

25119

DATE: February 24, 2012

TO: Honorable Members
Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner of Probation

RE: **AUTHORITY TO:**

- 1) **AMEND AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A GRANT IN AN AMOUNT NOT TO EXCEED \$71,171.00 IN FEDERAL FUNDS TO IMPLEMENT AND OPERATE THE DETENTION SERVICES PROGRAM FROM SEPTEMBER 1, 2010 TO AUGUST 31, 2011, PURSUANT TO AN APPROVED BUDGET, BY RETROACTIVELY EXTENDING THE TERM OF THE AGREEMENT FROM SEPTEMBER 1, 2011 THROUGH DECEMBER 31, 2011; AND**
- 2) **AMEND AN AGREEMENT WITH WESTCHESTER JEWISH COMMUNITY SERVICES IN AN AMOUNT NOT TO EXCEED \$41,147.00 IN FEDERAL FUNDS TO IMPLEMENT AND OPERATE THE DETENTION SERVICES PROGRAM FROM SEPTEMBER 1, 2010 TO AUGUST 31, 2011, PURSUANT TO AN APPROVED BUDGET, BY 1) RETROACTIVELY EXTENDING THE TERM OF THE AGREEMENT FROM SEPTEMBER 1, 2011 THROUGH DECEMBER 31, 2011; AND 2) RETROACTIVELY DECREASING THE AMOUNT NOT TO EXCEED THEREUNDER FROM \$41,147.00 TO \$20,001.87**

By resolution approved on October 21, 2010, your Honorable Board authorized the County of Westchester (the "County"), acting by and through its Department of Probation (the "Department"), to enter into an agreement with the New York State Division of Criminal Justice Services ("NYSDCJS") to accept a grant in an amount not to exceed \$71,171.00 in Federal funds, for the Department to operate the Detention Services Program from September 1, 2010 to August 31, 2011, pursuant to an approved budget (the "NYSDCJS Agreement"). The NYSDCJS Agreement was subsequently executed.

Thereafter, by resolution approved on March 10, 2011, your Honorable Board authorized the County, acting by and through the Department, to enter into an agreement with Westchester Jewish Community Services ("WJCS") in an amount not to exceed \$41,147.00 in Federal funds, for the Department to operate the Detention Services Program from September 1, 2010 to August 31, 2011, pursuant to an approved budget (the "WJCS Agreement"). The WJCS Agreement was subsequently executed.

The State authorized the County to extend the term of both the NYSDCJS Agreement and the WJCS Agreement for an additional four (4) month period, from September 1, 2011 through December 31, 2011. In addition, since \$21,145.13 of the \$41,147.00 allocated to WJCS under the WJCS Agreement was added to the overtime budget for AWOLs, the total not-to-exceed amount under the WJCS Agreement should be reduced from \$41,147.00 to \$20,001.87.

Accordingly, authority is requested to amend the NYSDCJS Agreement in order to retroactively extend the term thereof for an additional four (4) month period, from September 1, 2011 through December 31, 2011. Authority is also requested to amend the WJCS Agreement in order to 1) retroactively extend the term thereof for an additional four (4) month period, from September 1, 2011 through December 31, 2011; and 2) retroactively decrease the not-to-exceed amount thereunder by \$21,145.13, from an amount not-to-exceed \$41,147.00 to an amount not-to-exceed \$20,001.87.

Except as specifically amended hereby, all remaining terms and conditions set forth in the NYSDCJS Agreement shall remain unchanged. Except as specifically amended hereby, all remaining terms and conditions set forth in the WJCS Agreement shall remain unchanged.

The objectives of this program are to:

1. Create an AWOL reduction plan and train probation officers in that program
2. To cross train Probation Officers and detention staff to identify trauma based-issues
3. Maintain a Juvenile Crime Enforcement Coalition (JCEC)

The Detention Services Program is funded with Federal Juvenile Justice and Delinquency funds channeled through the New York State Division of Criminal Justice Services. The funding for this program will provide new services to address the trauma based needs of youth who have been remanded to secure and non-secure detention in Westchester County. WJCS will provide treatment groups and assessments on targeted/identified youth as well as provide trauma based training to Probation officers.

The performance measures established by the Division of Criminal Justice Services include:

- Number of probation officers trained on administering juvenile warrants
- Number of AWOL youth and number of youth returned
- Number of probation officers and staff identified and trained in trauma based issues
- Number of youth who receive trauma based assessments
- A list of JCEC committee members and their affiliations will be kept on file with a copy provided to DCJS staff

These performance measures will be tracked on a quarterly basis by the completion and submission of mandated reports designed by the New York State Division of Criminal Justice Services.

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

- Fiscal Responsibility – The Detention Services Program funds a consultant service with a not-for-profit organization which will assist probation staff in improving strategies for trauma-based individual and group interventions. The funding for this program is allocated through the Federal government, offsetting tax levy.
- Safety and Security – This program will provide enhanced supervision and accountability for the high risk juvenile delinquent population of Westchester County. This Program funds overtime allowing probation staff to work non-traditional hours, reducing the number of youth on AWOL.

This contract has the public purpose of promoting public safety while monitoring high-risk juveniles in the Community.

The NYSDCJS Agreement does not constitute a procurement and as such the requirements of the Westchester County Procurement Policy are not applicable. The WJCS Agreement is exempt from the Procurement Policy pursuant to Section 3(a) xviii thereof, which provides an exemption for "...creation and support of youth service projects and appropriate programs and services for the prevention of delinquency and youth crime..."

I certify that my department, a) has copies of, or access to, all applicable laws, rules, regulations, grant applications, and grant agreements (including any master grant agreement), as well as any guidance or instructions received from the agency making the grant (the "Grant Terms"), b) has reviewed the Grant Terms, c) is aware of and understands all of the Grant Terms, and d) can and will comply with all of the Grant Terms.

Accordingly, authority is respectfully sought for the County to amend agreements with both NYSDCJS and with WJCS.

RAP/LR/jpg
Attachment

RESOLUTION

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

RESOLVED, that the County of Westchester is authorized to amend an agreement with the New York State Division of Criminal Justice Services ("NYSDCJS") to accept a grant in an amount not to exceed \$71,171.00 in Federal funds, for the Department to operate the Detention Services Program for the period September 1, 2010 to August 31, 2011, pursuant to an approved budget (the "NYSDCJS Agreement"), by retroactively extending the term thereof for an additional four (4) month period, from September 1, 2011 through December 31, 2011; and be it further

RESOLVED, that the County of Westchester is authorized to amend an agreement with Westchester Jewish Community Services ("WJCS") in an amount not to exceed \$41,147.00 in Federal funds, for the Department to operate the Detention Services Program for the period September 1, 2010 to August 31, 2011, pursuant to an approved budget (the "WJCS Agreement"), by 1) retroactively extending the term thereof for an additional four (4) month period, from September 1, 2011 through December 31, 2011; and retroactively decreasing the not-to-exceed amount there under by \$21,145.13, from an amount not-to-exceed \$41,147.00 to an amount not-to-exceed \$20,001.87; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions set forth in the NYSDCJS Agreement shall remain unchanged; and be it further

RESOLVED, that except as specifically amended hereby, all remaining terms and conditions set forth in the WJCS Agreement shall remain unchanged; and be it further

RESOLVED, that the County Executive or his duly authorized designee be and hereby is authorized and empowered to enter into this agreement for the County of Westchester.

Account To Be
Changed/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Revenue Source	Trust Account	Dollars
263	39	113K	4380	T113	(\$21,145.13)

Budget Funding Year(s) 2010-2011 Start Date September 1, 2010 End Date December 31, 2011
(must match resolution)

Funding Source	Tax Dollars _____	Contract Federal Number/ Social Security Number _____
<u>(\$21,145.13)</u>	State Aid _____	Vendor Number _____
(must match resolution)	Federal Aid (\$21,145.13) _____	Encumbrance Number _____
	(Federal Pass Thru NYS CFDA#16.523)	
	Other _____	