



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

January 31, 2014

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

**Re: Acceptance of DCJS Alternative to Incarceration Competitive Award
IMMEDIATE CONSIDERATION REQUESTED**

Dear Honorable Members:

Please find enclosed for your approval a resolution from the Department of Probation requesting authorization to accept an award of \$317,897 from the New York State Division of Criminal Justice Services (DCJS), to expand the Release Under Supervision (RUS) Program in Erie County.

The Erie County Probation Department will be providing intensive supervision and supportive services to offenders who would otherwise be awaiting trial in the Holding Center. The Probation Department will coordinate with the Unified Court System and the Department of Mental Health to implement the program.

Should your Honorable Body require further information, please contact Probation Commissioner Brian McLaughlin. Thank you for your consideration on this matter.

Sincerely yours,

Mark C. Poloncarz, Esq.
Erie County Executive

By

A handwritten signature in blue ink, appearing to read "Richard Tobe", is written over a horizontal line.

Richard Tobe
Deputy County Executive

MCP/lb
Enclosure

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Erie County Probation Department
Re: Acceptance of DCJS Alternative to Incarceration (ATI) Competitive Award
Date: January 31, 2014

SUMMARY

The attached resolution and accompanying memorandum request authorization to accept an award of \$317,897 from the New York State Division of Criminal Justice Services (DCJS) to implement an expansion of the Alternative to Incarceration (ATI) Release Under Supervision (RUS) Program.

FISCAL IMPLICATIONS

Funding for the project will be provided by grant funds via the NYS Division of Criminal Justice Services (DCJS) through a performance based contract. No match is required and no county share is anticipated.

REASONS FOR RECOMMENDATION

The Erie County Probation Department has applied for and received an award letter for funding from the New York State Division of Criminal Justice Services for this purpose.

BACKGROUND INFORMATION

The Probation Department submitted an application for funding in response to a New York State Division of Criminal Justice Services (DCJS) request for proposals for Alternative to Incarceration (ATI) programs. New York State allocated approximately \$5 million dollars for this competitive request for proposals to support alternative to incarceration and alternative to jail detention programs that utilize evidence based practices. The Probation Department has been awarded \$317,897 for an 18 month contract to expand the existing Release Under Supervision Program (RUS) to include an Intensive Supervision Program component incorporating Case Management services and cognitive behavioral therapy.

The Probation Department will serve as lead agency and be working collaboratively with the Unified Court System and the Department of Mental Health on the implementation. One Probation Officer (Spanish Speaking) position will be established to implement and coordinate grant activities. The Department of Mental Health will manage the supportive services with Spectrum Human Services through an existing contract that provides identical services to parolees receiving services from the county. The Probation Department will work with the Unified Court System on protocols and establishing the conditions for release. It is expected that 250 people who would otherwise be incarcerated in the Holding Center at County expense will successfully complete the program.

CONSEQUENCES OF NEGATIVE ACTION

The County will forfeit the grant funding and opportunities to supervise persons awaiting trial outside of Jail Management custody will be lost.

STEPS FOLLOWING APPROVAL

The Probation Department will follow appropriate steps necessary to implement the provisions of the grant award.

**A RESOLUTION SUBMITTED BY:
DEPARTMENT OF PROBATION**

Re: Acceptance of DCJS Alternative to Incarceration (ATI) Competitive Award

WHEREAS, the Erie County Probation Department applied for an Alternative to Incarceration grant in response to an RFP from the NYS Division of Criminal Justice Services (DCJS) for the purpose of expanding the Release Under Supervision (RUS) Program to include an Intensive Supervision and Re-Entry supportive services component; and

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has awarded the Erie County Probation Department \$317,897 to implement such a program; and

WHEREAS, the Probation Department working collaboratively with the Department of Mental Health, and the Unified Court System, to identify offenders who can safely be released from the Erie County Holding Center and Jail under the auspices of this new program.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to accept an award from the New York State Division of Criminal Justice Services in the amount of \$317,897 and enter into contract and amendments to these contracts pertaining to this award; and be it further

RESOLVED, that the Erie County Executive is hereby authorized to enter into contracts and amendments to these contracts for professional Services as an expansion of the existing contract for Case Management services established with Spectrum Human Services by the Department of Mental Health; and be it further

RESOLVED, that the Erie County Legislature hereby waives the procedures outlined in Section 19.08 of the Erie County Administrative Code regarding professional services contracts because an existing contract between the Department of Mental Health and Spectrum Human Services for Case Management Services is already executed and can be funded through inter-department billing; and be it further

RESOLVED, that the following budgetary accounts be established as follows:

Erie County Probation Department
Fund 281 – Business Area 126
Grant name ATI- Intensive Release Under Supervision (126INTRUS1415)
Grant period January 1, 2014 to June 30, 2015

Revenue	
Account 409000 State Aid	\$317,897

Appropriations	
Account 500000 Full Time Staff	\$73,246
Account 501000 Overtime	\$7,128

Account 502000 Fringe Benefits	\$52,849
Account 505000 Office Supplies	\$300
Account 510100 Out of Area Travel	\$1,782
Account 510000 Mileage	\$875
Account 516020 Pro Serv Contracts & Fees	\$2,290
Account 530000 Other Expenses	\$850
Account 561410 Lab & Technical Equip	\$1,910
Account 912400 ID Mental Health Services	\$172,843
Account 980000 ID DISS Services	<u>\$3,824</u>
Total Appropriations	<u>\$317,897</u>

Erie County Department of Mental Health
Fund 110 – Business Area 124
Calendar year January 1, 2014 to December 31, 2014

Revenue

Account 912400 ID Mental Health (\$90,000)

Appropriations

Account 517809 Spectrum Human Services OMH \$90,000

and be it further

RESOLVED, that one position of Probation Officer (Spanish Speaking), JG-11 is created within the Department of Probation as noted in B-100 #7651; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust any additional 2014 Mental Health agency funding needed or unspent 2014 funds for Spectrum Human Services relating to this 2014-15 Probation grant in fiscal years 2014 and 2015 via ID billing; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust the grant budget as required, including complying with State approved funding levels; 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, Personnel Department, Department of Mental Health, and the Probation Department c/o Dina Connors Room 112, 1 Niagara Plaza.