

CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE MEETING
PUBLIC DEFENDER AGENDA
August 23, 2023

COMMITTEE MEMBERS: Supervisors GERACI, Magowan, Smith, Conover, McDevitt, Driscoll and Leggett - *Chair of the Board shall serve as an Ex-Officio member when needed in accordance with Section C (4) of the Rules of the Board*

- I. Committee meeting called to order by Chair
- II. Approval of minutes of prior Committee Meeting
- III. Privilege of the floor and public comment
- IV. Action Agenda/New Business Items:
 1. Request: Request for New Contract: Indigent Legal Services (ILS): Distribution #14
Rationale: To receive continued grant funding from ILS for the Public Defender & Assigned Counsel
 2. Request: Request to Extend Existing Contract
Rationale: To extend Contract with 333 Glen Street Associates LLC for Leased Space (ILS funded)
 3. Request: Request to Reclassify Position
Rationale: To delete a Part Time Assistant Public Defender Position and create a Per Diem Assistant Public Defender Position to best utilize resources (ILS funded)
 4. Request: Request for Transfer of Funds
Rationale: To correct Budget Exception report/Overages
 5. Request: Request for New Contract: AAA All Court Transcripts
Rationale: To increase total amount Warren County can spend for transcripts with AAA All Court Transcripts from \$1,000 to \$5,000 annually
- V. Discussion Items:
 - a. Attorney Salary Study
- VI. Referrals/Pending Items:
- VII. Privilege of the floor and public comment
- VIII. Motion to adjourn

Attachments:

1. Resolution Request Form No. 3 – Request for New Contract (Indigent Legal Services Distribution #14)
2. Resolution Request Form No. 4 – Request to Extend Existing Contract (333 Glen Street Associates LLC - Lease)
3. Resolution Request Form No. 14 – Request to Reclassify Position (APD PT to APD Per Diem)
4. Resolution Request Form No. 10 – Request for Transfer of Funds (.1 codes)
5. Resolution Request Form No. 3 – Request for New Contract (AAA All Court Transcripts)

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: Warren County Public Defender's Office

DATE: 8/23/2023

- (a) Is this a Result of a Bid or Request for Proposal? **no**
- (b) Purpose of Contract: **Distribution #14 will provide continued grant funding to the Warren County Public Defender's Office and Assigned Counsel Program for Indigent Legal Services. This Distribution is a continuation of #11/#8/#5/#2**
- (c) Name of Contractor: **NYS Office of Indigent Legal Services**
- (d) Address of Contractor: **A.E. Smith Building, 11th Floor
80 South Swan Street
Albany, NY 12210**
- (e) Contractor's Contact Person and Telephone Number: **Patricia J. Warth**
- (f) Has or will the Contract be provided, if so, please attach:
- (g) Commencement Date of Contract: **January 1, 2024**
- (h) Termination Date of Contract: **December 31, 2026**
- (i) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed **\$320,436**
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount:**

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

*as listed in budget and LOGOS

Brothers, Erin

From: Warth, Patricia (ILS) <Patricia.Warth@ils.ny.gov>
Sent: Monday, August 7, 2023 11:54 AM
Cc: Chief Judge Rowan D. Wilson; michaelgbreslin@gmail.com; ciparickc@gtlaw.com; Hon. Sheila A. DiTullio; ved@connorsllp.com; DATkins@westchestergov.com; Suzette Melendez; Leonard Noisette; JZAYAS@NYCOURTS.GOV; ils.dl.all.users
Subject: ILS Distribution #14
Attachments: ILS Distribution 14-Funding Amounts.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Mandated Representation Leaders, County and City Officials,

We are very happy to inform you that we have received authorization from the Division of Budget for the release of Distribution #14.

This funding distribution, which was approved by the Indigent Legal Services Board at its meeting on June 2, 2023, consists of \$46,464,684 over three years (\$15,488,228 per year) to 57 counties and New York City, to improve the quality of mandated representation – criminal defense and parental representation in Family Court matters – within each locality. The annual amount and the three-year total for which each locality may apply, as well as the designated contract number, are set forth in the attachment. The contract period runs from January 1, 2024 through December 31, 2026.

To receive these funds, a locality must engage in meaningful consultation with the leader of each provider of representation under article 18-B of the County Law; and as a result of that consultation submit a three-year plan to ILS demonstrating that the funding provided will be used to improve the quality of representation. This submission must include a budget narrative that serves as a written justification for your line-item costs and describes how each component of the plan will improve the quality of representation. To facilitate review, a proper budget narrative should also explain how the costs associated with each line item or category relate to the implementation of the project as outlined in your proposal.

Please note that Distribution #14 is a new authorization for the funding amount you have been receiving under Distribution #11, for which the contract period (unless extended) will expire on December 31, 2023. Thus, in your consultations, you may wish to review your uses of Distribution #11 funding to determine whether you will seek its continuation in whole or in part under Distribution #14.

Once we have reviewed each proposal and are satisfied that it is the product of meaningful consultation and that the funds sought will be used to improve the quality of representation, we will consider approval of the proposal. Once approved, the terms of the proposal will be formalized in a contract, which will include a Budget and Work Plan to govern the expenditures. To expedite this process, I encourage you to attach a developed Budget and Work Plan to your proposal.

Please submit your proposal as soon as it is ready, or by the close of business on October 27, 2023, and send it to Proposals@ils.ny.gov. If you have not yet submitted your proposal for Distribution #13 or earlier, we encourage you to do so promptly and also send to Proposals@ils.ny.gov.

We look forward to continuing to work in partnership with you to improve and strengthen the quality of legally mandated representation in every locality.

Best,
Patricia



Patricia J. Warth

Director

New York State Office of Indigent Legal Services

80 S Swan St, Ste 1147, Albany, NY 12210 | www.ils.ny.gov

Office (518) 486-5337 / Cell (518) 603-0851 / patricia.warth@ils.ny.gov | (she/her/hers)

Office of Indigent Legal Services

Distribution #14

January 1, 2024 - December 31, 2026

CONTRACT #	COUNTY	1-YEAR AMOUNT	TOTAL FOR ALL THREE YEARS
C140001	Albany	\$524,485.00	\$1,573,455.00
C140002	Allegany	\$70,434.00	\$211,302.00
C140003	Broome	\$435,177.00	\$1,305,531.00
C140004	Cattaraugus	\$161,466.00	\$484,398.00
C140005	Cayuga	\$87,366.00	\$262,098.00
C140006	Chautauqua	\$179,946.00	\$539,838.00
C140007	Chemung	\$176,864.00	\$530,592.00
C140008	Chenango	\$59,436.00	\$178,308.00
C140009	Clinton	\$152,230.00	\$456,690.00
C140010	Columbia	\$101,162.00	\$303,486.00
C140011	Cortland	\$100,348.00	\$301,044.00
C140012	Delaware	\$69,914.00	\$209,742.00
C140013	Dutchess	\$547,813.00	\$1,643,439.00
C140014	Erie	\$970,085.00	\$2,910,255.00
C140015	Essex	\$63,832.00	\$191,496.00
C140016	Franklin	\$75,322.00	\$225,966.00
C140017	Fulton	\$73,416.00	\$220,248.00
C140018	Genesee	\$111,400.00	\$334,200.00
C140019	Greene	\$76,920.00	\$230,760.00
T140001	Hamilton	\$8,632.00	\$25,896.00
C140020	Herkimer	\$44,494.00	\$133,482.00
C140021	Jefferson	\$129,572.00	\$388,716.00
C140022	Lewis	\$37,976.00	\$113,928.00
C140023	Livingston	\$67,734.00	\$203,202.00
C140024	Madison	\$75,892.00	\$227,676.00
C140025	Monroe	\$1,061,585.00	\$3,184,755.00
C140026	Montgomery	\$74,256.00	\$222,768.00
C140027	Nassau	\$1,075,461.00	\$3,226,383.00
C140028	New York City	\$765,561.00	\$2,296,683.00
C140029	Niagara	\$219,526.00	\$658,578.00
C140030	Oneida	\$358,764.00	\$1,076,292.00
C140031	Onondaga	\$640,388.00	\$1,921,164.00
C140032	Ontario	\$181,274.00	\$543,822.00
C140033	Orange	\$441,584.00	\$1,324,752.00
C140034	Orleans	\$52,146.00	\$156,438.00
C140035	Oswego	\$182,974.00	\$548,922.00
C140036	Otsego	\$111,370.00	\$334,110.00
C140037	Putnam	\$94,564.00	\$283,692.00
C140038	Rensselaer	\$181,382.00	\$544,146.00

Office of Indigent Legal Services

Distribution #14

January 1, 2024 - December 31, 2026

CONTRACT #	COUNTY	1-YEAR AMOUNT	TOTAL FOR ALL THREE YEARS
C140039	Rockland	\$414,904.00	\$1,244,712.00
C140040	Saratoga	\$141,067.00	\$423,201.00
C140041	Schenectady	\$308,843.00	\$926,529.00
C140042	Schoharie	\$45,660.00	\$136,980.00
C140043	Schuyler	\$37,184.00	\$111,552.00
C140044	Seneca	\$46,214.00	\$138,642.00
C140045	St. Lawrence	\$170,435.00	\$511,305.00
C140046	Steuben	\$140,598.00	\$421,794.00
C140047	Suffolk	\$1,404,171.00	\$4,212,513.00
C140048	Sullivan	\$161,998.00	\$485,994.00
C140049	Tioga	\$41,268.00	\$123,804.00
C140050	Tompkins	\$179,657.00	\$538,971.00
C140051	Ulster	\$293,696.00	\$881,088.00
C140052	Warren	\$106,812.00	\$320,436.00
C140053	Washington	\$59,002.00	\$177,006.00
C140054	Wayne	\$165,141.00	\$495,423.00
C140055	Westchester	\$1,862,331.00	\$5,586,993.00
C140056	Wyoming	\$34,040.00	\$102,120.00
C140057	Yates	\$32,456.00	\$97,368.00
TOTAL		\$15,488,228.00	\$46,464,684.00

ATTACHMENT B-1

BUDGET

**Office of Indigent Legal Services
DISTRIBUTION #11
January 1, 2021 - December 31, 2023**

COUNTY OF WARREN

Total Contract Amount: \$320,436.00

Budget Expenditure Item	Year 1 1/1/21 - 12/31/21	Year 2 1/1/22 - 12/31/22	Year 3 1/1/23 - 12/31/23
PUBLIC DEFENDER'S OFFICE			
Personnel:			
Legal Clerk - Salary	\$31,200.00	\$32,000.00	\$32,800.00
Legal Clerk - Fringe	\$12,800.00	\$12,800.00	\$12,800.00
Subtotal Personnel	\$44,000.00	\$44,800.00	\$45,600.00
Contract / Consultant:			
Experts / Interpreters / Transcriptions / Medical and Other Specialists	\$6,905.00	\$6,905.00	\$6,905.00
Subtotal Contracted/Consultant	\$6,905.00	\$6,905.00	\$6,905.00
Total for Public Defender Office	\$50,905.00	\$51,705.00	\$52,505.00
ASSIGNED COUNSEL PLAN			
Personnel:			
Grant Administrator - Salary	\$8,320.00	\$8,487.00	\$8,657.00
Grant Administrator - Fringe	\$637.00	\$650.00	\$663.00
Subtotal Personnel	\$8,957.00	\$9,137.00	\$9,320.00
Contracted/Consultant:			
Rural Law Center of New York, Inc. - Appeals	\$25,404.00	\$28,455.00	\$25,134.00
Legal Aid Society of Northeastern NY - Paralegal	\$18,787.00	\$19,646.00	\$20,081.00
Subtotal Contracted/Consultant	\$44,191.00	\$48,101.00	\$45,215.00
OTPS:			
Computer Equipment	\$400.00	\$0.00	\$0.00
Subtotal OTPS	\$400.00	\$0.00	\$0.00
Total for Assigned Counsel Plan	\$53,548.00	\$57,238.00	\$54,535.00
TOTAL	\$104,453.00	\$108,943.00	\$107,040.00
THREE-YEAR TOTAL	\$320,436.00		

RESOLUTION REQUEST FORM NO. 4

Request for Extending, Rescinding or Amending Existing Contract

DEPARTMENT NAME: Warren County Public Defender's Office

DATE: 8/23/2023

- (a) Purpose of Contract Change: **Request to extend existing Lease with 333 Glen Street**
- (b) Resolution Number, or Numbers if Amended, which Authorized the Original Contract:
- (c) Name of Contractor: **333 Glen Street Associates LLC**
- (d) Address of Contractor: **333 Glen Street, Suite 102
Glens Falls, NY 12801**
- (e) Contractor's Contact Person and Telephone Number: **R. Kevin Lynn
(518) 209-7282**
- (f) Commencement Date of Extension: **11/1/2023**
- (g) Termination Date of Extension: **10/31/2024**
- (h) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed **\$15,600**
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc. **\$1,300 monthly**)
- (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.1171.4202 411**

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

*as listed in budget and LOGOS

RESOLUTION REQUEST FORM NO. 14

Request to Reclassify Position

DEPARTMENT NAME: Warren County Public Defender's Office

DATE: 8/23/2023

- (a) Title of Reclassified Position: **Assistant Public Defender (11) (Per Diem)**

- (b) Annual Salary of Reclassified Position (and Grade if Applicable):*
*(This should be the Base Salary for the position if it is being filled by a **new** employee, **or** the salary, **including longevities**, for any **existing** employee who is filling the position. **\$60.76/hour (\$40,903 annually)**)

- (c) Title and Employee Number of Position to be Deleted: **Assistant Public Defender - PT (10940)**

- (d) Annual Salary of Position to be Deleted (and Grade if Applicable):*
*(This should be the Base Salary for the position if it is being filled by a **new** employee, **or** the salary, **including longevities**, for any **existing** employee who is filling the position. **\$40,903**)

- (e) Effective Date:* **9/18/2023**
*Please do not backdate unless the purpose is to correct an error.

- (f) Where are the Funds in the Budget for this Position? List Budget Code, Object Code, Full Title and Amount: **A.1171.4202 130**
Public Defender Hurrell-Harring Salaries - Part Time

- (g) Has Personnel Officer Reviewed and Approved of the New Position Title?:*
*This is necessary **BEFORE** bringing the request to committees.

RESOLUTION REQUEST FORM NO. 10

Request for Transfer of Funds

TO: AMANDA ALLEN, CLERK, WARREN COUNTY BOARD OF SUPERVISORS

DEPARTMENT NAME: Warren County Public Defender's Office

SIGNED:

DATE: 8/23/2023

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
A.1171 110	Public Defender Salaries - Regular	A.1171 120	Public Defender Salaries - Overtime	\$19.41
A.1171 110	Public Defender Salaries - Regular	A.1171 130	Public Defender Salaries - Part Time	\$27,205.30
A.1171.4202 110	Public Defender Hurrell-Harring - Salaries	A.1171.4202 120	Public Defender Hurrell-Harring - Overtime	\$23.92

Please state reason for transfers requested:

To correct Budget Exception/Overages

CONTINGENT FUND TRANSFER REQUESTS

<u>FROM CODE</u>	<u>TITLE</u>	<u>TO CODE</u>	<u>TITLE</u>	<u>AMOUNT</u>
A.1990 469	Contingent Account- Other Payments/Contributions			

Please state reason for transfer request:

Please file original request with Clerk of the Board and retain copy for your records.

RESOLUTION REQUEST FORM NO. 3

Request for New Contract

DEPARTMENT NAME: Warren County Public Defender's Office

DATE: 8/23/2023

- (a) Is this a Result of a Bid or Request for Proposal? **no**
- (b) Purpose of Contract: **To authorize an increase in the contract with AAA All Court Transcripts for Warren County from \$1,000 up to \$5,000 annually.**
- (c) Name of Contractor: **AAA All Court Transcripts**
- (d) Address of Contractor: **12 West Terrace Court
Ballston Lake, NY 12019**
- (e) Contractor's Contact Person and Telephone Number: **Cathy Sausville
(518) 577-8051**
- (f) Has or will the Contract be provided, if so, please attach:
- (g) Commencement Date of Contract: **9/18/2023**
- (h) Termination Date of Contract:
- (i) Payment Provisions:
 - i) lump sum amount
 - ii) hourly rate amount
 - iii) total amount not to exceed **\$5,000 annually**
 - iv) how will payments be made (i.e. monthly, quarterly, upon completion of the project, etc.
- (j) Where are the Funds for this Contract? List Budget Code, Object Code, Full Title* and Amount: **OR Capital Project OR Capital Reserve Project Number, Title, and Amount:**

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

*as listed in budget and LOGOS