

Robert P. Astorino
County Executive

Department of Probation

Rocco A. Pozzi
Commissioner

DATE: January 15, 2010

TO: Honorable Members
Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner of Probation

RE: **AUTHORITY TO ENTER INTO AN AGREEMENT WITH WESTCHESTER JEWISH COMMUNITY SERVICES, FOR THE PROVISION OF PREDISPOSITIONAL RISK ASSESSMENT AND POSTDISPOSITIONAL TREATMENT OF FAMILY COURT ACT, ARTICLE 3, JUVENILE DELINQUENCY SEX OFFENDERS AND PRE AND POSTSENTENCE RISK ASSESSMENT AND TREATMENT FOR ADOLESCENT SEX OFFENDERS AGE 14 THROUGH 17 APPEARING BEFORE THE CRIMINAL COURT AS JUVENILE OFFENDERS, YOUTHFUL OFFENDERS OR YOUNG ADULTS FOR THE PERIOD JANUARY 1, 2010 TO DECEMBER 31, 2010 AT A COST NOT TO EXCEED \$80,813, PURSUANT TO AN APPROVED BUDGET.**

For the past several years, the Probation Department has provided, through contract with Westchester Jewish Community Services ("WJCS"), pre-dispositional risk assessment and post dispositional treatment of juvenile delinquency sex offenders appearing before the Family Court and pre- and post-sentence risk assessment and treatment for adolescent sex offenders age 14 through 17 appearing before the criminal court as juvenile offenders, youthful offenders or young adults in Westchester County. The program assists Judges to reach appropriate dispositions and sentences for these offenders including directives for offense specific treatment, offense specific residential placements and increased protection of the community.

Enclosed for your consideration is a resolution which, if approved by your Honorable Board, would authorize the County to enter into an agreement with Westchester Jewish Community Services to provide the above services for the period January 1, 2010 through December 31, 2010 at a cost not to exceed \$80,813, to be paid by the Department of Probation pursuant to an approved Budget.

Administrative Office

The public purpose of this contract is to increase the public safety of the residents of Westchester County by reducing the risk of repeated sexual offense by adjudicated youth through proven behavioral remediation in partnership with Probation supervision and through recommendations of restrictive placement for youth assessed to be at "high risk" for repeated offending behavior. Significant cost saving and protection to the community are gained by minimizing out-of-home (and out-of-state) placement by safely maintaining adjudicated youth in the community with treatment and supervision. All of these young offenders are at serious risk of placement outside the home. At the annual cost of approximately \$200,000 per sex offender placement, the ability to safely monitor these juveniles in the community provides significant cost savings for the County.

The first objective of the program is to provide up to 25 pre-dispositional comprehensive risk assessments of young sex offenders to their family or criminal court judges and to their probation officers prior to the dispositional date to aid judges in reaching appropriate dispositions of sentences. The number of youth risk assessments provided is predicated upon judges' orders for such assessments of youth arrested in Westchester County for sexual abuse or misconduct. In 2009 19 risk assessments were completed.

The other objective of the program is to provide post dispositional individual, family and group treatment to juvenile sexual offenders deemed appropriate to remain in the community. The program can treat up to 35 youth and their families over the course of a year. Again, judges decide which youth and their families participate in the program. In 2009, 34 assigned cases received weekly individual, group and family treatment. Because probation sentences for juvenile sex offenders are often a minimum of two years, the program may treat probationers for more than one year which explains why the number of risk assessments are less than the number of treatment cases served in a calendar year. One youth in 2009 was removed from the program entirely and placed into a residential treatment facility due to lack of progress or lack of safety in the community.

Performance of the program will be tracked in quarterly reports from WJCS to the Probation Department that will detail the number of completed assessments and the timeliness of their submission. Each probation officer assigned to youth in treatment will also receive a quarterly report of progress and/or problems in treatment. Any high-risk behaviors will immediately be reported to the probation officer.

The program meets the county's commitment to protect public safety without undue or unjustified expenditure because it provides effective evidence based assessment and treatment protocols at very reasonable rates. Without this program, the young perpetrators would not receive the significant behavioral intervention and influences often needed to motivate and guide this population to reform or control their actions. Research shows that without intensive treatment the youths would likely continue their anti-social behavior and become a greater threat to society as they age and thus a greater public financial and resource burden.

This agreement is exempt from the Procurement Policy pursuant to Section 3(a) xviii of said Policy.

RAP/JB
Enclosure

APPROVED BOARD OF ACQUISITION & CONTRACT - 2-4-2010 - JOMARY VIEIRA, SECRETARY

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 Westchester Jewish Community Services, 141 North Central Avenue, Hartsdale, New York 10530, for the provision of pre-dispositional risk assessment and post-dispositional treatment of Family Court Act, Article 3, juvenile delinquency sex offenders and pre- and post-sentence risk assessment and treatment for adolescent sex offenders ages 14 through 17 appearing before the criminal court as juvenile offenders, youthful offenders or young adults for the period January 1, 2010, to December 31, 2010, at a cost not to exceed \$80,813, to be paid by the Department of Probation 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 and empowered 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		\$80,813

Budget Funding Year(s) 2010 Start Date 01/01/10 End Date 12/31/10
(must match resolution)

Funding Source Tax Dollars \$ 80,813 _____
 State Aid _____
 Federal Aid _____
 Other _____

\$ 80,813
(must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 2-4-2010 - JOMAR VIEIRA, SECRETARY