

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: CRIMINAL JUSTICE**

**DATE: JUNE 25, 2009**

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**Committee Members Present:**

Supervisors Tessier  
Bentley  
O'Connor  
VanNess  
Taylor  
Goodspeed

**Committee Member Absent:**

Supervisor Kenny

**Others Present:**

Kate Hogan, District Attorney  
Robert Lusi, Director of Probation  
John Wappett, Public Defender  
Frederick Monroe, Chairman  
Hal Payne, Commissioner of Administrative &  
Fiscal Services  
Joan Sady, Clerk of the Board  
Kevin Geraghty, Budget Officer  
Supervisor Strainer  
Supervisor Pitkin  
Supervisor Sokol  
Joanne Collins, Legislative Office Specialist

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Mr. Tessier called the meeting of the Criminal Justice Committee to order at 9:35 a.m.

Motion was made by Mr. Goodspeed, seconded by Mr. Taylor and carried unanimously to approve the minutes of the May 23, 2009 meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to John Wappett, Public Defender, who noted that he had not been scheduled for a meeting; however; he stated, he would like to address the status of the Public Defender's Office. He apprised that the number of cases handled by the Public Defender's Office had grown to over 2,000, a 7-8% increase, which evidenced the rise in the number of individuals who qualified for and chose to utilize Public Defender representation. Mr. Wappett noted that although caseloads had risen and one staff member was on medical leave until August, he had not requested funds at this time, and hoped that current funds would be sufficient through 2009. He reported that he could not identify any opportunities to further reduce the budget. Relative to the Rockefeller Drug Reform Laws, he stated that he did not foresee a significant impact on the Public Defender's Office. Mr. Pitkin asked if the effect of the aforementioned laws might be felt one or two years after becoming effective and Mr. Wappett stated that the only impact (departmental time and effort) would result from retroactive resentencing. He said the Office had received inquiries from individuals who had been sentenced and all such inquiries were referred to the County Court Judge. A greater potential impact, he said, could result from the Public Defender's increased involvement in other types of courts which included Family Court, Domestic Violence Court cases and those relevant to child custody issues. He noted that Family Court involvement would have a long term impact on the Department.

Privilege of the floor was extended to Kate Hogan, District Attorney, who distributed copies of the agenda to the Committee members, a copy of which is on file with the minutes. She stated that in the spirit of conservation of resources, she did not prepare an agenda for distribution.

Ms. Hogan presented two in-State travel requests as follows:

District Attorney's Association of the State of New York (DAASNY) Summer Conference to be held at the Turning Point Resort & Casino, Verona, NY from July 23 - 25, 2009, at a room rate of \$149 for the first night and \$209 for two nights, to be paid for out of the Asset Forfeiture Fund. Employee(s) to attend: Kate Hogan, Jason Carusone

Basic Course for Prosecutors to be held at Syracuse University from August 10 - 13, 2009, with no cost for hotel accommodations.  
Employee(s) to attend: Matthew Hall, Marc Kokosa

Motion was made by Mr. VanNess, seconded by Mr. Taylor and carried unanimously to approve both in-State travel requests as outlined above. *Copies of the Authorization to Attend Meeting or Convention forms are on file with the minutes.*

Ms. Hogan thanked the Committee for their full consideration of alternative housing relative to the Temporary Assistance for Needy Families (TANF) program. Ms. Hogan cited a suggestion from a Maintenance Department employee who questioned the use of the former DSS building as temporary housing which appeared to be easier for conversion. She conveyed her appreciation for consideration of new ideas to the extent that the County could realize cost savings, and she acknowledged support for the Board of Supervisors who would make the final decision.

Mr. VanNess stated that he planned to continue to research grant opportunities relative to the temporary housing issue. Mr. Tessier stated that the pending item regarding the utilization of the former Warren County Jail for temporary housing would be carried forward.

Privilege of the floor was extended to Robert Iusi, Probation Director, who distributed copies of the agenda to the Committee members, a copy of which is on file with the minutes.

Mr. Iusi presented a request for a new contract with the New York State Division of Probation and Correctional Alternatives, for enhanced supervision of sex offender funding for Level 2 and 3 offenders, for the period from April 1, 2009 through March 31, 2010, for an amount not to exceed \$23,292 for supervision, \$5,100 for polygraph services, and \$5,000 for the return/retaking of offenders.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve the request for a contract as outlined above and the necessary resolution was authorized for the July 17, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

The second item presented by Mr. Iusi was a request to extend the contract with Government Payment Services, Inc. (Resolution No. 405 of 2004), to provide probationers with the option of paying restitution and fees with credit cards.

Motion was made by Mr. Goodspeed, seconded by Mr. VanNess and carried unanimously to approve the request to extend the contract as outlined above and the necessary resolution was authorized for the July 17, 2009 Board meeting. *A copy of the resolution request form is on file with the minutes.*

The final item, Mr. Iusi stated, was an outline included with the agenda which reflected the comprehensive mandated services provided by the Probation Department, and the potential

outcomes resulting from the elimination of positions. Mr. Iusi reviewed the report with the Committee.

Mr. Geraghty expressed that it was not the desire of the Committee to implement or justify staff reductions that could potentially place any individuals at risk, and Mr. Iusi expressed his agreement. Mr. Iusi stated that it was his goal to share the details of the services carried out by the Department for the benefit of the Committee.

Mr. VanNess cited the possible repercussion of the Rockefeller Drug Reform Law, which, he stated, could significantly impact the Probation Department and he asserted that public safety was of primary concern. On a positive note, Mr. Iusi stated that the Department was expected to receive federal stimulus funding for two years.

Mr. Monroe asked when the automated phone system would be implemented and Mr. Iusi apprised that it could be implemented to serve as an aid to office functions should staff be eliminated. He noted the preferred method of inquiry response was to assign a staff member to answer phone inquiries.

Hal Payne, Commissioner of Administrative & Fiscal Services, asked the status of the possible office relocation and Mr. Iusi stated that a joint meeting with the Department of Social Services (DSS) was scheduled for tomorrow relative to the potential relocation. He stated that the Department was prepared to move the Juvenile Unit consisting of five staff members to the new Human Services building. The close proximity was appropriate, he said, as many of the families utilized services from both Departments. Further, he said, although this would not present a shared services opportunity due to the variation in Departmental roles, the relocation would improve efficiency and result in cost savings for Warren County.

Responding to an inquiry from Mr. Goodspeed, Mr. Payne stated that the move would provide more space for the offices of the Courts and he said that he continued to work with Sheila Weaver, Commissioner of DSS, regarding the issue.

Mr. VanNess asked if the Probation Department and the Courts could be considered one function relative to guidelines and suggested that Courts and Probation might best be located within close proximity due to their interrelationship. Mr. Payne pointed out that the five juvenile staff worked in the schools three days per week, versus working in the courts. Mr. Tessier noted that strategic planning for relocation was still underway and a final decision had not been made. Joan Sady, Clerk of the Board, asked if the funding for sex offender program had been received, and Mr. Iusi responded that it had not yet been received and the budget would be amended accordingly.

There being no further business to come before the Criminal Justice Committee, on motion by Mr. Goodspeed and seconded by Mr. Taylor, Mr. Tessier adjourned the meeting at 10:00 a.m.

Respectfully submitted,

Joanne Collins, Legislative Office Specialist