a similar probation supervision fee to be assessed against defendants convicted of sex offenses or offenses relating to domestic violence, thereby allowing local probation departments to recoup some of the costs associated with supervising these defendants. Additional State rules and requirements relating to these defendants make this population among the most costly to supervise. These fees would help offset the additional costs.

4. The closing of State Correctional Facilities and Juvenile Detention Centers should allow for the state to reinvest funds into Community Corrections Program such as Probation Departments and Alternatives to Incarceration Programs.
5. When funding is attached to a new initiative, all counties, regardless of their size, should receive proportionate reimbursement. (i.e. Rockefeller Drug Law Reform)
6. Enact a moratorium on all new legislation that impacts the workload of Probation without 100% funding being attached up front.
7. Probation should have direct access to any Office of Children and Family Services funding streams when Probation is providing the direct service regarding intake, investigation, and supervision of Juveniles. This will eliminate the duplication of services.

8. DNA should be taken at the time of arrest in all criminal cases.
9. Streamline Pre-Sentence Investigation (PSI) report process: eliminate the requirement for PSI when a defendant is to be sentenced to time served, is convicted of a crime that occurred while an inmate in a state correctional facility, and where the sole purpose is to determine Youthful Offender status.
10. Enact legislation for the complete transfer of cases to other states where the defendant is a resident of that state at the time of sentencing.
10. Establish a moratorium on all new policies, guidelines and guidance policy issued by state regulatory agencies.
11. Allow Probation Departments the flexibility to use the Probation Officer Trainees (POT) or Probation Officer (PO) eligible civil service list at their discretion. By doing so, department would have option to hire POT's at a lesser salary.