

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE

DATE: JANUARY 22, 2020

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SEEBER
LEGETT
BEATY
DIAMOND
DRISCOLL
MCDEVITT
SHEPLER

OTHERS PRESENT:

REPRESENTING THE ASSIGNED COUNSEL OFFICE:
JOY LAFOUNTAIN, ASSIGNED COUNSEL ADMINISTRATOR
ROBERT GREGOR, ESQ., SUPERVISING ATTORNEY
REPRESENTING THE DISTRICT ATTORNEY'S OFFICE:
JASON CARUSONE, DISTRICT ATTORNEY
PAULETTE McDONALD, CONFIDENTIAL ASSISTANT
ROBERT IUSI, PROBATION DIRECTOR
REPRESENTING THE PUBLIC DEFENDER'S OFFICE:
MARCY FLORES, PUBLIC DEFENDER
ERIN BROTHERS, ASSISTANT TO THE PUBLIC DEFENDER
TERRY COMEAU, UNDERSHERIFF
FRANK E. THOMAS, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
KEVIN B. GERAGHTY, BUDGET OFFICER
SUPERVISORS BRAYMER
CONOVER
FRASIER
MAGOWAN
MERLINO
SIMPSON
WILD
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
THOM RANDALL, THE ADIRONDACK SUN
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the January 22, 2020 meeting of the Criminal Justice & Public Safety Committee; the meeting in its entirety can be viewed on the Warren County website using the following link:

<https://www.warrencountyny.gov/gov/comm/Archive/2020/criminal/>

Ms. Seeber called the meeting of the Criminal Justice Committee to order at 9:01 a.m.

Motion was made by Mr. Beaty, seconded by Mr. McDevitt and carried unanimously to approve the minutes from the previous Criminal Justice Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Assigned Counsel agenda were distributed and a copy of same is on file with the meeting minutes.

Ms. Seeber presented the following request for the Assigned Counsel in the absence of staff.

- 1) To approve the Warren County Assigned Counsel Plan which replaces the previous

versions authorized by Resolution Nos. 27 of 2019 and 481 of 2013.

At Ms. Seeber's request, Mary Elizabeth Kissane, *County Attorney*, provided an overview of the revisions suggested, as outlined in the agenda attachment.

Motion was made by Mr. Leggett, seconded by Mr. McDevitt and carried unanimously to approve the request and the necessary resolution was authorized for the February 21st Board meeting. *A copy of the request is on file with the minutes.*

Ms. Seeber introduced Robert Gregor, Esq., *Supervising Attorney for the Assigned Counsel Office*, who provided an overview on his background and his job duties as Supervising Attorney pursuant to New York State Office of Indigent Legal Services directives and answered questions posed by the Committee members.

Joy LaFountain, *Assigned Counsel Administrator*, entered the meeting at 9:18 a.m.

There being no further Assigned Counsel business to discuss, privilege of the floor was extended to Marcy Flores, *Public Defender*, who distributed copies of the Public Defender agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the agenda review with Item 1, privilege of the floor was extended to Jason Carusone, *District Attorney*; Terry Comeau, *Undersheriff*; and Robert Iusi, *Probation Director*, each of whom spoke about Bail Reform and its affects on their respective departments.

A lengthy discussion ensued in regards to the crime levels allowed release without bail, following which Ms. Seeber indicated Bail Reform Law updates would continue to be a pending item on the agenda until the discussion was no longer needed.

Continuing with the Action Agenda, Ms. Flores presented the following requests:

- 2) To fill the vacant position of 3rd Assistant Public Defender, *Base Annual Salary \$69,891.*

Motion was made by Mr. Leggett, seconded by Mr. Driscoll and carried unanimously to approve the request and forward same to the Personnel & Administration Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

- 3) To fill the vacant position of Legal Clerk, *Grade 5, Base Annual Salary \$30,520.*

Motion was made by Ms. Shepler, seconded by Mr. McDevitt and carried unanimously to approve the request and forward same to the Personnel & Administration Committee. *A copy of the Notice of Intent to Fill Vacant Position form is on file with the minutes.*

- 4) To amend the Table of Organization and Salary Schedule to create and fill the new position of Coordinating Assistant Public Defender, *Grade 4, Annual Base Salary TBD between \$72,074 - \$92,623.*

Ryan Moore, *County Administrator*, apprised this position had been previously created and was included in the 2020 Budget and Compensation Schedule; therefore, the only action needed was to authorize filling of the position.

Motion was made by Mr. Driscoll, seconded by Mr. Leggett and carried unanimously to approve filling of the Coordinating Assistant Public Defender position and forward same to the Personnel & Administration Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacation Position form is on file with the minutes.*

- 5) To amend the Table of Organization and Salary Schedule to create and fill the vacant position of 9th Assistant Public Defender, *Annual Salary \$69,891*, effective February 24, 2020.

Motion was made by Mr. McDevitt, seconded by Ms. Shepler and carried unanimously to approve the request as outlined above and forward same to the Personnel & Administration Committee. *Copies of the resolution request form and the Notice of Intent to Fill Vacant Position form are on file with the minutes.*

- 6) To amend the existing contract with RELX Inc. DBA LexisNexis to include the addition of new users as Public Defender Attorney staff increases.

Motion was made by Mr. Leggett, seconded by Mr. McDevitt and carried unanimously to approve the request and the necessary resolution was authorized for the February 21st Board meeting. *A copy of the resolution request form is on file with the minutes.*

- 7) To authorize the Warren County Public Defender's Office to contract with outside counsel to mentor staff on cases for an hourly rate not to exceed \$150 per hour.

Motion was made by Mr. Driscoll, seconded by Ms. Shepler and carried unanimously to approve the request and the necessary resolution was authorized for the February 21st Board meeting. *A copy of the resolution request form is on file with the minutes.*

- 8) Authorizing out-of-State travel for Brian Pilatzke, *1st Assistant Public Defender*, to attend NACDL's 2020 Spring Meeting and Seminar entitled "All the Wright Tools: Taking Flight with your Defense From Arraignment to Acquittal" at the Hilton Charlotte Center City in Charlotte, North Carolina from May 6-9, 2020.

Motion was made by Mr. McDevitt, seconded by Mr. Leggett and carried unanimously to approve the request and the necessary resolution was authorized for the February 21st Board meeting. *A copy of the resolution request form is on file with the minutes.*

- 9) To authorize Marcy Flores, *Public Defender*, to attend NACDL's 13th Annual Forensic Science Seminar - Making Sense of Science: Forensic Science & the Law at the Four Seasons Hotel in Las Vegas, Nevada from April 2-4, 2020.

Motion was made by Mr. Leggett, seconded by Ms. Shepler and carried unanimously to approve the request and the necessary resolution was authorized for the February 21st Board meeting. *A copy of the resolution request form is on file with the minutes.*

Proceeding to the Topics for Discussion portion of the agenda, Ms. Flores thanked the Committee for allowing her to use ILS Grant funds to hire the Case Manager, who was starting on February 3rd and she expounded upon the reasons why that position was important to her Office.

A brief discussion ensued in regards to the Case Manager position.

There being no further business to come before the Criminal Justice Committee, on motion made by Ms. Shepler and seconded by Mr. Beaty, Ms. Seeber adjourned the meeting at 10:02 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board
(Transcribed by Leslie Lovelace, Secretary to the Clerk of the Board)