

November 1, 2010

15053

TO: Honorable Members
Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner of Probation

RE: **RESOLUTION AUTHORIZING THE COUNTY OF WESTCHESTER TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES (DCJS) IN AN AMOUNT NOT TO EXCEED \$657,566 AND SUBCONTRACT, WHERE APPROPRIATE, WITH THE LISTED AGENCIES, TO IMPLEMENT THE WESTCHESTER COUNTY ALTERNATIVES TO INCARCERATION SERVICE PLAN FOR THE PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2010, PURSUANT TO AN APPROVED BUDGET AND IN ACCORDANCE WITH STATE APPROVAL.**

Authority is sought for the County of Westchester to enter into an agreement with the New York State Division of Criminal Justice Services (DCJS) in an amount not to exceed \$657,566 and subcontract, where appropriate, with the listed agencies, to implement the Westchester County Alternatives To Incarceration Service Plan for the period January 1, 2010 to December 31, 2010, pursuant to an approved budget and in accordance with State approval.

The Westchester County Alternatives To Incarceration Service Plan encompasses funding for the period January 1, 2010 - December 31, 2010 for the following:

- Pre-Trial Services Institute of Westchester, Inc.
 - Release on Recognizance (ROR) Program \$73,618
 - Bail Expediting Program 28,256
 - Monitored Release Program 21,573
 - Department of Probation Community Service Program 67,426
 - St. John's Riverside Hospital, Phelps Memorial Hospital Center and Westchester County Probation Department
 - Direct Treatment Alternative To Incarceration (DTATI) Program 228,231
 - Department of Community Mental Health Treatment Alternatives for Safer Communities (TASC) 188,210
 - Department of Correction Young Offender Program 50,252
- TOTAL \$657,566**

In 2009, the above referenced Alternatives To Incarceration (ATI) Programs successfully diverted 6,777 offenders from incarceration. All ATI programs met and surpassed all goals and milestones for the year.

This contract impacts the County's three critical priority areas in the following manner:

1. Fiscal Responsibility – The Alternative To Incarceration programs provide many services to Westchester County. These programs are primarily funded by DCJS and in 2009 there was an estimated cost savings of \$91 million to Westchester County.
2. Safety and Security - The contracts with the DCJS and the listed subcontract agencies promote public safety for the residents of Westchester by utilizing graduated sanctions for convicted offenders and providing intensive supervision and treatment.
3. Health and Environment – The Alternative To Incarceration programs serve various populations including women, juvenile offenders, youth between the ages of 16 – 19, persistent misdemeanor offenders, substance abusers, and the mentally ill. The service providers offer a great range of general to more specialized services that are responsive to the needs of the targeted population(s), including gender-specific, substance abuse, family, vocational, educational, mental health, medical, and housing issues, among others.

The requirements of the Westchester County Procurement Policy were followed; the procurement is exempt under Section 3(a)iii. The primary agreement is a transaction/contract with the State of New York. The subcontracts are exempt from the Procurement Policy in accordance with the following:

Pre-Trial Services Institute of Westchester, Inc.-Section 3(a)xii, which provides for the exception "...procurements which involve expenditures of federal or state assistance where and to the extent that federal or state law, rules or regulations conflict with the provision of this policy." The County has an agreement in place with Pre-Trial Services Institute of Westchester, Inc. The state reimbursement provided to the County under the Alternatives To Incarceration Service Plan is contingent upon the existence of the aforementioned agreement and a requirement of the grant.

St. John's Riverside Hospital-Section 3(a)xvii which provides for the exception "...care, treatment, counseling...for the mentally ill...and those suffering from the disease of alcoholism or substance abuse."

Phelps Memorial Hospital Center-Section 3(a)xvii which provides for the exception "...care, treatment, counseling...to the mentally ill...and those suffering from the disease of alcoholism or substance abuse."

These programs are intensely monitored by Westchester County's Criminal Justice Advisory Board. The Board meets on a quarterly basis to review and formally approve written Program Reports detailing milestones, activities and savings. Upon Board approval, these Quarterly Reports are transmitted to the State.

Wherefore, authority is respectfully sought for the County to enter into an agreement with the New York State DCJS, and, subsequently, enter into agreements with the above listed agencies.

LR
Attachment

RESOLUTION

Upon a communication from the Commissioner of Probation, be it hereby

RESOLVED, that authority is hereby granted to the County of Westchester to enter into an agreement with the New York State Division of Criminal Justice Services, in an amount not to exceed \$657,566 and subcontract, where appropriate, with the listed agencies, to implement the Westchester County Alternatives To Incarceration Service Plan for the period January 1, 2010 to December 31, 2010, pursuant to an approved budget and in accordance with State approval;

<u>Agency</u>	<u>Program</u>	<u>Amount</u>
Pre-Trial Services Institute of Westchester, Inc.	Release on Recognizance	\$ 73,618
Pre-Trial Services Institute of Westchester, Inc. 28,256	Bail Expediting	
Pre-Trial Services Institute of Westchester, Inc.	Monitored Release	21,573
Department of Probation	Community Service	67,426
St. John's Riverside Hospital	Direct Treatment Alternative To Incarceration-Greenburgh and Yonkers Sites	84,344
Phelps Memorial Hospital Center	Direct Treatment Alternative To Incarceration-Ossining Site	42,189
Department of Probation	Direct Treatment Alternative To Incarceration	101,698
Department of Community Mental Health	Treatment Alternatives for Safer Communities (TASC)	188,210
Department of Correction	Young Offender	50,252
TOTAL		\$657,566

and it is further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is

authorized and empowered to execute this agreement for the County of Westchester.

Agreement #

Account to be
Charged/Credited

Fund	Dept.	Major Program, Program & Phase or Unit	Revenue/ Object	Trust Account	Dollars
101	35	1000	9734		\$ 73,618
263	39	028K	9854	T028	\$ 28,256
263	39	029K	9854	T029	\$ 21,573
101	39	1000	9771		\$ 67,426
101	39	1000	9771		\$ 101,698
263	39	121K	9854	T121	\$ 84,344
263	39	122K	9854	T122	\$ 42,189
263	26	669K	9854	T669	\$ 188,210
263	35	619K	9854	T619	\$ 50,252
101	35	1000	4944		\$ 73,618
263	39	028K	4380	T028	\$28,256
263	39	029K	4380	T029	\$21,573
101	39	1000	1010		\$ 67,426
101	39	1000	1010		\$ 101,698
263	39	121K	4380	T121	\$ 84,344
263	39	122K	4380	T122	\$ 42,189
263	26	669K	1010	T669	\$ 188,210
263	35	619K	various	T619	\$ 50,252

Budget Funding Year(s) 2010 _____ Start Date January 1, 2010 End Date December 31, 2010
(must match resolution)

Tax Dollars: _____

Funding Source

State Aid: N.Y.S. Div. of Criminal Justice Services
— \$657,566

Federal Aid -0-

Other _____

\$657,566 Rev./ \$657,566 Exp
(must match resolution)