

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: CRIMINAL JUSTICE

DATE: AUGUST 27, 2012

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BENTLEY
KENNY
STRAINER
MONROE
DICKINSON
VANSELOW
MASON

OTHERS PRESENT:

KATE HOGAN, DISTRICT ATTORNEY
JOHN WAPPETT, PUBLIC DEFENDER
PAUL DUSEK, COUNTY ADMINISTRATOR
JOAN SADY, CLERK OF THE BOARD
SUPERVISORS CONOVER
FRASIER
LOEB
SOKOL
TAYLOR
THOMAS
WOOD
BUD YORK, SHERIFF
DON LEHMAN, *THE POST STAR*
JOANNE COLLINS, LEGISLATIVE OFFICE SPECIALIST

Mr. Bentley called the meeting of the Criminal Justice Committee to order at 9:32 a.m.

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

Privilege of the floor was extended to Kate Hogan, District Attorney (DA), who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Ms. Hogan presented a request for a transfer of funds in the amount of \$2,786.98 from Code A.1990 469, Contingent Account, to Code A.1165 440, DA Legal/Transcript Fees, to cover legal representation fees for an appeal which could not be handled by the Warren County DA due to a conflict of interest. She stated that Judge Murphy from Saratoga County was assigned to the case which involved a violation of probation plea. Judge Murphy, she explained, used the services of a private attorney for the appeal, which resulted in fees which were the responsibility of Warren County.

Motion was made by Mr. Dickinson, seconded by Mr. Kenny and carried unanimously to approve the request for a transfer of funds from Contingent Fund as outlined above and to refer same to the Finance Committee. *A copy of the Request for Transfer of Funds is on file with the minutes.*

Ms. Hogan apprised of the successful government to private non-profit merger with the Warren County DA's Office and the Child Advocacy Resource and Education (CARE) Center, made possible with assistance from the Charles Wood Foundation. She said the CARE Center had achieved 501(c)3 status; thereby making it an independent non-profit organization, and it was necessary to transfer the asset items from the DA's asset listing to the CARE Center.

Motion was made by Mr. Monroe and seconded by Mr. Strainer to approve the request to transfer assets from the DA's Office to the CARE Center.

Mr. Monroe recommended that the resolution be contingent upon review by the County Attorney with regard to contracts and gifts, and Paul Dusek, County Administrator stated that Martin Auffredou, County Attorney, would review the draft resolution.

Mr. Bentley called the question and the motion was carried unanimously to approve the request to transfer the assets for the Child Advocacy Center from the District Attorney to the Child Advocacy Center, contingent upon review by the County Attorney, as outlined above and the necessary resolution was authorized for the September 21, 2012 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Concluding her agenda review, Ms. Hogan presented a request to host the annual meeting of the Northeast Coalition for Crime Victims, to be held on September 11, 2012 in the Sheriff's Training Room, at a cost of \$300 for food and beverages.

Motion was made by Mr. Strainer, seconded by Mr. Dickinson and carried unanimously to approve the request to host meeting as outlined above. *A copy of the Request to Host Meeting or Conference is on file with the minutes.*

Privilege of the floor was extended to John Wappett, Public Defender (PD), who stated his Office was at risk of losing experienced attorneys, due to the salary freeze. The number of caseloads, he said, had not decreased and nine additional State mandates had increased the demands placed on the Department relative to the Sex Offender Registry, Drug Court, Domestic Violence Court and drug sentencing. Staff responsibilities, he said, also included parole hearings, family and treatment court cases and orders from Superior Court in matters related to divorce action/custody support.

Mr. Wappett advised he had surveyed surrounding counties for salary information which had not included experience level. He asserted that losing an experienced attorney would cause a vacancy prohibitive to sustaining current productivity levels. He said the PD was obliged by law to turn away cases when a saturation point was reached; however, he said, the law was not specific and the decision was made by the attorneys handling the cases. The alternative, he said, was to assign cases outside the Department which incurred greater expenses. In terms of long term cost savings, Mr. Wappett stated, it was in the best interest of the County to retain its experienced attorneys in the PD Office. Mr. Kenny suggested that Mr. Dusek conduct a salary review and make a recommendation to the Committee. Mr. Monroe asked if PD staff was involved in recidivism within the various courts and Mr. Wappett responded affirmatively. He explained that alternative programs, when used properly, were effective in decreasing the incidence of repeat offenders; however, he stated, results were not immediate but evidenced over time.

There being no further business to come before the Criminal Justice Committee, on motion made by Mr. Strainer and seconded by Mr. Kenny, Mr. Bentley adjourned the meeting at 9:48 a.m.

Respectfully submitted,
Joanne Collins, Legislative Office Specialist