

SUSPENSION

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SHERIFF OF ERIE COUNTY

July 12, 2016

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

Re: Transfer of Division of Correctional Health to the Erie County Sheriff's Office

Dear Honorable Members:

Attached please find a proposed resolution and accompanying memorandum from the Erie County Executive and the Erie County Sheriff's Office pertaining to the transfer of the Division of Correctional Health to the Sheriff's Office.

The County Executive and the Erie County Sheriff's Office are requesting your Honorable Body's approval of this resolution to facilitate the transfer of Division of Correctional Health. We believe that the transfer will help better facilitate compliance the provisions of the Stipulated Order of Dismissal with the U.S. Department of Justice and provide inmate-focused healthcare.

We therefore request the Erie County Legislature's consideration and approval of this request. Representatives of the County Executive's office, Department of Health and the Sheriff's Office will be available to answer any questions. Thank you in advance for your consideration.

Sincerely yours,

Timothy B. Howard
Erie County Sheriff

Mark C. Poloncarz, Esq.
Erie County Executive

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Enclosure

SUSPENSION

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Office of Sheriff and Erie County Executive
Re: Transfer of Division of Correctional Health to the Erie County Sheriff's Office
Date: July 12, 2016

SUMMARY

The attached resolution requests authorization allowing the transfer of Division of Correctional Health Services from the Department of Health to the Erie County Sheriff's Office. After consultations with the Division of Budget and Management, Department of Personnel and Department of Law, the Sheriff's Office and the administration have determined that the transfer of the Division of Correctional Health Services from the Department of Health to the Office of Sheriff can best facilitate compliance the provisions of the Stipulated Order of Dismissal with the U.S. Department of Justice and provide inmate-focused healthcare

FISCAL IMPLICATIONS

None for this resolution.

REASONS FOR RECOMMENDATION

The creation of a separate division within the Erie County Sheriff's Office will allow for the creation of a more focused and robust inmate health care delivery system and therefore greater efficiencies are expected for inmate health services. In addition to providing better care for the inmates, this proposal will enable the County of Erie to better comply with the Stipulated Order of Dismissal with the U.S. Department of Justice.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this resolution will hamper the County's ability to comply with the Stipulated Order with the U.S. Department of Justice and provide better medical treatment for inmates.

STEPS FOLLOWING APPROVAL

The Division of Correctional Health Services, including all appropriations and revenue and positions will be transferred to the Office of Sheriff.

SUSPENSION

A RESOLUTION SUBMITTED BY:
OFFICE OF SHERIFF AND ERIE COUNTY EXECUTIVE

RE: Transfer of Division of Correctional Health to the Erie County Sheriff's Office

WHEREAS, the Erie County Sheriff's Office and the County Executive's Office, in conjunction with the Erie County Department of Health have determined that substantial efficiencies and process improvements can be gained by consolidation of correctional health services into the Sheriff's Office; and

WHEREAS, New York State law grants the authority for the care of inmates to the Sheriff of Erie County; and

WHEREAS, correctional health models across New York State and the country place the health care of inmates under the local sheriff's office; and

WHEREAS, the creation of a separate division within the sheriff's office would enable the County to better comply with the autonomy provisions of the Stipulated Order of Dismissal with the US Department of Justice; and

WHEREAS, the medical monitor for the US Department of Justice has approved the transfer of the division.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the transfer of the Correctional Health Service Division and its budget in its entirety to the Erie County Sheriff's Office; and be it further

RESOLVED, that a Division of Correctional Health be created within the Erie County Sheriff's Office and be tasked with the provision of health services to those in the care, custody and control of the Sheriff; and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one full time position of First Deputy Superintendent – Compliance JG 16 (\$114,134 annual salary) in the Correctional Health Division as indicated on B100 #8709 to help oversee this division in conjunction with the Director of Correctional Health; and be it further

RESOLVED, that \$57,067 is hereby transferred from Professional Service Contracts and Fees (Account 516020) to Full Time Salaries (Account 500000) and \$34,240 is hereby transferred from Professional Service Contracts and Fees (Account 516020) to Fringe Benefits (Account 502000) within the Correctional Health budget for this new position; and be it further

RESOLVED, that the Division of Budget and Management and Comptroller's Office are hereby authorized to make any additional budgetary adjustments to effectuate the transfer of this division; and be it further

SUSPENSION

RESOLVED, that the Clerk of the Legislature shall send certified copies of the resolution to the Division of Budget and Management, the County Attorney's Office, the Erie County Comptroller's Office, the County Executive's Office, the Erie County Sheriff's Office, the Department of Personnel, and the Department of Health for implementation.