

Robert P. Astorino
County Executive

Department of Probation

Rocco A. Pozzi
Commissioner

31432

Date: December 27, 2012

To: Honorable Board of Acquisition and Contract

From: Rocco A. Pozzi
Commissioner of Probation

RE: AUTHORITY TO ENTER INTO AN AGREEMENT WITH THE YWCA OF WHITE PLAINS AND CENTRAL WESTCHESTER, INC. FOR THE PROVISION OF SUPERVISED VISITATION CENTER PROGRAMS FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AT A COST NOT TO EXCEED \$193,053.00 TO BE PAID PURSUANT TO AN APPROVED BUDGET

Family and Supreme Court judges order supervised visitation in matrimonial, custody and visitation matters when significant risk factors are presented by the non-custodial parent including issues of domestic violence, chemical dependency, mental instability or other risk issues resulting from present or prior criminality. Supervised visitation services have traditionally been provided by the Westchester County Department of Probation. Authority is hereby requested for the Westchester County Department of Probation to enter into an agreement with the YWCA of White Plains and Central Westchester Inc. ("YWCA") to provide supervised visitation services at a cost not to exceed \$193,053.00 to be paid pursuant to an approved budget, for the period January 1, 2013 through December 31, 2013.

The YWCA operates a Supervised Visitation and Safe Exchange Center. The mission of the visitation program is to facilitate the safe transfer of children from one parent to another in custodial visits. The Center is the only program that provides such visits in a safe and secure setting that is also a nurturing environment for children. It is also the only program that allows parents of all incomes the opportunity to see their children when the court is ordering supervised visitation or safe exchanges.

In supervised visitation, a trained staff member monitors each visit. These visits are available for up to 45 families per week for one 90-minute session per family per week. The objectives of the visits are to reduce or eliminate the nervousness, tension and reluctance that children have around seeing their non-custodial parent and to inhibit parental behavior and/or discussion that

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inappropriately involves the children. A neutral but supportive child-friendly setting and an environment of safety for children as well as custodial parents or caretakers assists in bringing about the intended positive benefits on the family. The expectation is that at least 60% of the children who verbalize reluctance to visit with their non-custodial parent will exhibit a more relaxed demeanor, be more willing to go to the visit and be more inter-active and animated during the visit.

The Safe Exchanges option keeps parents from having contact with one another during the transfer of the child from one parent to the other and is usually ordered in cases where there are Orders of Protection and supervised visitation has not been directed by the court. Exchanges can be arranged at anytime during the regular operating hours of the Center.

In 2012, the YWCA Supervised Visitation and Safe Exchange program served a total of 235 families, 271 children and supervised 1,743 visits or exchanges. Under the regular supervised visits, 217 families participated, 246 children were involved and a total of 1,044 visits occurred in 2012. For the safe exchanges, 18 families participated, 25 children were involved and there were a total of 699 exchanges in 2012.

On a quarterly basis, the Center will provide the Department of Probation with reports on the number of cases served within each facet of the program, the status of each case, the number of cases closed, the reason/s for each case closing and the fees received by the Center that are charged to clients on a sliding scale basis.

The public purpose of this contract is to protect the children and custodial parents involved in Family and Supreme Court cases in Westchester County's jurisdiction by providing a person to supervise their face-to-face interaction with a potentially harmful non-custodial parent.

The contract impacts the County's 3 critical priority areas in the following manner:

1. Fiscal Responsibility – The YWCA's Supervision and Safe Exchange Center provides a neutral, safe and supervised location which provides families of all incomes with the ability to visit their children when ordered by the court. This is the only location which provides these services to all income levels to Westchester County residents.
2. Safety and Security – The YWCA's Supervision and Safe Exchange Center provides a safe and secure setting in a nurturing environment for the Westchester County families involved. Many children and family members that are involved with this program have/are victims of domestic violence, chemical dependency, mental instability or many other risk factors.
3. Health and Environment – The YWCA's Supervision and Safe Exchange Center provides therapeutic services to many children and families where high risk factors are involved.

The requirements of the Westchester County Procurement Policy were followed. The procurement is exempt under Section 3(a)xviii of said policy.

Attached for your approval is an appropriate resolution.

RAP/LR
Enclosure

RESOLUTION

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

RESOLVED, that the County of Westchester be, and hereby is, authorized to enter into an agreement with the YWCA of White Plains and Central Westchester, 515 North Street, White Plains, New York 10605, for the provision of a supervised visitation program related to the court ordered supervised visitation of children for the period beginning January 1, 2013 and ending December 31, 2013, at a cost not to exceed \$193,053, to be paid by the Westchester County Probation Department pursuant to an approved Budget; and be it further

RESOLVED, that this Agreement is subject to the County appropriations; and be it further

RESOLVED, that this Agreement is also subject to further financial analysis of the impact of any New York State Budget (the "State Budget") proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive, or his duly appointed designee, be, and hereby is, authorized to execute such documents and take such actions as may be necessary and appropriate to effect the purposes hereof.

Account to be
Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub- Object	Trust Account	Dollars
101	39	1000	4380		\$193,053

Budget Funding Year(s) 2013 Start Date 1/1/13 End Date 12/31/13
(must match resolution)

Funding Source Tax Dollars \$193,053
State Aid _____
Federal Aid _____
Other _____

\$ 193,053
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/24/2013 - JOMARY VEIRA, SECRETARY