

**Law Enforcement & Public Safety Committee
Regular Meeting Minutes**

DATE & TIME: July 8, 2020 – 5:15 PM
LOCATION: Powered by Zoom Meeting by Dialing (646) 558-8656
Meeting ID: 970 7121 2741
PRESIDING OFFICER: Chairwoman Eve Walter
LEGISLATIVE STAFF: Jay Mahler, Deputy Clerk
PRESENT: Legislators Donaldson, Fabiano, Haynes, Heppner & Parete
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: Legislators Bartels, Bruno, Delaune, Greene, Litts & Petit, Legislative Counsel Ragucci, Brandon Bogert & Victoria Reid – Rural Heath Network/Ellenville Regional Hospital, First Assistant District Attorney VanLoan – UC District Attorney’s Office, Director Schmidt & Deputy Director Nacarato – UC Probation, Director Peterson – UC Emergency Management/Communications, Mario Tagliaferro – UC PBA, Deputy County Executives Rider & Milgrim, Lauren Sheeley, Esq., Peter Frank – Legal Services of the Hudson Valley

Chairwoman Walter called the meeting to order at 5:18 PM.

Motion No. 1: Moved to **APPROVE** the Minutes & Transcript of the June 3, 2020 meeting

Motion By: Legislator Haynes
Motion Seconded By: Legislator Heppner

Discussion: None

Voting In Favor: Legislators Donaldson, Fabiano, Haynes, Heppner, Parete & Walter

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: **Minutes APPROVED**

Chairwoman Walter recognized Brandon Bogert, CHES, Project Coordinator, Rural Responses to the Opioid Epidemic, Rural Health Network/Ellenville Regional Hospital and Victoria Reid, Executive Director, Rural Health Network, to discuss the Opioid Overdose Risk Management Team, the Network Engagement Tracker (NET) System, and Fatality Review Teams.

See attached transcript.

Resolution No. 235: Confirming The Appointment Of Lauren Sheeley As Director Of Ulster County's Public Defender's Office

Resolution Summary: This resolution confirms the appointment of Lauren Sheeley to the position of Ulster County Public Defender.

Discussion: See attached transcript

Motion No. 2: **Moved TO ADOPT Resolution Nos. 235**

Motion By: Legislator Parete

Motion Seconded By: Legislator Heppner

Voting In Favor: Legislators Donaldson, Fabiano, Haynes, Heppner, Parete & Walter

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: **Resolutions ADOPTED**

Resolution No. 248: Authorizing The Chair Of The Ulster County Legislature To Execute A Contract With The New York State Division of Criminal Justice Services – Raise The Age Program – Department Probation

Resolution Summary: This resolution authorizes the Chair to enter into an agreement with the NYS DCJS in the amount of \$812,788.00 for the Raise the Age Program for the period April 1, 2018 through March 31, 2020.

Motion No. 3: **Moved Resolution No. 248 FOR DISCUSSION**

Motion By: Legislator Donaldson

Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Donaldson, Fabiano, Haynes, Heppner, Parete & Walter

Voting Against: None

Votes in Favor: 6

Votes Against: 0

Disposition: **Resolution ADOPTED**

Resolution No. 249: Amending The 2020 Ulster County Budget To Adjust The Annual Salary Of The Public Defender In Order To Be Consistent With A Full-Time Position

Resolution Summary: This resolution amends the 2020 Ulster County Budget to increase the salary of the Public Defender by \$15,400 from \$89,154.00 to \$120,916.00.

Motion No. 4: **Moved Resolution No. 249 FOR DISCUSSION**
Motion By: Legislator Donaldson
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript

Voting In Favor: Legislators Donaldson, Fabiano, Haynes, Heppner, Parete & Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 256: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Primecare Medical Of New York, Inc. – Department Of Mental Health

Resolution Summary: This resolution approves the execution of a contract with Primecare Medical of New York, Inc. in the amount of \$50,000.00 for the purchase of MAT medications for inmates at the UC Jail utilizing one-time funding provided to the county from the NYS Office of Addiction Services and Supports.

Motion No. 5: **Moved Resolution No. 256 FOR DISCUSSION**
Motion By: Legislator Fabiano
Motion Seconded By: Legislator Parete

Discussion: See attached transcript

Voting In Favor: Legislators Donaldson, Fabiano, Haynes, Heppner, Parete & Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution ADOPTED**

Resolution No. 261: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. – Emergency Management

Resolution Summary: This resolution approves the execution of a contract and FEMA Rider with Accucare Nursing & Homecare, Inc. establishing a not to exceed amount of \$300,000 for nursing services needed to respond to the ongoing COVID-19 pandemic through March 10, 2021.

Motion No. 6: **Moved Resolution No. 261 FOR DISCUSSION**
Motion By: Legislator Donaldson
Motion Seconded By: Legislator Haynes

Discussion: See attached transcript

Voting In Favor: Legislators Donaldson, Fabiano, Haynes, Heppner, Parete & Walter
Voting Against: None
Votes in Favor: 6
Votes Against: 0
Disposition: **Resolution ADOPTED**

Chairwoman Walter updated the members on the Criminal Justice Reform Task Force.

See attached transcript.

Chairwoman Walter asked if there was any new or old business, and hearing none;

Adjournment

Motion Made By: Legislator Parete
Motion Seconded By: Legislator Fabiano
No. of Votes in Favor: 6
No. of Votes Against: 0

TIME: 6:36 PM

Respectfully submitted: Deputy Clerk Mahler & Confidential Secretary Lichtenstein (transcript)
Approved: August 5, 2020

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Chairwoman Walter called the meeting to order at 5:18 PM.

Here is the link to the Otter audio transcript: <https://otter.ai/s/SlpCFAhTQ16i1-8QiF8u4g>

Chairwoman Walter: I will call the meeting to order. Seems like everybody's here. I'll start with a motion to approve the June 3 meeting minutes and transcript.

Legislator Haynes: I'll make a motion, Heidi.

Chairwoman Walter: Heidi. Second.

Legislator Heppner: I'll second.

Chairwoman Walter: That's Jonathan.

Chairwoman Walter: All favor?

Committee Members: Aye.

Chairwoman Walter: Oppose? Abstain?

Chairwoman Walter: Okay, terrific. So, the first on the docket we have is Brandon Bogert and Victoria Reid. I had invited them here for a couple reasons. One, is this group, at our very first meeting of the Session of this year, it was expressed that there's a lot of interest in understanding what's going on in response to opioid overdose and what we're doing in the county. And also, the work that they're doing does involve several of the departments in criminal justice, law enforcement. And so it seemed fitting that they take a few minutes and talk about a couple of their efforts that they're working on right now. So, I don't know Brandon or Victoria, which one of you wants to take the lead?

Brandon Bogert: Hi, everybody, I'll talk. Like Eve said, I'm Brandon Bogert. I'm a project coordinator with the Rural Health Network at Ellenville Hospital.

This month, we are moving into implementation on a grant we just got from the Bureau of Justice Assistance with the intention of starting what we're calling a high risk mitigation team, which kind of has a couple of different subsets. So, the two that really pertain to this group, mostly, our new data system, which we're creating that we're calling the Network Engagement Tracker, or the NET System. And going along with that data system is an Opioid Prevention Response Team.

So, the data system is meant to be used by pretty much anybody who might come in contact with somebody who's in the spectrum of opioid treatment, or any substance use treatment, really. So, that being a lot of arms of law enforcement, the courts, any treatment facility, hospitals, psychiatric facilities, that kind of thing.

Basically, what it does is if an at risk person consents to have a profile created for them in the system; they'll have a profile. And then any of those partners that I mentioned before that this person comes in contact with, will be able to go in, look at that person's profile and add what we're calling "events." Those events being anything that puts them at higher risk of either relapsing or having an overdose. So, these being missed treatment appointments, showing up in the emergency room for something that's not an overdose, but is substance use related, overdoses, leaving an inpatient facility, and a few other things.

Once that person, or once that agency goes in and adds that an event has happened to this person, that triggers an alert that'll get sent to an assigned care navigator that that person will have. And that triggers the response of the Overdose Prevention Response Team.

So, the agency goes in puts in that the person missed an appointment, and alert is sent to their care navigator and their care navigator is able to actually go to the person's house, go and see them in person and ask them you know, what led to this event? Why did you miss your appointment? Was it transportation issues? Was it, you know, did you have a relapse or an overdose and then the person is able to kind of help them mitigate all those things.

The other part of it is the Sheriff's ORACLE team. They're kind of handling immediate overdoses, but now they're working with us as if there is an overdose. They're talking to the person and getting them in contact with our Care Navigator, or peer, to try and get them involved in the program and to have a profile built for them in the data system.

So, all of that, along with the other facet of the project, is an Opioid Fatality Review Team. If there is a fatal overdose, this team will get together and put a case summary of the whole person's life story, and any treatment attempts that they've made, or any other ways that [inaudible] and really prevented this overdose.

So, that whole team, whether they're on the Fatality Review Board, they're part of the whole overdose prevention team, or they're working in the data system. They will also get together once a month and kind of do case studies to see where we are frequently losing these people and where are they are getting lost in the cracks. And hopefully, the end result of this will be that more people have success when they go into treatment. And also less overdoses. Unless Victoria, if I missed anything, if there's any questions, I can take them.

Chairwoman Walter: Heidi.

Legislator Haynes: Has this been modeled anywhere else. And has this type of system been implemented in use and what were the results? If so, or this a pilot, first time for our area, for the hospital?

Brandon Bogert: The data system is really fairly new and kind of was thought up by more Victoria. But the overdose response team or the overdose prevention team is sort of a pilot, but there are a lot of other states and counties and other states that are doing overdose response teams. But that's more kind of what ORACLE is doing. So we kind of took that and molded it to really pilot actually responding to the situations that then cause an overdose.

Legislator Haynes: So, it'd be fair to say that this is something new that our county is doing in partnership with Ellenville Regional Hospital?

Brandon Bogert: Yeah.

Legislator Haynes: Good. Thank you.

Brandon Bogert: No problem.

Chairwoman Walter: Other questions? And I'm just popping around. So, if I don't see you raising your hand, let me know. And so, Brandon was there specifically something that you needed to connect, support either from the, I can't recall if it's the District Attorney's Office, or the Sheriff's Office, or Probation, since these people are on this call now?

Brandon Bogert: Not particularly at this moment, a lot of those people we've already been in contact with. We're working with the Sheriff's team and ORACLE pretty closely because they're a really big part of it. And we also have been in contact with the DA and getting some of the court systems involved because we're hoping to be able to put in court appointments or missed court appointments into that data system too.

Legislator Walter: Great. Any other questions?

Legislator Parete: Yes, Madam Chair.

Chairwoman Walter: Go ahead, John.

Legislator Parete: So, from what I can gather from now, and I didn't know you were going to be here in the past. This is not a program to prevent people from starting drugs, or experimenting with them, or taking them, this is to try to help them once they're a confirmed addict, or they've had problems, is that correct?

Brandon Bogert: That is pretty much correct. Yeah. A lot of it'll help us kind of inform other prevention messaging too, which can be used in that way, to kind of prevent it, from the start. Because using this will help us gather some information on that. But mostly, yeah, the project is aimed at people who already have a substance use issue.

Legislator Parete: Well, you know, may I Madam Chair? I wish you luck there, my friend. I've been dealing with this for years before anybody even knew it was a pandemic. And since you're here, I'd like to suggest that any legislator who's listening, or you folks, go back to 2013, Local Law No. 1 or No. 2, that was passed to try to identify students of need, student's at risk in the school systems, was passed by this Legislature. The administration that was there didn't really want to be bothered. And if you want to see one of the reasons, look at any of the correspondences to why it never took hold, is because it was dealing with people in the education system. And somewhere in my filing system, I have a letter from them, in essence saying, on the advice of attorneys, we don't want to cooperate with this. This going back to 2013.

Do you work with the schools in the county, mental health people, to identify students at risk? I wish you the best of luck. But you've got a real road to hoe there my friend. Because if you can, if you can save people who have a problem, that's wonderful. We have to start trying to save people before they start. And I like to ask you folks, go back and check in, if I'm not exactly right on my numbers, because I wasn't prepared for this. I think if Jay's around, she would know what local law number one that passed, and then was never followed up on. And young man, thank you for your time and good luck to you guys.

Chairwoman Walter: Thank you. So, we could certainly look to find that and see maybe. It's a very different time now. So, I'd be very interested in seeing what that was.

Are there any other questions or comments before we move on? And again, I'm popping between screens, so I don't miss anybody. All right, so seeing none, we will move on to our resolution. So, Brandon and Victoria, I mean, you're welcome to stay, but if, you know, we understand, you don't have to, it's all up to you.

Okay, so the first resolution is Resolution No. 235: Confirming the Appointment of Lauren Sheeley as the Director of Ulster County Public Defender's Office.

So, just a few pieces of housekeeping. First of all, and this is kind of new to me, so I'm kind of somewhat regurgitating things that I was told. So, if I get anything wrong, people can help clarify. This isn't exactly a job interview. There was already a job interview. This is a process and an opportunity for us in the Legislature who must vet these candidates to go through that process. And so, there's several questions that I was provided from Legislative Leadership that I'm going to go through. And, and after that, I will open the floor, if any other Legislators have any other kinds of questions. So, pay attention to what was already asked. So, we could do our best to not repeat those kinds of questions. But obviously, if you have a follow-up to anything, you know, just jot it down and then when I'm, when we get through the whole list, we'll open the floor for you.

And it's necessary that the final vote for this occurs in the full Legislature. So, at this point, our acceptance of this resolution is to allow it to move on to Ways and Means. And it's not really... you're not making this decision right now about whether this individual is the right fit for this position. We need to move it along to Ways and Means, because this decision has to be made by the full Legislature. So, just in terms of that process.

Yes, Herb.

Legislator Litts: Because this is listed as a personnel issue, should this be done in Executive Session?

Chairwoman Walter: Thank you for asking. So, the decision of that was brought up, and it was brought up with counsel, the question and answer part of it is public. But any conversation that we're going to have about this will need to be in that kind of situation. And I don't know, Chair Donaldson, if you want to add anything to that. You're on mute.

Chairman Donaldson: I'm sorry, guys. This is a confirmation, more like an interview. It is the person is going to be, or not going to be hired, by the county. You do not need to go into personnel, you don't need to go into Executive Session. But if we ask anything, and you know, actually personnel, or our debating or discussing it afterwards, we would most likely go into Executive Session, but then come out to vote. But as Eve pointed out, due to our Charter, it actually goes to the floor regardless, because we have to vote by the entire body.

Chairwoman Walter: Any other procedural questions before I proceed? Heidi, is your hand up?

Legislator Haynes: Yeah, actually I would like for you to explain what happens if it does fail in the committee.

Chairwoman Walter: Well, I guess... that's my request is that it doesn't. What we're passing is the acceptance, the allowance that this should go to Ways and Means, and it should go to the floor. It would procedurally be problematic, because it would not allow... if it stops here, it never allows the full Legislature to make a vote on this. And then what would it mean, by default, the appointment would follow, would happen. So, we...

Chairman Donaldson: According to the Charter. The body votes

Chairwoman Walter: Yeah, according to the Charter. And so...

Chairman Donaldson: The Legislature confirms the appointment

Chairwoman Walter: Right. And so, the Charter does require that the full Legislative body gets a chance. So, the same is going to be true in Ways and Means. They're going to need to just approve moving it to the next stage. And then that way, the full Legislature will make their decision.

Legislator Haynes: Okay, I think Dean has a question.

Chairwoman Walter: Yes, Dean. You're on mute. Sorry, Dean, you're still on mute. You want me to unmute you.

Legislator Fabiano: Can you hear me now?

Chairwoman Walter: Yeah. Perfect.

Legislator Fabiano: Thank you. So, my question would be, so, was this for all the appointments that would have to go automatically to the floor, appointments of any personnel in these positions, Dave? They would all go to the floor?

Chairman Donaldson: Technically, any nominee, no matter what department head, still has to go to the floor of the Legislature. Yes.

Legislator Fabiano: That's in the Charter, correct?

Chairman Donaldson: Yes.

Legislator Fabiano: Okay. Thank you. That's all I had.

Chairwoman Walter: Okay. All right. Any other questions before we proceed? Okay. So, once again, I'm going to start with the questions that were provided to me by the Legislative Leadership, and then I will open up the floor to any other questions that legislators have.

So, I'm going to just start briefly. You were all provided the job description. But I'll just read a short segment because the questions are specifically related to this section. And so that way, it has its context.

So, under full performance, knowledge, skills, abilities and personal characteristics: a comprehensive knowledge of the principles and practices of criminal law as applicable to state and federal law; comprehensive knowledge of criminal court procedures and the rules of evidence; a high degree of skill in the preparation of briefs; skill in the presentation of a defense before a jury; ability to analyze appraise and apply legal principles, facts and precedents to legal problems; ability to communicate effectively and to establish a rapport with indigent defendants; initiative, tact good judgment, good physical condition. The minimum qualification is five years of experience as a practicing attorney in the field of criminal law, three of which must have involved court appearances in the trial of issues in this field.

And so with that...

Deputy Executive Milgrim: Actually, Eve. Excuse me, can I interrupt? Where are you getting that from? That's divergent from the state guidelines. There is a 14-year old document with that in it.

Chairman Donaldson: That's right. He's out of order, Eve. He's out of order. This is a Legislative hearing. And what he's talking about, it's a policy that was set in 1975, and in 1980 was revisited. But it's a policy that every county in New York has. There's not a county that it does not have that.

Deputy Executive Milgrim: Okay. That's absolutely incorrect.

Chairman Donaldson: I'm not going to argue with him. But he's wrong. And as a result, what happens is, this is a Legislative hearing. And he should mute himself because he's not part of this.

Deputy Executive Milgrim: Well, if you're going to spread misinformation from 1975. That's two generations ago, Dave.

Chairman Donaldson: That is not... [inaudible]

Deputy Executive Milgrim: There are New York State Defenders Association guidelines which supersede the Charter.

Legislator Heppner: Point of order.

Multiple Speakers: [Inaudible]

Chairwoman Walter: Legislator Heppner.

Legislator Heppner: By the rules of the Legislature, no one is to speak unless recognized by the Chair of the Committee. I hope we can respect that so we can move along this evening.

Chairwoman Walter: Thank you. And that's just say just for explanation. This was the backup that was provided to us with the resolution and therefore I am reading it as it was provided as backup. So we'll proceed.

So, Lauren, are you ready? Okay.

So, the first one relates to the qualification, some that were described here. So, with regard to your criminal defense experience, how many written motions have you drafted and filed in criminal proceedings?

Lauren Sheeley: None in criminal proceedings.

Chairwoman Walter: Okay. The next one is how many plea bargains have you negotiated on behalf of criminal defendants?

Lauren Sheeley: None.

Chairwoman Walter: How many juries have you personally picked in criminal cases during your career?

Lauren Sheeley: None.

Chairwoman Walter: How many jury trials have you handled from inception to verdict?

Lauren Sheeley: None.

Chairwoman Walter: How many bench trials have you handled in your career at the County Court level? They should just be bench trials.

Lauren Sheeley: Right. At the County Court level, none. At other courts, hundreds.

Chairwoman Walter: Okay, and these are all bench trials.

Lauren Sheeley: Yeah.

Chairwoman Walter: Great. Okay. Do you want to tell us about... can you describe the typical bench trials that you've handled? And ensure that they're trials, not summary proceedings.

Lauren Sheeley: Yeah. Well, oftentimes a lot of the cases I handled were technically brought as petitions and summary proceedings. However, they still proceeded to a full, legitimate bench trial. So in that regard, you know, I appeared, I'll use Kingston City Court as an example, where I tried many cases and appeared hundreds of times. I

appeared in front of Judge Ball and Judge Kirschner in bench trials. You know, presented our evidence, our clients, our questions, our closings, and completed full trials.

Chairwoman Walter: And just to clear, were any of them related to criminal cases?

Lauren Sheeley: No.

Chairwoman Walter: So, they were typically what type of cases?

Lauren Sheeley: Civil.

Chairwoman Walter: Okay. Any bench trials that you handled in the New York State Supreme Court?

Lauren Sheeley: No.

Chairwoman Walter: So, have there been any criminal matters that you've handled from inception to disposition over your career?

Lauren Sheeley: No.

Chairwoman Walter: Again, it said in the description that in Ulster County, other counties across New York State, the requirement for the position of public defender includes five years of experience in the field of criminal defense, and three years of trial experience. It's also required that the public defender's highly skilled in presenting defense to a jury in criminal proceedings. How do you feel that you meet these requirements?

Lauren Sheeley: Well...

Chairwoman Walter: I mean, do you feel...?

Lauren Sheeley: Technically, with regard to criminal, the criminal requirement, you stated the five and the three years. You know, technically, I don't, I don't have that experience. You know, I have lots of other experience, and transferable skills, and practical experience as an attorney of 13 years. I mean, I could expand on that and go on, if I am able.

Chairwoman Walter: So, why don't I get through these first and then, just because I want to get... let's get through this first. So, currently, there's a small number of attorneys that are currently at the Public Defender's Office handling felony cases. The previous public defender handled most of the murder and other high profile trials. If you're confirmed as the chief public defender of the county, would you be able to handle these? Do you have the experience to be able to handle these high profile murder and felony trials?

Lauren Sheeley: So, standing here today, you know, I could have the experience to do those things. But I just want to clarify, that in my research, I was able to find some information, because I was just interested in knowing. And it appears since 2018, the public defender only handled, or was involved in five cases. So, two of them appeared to be murder, and that's it, and that was in 2018. So, I would, I would argue that that's not 100% accurate, because that's not what was being done. I would also argue...

Chairwoman Walter: Okay. Well, we don't need to argue. I mean, it's not a matter of that. I have that he averaged an active caseload of 20 felony cases. I think it's great that in Ulster County, we didn't have too many murder trials. That's a good thing. So, in New York attorneys are required to have the knowledge and skill in a particular area of law before taking representation. Do you believe you possess the requisite knowledge and skill in criminal law to handle criminal matters at any level?

Lauren Sheeley: I believe I possess the requisite knowledge in criminal law to supervise, to learn more, and to leverage the team to handle criminal matters across the board.

Chairwoman Walter: Okay. We're going to move to some policy issues. Can you please describe your position on both the bail reform and discovery reform? Both the initial and the reforms of the reforms, where we are currently. Do you feel that they are sufficient, or have they gone too far, or not far enough?

Lauren Sheeley: Okay, so, with regard to bail reform, I as... from a defense perspective, and as public defender, I would be in support of bail reform.

I know that the recent amendments added more offenses to the qualifying offense list. So, that there's approximately 15 more categories of offenses for which cash bail can be set by a judge. I, you know, don't have any express objection to that. However, I'm in support of bail reform, because under the old system, it was a two tiered playing field. You know, it was better to be guilty and rich than it was to be innocent and poor, and people were basically being punished for not being able to pay bail.

Chairwoman Walter: So, can I ask, do you think that we should be doing more? Do you feel that it's sufficient now, with the new reforms, or do you feel that more should happen from the perspective of a public defender?

Lauren Sheeley: From the perspective of public defender, I think it's, it's sufficient now, and I would be wary to go further. Especially when it comes into questions of judicial discretion and making decisions, which can bring in issues of racial bias.

Chairwoman Walter: Okay, and in terms of discovery?

Lauren Sheeley: Discovery reform, I think from, as a public defender, from a defense attorney's perspective, it's very helpful to our clients. It calls for open early and automatic discovery. So, we're actually able to give our clients full information and disclosure of the facts and evidence against them before they have to make a plea bargain, or give up, or forfeit their constitutional rights. So, I think that the discovery reform is very important. And very, very important to defendants.

Chairwoman Walter: And just to repeat, do you feel that it's sufficient where it is now? Or do you feel that it hasn't gone far enough, or too far?

Lauren Sheeley: I think discovery reform is sufficient and I would not like to see it amended by the people's position.

Chairwoman Walter: Were you asked any questions about criminal justice reform in your interview? For your preliminary interview?

Lauren Sheeley: Honestly, I can't recall the exact questions. I mean, I do believe we discussed the criminal justice system overall. And my passion for the community and the clients.

Chairwoman Walter: But not the actual reforms, some of which are taking place this very month.

Lauren Sheeley: I'm sorry, I can't, I don't remember the actual questions.

Chairwoman Walter: And do you feel that these reforms would affect... how would they affect the way you handle the defense of an indigent defendant?

Lauren Sheeley: Well, I mean, what the reforms we just discussed, bail and discovery?

Chairwoman Walter: Yeah.

Lauren Sheeley: I mean, it affects... it would affect my clients positively. Especially with the discovery being able to get the information that's going to be, you know, the evidence and the facts of be used against them prior to them having to give up any constitutional rights. And you know, it's good that no bail is set for the non-qualifying charges. And it's great that we're bail is permissible the judge now has to offer three different types. So, it gives more options to people and for our clients.

Lauren Sheeley: I'm sorry, you're muted.

Legislator Heppner: You're muted.

Chairwoman Walter: Please make sure you're all muted so that Lauren doesn't get interrupted. Thank you.

Chairwoman Walter: Okay, so the public defender is required on a weekly, if not daily basis, to use their judgment to decide how to best present the defense in major felony cases. In turn, the public defender must make decisions regarding how to use the county's limited financial resources, either for expert witnesses, like DNA or blood splatter experts, or other investigative measures during the case. How would you go about making these decisions, in light of the fact that you have had limited experience in criminal matters, you know, as a prosecutor.

Lauren Sheeley: Well, like I said, I would, you know, make every best, every possible effort to learn anything that needs to be learned. But, you know, primarily, I'd be leveraging the team. There's an office full of extremely competent and knowledgeable attorneys. There's an acting public defender right now that's, you know, available, and, you know, 20 plus years of experience. And I would leverage the experience of the people surrounding me to make those decisions.

I'd also say, with regard to limited resources, you know, the good news is that the state does provide a lot of opportunities for that office in terms of criminal defense. There's, you know, state funding, that will make those resources, you know, that makes those resources available to the Public Defender's Office. And so, I would like to be involved in that process and making sure that we're taking advantage of all of the money on the table so that any of those tools we need to use for our clients are going to be available.

Chairwoman Walter: So, I'll just restate it. I guess the question is related to the leadership of that process, as opposed... I mean, it's certainly great to rely on people who have the experience, but the responsibilities will land with the with the person who has this position, first and foremost. And, you know, any issues that go wrong can be a lawsuit against the county. So, in terms of as a leader, what role will you take to lead this process?

Lauren Sheeley: As a leader, I would be an active listener. I would solicit the opinions and the advice of my team and, you know, almost make the decisions together, with obviously the final decision or authority laying with me, as a public defender. But I don't overlook the expertise that is there and would never undervalue it. I would always want to consult the team and get different opinions and try to make these decisions informed and together.

Chairwoman Walter: Okay, I have one last question and then I'll open it up. A public defender's job requires the management of assistant public defenders in the 33 or so local justice courts across the county, as well as the City of Kingston Court and County Court. This has historically included weekly, if not daily calls from judges and assistant district attorneys seeking the public defender's assistance with issues arising during the court's calendar. How do you plan on handling the oftentimes sensitive legal and procedural issues that arise in the Court Justice setting?

Lauren Sheeley: I mean, I would handle them as they come in. Again, any anywhere that I felt like I needed input and the knowledge of the team, I would consult the attorneys, and I guess it's called the deputy public defender. I'm sorry, I don't know the exact title. And I would be available for the courts and, or the prosecutors, or whomever to reach out and make sure that there was an open line of communication so that I can appropriately, you know, speak

to everyone and in form relationships. And make sure that we all sort of have an understanding and that we're working together in the delivery of justice.

Chairwoman Walter: All right. Thank you.

So, I will open up the floor. Please raise your hand and be recognized so that we make sure that this process is in a civil manner.

Legislator Haynes.

Legislator Haynes: Hi, good evening. I'd like to say hi to Ms. Sheeley. And with that being said, you know, we got off, you know, kind of on a rocky start here, and I would like to back it up just a little bit. I'm still concerned with the fact that, where did this backup piece of information come from for this resolution? That's number one.

But before we get into that, I think that's going to take a little bit more time. I'd like to hear, perhaps, experience regarding her criminal defense. You know, she says she doesn't have the criminal defense knowledge. However, perhaps she's got equivalent experience. But I'd like to hear a little bit more about what she could bring to our county that perhaps previous public defenders have not. And I'd also like to know if she has any information regarding grant writing or funding, looking at funding streams, as well.

Chairwoman Walter: So, Lauren, just hold that question for a second. Just as support, do I need a motion to discuss this, to open this up? Or... Jonathan's shaking his head? No. Okay. I wanted to... Thank you. I just want to confirm because I was asked. All right, sorry, Lauren, please proceed.

Lauren Sheeley: Yeah, thank you. I do have some thoughts and remarks prepared in order to give you an overview of me and my experience. So, I've been practicing law for 13 years. 10 of which I have spent serving indigent and underserved clients who have been fighting for their livelihoods and their freedoms. I want you to know about me is that I'm more than a tenant attorney.

During my 10 years at free legal service providers, I had to adjust and adapt my practice areas countless times. When the funding would change or go away, our positions would be changed, and our jobs would be moved. So, I had to adapt and learn on a regular basis. So, I've practiced and or supervised disability law, social security, elder, housing, child advocacy, immigration, domestic violence and crime victims, family court matters, matrimonial, public benefits, foreclosure, bankruptcy, discrimination, civil rights matters. And I've handled general legal issues facing veterans, the LGBTQ plus community and people with are affected by HIV AIDS.

When I was transferred to the legal services Kingston office around 2013, I fought for our residents when everything was against them. My clients were poor, and they were desperate, and many of them were accused of alleged wrongdoing. Many of my clients were disliked and attacked by the opposition, even in open court. But I defended them and stood by them proudly. One time I literally shielded my client with my body as the opponent was screaming and calling her names. But I was proud and stood with her.

As a general practitioner, at a free legal services provider, you have to be ready to spot all of the legal issues in your clients' cases. You have to take action where needed, in a timely manner. You have to ensure that their non-legal issues are being addressed. And you have to zealously advocate for your clients in all situations. And you also need to triage and get your clients the best possible outcomes under the circumstances.

Over my years in public interest, I have litigated hundreds of cases. I have helped hundreds of people and their families avoid homelessness. I have helped hundreds obtain lifesaving benefits and services. I have prevented dozens of illegal lockouts. I have identified systemic issues and trends against populations in this county, such as seniors, and then made it an office priority to fight for their rights against the oppressive party, who took every advantage of them.

I have helped people clean out their homes so they can stay there. I have helped hundreds of people navigate complicated processes to get the help that they needed to survive.

Chairwoman Walter: Lauren, I want to make sure people all get a chance to ask more questions. So, I'm going to open up the floor for another question. Let me just pop around. Chair Donaldson, did you have your hand up?

You're on mute.

Chairman Donaldson: I'm sorry. Yeah. So, there is also a correspondence that just came from the New York State Defenders Association that should be included in this discussion. It just came in. I don't know if they can share that with others, but they should probably see that.

Chairwoman Walter: I'm sorry. What are you asking for something to be shown?

Chairman Donaldson: Yeah, it's a New York State Defenders Association that got sent. I don't know if we need to share it. I mean, but everybody should be sent that particular letter that just came in today. So, they can understand what this is about.

Chairwoman Walter: I'll make sure Jay... We'll figure this out after the meeting, and make sure it gets sent out. Do you have a specific question?

Chairman Donaldson: Yeah. So, first I want to thank Lauren for all that she has done in her career helping out indigent people. You know, it's very laudable. But what I'm looking at is, this is the Public Defender's Office. And I can tell you where that document came from. It's a policy document. It came from the Personnel Department. Okay, just so you so you know, Heidi, it came from the Personnel Department. We have documentation and qualifications for everybody, no matter what the job is. And that's where that came from. Anyway, so I really am appreciative of that. This is a public defender's position and it is *the* public defender. How would you actually help out another public defender. I mean, if he's having troubles and he comes to the you know, you as *the* public defender, how can you help for his trial if you don't have no criminal law experience.

Lauren Sheeley: You said, how can I help him in in his trial?

Chairman Donaldson: Yeah, his trial or he's coming before you because he's having difficulty with a case or particular thing.

Lauren Sheeley: Right. I mean, I am a lawyer and I'm a good lawyer. And I have excellent litigation and trial experience. So, I can help a person prepare for trial. Honestly, no matter what kind of trial it is, there are principles and analyses that are conducted on... And usually the best way to prepare for a trial is with your team and your peers, right. So, I would hope that they would come to me, and their team, for help or questions about trials. You sit down, you organize your information and your evidence. You prepare and you troubleshoot your questions. That's direct examination and cross examination. You practice your questions together. In every way I could support and empower the public defenders in their trials and not just criminal, but family too, because that's a significant portion of that office.

Chairman Donaldson: How many jury trials, how many jury trials have you had?

Lauren Sheeley: I have not gone to a jury trial. Mine have always been consented to bench or pleaded out.

Chairwoman Walter: Okay, Legislator Heppner. Sorry. Did you have another? Can I move to Heppner and we'll get back to you if you have another question?

Chairman Donaldson: Sure.

Chairwoman Walter: Thank you. Legislator Heppner.

Legislator Heppner: Yes, again, thank you, Lauren. I just had a question. So, my understanding is that the Executive saw applications for this position, so, I'm assuming you applied for it, which is my understanding. You've obviously had a very distinguished career in Legal Services of the Hudson Valley. It's a great organization. I thank you for the work you did there. Just on a somewhat personal level, and just out of curiosity, you know, it's obviously you know, that office, although there are similarities in terms of the, you know, the backbone being advocacy, what is it that, you know, made you interested, and wanted to make that move into a more, you know, into a Public Defender's Office, which is very much a very different arena?

Lauren Sheeley: Right.

Legislator Heppner: Especially in terms of, you know, the criminal aspect of it. Yeah. What was it that you know, made you want to apply for the position?

Lauren Sheeley: Yeah, I mean, listen, to be honest, the criminal portion is the is the only portion that, you know, I have not completely dealt with and managed before. I want the position because I feel as though I'm dedicated to the underserved and indigent populations and the people who need these services. And I want to help them. And I want to be a part of that, and the change in this incredible time of life that that everyone is sort of demanding. You know, I want to be a part of that. And I want to be a voice for the community and the clients and their families. And I want to use my passion and my, you know, my caring for them, to their best benefit.

And use my voice in the community, and in commissions, or reforms, or policy conversations, how however I can. I also just want to say that, you know, there's a huge, huge administrative portion to this job. And I will just mention that my statistics, from the Public Defender's Office say that since 2018, the public defender assisted on five cases.

This is a heavy, heavy job that does not only incorporate criminal law, but a huge family court unit. Currently, the trial practice numbers are like eight times what they are there was 169 trials completed in the family court unit, and there was 20 completed for the criminal court unit. And that's federal, because the misdemeanors and the violations are done by the private part-timers and the Justice courts, but that's significant. I mean, that's something that I that I know that I can contribute to, and I have the exact knowledge and experience that is needed for the administrative portion.

I know that's sort of like boring, and maybe doesn't seem that important, but I think that the grants, and the contracts, and the funding, and the attention that needs to go to that, those parts of the office, should not be overlooked. There's a lot of money on the table and there's more money there that the office is not using. And I would want to play an active role and getting all of the resources for that office. There's like seven plus positions to be filled. There is a lot of work to be done.

Chairwoman Walter: Okay. Legislator, Donaldson, you had another question? You're on mute.

Chairman Donaldson: I'm unsure where you have the facts in reference to the prior public defender. Because he was in court every week. He may not have ran all the cases right to the end, but he was in court virtually every week. And maybe it's the one that he completed that you're talking about, I don't know. But I know for a fact he was in court almost every, virtually every week. But I mean, you can't take me saying he's going to be there every week tonight. He was there virtually every week, he had a full load himself. So, I'm not sure where that came from.

Lauren Sheeley: It came from his office, his administrative staff, they ran a report on the program.

Deputy Executive Rider: He was in court as a private attorney every week. He had his own private law practice.

Chairwoman Walter: Yeah. So, I have a note that there, just to let you the legislators know, that the memo from the New York State Defenders Association was uploaded to the committee's OneDrive and it'll be emailed to the other Legislators and to Ways and Means tomorrow. So, I just wanted to make sure you knew that.

Legislator Haynes.

Legislator Haynes: Yeah. Ms. Sheeley, you indicated that you were doing cases for the Kingston Police Department. Was that a heavy caseload? What was that like?

Lauren Sheeley: I'm sorry, I didn't hear. I'm sorry.

Legislator Haynes: Can you hear me now? Yeah. Okay. You indicated that you were working cases for the City of Kingston Police Department, is that correct?

Lauren Sheeley: I'm sorry for the City of Kingston Court. Kingston court. Yeah.

Legislator Haynes: What? How many cases was that? What was that caseload like?

Lauren Sheeley: It was it was a heavy caseload. As a staff attorney, the caseloads were usually over 100 cases at a time. As a manager, I would advise against that many cases. I don't I don't think it's wise. I don't think it's fair to the clients or the attorneys. So, as a manager, you know, part of my role was to monitor caseloads, which is, you know, another huge role of the public defender to monitor cases and caseloads. Kingston City Court was our busiest court. We had our most cases there. We also had in court attorney programs that I initiated upon obtaining funding, where we had people doing intakes and were there in court available to the people show up at their first appearance because that court would not give adjournments to litigants. I'm sorry. I think that answers your question.

Chairwoman Walter: Thanks. I just want to make sure that Legislators who are not on the committee you should feel comfortable asking questions if you have questions too. You don't just have to be on this committee. So I just want to make sure those of you who are joining us feel comfortable asking because this is an opportunity.

Legislator Bruno: Thank you, Chairwoman.

Chairwoman Walter: Others? Chair Donaldson.

Chairman Donaldson: Yeah. Do you know how many of the members of the Public Defender's Office actually handle the felony cases?

Lauren Sheeley: Yeah, I am fairly certain it's around, and don't quote me, but it's around eight.

Chairwoman Walter: Did you have a follow-up question to that?

Chairman Donaldson: No, I just wondered. And now many of them do to murder trials. Do you know who does the murder trials, or has done them?

Laure: Yeah, I mean, I could find it.

Chairwoman Walter: While you're looking, Legislator Heppner, did you want to say something?

Legislator Heppner: No, I was just I thought you're moving on. Legislator Haynes had her hand up.

Chairwoman Walter: Oh, yeah, I saw that. But I wanted to give Lauren a chance to finish. But we want to get to... Sorry, go ahead.

Lauren Sheeley: There are felony assistant public defender. Of those of those full-timers, there are ones designated for certain things, and certain courts. So, in talking to the current acting public defender, he's strategizing who he assigns to what, and what he assigns to who. And then also, it depends on the current caseloads. You have to be careful with how many cases that each has. He said that he, you know, he likes certain attorneys have certain strengths, and he tries to match those attorneys with the types of cases. And I, you know, at this point in time, support that analysis and would, you know, welcome becoming privy to that and getting to know the team, and being and knowing where to appropriately place cases.

Chairwoman Walter: Legislator Haynes.

Chairman Donaldson: Let them answer the question. Who does murder trials?

Lauren Sheeley: I'm sorry.

Chairman Donaldson: The question was which one of them do the murder trials? Is what I asked. If you knew which one was that. Now you're talking about the present person that's in the office right now that came from the DA's Office. Is that correct?

Lauren Sheeley: Yeah. Yep.

Chairwoman Walter: Okay. Legislator Haynes.

Legislator Haynes: Yeah. Do you know what the breakdown of the caseload for the Public Defender's Office was?

Lauren Sheeley: So, I don't know. I don't know their caseloads, currently. But what I have, and what I'm looking at, is the numbers from the 2019 report that the office submitted to the state. And that's giving sort of breaks down the case numbers in terms of the types of cases that are handled. That's where I got the 20 total criminal trials completed and the in 169 Family Court trials completed.

Legislator Haynes: And I just have one other question. I know, there's been a lot of questions.

Chairwoman Walter: No, it's okay.

Legislator Haynes: Alternative sentencing, Is that something that you're willing to support?

Lauren Sheeley: Yes. Yes. I mean... I think it's ...

Legislator Haynes: You said you worked with Judge Ball. I'm assuming maybe, perhaps, you've dealt with drug court? And is that something that you're willing to support, alternative sentencing?

Lauren Sheeley: I mean, alternatives to incarceration, and the conversation, and the creativity that the public defender, and the DA, and the judges need to come together and discuss is super important. Now more than ever, we need to have those conversations about alternatives to incarceration. And I have great relationships with Judge Ball and Judge Kirschner. In fact, you know, I feel as though I have good relationships with all of the judges I have appeared in front of. And, yes, it's very important.

Chairwoman Walter: I have one. Our former Public Defender was in that position for quite a long time. And in your interest in this position.... this might be a two part question, I guess, depending on how you answer it. Have you reached out to him and talked to him about this position?

Lauren Sheeley: No, but I certainly would. We were friends. In fact, last year in September, I had just taken my job at the County Attorney's Office and he asked me to be his deputy. And I couldn't take it because I had just, I had just switched jobs and it would, it would look poorly on me. But I like him and I, I would certainly like to reach out to him.

Chairwoman Walter: But you haven't, in terms of deciding whether you wanted this position, you haven't talked to him about it at all.

Okay, Other questions?

Legislator Parete: Madam Chair?

Chairwoman Walter: Yes. Legislator Parete.

Legislator Parete: Just a comment. I really would have enjoyed, and this is not a criticism, and you can just, it's a tough job you got. This is probably the first time I've heard of one of these sort of hearings, with this interest in a while. I would love to have heard a lengthy opening statement, where then, we would have an opportunity to ask some questions based on the opening statement, or maybe have some questions that we had, answered in the opening statement. And believe me, this is the first time, it's a tough job and you're doing well. I would like to have heard an opening statement. That's all.

Lauren Sheeley: I have, I have one prepared.

Chairwoman Walter: I just want to make sure people know that the full resume is available. It's a part of the packet of the resolution. I just want to make sure you all see it.

Legislator Parete: I get it, I get it. It's...

Chairwoman Walter: And this is not the job interview. I mean, the job interview had occurred. But maybe I'll allow a brief closing, but let me just make sure there are no other questions first, because we do have a few other things to get through. So, are there any other...

Okay, so, I guess, in light of the request from Legislator Parete, there obviously could not be an opening statement because we can't go back in time right now. But if you want to briefly close this out, and then we can move on. Unless I see any other questions.

Lauren Sheeley: Okay.

Chairwoman Walter: I'll get let you do one last bit.

Lauren Sheeley: Okay. I wanted to mention to you that I don't believe being a criminal attorney means that you can or should be the public defender. I think that there is much more to this role than criminal defense. And I mentioned that such as the family court, and significant program administration. It's a grant driven-office with a large staff. And I feel as though, from my experience, that you will need more than a criminal attorney in that role. I believe the role of public defender should not be pigeonholed. Rather, it should be filled by an attorney with significant administrative experience, a diverse legal background, and a commitment to the underserved community. This is where I have the experience that no other attorney has. Because of my unique history at free legal services providers, and my experience with indigent clients in crisis.

Chairwoman Walter: Thank you and I really appreciate that you came here. I recognize this has got to feel very stressful, and I know you're going around and talking to a lot of people. You understand this is all because this position, like many positions, are super important to us, as it is to everyone. And so, it's everyone's goal that the

absolute best person is there. And so, I hope you appreciate, you know, that everything comes out of identifying, making sure... Because this, as you know, I would hope that this is an extremely important job and we got to do it right.

Lauren Sheeley: Yes, I don't take it lightly. I appreciate that.

Chairman Donaldson: Thank you for your time.

Chairwoman Walter: Yeah. So thank you so much.

All right. I going to find my agenda. Yes. Chairman Donaldson.

Chairman Donaldson: Yes, in order to discuss this, we would need to go into Executive Session to make a discussion on what was done, and said. So...

Chairwoman Walter: Are we doing that now, or are we doing just doing a vote to pass the resolution on?

Chairman Donaldson: That's up to you, Eve, as the Chairman of the committee.

Chairwoman Walter: I think that the discussion, and executive discussion, should involve of the larger legislative body and not just us here. So, I think I would take a... I would suggest that we vote on passing the resolution on so that it could move on to Ways and Means. So, all in favor of...Yes. Oh, you're voting? I don't know if you're voting or not voting.

Chairman Donaldson: No, I'm not voting. Yeah, Ways and Means, what they're going to be doing is discussing more the finances, because there's some changes that are taking place, which I think are good changes. But we have to discuss, you know, the merits and then, I mean, we do have to pass it on. So, if that's what you want to just do, instead of not having that discussion, that's okay too.

Chairwoman Walter: Yeah, I guess what I'm saying is I think the discussion is going to have to happen, but that it's a larger body of the Legislature. I think that there are several people who aren't here who need to be a part of that discussion. So, I'm suggesting

Chairman Donaldson: But they weren't a part of the interview.

Chairwoman Walter: True, true. Well, I mean, I'll open it. Laura, do you want to chime in on this?

Legislator Petit: Yes. What we've what we have done is to go into Executive Session. You're allowed to have Legislators in there, even if we're not on the committee, you would need to make a motion for that, but the press and the clerks wouldn't be. So...

Deputy Clerk Mahler: Can I just interject and I'm so sorry to interrupt, Legislator Petit.

Chairwoman Walter: We're sorry. Jay. You froze?

Deputy Clerk Mahler: Yeah, I do that. Am I back?

Chairwoman Walter: Yes, yes, you're back

Deputy Clerk Mahler: Because a of the number of people in this meeting that are not here for this resolution, to get them back at the appropriate time, I would prefer that you move this to...

Chairman Donaldson: To the end ...

Chairwoman Walter: I think I understand what she's saying. So, at this point, we'll just take a vote on this resolution.

Legislator Parete: I'll move the resolution.

Legislator Heppner: I'll second.

Chairwoman Walter: All in favor?

Committee Members: Aye.

Chairman Donaldson: Moving to the floor.

Chairwoman Walter: Opposed? Abstain.

Okay, so, we can when... Jay has bad service where she is right now, so, she you can even message me to get the point across. I hear I see.

Yes, Dean. You're on mute. You're muted Dean. I think he's...

Legislator Fabiano: I didn't even hear the question. What did you just say that we're doing now?

Chairwoman Walter: Well, we approved the resolution to move out of this committee. And then as far as going into Executive Committee to discuss it, we'll sort that out. But at this stage, we're not going to do that. There's several people on this Zoom call right now. And having them gone and getting them back... So, whether we do it at the end of this meeting, or whether we schedule a separate time, we'll sort it out at the end of this meeting. But in the meantime, we just voted to move this out of committee. Any questions on that?

Legislator Fabiano: No, I just had a just a brief comment I wanted to make. I do agree to move it out of committee and send it to Ways and Means. But I just want to say that from what I heard tonight from the candidate, right off from the get-go, she was asked probably 7-8-9 questions about qualifications, and I heard no yeses. I heard all Noes.

Chairwoman Walter: Okay, so I don't want... I think it's probably best that we don't have this conversation publicly right now. So, I hope everyone take notes so that you don't lose track of the... whatever your feelings are. But for the sake of, because it's disgusting personnel, we need to not do that right now. But you all should be heard.

Chairman Donaldson: That is correct.

Chairwoman Walter: Okay, so hearing nothing else, we'll move on to Resolution 248.

Those of you who were... you're welcome to stay or go as you desire.

Laureen Sheeley: Thank you all for your time.

Chairwoman Walter: Yeah, so 248: Authorizing The Chair Of The Ulster County Legislature To Execute A Contract With The New York State Division of Criminal Justice Services – Raise The Age Program. Motion to discuss?

Chairman Donaldson: So moved.

Chairwoman Walter: Second?

Legislator Heppner: Second.

Chairwoman Walter: Okay. And just for those... a little background, this, this does date back to a couple of years ago, but the funding only just got approved, which is why it's before us right now. Is there any other discussion?

Legislator Fabiano: I'll move it.

Chairwoman Walter: Okay, all in favor of resolution 248?

Committee Members: Aye.

Chairwoman Walter: Opposed? Abstain? Okay, so moved.

Next we have Resolution Number 249: Amending The 2020 Ulster County Budget To Adjust The Annual Salary Of The Public Defender In Order To Be Consistent With A Full-Time Position. Motion to discuss?

Chairman Donaldson: So moved.

Chairwoman Walter: Second?

Legislator Heppner: Second.

Chairwoman Walter: Okay. Any discussion?

Legislator Parete: Well, I have a question. I'm sorry, if I interrupted.

Chairwoman Walter: That's okay, we'll do Legislator Bartels, and then we'll get back to you.

Legislator Parete: You got it.

Legislator Bartels: Yes. I don't mind letting John go first. If you'd rather

Legislator Parete: No. All right, you're on kiddo.

Legislator Bartels: Okay. I don't have proposed language in front of me, but I just want to alert the committee and I've been thinking about this resolution. One, I'd like to see a whereas that reflects the Charter's, the authority of the Legislature to set the salary. Just a whereas saying, you know, whereas the Charter says that the Legislature sets the salary. I'm not... my comments are not about the actual salary, they're about the mechanism, and the whereases.

Chairwoman Walter: So, it's their wording that you want to see?

Legislator Bartels: No. I don't have it with me tonight, but I just want to let everybody know. I mean, I brought it up at a at the chairs meeting and I haven't come up with the actual language. And hopefully, it'll be a friendly amendment because it's not changing the numbers. But I'd like to have it recognized. This is a resolution that obviously came from the Executive's Office.

And then, there's this issue which I just want to kind of point out of full-time. The Charter actually says, "shall devote their full working time." There's some discussion, discrepancy in people's understanding of that. Whether or not that means you have to be, you have to spend a full time amount as the public defender, but then you can do something else, on top of the full time amount. Or whether you have to spend your full working time, whether it's 10 hours a week or 100 hours a week, as the public defender, and not have any other jobs. So, I'm trying to get some clarity on that. I've been talking to counsel about it. So, I may be at Ways and Means, I may by then have some suggestions.

Again, these are in the whereas, it's not the meat of it. It's not about the number, but I just want to let the committee be aware so that when this comes up, people aren't surprised.

Chairwoman Walter: So, are you suggesting perhaps putting actual hours?

Legislator Bartels: No, not at all. No, I'm just potentially suggesting changing those whereases.

Chairwoman Walter: Okay. Legislator Parete.

Legislator Parete: Yeah. It seems to me, many years ago, there used to be a disparity in pay between the County Court Judge and the District Attorney and, and the Public Defender was always a part timer. And they adjusted so that somebody wasn't coming into the court as the stepchild, so to speak. That there is parity among the District Attorney, the County Court Judge, the Public Defender's Office. I don't exactly know what that law is, or if it included a non-elected Public Defender. But I don't know if I want to see a budget change today, but I don't know the mechanisms, but they certainly should be on an equal footing in terms of being a full time job and being recognized as an equal in our justice system here in Ulster County.

Chairwoman Walter: All right, duly noted. Any other discussion? I'm just popping around see if I'm missing anyone. Okay. All in favor of Resolution 249?

Committee Members: Aye.

Chairwoman Walter: Opposed? Abstain? All right. So moved.

Next we have Resolution No. 256: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Primecare Medical Of New York, Inc. funded through the Department Of Mental Health. Motion to discuss?

Legislator Fabiano: I'll move it.

Chairwoman Walter: Second?

Legislator Parete: I'll second it.

Chairwoman Walter: All in favor, or discussion? Okay. Mark, did you want to add something?

Deputy Executive Rider: Yeah, I just... you had questions at the chair meeting, Legislator Walter, and I just wanted to get back to you on some of those answers. You'd asked about the \$50,000 and where that came from. So if more MAT services are needed at the jail for the inmates, the Sheriff's budget would provide this. What this contract does is it gets us \$50,000 in State aid. This is 100% reimbursable from the, I believe Office of Mental Health, or it could be OASAS.

Chairwoman Walter: OASAS.

Deputy Executive Rider: But they provide the funding for this \$50,000. So, we basically get \$50,000 of MAT services for free. If the inmates need more than that, it would go under the Sheriff's regular medical contract.

Chairwoman Walter: Thanks. I think my question was did OASAS provide parameters of an expectation that a certain number of people would be delivered MAT care under this. And also, just knowing like how many people are currently getting medically assisted treatment at the jail. Is this enough that covers it or is there the need to go into others? So, I guess the first part was is did OASIS specify, like how many people needed? They were expecting to be served by this?

Deputy Executive Rider: They didn't, they specified that it was a \$50,000 grant.

Chairwoman Walter: Okay. And then do you know how many people have we currently serve and the cost of that provision?

Deputy Executive Rider: I haven't gotten that from the Sheriff yet. I mean...

Chairwoman Walter: Maybe just in Ways and Means, I think it's useful to know like, is this covering the full need, is it covering only half of the need?

Deputy Executive Rider: I can have that by Ways and Means.

Chairwoman Walter: Perfect. Thank you. Any other questions about this, or discussion?

Chairman Donaldson, you're on mute.

Chairman Donaldson: I doubt if it's going to cover the entire bill for mental services there, but it would be nice if it does.

Deputy Executive Rider: Just MAT services.

Chairwoman Walter: Just MAT services. Yeah.

Chairman Donaldson: Right. I mean, it does have a.... you know, it's nice to get the \$50 grand anyway, otherwise we'd be paying it.

Chairwoman Walter: Yeah, others? Okay, all in favor of resolution number 256?

Committee Members: Aye.

Chairwoman Walter: Opposed? Abstained?

Okay. Last, we have Resolution Number 261: Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Accucare Nursing & Homecare, Inc. for Emergency Management. Motion to discuss?

Chairman Donaldson: So moved.

Legislator Haynes: Second, Heidi.

Chairwoman Walter: Mark, you do want to give us a little background on this one?

Deputy Executive Rider: Sure. So, while it's an emergency management contract, and I know Steve Peterson is here, it's really the contract that's being used right now for our contract nurses that we're using as public health nurses. As you can imagine, at any given time, Ulster County has eight or nine-ish public health nurses and then a couple of supervising public health nurses. We realized pretty early on in COVID, that that was not going to be adequate. And as opposed to hiring permanent positions, we went to an agency. And so, we contract out the nursing. And we believe, well, we've spoken to FEMA, this is 75% reimbursable. Whereas if we would have hired a public health nurse, that wouldn't have been reimbursable. We're trying to wind down this contract as much as we can, but at the same time, we never know what the second wave looks like. So, we tried to set it at an amount that we wouldn't have to come back here, but I can't promise that we won't be back with another amendment.

Chairwoman Walter: Any other discussion or questions? Okay, all in favor of Resolution No. 261.

Committee Members: Aye.

Chairwoman Walter: Opposed? Abstain?

Okay. Next we have the Criminal Justice Reform Task Force update. The task force met, I'm sorry, when did they meet? On June 24. The conversation we had, an update in terms of the work related to restorative justice. The primary conversation related to law enforcement reform, there were several people from the community who attended as well. That there will, we will be proceeding with that discussion. It is recognized that there is also a Criminal Justice Reform Commission that was put out by the Executive's office, following a requirement from the Governor's office. It's still not clear how these two groups will work together, or have separate goals. We're still in the early stages of both. But ... I guess.... Chair Donaldson, did you have a question or comment that you wanted to?

Chairman Donaldson: Yeah, new one what that was put together. Do they have any members that are criminal defense attorneys or from that field on that, on that task force?

Chairwoman Walter: I mean, so, the DA's there, I'm trying to remember who was at the meeting. Heidi, do you remember who was at the meeting?

Legislator Haynes: Well, if you can remember that was a tough meeting for me to attend. But nonetheless, I don't remember any criminal defense attorneys, that I'm aware of off the top of my head, no.

Chairwoman Walter: Okay. Yeah, the list of who's who is supposed to be on it is available. So, we could just recirculate that list again. It has exactly the membership, unless it's changed in any way. Mark or John, has that membership change from that list?

Deputy Executive Rider: I don't believe so.

Chairwoman Walter: Okay, so we'll make sure that list gets around.

Any other questions or comments? Okay, any new business? Any old business? All right. So now, Jay, I don't know how well your

I guess this is sort of old business? Is it the desire of the Legislature, or at least those people who are here now, to have some time in Executive Session to discuss the position of public defender, at this point? Or is the preference to set up a separate time. So, I'll just sort of open that before we close this meeting in case you would like to have that time during this meeting. So any comments or thoughts?

Dean?

Legislator Fabiano: Yes, I would like to do it at another time, because we have a 6:30 meeting scheduled.

Chairman Donaldson: Okay.

Chairwoman Walter: That sounds good. Any, any other? Anybody have any major concerns with that?

Legislator Parete: I agree.

Chairwoman Walter: Okay. Wonderful. So, and I think it's important that we it's sort of really scheduled, and so that people make sure they have the time set aside to do it. So, I'm not sure whether that's something that comes from our end or somewhere else, but we'll figure that out.

Legislator Parete: Move to adjourn.

Chairwoman Walter: So, yes, I heard I heard the motion to adjourn. I'll take a second.

Legislator Fabiano: I'll second it.

Chairwoman Walter: All right. All in favor?

Committee Members: Aye.

Chairwoman Walter: All right. Thank you all, a lot of good work. I appreciate you all. Thank you.

Legislator Litts: Thank you. Will all the other Legislators that attended night tonight also be notified when you're going to have that Executive Session?

Chairwoman Walter: Yeah, I think that's very important. Yeah. Thank you, for bringing that up.

Legislator Litts: Have a good night. Be safe and healthy.

Chairwoman Walter: Thank you. You too.