

Amending The 2021 Ulster County Budget To Create A “Discovery And Records Unit” At The Office Of The Ulster County District Attorney

Referred to: The Law Enforcement and Public Safety Committee (Chairwoman Walter and Legislators Fabiano, Haynes, Heppner, and Parete), and The Ways and Means Committee (Chairman Gavaris and Legislators Archer, Bartels, Haynes, Maio, Parete, Ronk, and Walter)

Chairwoman of the Law Enforcement and Public Safety Committee, Eve Walter, and Deputy Chair Heidi Haynes offer the following:

WHEREAS, this resolution has been submitted at the request of the Ulster County District Attorney; and

WHEREAS, the District Attorney advises that due to Discovery Reform legislation passed in 2020, Criminal Procedure Law 245, the office of the District Attorney requires the creation of a “Discovery and Records unit”; and

WHEREAS, it is estimated that during an average annual period said law will require accelerated, mandated, expanded and automatic discovery in approximately 1,000 felony cases and 2,500 misdemeanor cases; and

WHEREAS, as a result of the COVID –19 pandemic no criminal jury trials occurred between March 2020 and March 2021, causing Assistant District Attorney caseloads to double and triple in number, exacerbating the burden of accelerated and expanded discovery; and

WHEREAS, the New York State Division of Criminal Justice Services has allotted a grant award amount of \$768,733.00 to Ulster County from the New York State Division Criminal Justice Discovery Compensation Fund; and

WHEREAS, A Discovery Reform Funding Plan requesting \$768,733.00 for discovery and bail reform related expenditures, made between March 31, 2020 and March 31, 2021, including costs related to staff and personnel, will be submitted on May 19th, 2021, seeking reimbursement directly to Ulster County in the amount of \$425,198.36 for Ulster County District Attorney related expenses; and

WHEREAS, the purpose of the criminal justice discovery compensation fund is to annually provide funding to law enforcement and prosecutorial entities for expenses related to discovery reform implementation; and

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WHEREAS, the Ulster County District Attorney has concluded that in order to handle the impact of Criminal Procedure Law 245, the following positions are necessary and should be created: (a) Chief of Discovery Unit; (b) one assistant district attorney; (c) one paralegal; (d) one records and operations manager; (e) one video and technical support technician; and (f) one administrative assistant; and

WHEREAS, it is necessary to amend the 2021 County Budget to provide funds to meet the County’s obligation for these expenses, now, therefore, be it

RESOLVED, the Legislature hereby authorizes and creates the permanent positions of (a) Chief of Discovery Unit; (b) one assistant district attorney; (c) one paralegal; (d) one records and operations manager; (e) one video and technical support technician; and (f) one administrative assistant, and be it further

RESOLVED, that the 2021 Ulster County Budget is hereby amended as follows:

CREATE

<u>POSITION #</u>	<u>TITLE</u>	<u>AMOUNT</u>
11651456 (PL#)	Discovery & Records Unit Chief Mgt (Full-Time)	\$81,996.00*
* Annual Salary Annual Benefits \$42,392 (Salary to Year End – 7/5/2021 \$40,841) (Benefits to Year End – 7/5/2021 \$21,115)		
11651457 (PL#)	Assistant District Attorney Mgt (Full-Time)	\$68,567.00*
* Annual Salary Annual Benefits \$35,449 (Salary to Year End – 7/5/2021 \$34,152) (Benefits to Year End – 7/5/2021 \$17,657)		

CREATE

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<u>POSITION #</u>	<u>TITLE</u>	<u>AMOUNT</u>
11651458 (PL#) * Annual Salary Annual Benefits \$27,062 (Salary to Year End – 7/5/2021 \$26,072) (Benefits to Year End – 7/5/2021 \$13,479)	Paralegal CSEA – Grade 15	\$52,344.00*
11651459 (PL#) * Annual Salary Annual Benefits \$25,135 (Salary to Year End – 7/5/2021 \$24,215) (Benefits to Year End – 7/5/2021 \$12,519)	Records & Operations Mgr CSEA – Grade 14	\$48,616.00*
11651460 (PL#) * Annual Salary Annual Benefits \$27,062 (Salary to Year End – 7/5/2021 \$26,072) (Benefits to Year End – 7/5/2021 \$13,479)	Video & Tech Support Tech CSEA – Grade 15	\$52,344.00*
11651461 (PL#) * Annual Salary Annual Benefits \$22,046 (Salary to Year End – 7/5/2021 \$21,239) (Benefits to Year End – 7/5/2021 \$10,981)	Administrative Ast./Typ CSEA – Grade 12	\$42,642.00*
	<u>INCREASE</u>	<u>AMOUNT</u>
AA-1165-1031-1300-1300	Regular Pay	\$172,591.00

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(App.#)

AA-1165-1031-8000-8000 (App.#)	Retirement	\$ 28,789.00
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AA-1165-1031-8010-8010 (App. #)	Social Security	\$ 13,204.00
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AA-1165-1031-8020-8035 (App. #)	Health Insurance	\$ 47,237.00
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<u>DECREASE</u>	<u>AMOUNT</u>
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AA-0917-3205 (Rev.#)	Unassigned Fund Balance	\$261,821.00
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and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 3
(Noes: Legislators Fabiano, Litts, and Ronk)

Passed Committee: Law Enforcement and Public Safety on June 2, 2021

Passed Committee: Ways and Means on June 8, 2021

FINANCIAL IMPACT:

\$261,821.00 -ADDITIONAL 2021 APPROPRIATION DOLLARS
(\$542,603 ANNUALIZED)

\$261,821.00 - REDUCTION IN UNASSIGNED FUND BALANCE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 15th Day of June in the year Two Thousand Twenty-One, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 17th Day of June in the year Two Thousand Twenty-One.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
17th Day of June 2021.

Approved by the County Executive this
22nd Day of June 2021.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

|s| Patrick K. Ryan
Patrick K. Ryan, County Executive