

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE

DATE: DECEMBER 1, 2011

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BENTLEY
GOODSPEED
VANNESS
KENNY
STRAINER

OTHERS PRESENT:

ROBERT IUSI, DIRECTOR OF THE PROBATION DEPARTMENT
DANIEL G. STEC, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS GIRARD

COMMITTEE MEMBERS ABSENT:

SUPERVISORS MONROE
MCCOY

LOEB
MCDEVITT
TAYLOR
THOMAS
WOOD

WILLIAM MASON, SUPERVISOR-ELECT, TOWN OF QUEENSBURY
CAMERON TESSIER, WARREN COUNTY RESIDENT
DON LEHMAN, *THE POST STAR*
THOM RANDALL, *ADIRONDACK JOURNAL*
CHARLENE DiRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Bentley called the meeting of the Criminal Justice Committee to order at 10:00 a.m.

Motion was made by Mr. Strainer, seconded by Mr. Kenny and carried unanimously to approve the minutes from the previous Committee meeting, subject to correction by the Clerk of the Board.

Mr. Bentley presented a request on behalf of the District Attorney's Office for a transfer of funds in the amount of \$5,047 from Part-Time Salaries (A.1165 130) to Legal/Transcriptions (A.1165 440) to cover a shortfall in the budget.

Motion was Mr. Goodspeed, seconded by Mr. Strainer and carried unanimously to approve the request for a transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the Request for Transfer of Funds form is on file with the minutes.*

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

Mr. Iusi requested to utilize funds in the Reserve for Probation (Custody Fee Investigations) in the amount of \$10,600 and he requested a transfer of funds in the amount of \$1,350 from Salaries-Overtime (A.3140 120) to Office Supplies (A.3140 410) to reflect the purchase of a new server and software to upgrade the Case Management System.

Mr. Iusi explained that the Probation Department had consulted with the Information Technology (IT) Department regarding upgrading the Case Management System and it was determined a higher functioning server would be required for the upgrade. He noted the Reserve for Probation account was comprised of Custody Investigation Fees. He detailed when the Department first began charging fees for custody it was determined that the first \$1,500 collected would be allocated to the General Fund with the remainder allocated to a Reserve for Probation account to be used for computer

equipment purchases for the Department. He added the last time the account had been utilized was six years prior for the purchase of the Case Management System.

Following a brief discussion, motion was made by Mr. Kenny, seconded by Mr. Vanness and carried unanimously to approve the utilize funds in the Reserve for Probation and the request for a transfer of funds as outlined above and to forward same to the Finance Committee. *Copies of the Request for Transfer of Funds and Resolution Request forms are on file with the minutes.*

Mr. Iusi informed the Governor's Traffic Safety Committee (GTSC) had notified the County of an Ignition Interlock Device Monitoring Award in the amount of \$25,683 to be divided between the Probation Department and the District Attorney's Office for enforcement of the Ignition Interlock portion of Leandra's Law. He noted this was the same amount the County had received last year.

Mr. Iusi mentioned there had been discussion pertaining to the possibility of instituting a fee for all probationers but he said the Bill continued to be held up in the Assembly. He noted the Assembly had introduced an additional Fee Bill which would require a \$20 fee for any person on Probation.

Mr. Iusi reported that Judge Litman, the Chief Judge of the Office of Court Administration, had advocated for raising the age of Criminal Responsibility to 18. He explained currently in New York State offenders age 16 and over were as treated as adults. He advised the change in the age of Criminal Responsibility would mean 16 and 17 year old offenders would be handled by Family Court, as opposed to Criminal Court. Mr. Iusi pointed out New York State and North Carolina were the only two states which had an age of Criminal Responsibility of 16 years old and North Carolina had legislation in place to raise the age of Criminal Responsibility to 18. He said next year New York State would be the only state remaining that prosecuted youths ages 16 and 17 as adults. He said it was his understanding that the intent was for legislation to be introduced this year, either from the Office of Court Administration or as part of the Governor's Budget Bill, to raise the age of Criminal Responsibility to 18 in New York State. He mentioned a two year transition period had been reported by the states that previously raised the age of Criminal Responsibility in order to study the impact. He predicted the change would effect the Probation Department, the County Attorney's Office and the Department of Social Services. Mr. Iusi reported the Probation Department currently dealt with 50 to 60 juvenile complaints per year pertaining to youths under the age of 16. In 2010, he continued, 177 youths ages 16 and 17 were arrested in Warren County. He added seven of those were for violent Felonies which would not be covered under the change in the age of Criminal Responsibility. He pointed out that would mean an increase of approximately 170 juvenile complaints per year handled by the Probation Department. A brief discussion ensued.

As there was no further business to come before the Criminal Justice Committee, on motion made by Mr. Strainer and seconded by Mr. Goodspeed, Mr. Bentley adjourned the meeting at 10:14 a.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist