



**Office of the District Attorney**  
County of Westchester

**MEMORANDUM**

**On Base ID# 95151**

Date: August 3, 2022

To: Honorable Board of Acquisition & Contract

From: Miriam E. Rocah  
District Attorney

Re: Resolution authorizing the County of Westchester, acting by and through the Westchester County District Attorney's Office, to enter into an agreement with the New York State Unified Court System, pursuant to which the County will be given access to and use of the New York State Criminal Inquiry System commencing upon full execution of the agreement and remaining in effect indefinitely unless terminated upon mutual consent of the parties or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date.

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Authority is hereby requested for the County of Westchester (the "County"), acting by and through the Westchester County District Attorney's Office (the "DA's Office"), to enter into an agreement with the New York State Unified Court System ("UCS"), pursuant to which the County will have access to the New York State Criminal Inquiry System ("NYS CIS"). NYS CIS will provide the DA's Office with pending criminal case information throughout the State of New York. The term of the agreement will commence upon full execution agreement and remain in effect indefinitely unless terminated upon mutual consent of the parties or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date.

There will be no cost to the County, but in accordance with the agreement, the County shall agree, to the extent permitted by law, to indemnify and hold harmless UCS, the State of New York and its employees and agents from and against all claims, causes of action, expenses, liabilities and damages, including reasonable attorneys' fees, related to or arising from: i) the County's or an Authorized Users' access to and use and dissemination of the data System Data provided pursuant to the agreement; or (ii) the County's or its Authorized Users' breach of any provision contained in the agreement.

The agreement will serve a public purpose by providing the DA's Office with an additional tool to view pending criminal court proceedings outside the jurisdiction of Westchester County. It will allow the prosecutors to have comprehensive background information Westchester County cases.

The goals and objectives are in the best interests of the County in terms of public safety because the use of NYS CIS will benefit and support various prosecutorial efforts for the DA's Office. There is no cost to the County.

As the agreement does not involve the procurement of goods and services, the provision of the Westchester County Procurement Policy do not apply.

I recommend your favorable consideration of the annexed resolution.

MER/CJF/jpi

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 08/25/2022 - RAYMOND SCULKY, SECRETARY

**RESOLUTION**

Upon a communication from the District Attorney, be it hereby

**RESOLVED**, that the County of Westchester (the "County") acting by and through the Westchester County District Attorney's Office, is authorized to enter into an agreement with the New York State Unified Court System ("UCS"), pursuant to which the County will be given access to and use of the New York State Criminal Inquiry System ("NYS CIS"); and be it further

**RESOLVED**, that the agreement shall commence upon full execution of the agreement and shall remain in effect indefinitely unless terminated upon mutual consent of the parties or unilaterally upon written notice from the terminating party to the other party at least 30 days prior to the termination date; and be it further

**RESOLVED**, that there will be no cost to the County, but in accordance with the terms of the agreement, the County shall agree, to the extent permitted by law, to indemnify and hold harmless UCS, the State of New York and its employees and agents from and against all claims, causes of action, expenses, liabilities and damages, including reasonable attorneys' fees, related to or arising from: i) the County's or an Authorized Users' access to and use and dissemination of the data System Data provided pursuant to the agreement; or (ii) the County's or its Authorized Users' breach of any provision contained in the agreement; and be it further

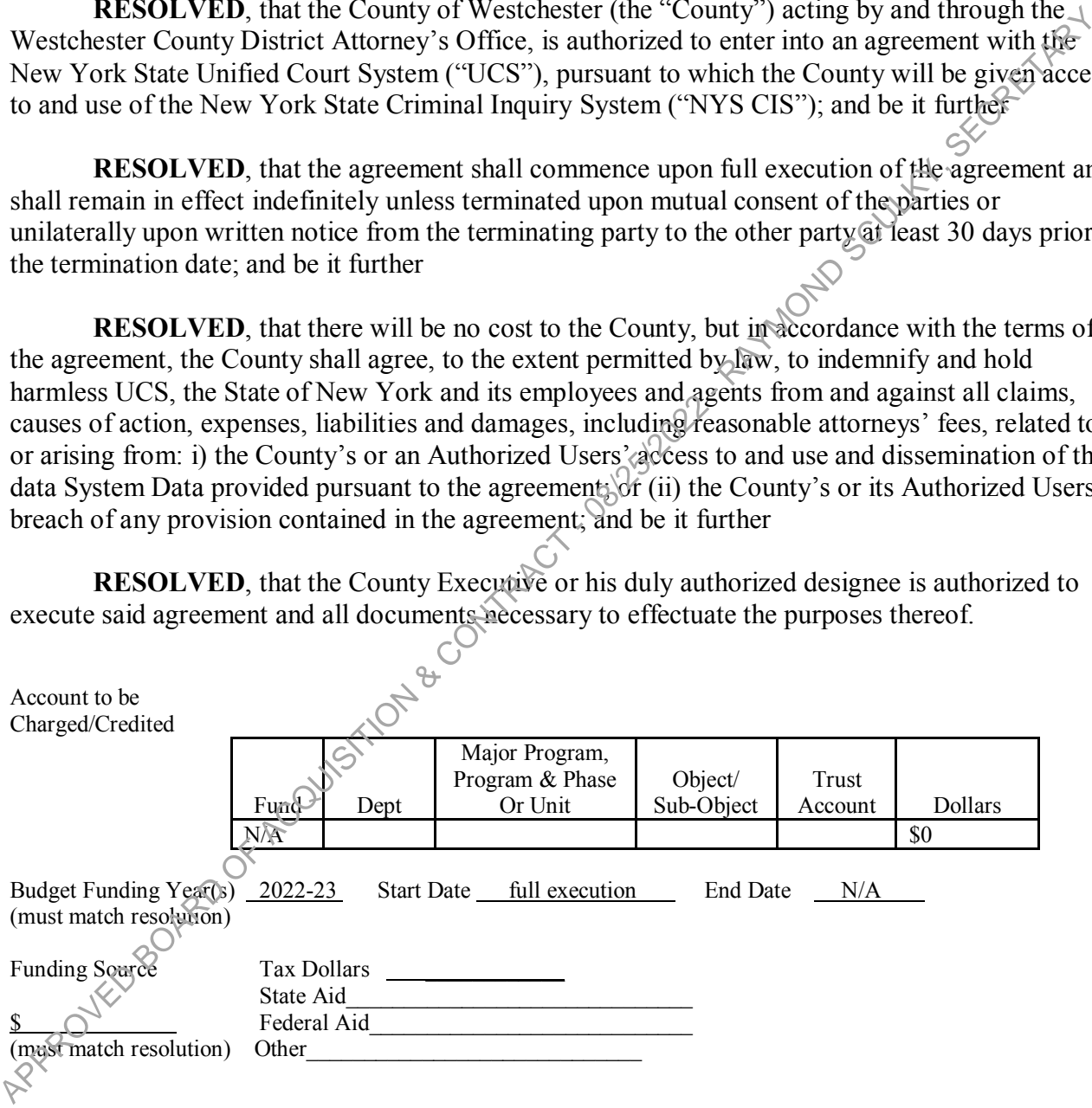
**RESOLVED**, that the County Executive or his duly authorized designee is authorized to execute said agreement and all documents necessary to effectuate the purposes thereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub-Object	Trust Account	Dollars
N/A					\$0

Budget Funding Year(s) 2022-23 Start Date full execution End Date N/A  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 \$ \_\_\_\_\_ Federal Aid \_\_\_\_\_  
 (must match resolution) Other \_\_\_\_\_



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