

Criminal Justice Committee Agenda

1/26/2015 Meeting

Public Defender

1. Notification that Public Defender John Wappett will be retiring from public service on or about June 30, 2015.
2. Steps taken by Office, in conjunction with County Administrator Dusek, to ensure smooth transition for Public Defender's Office.
 - APD Bryan Racino shifted from Family Court duties to focus solely on criminal cases. He now handles the two largest local courts and has conducted some felony trials and hearings. He will be appearing before the Court of Appeals on one of the appeals he is handling.
 - 1st APD Flores has been brought into all policy and administrative matters of this Office, including the interaction with the NYS Office of Indigent Legal Services and with the NYS Defender's Association. She has also been directly involved in the Offices' most recent hiring of a secretary.
 - The Office is in the process of implementing an OILS contract which will fund a part-time Assistant PD to aid in the obligatory appearances for arraignments in local courts.
3. Retirement issue. I have one problem for which I would like to request the Board's assistance. I have 791 hours (113 days) of sick leave to be turned in. The maximum is 140 days, for which I can be paid for one half. I have requested that HR allow me to turn in the remainder (189 hours or 27 days) from the 686 hours of sick leave that were left behind when my appointment as First Assistant DA ended, on January 1, 2002.
 - HR has no precedent for this, except for the civil service for those who "resign or otherwise leave" County employment. This does not appear to apply, as I am non-union and because I did not "leave" County service of my own accord. I have consulted with both County Attorney Auffredou and County Administrator Dusek, and neither can locate any precedent for this situation.
 - I am requesting that his Committee and the Board allow me to receive the maximum sick leave reimbursement.
4. Submission of Resolution Request Form #5 to Authorize Grant Approval

RESOLUTION REQUEST FORM NO. 5

Request to Apply for a Grant Application and Grant Agreement

DEPARTMENT NAME: Public Defender

DATE: 1/26/2015

- (a) Purpose of Grant: To improve the quality of representation for indigent legal services. Distribution #5.
- (b) Name of Grantor: NYS Office of Indigent Legal Services
- (c) Address of Contractor: State Capitol Room 128, Albany, NY
- (d) Grantor's Contact Person and Telephone Number: Karen Jackuback, Grants Manager (518) 486-5747
- (e) Has or Will the Grant Application or Grant Agreement be provided, if so, Please Attach? No
- (f) Effective Date of Grant: January 1, 2015
- (g) Termination Date of Grant: December 31, 2017
- (h) Total Dollar Amount Involved (not to exceed): \$320,436
- (i) Deadline to Submit Grant Application and/or Grant Agreement: January 31, 2015
- (j) Is a Budget amendment required? Yes, will be submitted at a later date. If yes, also complete and submit Form No. 7.
- (k) Are the funds to go into a Capital Project or Capital Reserve Project? No If yes, also complete and submit Form No. 8 or Form No. 9, as applicable.
- (i) Is a Local Share Required? No. If Yes, Where are the Funds? List Budget Code, Object Code, Full Title* and Amount OR Capital Project OR Capital Reserve Project Number and Title and Amount:

Sample: A.1010 470 Legislative Board – Contract \$xx.xx
Capital Project No. H289.9550 480 – Old Jail Renovations \$xx.xx