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**A RESOLUTION BY LEGISLATORS GREENAN, LARSON, RANZENHOFER,
WEINSTEIN & MARSHALL**

**RE: MERGER OF SHERIFF'S DEPARTMENT AND DIVISION OF DETENTION -
DEPARTMENT OF YOUTH**

RECEIVED
ERIE COUNTY LEGISLATURE
1999 JAN - 8 P 1:55 PM

WHEREAS, the Erie County Sheriff is the county's elected chief law enforcement official and is responsible for the enforcement of federal and state civil and criminal laws and county, town, and village ordinances, and

WHEREAS, the Office of the Sheriff provides police and patrol services, investigates crimes, conducts crime prevention programs and performs public safety and emergency services, designed to protect person and property within Erie County, and

WHEREAS, the Office of the Sheriff is also responsible for the operation of the County Holding Center which maintains secure custody of persons detained while awaiting trial and disposition, and

WHEREAS, the Office of the Sheriff provides security for all city and county courts and the State Supreme Court in Buffalo; the department also serves and enforces all civil processes required by the courts and District Attorney, and

WHEREAS, the Office of the Sheriff has a budget of approximately \$33.1 million and has budgeted personnel lines of 215 positions for the Division of the Sheriff and 333 for the Holding Center, and

WHEREAS, the Erie County Department of Youth Services - Division of Detention provides residential and non-residential detention services to local, regional youths, and youths in the custody of New York State who are awaiting final court disposition, and

WHEREAS, it is anticipated that in 1999 the Division of Detention will operate with a capacity for 32 secure and 27 non-secure beds. Youths detained at the detention center are provided medical care, recreation, education, diagnostic evaluation, and individual as well as group counseling for rehabilitation, and

WHEREAS, the Division of Detention also provides Alternative Home Services to youths in their own home and the DART Program (Detention After Team Release) which provides voluntary services to youths and families released by the court without an ordered services plan, and

WHEREAS, the Division of Detention also is responsible for advising and assisting the family Court and the Departments of Probation and Social Services with the placement of youths upon final disposition by the court, and

WHEREAS, it is anticipated that in 1999 the Division of Detention has a budget of \$1.41 million and has a budgeted personnel line of 57 positions, and

WHEREAS, there has been a number of instances in which employee of the Division of Detention have been fired or suspended for improper acts, including concealing felony records, mistreating an inmate, for failing to report the mistreatment of an inmate and for showing an R-rated movie to inmates, and

WHEREAS, in recent years, the Division of Detention has been required to supervise more and more youths who have been accused of crimes of a more serious nature, including felonies, and

WHEREAS, the Division of Detention has also experienced overcrowding of its facilities in recent years, and

WHEREAS, in an effort to address the issues pertaining to overcrowding and to the housing of more serious offenders, it is suggested that the Office of the Sheriff must assume the administration and staffing of the Division of Detention due to its experience in operating the County Holding Center, and

WHEREAS, this type of sharing or merging of services provided by different departments of Erie County government is, when it produces a more efficient and cost-effective delivery of said services, is in the best interests of the taxpayers and residents of Erie County, and

WHEREAS, there are a number of areas of similarity between the Office of the Sheriff and Division of Detention that might lend to a merger of the two departments under one administration in order to produce better coordinated services at less cost to the taxpayers, and

WHEREAS, it is the desire of the Legislature to seek opportunities to improve the quality of services provided by Erie County government as well as to reduce the cost of service delivery to the residents and taxpayers of the county

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature supports the concept of merging departments and services within county government whenever possible and practical, and be it further

RESOLVED, that the Erie County Legislature supports a review of the possible merger of the Office of the Sheriff and the Division of Detention, and be it further

RESOLVED, that the Erie County Legislature does not advocate nor support the merger of any collective bargaining unit associated with the Sheriff's Department or Division of Detention, and be it further

RESOLVED, that the Erie County Legislature does hereby request that County Budget Director Kenneth Kruly, Comptroller Nancy Naples, Sheriff Patrick Gallivan and L. Nathan Hare, Commissioner, Department of Youth Services to work in cooperation on the service consolidation review effort, and be it further

RESOLVED, the aforementioned study be concluded within six months from the approval of this resolution and should include a comprehensive review of several issues, including but not limited to the following:

- the issues of any federal, state or local law and cost reimbursement
- the impact of service consolidation on personnel related to both departments
- possible cost savings and service delivery efficiencies to be gained by the merger
- a full cost/benefit analysis and recommendation concerning the proposed departmental consolidation, and be it further

RESOLVED, that certified copies of this resolution be forwarded to Budget Director Kenneth Kruly, Comptroller Nancy Naples, Sheriff Patrick Gallivan and Commissioner L. Nathan Hare.

JOHN W. GREENAN
9th District

DALE W. LARSON
17th District

MICHAEL H. RANZENHOFER
16th District

BARRY A. WEINSTEIN, M.D.
15th District

FREDERICK J. MARSHALL
13th District

Fiscal Impact: to be determined