



Office of the District Attorney
County of Westchester

MEMORANDUM

37646

To: HONORABLE MEMBERS
BOARD OF ACQUISITION AND CONTRACT

Date: 11/20/13

From: JANET DiFIORE
DISTRICT ATTORNEY

Re: **AUTHORITY FOR THE COUNTY OF WESTCHESTER TO (1) ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES TO ACCEPT A GRANT IN THE AMOUNT OF \$32,920 IN STATE FUNDS FOR THE WESTCHESTER COUNTY DISTRICT ATTORNEY'S OFFICE TO OPERATE THE VIDEO RECORDING OF STATEMENTS PROGRAM FOR THE PROGRAM PERIOD JANUARY 01, 2014 THROUGH DECEMBER 31ST, 2014; AND (2) ENTER INTO SUBCONTRACTS WITH THE LOCAL MUNICIPALITIES SET FORTH IN THE ATTACHED SCHEDULE, ACTING BY AND THROUGH THEIR RESPECTIVE POLICE DEPARTMENTS, PURSUANT TO WHICH THE COUNTY, THROUGH THE DA'S OFFICE, WILL PURCHASE THE VIDEO RECORDING EQUIPMENT USING THE AFOREMENTIONED GRANT FUNDS TO BE USED BY THE POLICE DEPARTMENTS TO RECORD INTERROGATIONS OF SUSPECTS WHO ARE IN POLICE CUSTODY, NOT TO EXCEED THE AGGREGATE SUM OF \$32,920, IN THE INDIVIDUAL AMOUNTS SET FORTH IN THE ATTACHED SCHEDULE, FOR THE PROGRAM PERIOD JANUARY 01, 2014 THROUGH DECEMBER 31ST, 2014**

Authority is sought for the County of Westchester to (1) enter into an agreement with the New York State Division of Criminal Justice Services ("DCJS") to accept a grant in the amount of \$32,920 in State funds for the Westchester County District Attorney's Office (the "DA's Office") to operate the Video Recording of Statements program, for the program period January 1st, 2014 through December 31st, 2014; and (2) enter into subcontracts with the local municipalities set forth in the attached schedule, acting by and through their respective police departments (hereinafter collectively the "Police Departments"), pursuant to which the County, through the DA's Office, will purchase the video recording equipment using the aforementioned grant funds to be used by the Police Departments to record interrogations of suspects who are in police custody, not to exceed the aggregate sum of \$32,920, in the individual amounts set forth in the attached schedule, for the program period January 1st, 2014 through December 31st, 2014. It should be noted that the County, through the DA's Office, will procure the video recording equipment through the County Bureau of Purchase and Supplies in accordance with the County Charter and State law.

The goals and objectives of this program are to enhance the technological capabilities of the law enforcement agencies noted above and allow them to obtain video recording equipment to be utilized during investigations, interrogations, and debriefings to improve prosecution outcomes and law enforcement efforts. It is also anticipated that the utilization of the video recording equipment will diminish the secondary victimization of many victims, especially young victims, who are traumatized by needless repetition of the circumstances of the crimes committed against them. The proceeds of this grant will be divided among the aforementioned law enforcement agencies in accordance with written approval from DCJS.

The grant agreement with DCJS does not constitute a procurement and as such is not subject to the requirements of the County Procurement Policy. The contracts with the various municipal subcontractors are exempt under Section 3(a) iii of the County Procurement Policy.

It should be noted that since the County is merely acting as a pass-through of Federal funds and not on a cooperative or joint basis with the Police Departments, the proposed contracts do not constitute Intermunicipal Agreements and, as such, do not require approval by the Westchester County Board of Legislators.

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 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.

Wherefore, authority is respectfully sought for the County to enter into these agreements.

JD/DRM/jpg

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/06/2014 - JIMMY VEIRA, SECRETARY

RESOLUTION

Upon communication from Janet DiFiore, District Attorney, be it hereby,

RESOLVED, that the County of Westchester is authorized to (1) enter into an agreement with the New York State Division of Criminal Justice Services to accept a grant in the amount of \$32,920 in State funds for the Westchester County District Attorney's Office (the "DA's Office") to operate the Video Recording of Statements Program for the program period January 1st, 2014 through December 31st, 2014; and (2) enter into subcontracts with the local municipalities set forth in the attached schedule, acting by and through their respective police departments, pursuant to which the County, through the DA's Office, will purchase the video recording equipment using the aforementioned grant funds to be used by the police departments to record interrogations of suspects who are in police custody, not to exceed the aggregate sum of \$32,920, in the individual amounts set forth in the attached schedule, for the program period January 1st, 2014 through December 31st, 2014; and it is further,

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

Agreement # _____

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
264	37	843P	9853	T843	\$32,920

Budget Funding Year(s) _____ Start Date _____ End Date _____
(must match resolution)

Funding Source _____

Tax Dollars_0____

State Aid_ \$32,920 _____

\$32,920 _____
(must match resolution)

Federal Aid_0_____

Other_0_____

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/06/2014 - JAMES VETTER, SECRETARY

LIST OF LOCAL MUNICIPALITIES

Village of Ardsley (\$3,130)
Village of Briarcliff Manor (\$3,130)
Village of Buchanan (\$3,280)
Village of Hastings-on-Hudson (\$3,130)
Village of Irvington (\$3,660)
Village of Larchmont (\$3,960)
Town of Mamaroneck (\$3,130)
Village of Pelham Manor (\$2,960)
Village of Rye Brook (\$3,410)
City of Rye (\$3,130)

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/06/2014 - JOMARY VIEIRA, SECRETARY