



# Office of the County Executive

Monroe County, New York

**Adam J. Bello**  
*County Executive*

February 22, 2023

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| No. <u>230064</u>                                                              |           |
| Not to be removed from the<br>Office of the<br>Legislature Of<br>Monroe County |           |
| Committee Assignment                                                           |           |
| <b>INTRGOV REL</b>                                                             | <b>-L</b> |
| <b>PUBLIC SAFETY</b>                                                           |           |
| <b>WAYS &amp; MEANS</b>                                                        |           |

To The Honorable  
Monroe County Legislature  
407 County Office Building  
Rochester, New York 14614

**Subject:** Acceptance of a Grant from the New York State Division of Criminal Justice Services for Criminal Justice Discovery Reform Funding for the District Attorney's Office, the Department of Public Safety, Office of Probation and Community Corrections, and the Office of the Sheriff and Authorize Intermunicipal Agreements with the City of Rochester, Rochester Police Department and the Town of Greece, Greece Police Department

**Honorable Legislators:**

This matter is being referred to Your Honorable Body at the request of District Attorney Sandra Doorley and Sheriff Todd K. Baxter.

I recommend that Your Honorable Body accept a grant from the New York State Division of Criminal Justice Services for Criminal Justice Discovery Reform Funding in the amount of \$2,757,688 for the District Attorney's Office, the Department of Public Safety, Office of Probation and Community Corrections, and the Office of the Sheriff and authorize intermunicipal agreements with the City of Rochester, Rochester Police Department and the Town of Greece, Greece Police Department.

This program provides resources to support local law enforcement agencies with expenses related to discovery and pretrial reforms that took effect on January 1, 2020. These reforms require prosecutors to share evidence in their possession soon after arraignment and well in advance of trial. The reforms also allow defendants an opportunity to review evidence prior to pleading guilty to a crime and eliminate bail for many non-violent and low-level offenses. Eligible expenses include administrative support, computer equipment, data connectivity, training and related materials, overtime costs, litigation readiness, pre-trial services, and other discovery related expenses. This is the first year the County has received this grant.

Funds will be used to help support the following programs in the following departments:

- **District Attorney's Office:** Supports or partially supports nine (9) existing Criminal Law Assistant positions, two (2) existing Grand Jury Stenographer positions, two (2) existing Digital Media Technician positions and one (1) existing Confidential Clerk position directly involved with the discovery process; provides funding for hardware and software fees associated with case management and data storage; and, provides the Rochester Police Department and Greece Police Department each with \$129,000 sub grants to enhance data connectivity for automated transfer of discovery material.

- Office of Probation and Community Corrections: Supports or partially supports the cost of the pretrial services contract, electronic monitoring contract, an existing Electronic Monitoring Probation Assistant, an existing Fiscal Coordinator, and an Electronic Monitoring Senior Probation Officer.
- Sheriff's Office: Supports or partially supports the cost of software for electronic transfer of discovery material, underwrites part of the overtime costs of Sergeants who prepare discovery packages, and provides funding for contracting with a consultant to review the discovery process and make recommendations for improvements.

The funding amounts are as follows: \$2,163,688 for the District Attorney's Office, \$465,000 for the Department of Public Safety, Office of Probation and Community Corrections, and \$129,000 for the Office of the Sheriff.

**The specific legislative actions required are:**

1. Authorize the County Executive, or his designee, to accept a \$2,757,688 grant from, and to execute contracts and any amendments thereto with, the New York State Division of Criminal Justice Services for Criminal Justice Discovery Reform Funding for the District Attorney's Office, the Department of Public Safety, Office of Probation and Community Corrections, and the Office of the Sheriff.
2. Amend the 2023 operating budget of the District Attorney's Office by appropriating the sum of \$2,163,688 into general fund 9300, funds center 2501010000, District Attorney - Central Administration.
3. Amend the 2023 operating budget of the Department of Public Safety, Office of Probation and Community Corrections by appropriating the sum of \$465,000 into general fund 9300, funds center 2403060000, Alternatives to Jail.
4. Amend the 2023 operating budget of the Office of the Sheriff by appropriating the sum of \$129,000 into general fund 9300, funds center 3803010000, Police Bureau Administration.
5. Authorize the County Executive, or his designee, to execute intermunicipal agreements and any amendments thereto with, the City of Rochester, Rochester Police Department and the Town of Greece, Greece Police Department in the amount of \$129,000 each for data connectivity enhancements.
6. Authorize the County Executive to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within the grant guidelines to meet contractual commitments.
7. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law, and when applicable, the terms of any labor agreement affecting such positions.

This is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to review under the State Environmental Quality Review Act.

This grant is 100% funded by the New York State Division of Criminal Justice Services. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello  
Monroe County Executive

AJB:db