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OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

FRANK A. SEDITA, III
DISTRICT ATTORNEY

OPEN

February 14, 2012

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Re: District Attorney's Office
Case Management System Upgrade Funding
Immediate Consideration Requested

Honorable Members:

Enclosed, is a proposed resolution and an accompanying memorandum requesting authorization to authorization to transfer and appropriate the District Attorney's Asset Forfeiture funds to be used to supplement the cost of upgrading our current Prosecutors Case Management System, without any cost to the county taxpayer.

Thank you for your immediate consideration of this matter. If this Honorable Body should require any further information, kindly contact our office and we will be happy to accommodate your requests.

Very truly yours,

FRANK A. SEDITA, III
DISTRICT ATTORNEY

FAS/lh

3E-24

ACCOMPANYING MEMORANDUM

To: Erie County Legislature
From: Frank A. Sedita, III, District Attorney
Date: February 14, 2012
Re: District Attorney's Office
Case Management System Upgrade Funding

I. Summary of Recommended Action

The proposed resolution and accompanying memorandum request authorization to transfer and appropriate the District Attorney's Asset Forfeiture funds in order to be used in upgrading and enhancing our Prosecutors Case Management System (PCMS). The District Attorney's Office will be contracting with GCom Software, Inc. to provide these services at a total cost not to exceed \$180,000.

II. Fiscal Implication of Proposal

The District Attorney's Office has received a grant award in the amount of \$65,000 from DCJS. \$40,000 of those funds will also be used to fund the software consultant costs of upgrading and customizing PCMS. Now that the scope of work has been detailed, the entire project will be done at a cost of \$180,000. The additional funds in the amount \$140,000 are currently available in the District Attorney's Assets Forfeiture Trust fund. These forfeited funds were obtained in the course of our prosecution of drug dealers. The Federal forfeiture guidelines allow for expenditure of these funds for law enforcement equipment. Funds in the amount of \$140,000 will be transferred from the Erie County District Attorney's Assets Forfeiture Trust Fund to the District Attorney's Assets Forfeiture Grant. **There will be no cost to County taxpayers.**

III. Reasons for Recommendation and Background of Proposal

The District Attorney's Office continuously receives forfeited funds from the Federal government as a result of successful prosecutions. These funds are initially deposited into a separate trust fund whereby they can earn interest on a daily basis. Asset forfeiture monies are used by the District Attorney's Office to enhance its investigative, surveillance and prosecutorial efforts, as the forfeiture regulations dictate. However, in order to actually encumber and utilize these monies, it is necessary to transfer funds from this Erie County District Attorney's Asset Forfeiture Trust Fund to the Asset Forfeiture Program (SAFDA). This resolution is required to allow for this transfer to take place. The District Attorney is requesting the authorization to transfer \$140,000 from the trust fund and appropriate the funds in its 'SAFDA' program.

As previously discussed in COMM 16E-8 (2011), District Attorney's Office uses the PCMS case tracking system. The New York Prosecutors Training Institute (NYPTI) introduced PCMS to several District Attorneys' offices across the state in 2001. PCMS tracked felony cases filed in Superior Court (i.e. Erie County Court and State Supreme Court) and misdemeanor cases filed in Buffalo City

Court. PCMS is currently on its 4th version (PCMS V.4) while our office continues to run PCMS Version 1.

In addition to Superior Court and Buffalo City Court, there are 37 city, town and village courts in Erie County. Today we are only receiving case information from a fraction of the courts in Erie County. This upgrade, when complete, will allow us to see all arrest information and all case information from **all** local courts. This additional information will allow our attorneys to make more informed decisions when prosecuting a case.

The system currently in use was built and put into place 12 years ago. Programming techniques, hardware, and network infrastructure have greatly increased the speed, and capabilities of the operating system we now wish to employ. NYPTI has utilized GCOM Software Inc. (GCOM) to create the later PCMS versions. DCJS has made funds available to upgrade to the newest version of PCMS and to add special enhancements. Accordingly, we will be able continue our movement towards a fully integrated Case Management System which would include all of the courts in Erie County.

We initially considered different case management systems but found the cost of moving to a new system prohibitively expensive. For example, the installation cost of Karpel, a similar operating system being used by other prosecutors' offices, is approximately \$294,000. When licensing fees, training fees, maintenance costs, and updates are added, the cost is well over \$300,000.

The cost of installing PCMS V.4 is approximately \$180,000, none of which will come from county coffers (\$40,000 is from a state grant, with the remaining funding coming from the seizure of assets from criminals). NYPTI has done all the program management work, developed the technical requirements, will assist in the development of the project, and can offer support in the future, all at little or no-cost. Our research demonstrates that PCMS V.4 can provide us with adequate case management and statistical analysis capabilities without doubling our cost to move to a brand new system. Since PCMS is a product of NYPTI, we will be working hand-in-hand with them to make the software conversion easier. In order to complete this project, DCJS is providing our office the funds to contract with GCOM, a software consultant/developer that provides unique services; i.e., GCOM possesses unique and unparalleled knowledge of critical aspects of PCMS. GCOM also possesses the necessary knowledge and source codes to create our customized enhancements within PCMS V.4.

Initial grant funds were also used to purchase computer tablets for the 10 assistant district attorneys who prosecute cases in the 37 local criminal courts. This, in turn, will allow them to have ECDA Case tracking software at their disposal for expeditiously updating case information, researching prior defendant information, and researching case law and jury instructions without leaving the courtroom. These tablets would also be equipped with a secure VPN to protect the data and wireless, enabling the attorney to access the cases anywhere in Erie County.

DCJS provided our office \$40,000 to contract with GCOM for this work (please reference COMM 16E-8 (2011)), but as additional \$140,000 is necessary. We are requesting authorization to use our asset forfeiture monies to fund this project.

IV. Consequences of Negative Action

Failure to approve this request will hinder the operation and effectiveness of the District Attorney's Office.

V. Steps Following Approval of Measure

The District Attorney's Office will work with the Division of Budget and Management to establish the grant.



Frank A. Sedita, III
District Attorney

PROPOSED RESOLUTION

Re: District Attorney’s Office
Case Management System Upgrade Funding
Immediate Consideration Requested

WHEREAS, the District Attorney’s Office has maintained a Prosecutors Case Management System (PCMS) program since 2001, whereby all case information is entered and tracked; and

WHEREAS, it has become necessary to upgrade the current version of PCMS as well as make customized enhancements to the software in order to meet the needs of the office and the County; and

WHEREAS, the authorization for the County Executive to enter into a contract with GCOM Software Inc. to serve as software consultant and programmer for this project was previously given in COMM 16E-8 (2011), and

WHEREAS, the agreed upon cost for such services has now been determined to be provided at a rate of \$80 per hour, not to exceed \$180,000. A portion of the necessary funds have been made available through a grant from the New York State Division of Criminal Justice Services (DCJS) in the amount of \$40,000; and

WHEREAS, additional funds in the amount of \$140,000 will be paid from the District Attorney’s asset forfeiture proceeds; and it is necessary to transfer funds from the Erie County District Attorney’s Asset Forfeiture Trust Fund prior to their being expended.

NOW, THEREFORE, BE IT

RESOLVED, that \$ 140,000 in available balances in the Erie County District Attorney’s Assets Forfeiture Trust Fund are hereby transferred to the District Attorney’s Assets Forfeiture Program, Funded Program “SAFDA”, and be it further

RESOLVED, that the following appropriations are hereby authorized:

DISTRICT ATTORNEY ASSET FORFEITURE PROGRAM
BUSINESS AREA: 114
COST CENTER: 1140010
FUNDED PROGRAM /WBS ELEMENT: SAFDA

<u>Revenue</u>	
421550 Forfeiture Crime Proceeds	<u>\$140,000</u>
Total Revenue	<u>\$140,000</u>

<u>Appropriation</u>	
561010 Professional Service Contracts & Fees	<u>\$140,000</u>
Total Appropriations	<u>\$140,000</u>

and be it further,

RESOLVED, that the Director of Budget and Finance is hereby authorized to adjust SAFDA budgets as necessary during the year in order for the District Attorney's Office to enhance its investigative, surveillance and prosecutorial efforts, as the forfeiture regulations dictate, and be it further

RESOLVED, that authorization is once again provided for the County Executive to enter into a contract with GCOM Software, Inc., in an amount not to exceed \$180,000, to handle customizations and data conversion of the software; and be it further

RESOLVED, that the contract with the above mentioned consultants are special sole source services and therefore, the Request for Proposal procedure under Section 19.08 of the Erie County Administrative Code is hereby waived; and be it further

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