

SUSPENSION



ECLEG NOV04'15 PM 3:12

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

November 4, 2015

Erie County Legislature  
92 Franklin Street – 4<sup>th</sup> Floor  
Buffalo, New York 14202

**Re: BESAFE Funding – Probation and District Attorney**

Dear Honorable Members:

Erie County has received a grant award in the amount of \$900,000 from the U.S. Department of Justice to fund domestic violence services through its BESAFE program. The award covers the three year period of October 1, 2015 to September 30, 2018. Please find enclosed a resolution from the Department of Probation and District Attorney's Office seeking legislative authorization to accept this grant award and authorize entering into subcontracts.

Should your Honorable Body require further information, I encourage you to contact Amy Hughes, Deputy for Administration in the District Attorney's Office or Brian McLaughlin, Commissioner of the Department of Probation. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in cursive script, reading "Mark C. Poloncarz, Esq.", written in black ink.

Mark C. Poloncarz, Esq.  
Erie County Executive

A large, stylized handwritten signature in cursive script, reading "Frank A. Sedita, III", written in black ink.

Frank A Sedita, III  
Erie County District Attorney

MCP:FAS;mdc  
Enclosure

cc: Brian McLaughlin, Commissioner of Probation

# SUSPENSION

## MEMORANDUM

**To:** Honorable Members of the Erie County Legislature  
**From:** District Attorney's Office & Probation Department  
**Re:** BESAFE Funding - District Attorney and Probation  
**Date:** November 4, 2015

---

### **SUMMARY**

The proposed resolution requests authorization to appropriate funds for the District Attorney's Office and Probation Department, in accordance with the grantor approved appropriation levels. In addition, we are seeking authorization to appropriate the 2016-2017 grant budgets.

### **FISCAL IMPLICATIONS**

The positions are funded in the 2015 and 2016 Budgets and this funding will allow for the continuation and expansion of domestic violence services.

### **REASONS FOR RECOMMENDATION**

This recommendation will allow the BESAFE Grant amounts as listed in the 2015 Budget Book B to be realigned with the final grantor approved appropriation levels as well as appropriate the 2016-2017 grant programs.

### **BACKGROUND INFORMATION**

Erie County was recently informed that we have received a grant award in the amount of \$900,000 from the U.S. Department of Justice to fund domestic violence services through its BESAFE program. The award covers the three year period of October 1, 2015 to September 30, 2018. The award will fund an Assistant District Attorney and Confidential Investigator in the District Attorney's Office and a Probation Officer in the Probation Department. It also provides funding for a High Risk Team Coordinator through Child & Family Services and a Victim Advocate through the International Institute of Buffalo.

The County had previously received Federal funding for BESAFE services for over 18 years, until 2014 when the application for the federal fiscal year starting October 1, 2014 was not renewed. Upon the loss of funding, the County agreed to continue funding two of the District Attorney's positions with the understanding it would reapply for future funding. As such, the District Attorney is requesting authorization to transfer two positions from the general fund back to the BESAFE grant. Probation is requesting authorization to create a position of a Probation Officer in the grant fund that previously existed under this grant.

### **CONSEQUENCES OF NEGATIVE ACTION**

The County will have fewer resources available to provide domestic violence services to the people of Erie County and/or require more County share funds.

### **STEPS FOLLOWING APPROVAL**

The District Attorney's Office and Probation Department will work together on implementing the BESAFE program.

SUSPENSION

**A RESOLUTION SUBMITTED BY:  
OFFICE OF THE DISTRICT ATTORNEY AND DEPARTMENT OF  
PROBATION**

Re: BESAFE Funding - District Attorney and Probation

WHEREAS, the District Attorney and Probation Department seek to provide Domestic Violence services to the residents of Erie County; and

WHEREAS, the Erie County Legislature approved the respective Grant Budgets in Book B of the 2015 Budget in December 2014; and

WHEREAS, outside of the 2016 Erie County Budget process, and after the proposed Grant Fund budget was completed, the District Attorney was recently notified by the U.S. Department of Justice that its application for funding starting in the 2015 federal fiscal year was awarded; and

WHEREAS, this grant award authorizes funding levels different from the adopted budget, thus necessitating technical amendments to the Budget.

NOW, THEREFORE, BE IT

RESOLVED, that effective November 30, 2015, authorization is hereby provided to transfer one position of Assistant District Attorney III (B100 #8482), Job Group 14, and one position of Confidential Criminal Investigator-XII (B100 #8444), Job Group 12, from the District Attorney General Fund to the BESAFE Grant fund; and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the District Attorney's 2015-2016 BESAFE Grant to match final federal authorized funding levels, to be adjusted as follows:

**District Attorney BESAFE Grant  
114BESAFE1516  
10/1/15 - 9/30/16**

<u>REVENUE</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>REVISED</u>
414000 Federal Revenue	\$ 216,427	\$ 19,239	\$ 235,666
479000 County Share Contribution	160,784	(128,981)	31,803
<b>Total</b>	<u>\$ 377,211</u>	<u>\$ (109,742)</u>	<u>\$ 267,469</u>

<u>EXPENSE</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>REVISED</u>
500000 Full Time Salaries	\$ 169,659	\$ (55,106)	\$ 114,553
502000 Fringe Benefits	89,919	(48,509)	41,410
510100 Out of Area Travel	2,000	1,300	3,300
517609 Family Justice Center	5,000	(5,000)	-
517625 Haven House	45,125	11,393	56,518
517641 Hispanics United	33,912	(33,912)	-
517670 International Institute	31,596	20,092	51,688
<b>Total</b>	<u>\$ 377,211</u>	<u>\$ (109,742)</u>	<u>\$ 267,469</u>

# SUSPENSION

## District Attorney General Fund Fund Center 11400 2015

<u>EXPENSE</u>	<u>BUDGET</u>
500000 Full Time Salaries	\$(11,000)
502000 Fringe Benefits	(4,276)
<b>Total</b>	<b><u>\$(15,276)</u></b>

and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to appropriate funds for the District Attorney's 2016-2017 BESAFE Grant to match final federal authorized funding levels as follows:

## District Attorney BESAFE Grant 114BESAFE1617 10/1/16 - 9/30/17

<u>REVENUE</u>	<u>BUDGET</u>
414000 Federal Revenue	\$ 252,987
479000 County Share Contribution	<u>50,615</u>
<b>Total</b>	<b><u>\$ 303,602</u></b>

<u>EXPENSE</u>	
500000 Full Time Salaries	\$138,970
502000 Fringe Benefits	50,615
510100 Out of Area Travel	3,400
517625 Haven House	57,596
517670 International Institute	<u>53,021</u>
<b>Total</b>	<b><u>\$ 303,602</u></b>

## District Attorney General Fund Fund Center 11400 2016

<u>EXPENSE</u>	<u>BUDGET</u>
500000 Full Time Salaries	\$(136,728)
502000 Fringe Benefits	(49,449)
559000 County Share Contribution	<u>45,447</u>
<b>Total</b>	<b><u>\$(140,730)</u></b>

and be it further,

RESOLVED, that authorization is provided to add one Probation Officer, Job Group 9 trainee, position to the Department of Probation's BESAFE Grant effective January 1, 2016 (B-100 8474); and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to reallocate funds within the Department of Probation's 2015-2016 BESAFE Grant to match final federal authorized funding levels, to be adjusted as follows:

SUSPENSION

**Probation Department BESAFE Grant  
126BESAFE1516  
10/1/15 - 9/30/16**

<u>REVENUE</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>REVISED</u>
414000 Federal Revenue	\$ 69,159	\$ (25,139)	\$ 44,020
479000 County Share Contribution	<u>111,081</u>	<u>(96,773)</u>	<u>14,308</u>
<b>Total</b>	<b><u>\$180,240</u></b>	<b><u>\$ (121,912)</u></b>	<b><u>\$ 58,328</u></b>
<u>EXPENSE</u>	<u>ORIGINAL</u>	<u>CHANGE</u>	<u>REVISED</u>
500000 Full Time Salaries	\$ 96,047	\$ (58,763)	\$ 37,284
501000 Overtime	500	1,622	2,122
502000 Fringe Benefits	<u>83,693</u>	<u>(64,771)</u>	<u>18,922</u>
<b>Total</b>	<b><u>\$180,240</u></b>	<b><u>\$(121,912)</u></b>	<b><u>\$ 58,328</u></b>

and be it further

RESOLVED, that the Erie County Legislature does hereby provide authorization to appropriate funds for Probation’s 2016-2017 BESAFE Grant to match final federal authorized funding levels as follows:

**Probation Department BESAFE Grant  
126BESAFE1617  
10/1/16 - 9/30/17**

<u>REVENUE</u>	<u>BUDGET</u>
414000 Federal Revenue	\$ 51,580
479000 County Share Contribution	<u>32,214</u>
<b>Total</b>	<b><u>\$ 83,794</u></b>
<u>EXPENSE</u>	
500000 Full Time Salaries	\$ 49,458
501000 Overtime	2,122
502000 Fringe Benefits	<u>32,214</u>
<b>Total</b>	<b><u>\$ 83,794</u></b>

and be it further

RESOLVED, that authorization is provided to the Division of Budget and Management to adjust the county share contributions for the District Attorney and Probation Department from available funds in account 559000 County Share of Grants in the 2016 Budget; and be it further

RESOLVED, that the County Executive is hereby authorized to enter into contracts with Haven House and the International Institute as per federal authorized funding levels; and be it further

RESOLVED, that during the grant fiscal years, the Director of Budget and Management is hereby authorized to adjust budgets to comply with grantor approved funding levels; and be it further,

## SUSPENSION

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, Erie County Probation Department, the Erie County Executive, the Erie County Comptroller and the Director of Budget and Management.