

86522

Department of Correction

DATE: July 21, 2021

TO: Board of Acquisition and Contract

FROM: Joseph K. Spano  
Commissioner of Correction

RE: Authority for the County of Westchester (the "County") to:

- 1) ratify an Agreement between the County and New York University ("NYU") pursuant to which the County, through its Department of Correction, agreed to provide NYU with jail inmate discharge data for academic research purposes for a term commencing on May 8, 2019 and continuing through May 7, 2022; and
- 2) enter into an Assignment Agreement to consent to the assignment of the Agreement between the County and NYU, to Barnard College

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On or about May 8, 2019, the County, acting by and through its Department of Correction (the "Department"), signed an agreement with NYU pursuant to which the Department agreed to provide NYU with data concerning inmates discharged from the County Jail in Valhalla between January, 2005 and March 2019 for academic research purposes (the "Agreement"). Pursuant to the terms of the Agreement, the County would receive no remuneration for supplying the data, but would be reimbursed by NYU for certain data acquisition costs. The term of the Agreement commenced on May 8, 2019 and will expire on May 7, 2022.

Due to an administrative oversight, the Agreement was never approved by your Honorable Board, as is required by §161.01 of the County Charter. In order to give the Agreement legal effect, it will be necessary for your Honorable Board to retroactively authorize the ratification of the Agreement. Accordingly, authority is respectfully requested for the County to ratify the Agreement with NYU pursuant to which the County, through the Department, agreed to provide NYU with jail inmate discharge data for academic research purposes for a term commencing on May 8, 2019 and continuing through May 7, 2022, which Agreement was never previously authorized by your Honorable Board.

In addition, the Department was recently notified by NYU that the Professor conducting the study recently accepted a position at Barnard College ("Barnard"). In order for the Professor to continue with his academic research on this subject, it will be necessary for the County to consent to the assignment of the Agreement from NYU to Barnard. Accordingly, authority is respectfully requested for the County to enter into an Assignment Agreement whereby the County would consent to the assignment of the Agreement between the County and NYU, to Barnard, effective upon NYU's receipt of the fully executed Assignment Agreement.

As the Agreement does not involve the procurement of goods or services, the requirements of the Westchester County Procurement Policy do not apply.

This Agreement will serve a public purpose by providing a worthwhile study on overcoming barriers to successful re-entry of inmates discharged from the County Jail.

Accordingly, authority is respectfully requested for the County to retroactively enter into this Agreement and consent to its assignment.

JKS/WF/JPG/ml  
Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/19/2021 - RAYMOND SCULKY, SECRETARY

## RESOLUTION

Upon communication from the Commissioner of Correction, it is hereby

**RESOLVED**, that the County of Westchester (“County”) is authorized to retroactively ratify an agreement with New York University (“NYU”), pursuant to which the County, through its Department of Correction, agreed to provide NYU with jail inmate discharge data for academic research purposes for a term commencing on May 8, 2019 and continuing through May 7, 2022 (the “Agreement”), which Agreement was never previously authorized by the County Board of Acquisition & Contract; and be it further

**RESOLVED**, that pursuant to the terms of the Agreement, the County will receive no remuneration for supplying the data, but would be reimbursed by NYU for certain data acquisition costs; and be it further

**RESOLVED**, that authority is requested for the County to enter into an Assignment Agreement whereby the County would consent to the assignment of the Agreement between the County and NYU, to Barnard College, effective upon NYU’s receipt of the fully executed Assignment Agreement; and be it further

**RESOLVED**, that the County Executive or his duly authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	N/A	35		N/A			N/A

Budget Funding Year(s) 2019-2022 Start Date 5/8/2019 End Date 5/7/2022  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
N/A Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_

