

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: **CRIMINAL JUSTICE**

DATE: April 26, 2007

Committee Members Present:

Supervisors Tessier
Bentley
O'Connor
Kenny
Mason
VanNess

Others Present:

Kathleen B. Hogan, District Attorney
John Adams, Probation Supervisor
Hal Payne, Commissioner of Administrative & Fiscal
Services
Joan Sady, Clerk of the Board
Todd Lunt, Director, Human Resources
Supervisor Geraghty
Supervisor Gabriels
Supervisor F. Thomas
Debra L. Schreiber, Legislative Office Specialist

Committee Member Absent:

Supervisor Stec

Mr. Tessier called the meeting to order at 10:05 a.m.

Motion was made by Mr. VanNess, seconded by Mr. Mason, and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk.

Privilege of the floor was extended to Kathleen B. Hogan, District Attorney, who distributed copies of her Agenda; a copy of which is on file with the minutes.

Commencing with the first item on the Agenda, Ms. Hogan apprised there had been prior discussions relative to the consolidation of all 12 Town Courts located within Warren County into a centralized District Court. According to recent media reports, she stated, the Office of Court Administration (OCA) had been hosting public hearings proposing that all misdemeanor offenses be transferred to one District Court leaving the Town Courts with only vehicle and traffic violations. Based upon conversations with individuals that had participated in the hearings, she said, they did not anticipate this proposal prevailing, as it had been an ongoing State-wide initiative for the past 30 years. Ms. Hogan briefly reviewed the advantages and disadvantages of this system but said she expected the outcome to be a financial decision.

Ms. Hogan related that Item 2 of the Agenda involved a sex offender workshop and how to protect the rights of *all* parties involved. She stated that she had visited many of the Glens Falls City Schools answering many questions of concerned parents as it related to this topic. In addition, she reported, a national initiative called *Project Safe Child* had been commenced expanding the Crimes Against Children Unit by the Department of Criminal Justice Services (DCJS). Ms. Hogan stated this proposed initiative would require training local law enforcement agencies to prosecute individuals who committed crimes against children. Furthermore, she said, the sentencing ranges on child pornography on the federal level were significantly greater than the state level.

Mr. Tessier queried what action the local schools were taking to protect the children and Ms. Hogan responded she was unaware of any formal policies. She briefly summarized a situation that recently

occurred at a local school that ultimately spawned her presence in some of the schools discussing Meghan's Law and the Amber Alert system. She said it was her belief that all school districts should work in conjunction with each other to develop a policy that would pass constitutional muster. Mr. Tessier commented he recently roamed the hallways of a local school without anyone acknowledging his presence or requesting any information. Ms. Hogan stated it made perfect sense for the Board of Supervisors to host a workshop with the school districts to develop a comprehensive policy that was compatible and intertwined with the enactment of the County's local law, yet consistent with the school districts needs. In addition, she recommended inviting someone from the U.S. Attorney's Office to offer input from other school districts.

A brief discussion ensued.

Ms. Hogan emphasized the importance of parental awareness as it related to Meghan's Law and sexual predators living in neighborhoods because the person that would violate a child was one that was in a position of trust. John Adams, Probation Supervisor, commented that he and his family had personal knowledge of the situation Ms. Hogan mentioned but added that the individual was charged with failure to register as a sex offender. Mr. VanNess said when he was approached about this situation, his concern was violating the rights of either the victim or perpetrator and; therefore, he said, he referred the matter to Ms. Hogan. Ms. Hogan encouraged the school board and the Board of Supervisors to support one another in developing a policy that would coincide with the Local Law. **Note: Local Law No. 7 of 2006, a Local Law Establishing Residency and Employment Restrictions for sex Offenders Who Have Committed Criminal Offenses Against Minors was enacted by the Board of Supervisors on July 14, 2006.**

In summation, Ms. Hogan stated she would ask Dr. John Stoothoff, District Superintendent , Board of Cooperative Educational Services (BOCES), and the local school districts to implement a policy and thereafter, host a joint meeting with the school boards, Board of Supervisors and Paul Dusek, County Attorney, explaining how the policy would interface with the recently enacted Local Law.

With respect to Item 3 of the Agenda, Ms. Hogan apprised they were in receipt of a \$100,000 grant from New York State for the Child Advocacy Center. She advised a closing date of May 4, 2007 had been scheduled on 24 Dix Avenue (home of the new Child Advocacy Center). She explained, the 501(c)3 became the purchasing agent for this parcel thereby eliminating any liability to Warren County and upon the expiration of the contract, she said, they would transfer the contract with the Office of Children and Family Services to the 501(c)3. By utilizing the County infrastructure, she said, it assisted them in the creation of the 501(c)3 so this would be self-sustaining, independent, not-for-profit organization funded through the State.

As a result of Warren County becoming a Level 1 Child Advocacy Center that was certified on a national level, Ms. Hogan stated that the Northeast Regional CAC (Child Advocacy Center) requested Kate Speranza, Director of CARE Center, attend a leadership conference in Philadelphia to assist training other child advocacy centers directors throughout NYS. Ms. Hogan noted the request involved traveling to Philadelphia three times during the year (June 7 and 8, 2007, November 2007 and May 2008). The trips would be funded through the Northeast Regional Child Advocacy

Center and the CARE Center, Ms. Hogan explained.

Motion was made by Mr. Bentley, seconded by Mr. Mason and carried unanimously approving the request as outlined above, and the necessary resolution was authorized for the May 18, 2007 Board Meeting. A copy of the resolution request form is on file with the minutes.

Mr. Geraghty entered the meeting at 10:27 a.m.

Relative to Item 4 of the Agenda, Ms. Hogan requested a Memorandum of Understanding with the New York State Superintendent of Insurance to assist the Office of the District Attorney in prosecuting cases that involved insurance fraud. She added there were no additional costs to the County.

Motion was made by Mr. Kenny, seconded by Mr. O'Connor and carried unanimously approving the request as outlined above, and the necessary resolution was authorized for the May 18, 2007 Board Meeting. A copy of the resolution request form is on file with the minutes.

Regarding Item 5 of the Agenda, Ms. Hogan requested permission to apply for a Recruitment and Retention Grant. She stated when the Assigned Counsel salaries increased to \$75 per hour, the DA (District Attorney) Offices throughout NYS experienced significant turnover. As a result, she said, the District Attorneys Association lobbied the Governor for a one-time retention grant opportunity totaling \$5,703. If successful in obtaining this grant, Ms. Hogan explained she would divide these funds equally amongst the six assistants within her department.

Motion was made by Mr. Kenny and seconded by Mr. VanNess authorizing Ms. Hogan to apply for the Recruitment and Retention Grant in the amount of \$5,703.

Ms. Hogan apprised that these grant funds would be distributed like a bonus and that no employee within her office belonged to the union.

After discussion, Mr. Tessier called the question. The motion was carried unanimously approving the request as outlined above; and the necessary resolution was authorized for the May 18, 2007 Board Meeting. A copy of the resolution request form is on file with the minutes.

Continuing on with Item 6, Ms. Hogan requested extending the contract for Aid to Prosecution with the Department of Criminal Justice Services (DCJS), commencing April 1, 2007 and terminating September 15, 2008, in an amount not to exceed \$40,375.

Motion was made by Mr. VanNess, seconded by Mr. Mason and carried unanimously approving the request as outlined above, and the necessary resolution was forwarded to the Finance Committee for consideration. A copy of the resolution request form is on file with the minutes.

As an update to the Weed and Seed Grant that her office was unsuccessful in obtaining, Ms. Hogan explained the paralegal in her office was working in conjunction with Senator Little's office in hopes

of becoming the recipient of these funds.

Ms. Hogan exited the meeting at 10:35 a.m.

Messrs. Gabriels and F. Thomas entered the meeting at 10:35 a.m.

Privilege of the floor was extended to John Adams, Probation Supervisor, who distributed copies of his Agenda, a copy of which is on file with the minutes.

Mr. Adams apprised the Committee the Probation Department received a \$10,000 Legislative Award from Senator Little's office supporting their efforts against drugs; therefore, he requested to amend the Budget by increasing revenues to accept the grant funds with no additional appropriations.

Motion was made by Mr. Bentley, seconded by Mr. Kenny and carried unanimously authorizing the request to amend the 2007 County budget and request same be forwarded to the Finance Committee for consideration. A copy of the resolution request form is on file with the minutes.

With respect to the second item of the Probation Agenda, Mr. Adams asked that a resolution be forwarded to the New York State Association of Counties (NYSAC) on behalf of Warren County supporting the NYS Council of Probation Administrators (COPA) request to increase the State Aid reimbursement rate from 17% to 50%.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously approving the request as outlined above, and the necessary resolution was authorized for the May 18, 2007 Board Meeting. A copy of the resolution request form is on file with the minutes.

Mr. Adams requested an Executive Session to discuss matters relating to the employment history of a particular individual; and the motion was made by Mr. VanNess, seconded by Mr. Bentley, and carried unanimously, that Executive Session be declared pursuant to Section 105(f) of the Public Officers Law.

Executive Session was declared from 10:39 a.m. to 10:49 a.m.

Committee reconvened.

Mr. Tessier noted no action was taken pursuant to Executive Session.

There being no further business to come before the Committee, on motion by Mr. VanNess and seconded by Mr. Mason, Mr. Tessier adjourned the meeting at 10:50 a.m.

Respectfully submitted,

Debra L. Schreiber, Legislative Office Specialist