

Robert P. Astorino
County Executive

Department of Probation

Rocco A. Pozzi
Commissioner

Date: February 2, 2010

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 FROM JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 AT A COST NOT TO EXCEED \$214,503.00 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 \$214,503.00 for a period from January 1, 2010 through December 31, 2010.

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 and to provide regular and therapeutic supervised visits between non-custodial parents and their children in a manner that protects children from being victimized and used in conflicts between the parents. The Center is the only program that

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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 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 for 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.

Therapeutic supervised visits are monitored by a social worker and are intended for those cases where children verbalize intense fear or reluctance to see their parent or in those instances where there is a need to provide a venue to allow parent and child to discuss issues pertaining to their relationship. The goal of these visits is to improve familial relationships to the point that the child feels more safe and relaxed with the non-custodial parent. Of these families, 80% will complete this level of supervision and be able to move to either regular supervised visitation or unsupervised visitation.

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 2009, the YWCA Supervised Visitation and Safe Exchange program served a total of 223 families, 282 children and supervised 1,933 visits or exchanges. Under the regular supervised visits, 198 families participated, 251 children were involved and a total of 1,431 visits occurred in 2009. For the therapeutic supervised visits, 13 families participated, 13 children were involved and there were a total of 49 visits in 2009. For the safe exchanges, 12 families participated, 18 children were involved and there were a total of 453 exchanges in 2009.

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. In 2009 the YWCA Program ran at a deficit, to offset the deficit the program collects a sliding scale fee which averaged \$10 per visit. The program collected an average of \$4000 per quarter through these fees to help offset their deficit. In order to decrease costs in 2009 the center had to eliminate Friday visits, for 2010 the YWCA is forced to close an additional day rotated weekly.

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 Supervised 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 Westchester County residents at all income levels. If this resolution were not approved, these residents would lose the only safe location and services necessary to comply with court orders.
2. Safety and Security – The YWCA's Supervised 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 who are involved with this program have/are victims of domestic violence, chemical dependency, mental instability and many other risk factors. If this resolution were not approved, these residents would be faced with a potentially very dangerous, harmful situation for any family member involved in the exchange of a child, or a visit with their non-custodial parent.
3. Health and Environment – The YWCA's Supervised and Safe Exchange Center provides therapeutic services to many children and families where high risk factors are involved. If this resolution were not approved, the children involved in these sessions would go untreated.

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

RAP/JB/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, 2010 and ending December 31, 2010, at a cost not to exceed \$214,503, 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		\$214,503

Budget Funding Year(s) 2010 Start Date 1/1/10 End Date 12/31/10
 (must match resolution)

Funding Source Tax Dollars \$214,503
 State Aid _____
 Federal Aid _____
 Other _____

\$ 214,503
 (must match resolution)

APPROVED BOARD OF ACQUISITION & CONTRACT - 3-18-2010 - JOMARY VIEIRA, SECRETARY