

**Merging Certain Duties And Responsibilities Of Criminal Justice Council As Advisory Board To Alternatives To Incarceration Program Board And Local Re-Entry Task Force – Rescinding Resolution No. 430 Dated December 6, 2006**

Chairman David B. Donaldson and the Criminal Justice and Safety Committee (Chairman Dart and Legislators Briggs, R.A. Parete, Zimet, Hansut, Maloney and Ronk) offer the following:

WHEREAS, there currently exists three committees and/or advisory boards that have common and overlapping interests and missions regarding criminal justice matters in the County, to wit: the Ulster County Criminal Justice Council, the Ulster County Local Prisoner Re-Entry Task Force and the Alternatives to Incarceration Program Board, and

WHEREAS, appropriate action at this time would be to combine all three of these boards to conserve time and energy of the volunteer members of the boards, promote participation and attendance and satisfy the State requirements, and

WHEREAS, pursuant to Resolution No. 225 dated July 14, 2005, the Ulster County Legislature created a Criminal Justice Council with 21 members; seven members of the community are appointed by the Chairman of the Ulster County Legislature and twelve members are ex-officio members appointed through the office they hold, and

WHEREAS, pursuant to Resolution No. 430 dated December 6, 2006, the Ulster County Legislature created a Local Re-Entry Task Force at the request of the New York State Division of Criminal Justice as part of a grant initiative; fourteen appointments are made by the Chairman of the Ulster County Legislature, and

WHEREAS, the Alternatives to Incarceration Program Board, however, is a board required under State Law (Article 13-A of New York State Executive Law) when a County has an Alternatives to Incarceration “service plan,” which Ulster County does; Section 261(1) of Executive Law requires that there be an advisory board, (in this case, the Ulster County Alternatives to Incarceration Program Board) or, a criminal justice coordinating council (in this case, the Ulster County Criminal Justice Council) provided the membership of the council includes a majority of those persons set forth in Section 261(2) of Executive Law; in either case, one person of the Board must be the County Executive, and

WHEREAS, the Chairman of the Ulster County Legislature and the County Executive concur that an Ulster County Criminal Justice Council can and shall serve as the Alternatives to Incarceration Program Board, per State statute, rescinding Resolution No. 225 dated July 14, 2005 and Resolution No. 430 dated December 6, 2006, and

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WHEREAS, this advisory board shall be chaired by the County Executive or his or her duly designated representative. Appointments to the advisory board shall include the following persons or their representatives:

1. County Court Judge;
2. City Court, town court or village court judge selected by Magistrates Association;
3. District Attorney or designee;
4. 1 representative of each of the agencies providing legal services to those unable to afford counsel in criminal cases, not to exceed two and one shall be the Public Defender or designee;
5. 2 County Legislators, as appointed by the Chairman;
6. County Director of Probation;
7. 1 representative from local police agency, as may be appointed by the Chairman;
8. 1 representative from a private organization operating in the County which is involved and experienced in alternatives to incarceration programs, as may be appointed by the Chairman;
9. 1 ex-offender, designated by the County Executive;
10. 1 crime victim or surrogate, designated by the County Executive;
11. County Executive or designee;
12. The Director of Community Services as defined in Section 41.03 of Mental Hygiene Law or designee;
13. Commissioner of Social Services or designee;
14. Sheriff or designee;
15. Drug Court or designee;

and, in addition, six citizens: 3 appointed by the Legislature and 3 appointed by the County Executive, and

WHEREAS, a Local Re-Entry Subcommittee shall be created and members shall be designated by a majority vote of the Criminal Justice Council and the Chairman of the Ulster County Legislature shall be authorized to appoint a Chairman to such Subcommittee, and

WHEREAS, a Local Re-Entry Subcommittee shall consist of members from the Criminal Justice Council and include authority to include advisory members to the Subcommittee as may be deemed fit including but not limited to Regional/Area

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Parole Office, local VESID office, local One Stop Center, Faith Based Community Organizations and Housing Consortium, and

WHEREAS, the Criminal Justice and Safety Committee has met and reviewed said request with a majority of members voting approval, now, therefore, be it

RESOLVED, that the Chairman of the Ulster County Legislature and the County Executive are hereby authorized to create a re-established Criminal Justice Council which as such shall act as the advisory board to the Ulster County Alternatives to Incarceration Program Board as set forth in the body of this resolution and shall consist of those appointments herein before set forth, and, be it further

RESOLVED, that a Local Re-Entry Subcommittee shall be created and the Chairman of the Ulster County Legislature shall be authorized to appoint a Chairman to such Subcommittee, and, be it further

RESOLVED, that the Criminal Justice Council shall meet monthly to review problems and concerns of an inter-agency nature, to review data concerning operational issues and advise the Ulster County Legislature and the County Executive regarding the need for their attention and action, and, be it further

RESOLVED, that the Criminal Justice Council shall be compliant with the State statute (Article 13-A of New York State Executive Law) Alternatives to Incarceration Service Plans,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 26                      NOES: 0  
(Absent: Legislators Aiello, Dart, Maloney,  
Provenzano, Roberts, Shapiro and Stoeckeler)

FINANCIAL IMPACT:  
NONE

0425

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 7<sup>th</sup> Day of April, 2009, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 9<sup>th</sup> Day of April in the year Two Thousand and Nine.

|s| Mary L. Carey  
Mary L. Carey, Clerk  
Ulster County Legislature

Submitted to the County Executive this

9<sup>th</sup> Day of April, 2009.

|s| Mary L. Carey  
Mary L. Carey, Clerk  
Ulster County Legislature

Approved by the County Executive this

9<sup>th</sup> Day of April, 2009.

|s| Michael P. Hein  
Michael P. Hein, County Executive