

87345

To: Board of Acquisition and Contract

From: Joseph K. Spano
Commissioner

Date: August 20, 2021

Re: Authorization to enter into an Agreement with Rockland County whereby Westchester County would maintain Rockland County inmates at the Westchester County Jail, at a rate of \$160.00 per day for each Rockland County inmate housed and whereby Rockland County would maintain Westchester County inmates at the Rockland County Jail at the rate of \$160 per day per Westchester County Inmate housed, for the period May 15, 2021 through May 14, 2026, each on a space-available basis, plus reimbursement for transportation, medical and incidental expenses.

Pursuant to Section 504 of the New York Correction Law, the State Commission of Correction, upon application by the County of Westchester ("County"), has the authority to designate a substitute jail for the County for use by the County in the event that the County jail is unfit or unsafe for the confinement of some or all of the inmates. The State Commission of Correction has designated the Rockland County Jail as the substitute jail for the County and the County Jail as the substitute jail for Rockland County.

Authority is being requested for your Honorable Board to permit the County to enter into an agreement with Rockland County for the County to house Rockland County inmates on a space-available basis at the rate of \$160.00 per inmate per day for Rockland County inmates housed in Westchester and for Rockland County to house Westchester County inmates on a space-available basis at a cost of \$160.00 per Westchester County inmate housed in the Rockland County Jail per day, from May 15, 2021 through May 14, 2026, plus reimbursement for transportation, medical and incidental expenses incurred in connection with the maintenance and detention of the inmates by each County.

This agreement is necessary for the County to carry out its duty to maintain the safety of inmates in the event that the County Jail is filled to capacity and to assure the safety of a prisoner, if necessary, by housing the inmate outside of Westchester County. The goal of maintaining the safety of the public and prisoners while prisoners are being maintained in substitute jails will be tracked and monitored by the Department of Correction through booking records and monthly invoices.

The approval of this contract will assure the public safety of County residents and will permit the use of substitute jails where necessary pursuant to Section 504 of the Correction Law and Section 273.321 of the Laws of Westchester County. The proposed agreement is in the best interests of the County, because the County has obtained a favorable and realistic rate for housing inmates in both the Westchester and Rockland County Jails.

A resolution for your consideration is annexed hereto which I recommend for your favorable consideration.

JKS/DI
Att.

APPROVED BOARD OF ACQUISITION & CONTRACT - 09/30/2021 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Based on a communication from the Commissioner of Correction, be it hereby

RESOLVED, that the County of Westchester (“County”) is hereby authorized to enter into an agreement with Rockland County whereby Westchester County would maintain Rockland County inmates on a space-available basis at the rate of \$160.00 per day for each Rockland County inmate maintained and Rockland County would maintain Westchester County inmates at a cost of \$160.00 per day for each Westchester County inmate maintained in the Rockland County Jail for the period May 15, 2021 through May 14, 2026, plus the cost of reimbursement for transportation, medical and incidental expenses incurred in connection with the maintenance and detention of the inmates; and be it further

RESOLVED, that the County Executive or his duly authorized designee, be and hereby is authorized and empowered to execute any and all documents necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Agency	Major Program, Phase or unit	Object/ Sub Object	Trust Account	Dollars
	101	35	1000	4380		TBD

Budget Funding Year(s) 2021/2026 Start Date 5/15/21 End Date 5/14/26

(must match resolution)

Funding Source

Tax Dollars _____

State Aid _____

\$ _____
(must match resolution)

Federal Aid _____

Other _____

APPROVED BOARD OF ACQUISITION & CONTRACTS 09/30/2021 RAMOND SCUKY, SECRETARY