

43271

November 18, 2014

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 IN AN AMOUNT NOT TO EXCEED \$139,860 TO OPERATE AS THE WESTCHESTER COUNTY MONITORING AGENCY FOR LEANDRA'S LAW OCTOBER 1, 2014 TO SEPTEMBER 30, 2015, PURSUANT TO AN APPROVED BUDGET.**

Authority is sought for 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 \$139,860 for the Department of Probation to act as monitoring agency for Leandra's Law October 1, 2014 to September 30, 2015, pursuant to an approved budget.

The objective of this program is to enhance public safety by engaging in Breath Alcohol Ignition Interlock Device (BAIID) monitoring activities for adult DWI offenders who have been sentenced, pursuant to Chapter 496 of the 2009 Laws of New York State, and whose sentence requires the installation and maintenance of Ignition Interlock Devices in vehicles owned or operated by the offender.

The funding for this program will provide reimbursement for services rendered to every individual referred to the Department for an Ignition interlock device by the courts (sentence to Probation or Conditional Discharge).

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

- The number of Probation and/or Conditional Discharge sentencing orders having BAIID-related conditions received by the county's designated BAIID monitor(s) from all criminal courts within Westchester County. In the previous term, 663 Probation and/or Conditional Discharge sentencing orders received had BAIID-related conditions.
- During the reporting period for each quarter of the contract year, Westchester County will submit the required fiscal paperwork including vouchers and supporting documentation. In the previous term, the Probation department submitted all appropriate reports quarterly.
- The number of vehicle operators court ordered to have an ignition interlock device installed pursuant to such aforementioned laws who are registered in NYS' DMV LENS, or comparable

system by the applicable monitor each quarter. In the previous term, 501 vehicles were ordered to have an ignition interlock device installed.

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 County will be able to enjoy reimbursement for activities performed by the Department pursuant to Leandra's Law responsibilities.

This contract has the public purpose of promoting public safety while monitoring DWI offenders in the Community.

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

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.

Wherefore, authority is respectfully sought for the County to enter this agreement.

EV/LR
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 12/11/2014 (MARY VIEIRA, SECRETARY)

RESOLUTION

Upon a communication from the Commissioner of Probation,

be it hereby

RESOLVED, that authority is 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 \$139,860 to act as the monitoring agency for Leandra's Law October 1, 2014 to September 30, 2015, pursuant to an approved budget; and it is 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
Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub- Object	Trust Account	Dollars
101	39	226P	9854	T226	\$139,860

Budget Funding Year(s) 2014/2015 Start Date October 1, 2014 End Date September 30, 2015
(must match resolution)

	Tax Dollars	
Funding Source	State Aid	\$139,860
	Federal Aid	
<u>\$139,860</u>	Other	
(must match resolution)		