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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

December 12, 2014

Erie County Legislature
92 Franklin Street – 4th Floor
Buffalo, New York 14202

IMMEDIATE CONSIDERATION REQUESTED

**RE: Dept. of Probation - Equipment Replacement
Utilizing Forfeiture Funds**

Dear Honorable Members:

The attached resolution and accompanying memorandum from the Erie County Department of Probation, requests authorization to appropriate available asset forfeiture funds for the purchase of replacement equipment. The Probation Department needs to replace as soon as possible body armor which is expiring, transmitters for electronic monitors and a weapons safe in order to maintain efficient operations. These purchases will be made using Federal seizure funds.

Should your Honorable Body require further information, I encourage you to contact Commissioner Brian McLaughlin at the Erie County Probation Department. Thank you for your immediate consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark C. Poloncarz", with a long, sweeping flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bb
Enclosure

cc: Brian McLaughlin, Commissioner Probation Department

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Probation Department
Re: Dept. of Probation - Equipment Replacement Utilizing Forfeiture Funds
Date: December 12, 2014

SUMMARY

The attached resolution and accompanying memorandum is requesting authorization to appropriate available asset forfeiture funds for the purchase of 17 body armor units, ten transmitters for electronic monitors, and a replacement weapons safe for the Probation Department. This will address immediate needs in the operations of the Probation Department.

FISCAL IMPLICATIONS

None. The County has available asset forfeiture funds which will be utilized to pay for this equipment.

REASONS FOR RECOMMENDATION

The Probation Department is mandated to make home visits in order to supervise probationers, including sex offenders, DWI offenders, and domestic violence cases. Probation Officers must wear body armor for home visits and when working in the field for their protection. The body armor is only certified for five years and must be replaced at expiration to ensure officers safety.

The Probation Department officers carry weapons in performing their duties. The weapons are stored in a weapons safe when not in use. The current weapons safe is fourteen years old and has had operational problems and has been repaired several times. The department needs to replace this safe to ensure that weapons are stored properly.

The Probation Department operates an electronic monitoring program which has over 80 electronic monitoring units. The department needs to purchase ten replacement transmitters for ten of the existing electronic monitoring units.

BACKGROUND INFORMATION

Asset forfeiture funds can only be used for law enforcement equipment, training and other investigative or awareness programs as delineated as permissible uses in the Equitable Sharing guideline for State and Local Law Enforcement Agencies. Currently the Probation department has available resources in asset forfeiture funds. It will need to utilize \$15,725 to purchase 17 body armor units @ \$925 each, ten transmitters @ \$520 each and a weapons safe @ \$1,550. The cost of purchasing this equipment is \$22,475. The Probation Department has the funds available for these purchases in existing asset forfeiture funds, which need to be utilized this year or it will be forfeited.

CONSEQUENCES OF NEGATIVE ACTION

The Probation Department will continue to be hampered in the performance of its duties to safely supervise probationers via home visits, to secure its weapons safely and to utilize its electronic monitoring equipment to monitor Probationers.

STEPS FOLLOWING APPROVAL

The Department of Probation will work with the Purchase department to purchase the equipment and ensure the transfer of funds.

A RESOLUTION SUBMITTED BY:
PROBATION DEPARTMENT

RE: Dept. of Probation - Equipment Replacement
Utilizing Forfeiture Funds

WHEREAS, the Erie County Probation Department is mandated to supervise Probationers through the use of home visits; and for officer safety is mandated to wear body armor in the field; and

WHEREAS, the Erie County Department of Probation currently has body armor which is expiring and must be replaced; and

WHEREAS, the Erie County Department of Probation desires to replace this expiring body armor with new armor to protect its officers; and

WHEREAS, the Probation Department also has over 80 electronic monitoring units of which ten need new transmitters; and

WHEREAS, the Erie County Probation Department has a weapons safe to secure the departments firearms, which has been repaired several times and now needs to be replaced; and

WHEREAS, the County has available asset forfeiture funds of which a portion can be used to pay for both replacement of expired body armor, the replacement of electronic monitoring transmitters and the replacement of the 14 year old weapons safe; and

WHEREAS, there is no impact on the existing 2014 Erie County Adopted Budget.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature approves the appropriation of Asset Forfeiture Funds and authorizes the following budgetary transfers in the 2014 Budget of the Probation Department, cost center 1261010:

REVENUE	Increase
421550 Forfeiture Crime Proceeds	<u>\$22,475</u>
REVENUE TOTAL:	\$22,475

APPROPRIATION	Increase
561410 Lab and Technical Equipment	<u>\$22,475</u>
APPROPRIATION TOTAL:	\$22,475

and be it further

RESOLVED, that these expenditures meet the criteria established by the US Department of Justice for use of equitable shared funds; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the County Comptroller, the County Attorney and the Probation Department care of Dina Connors 1 Niagara Plaza.