

County of Albany

Harold L. Joyce
Albany County Office Building
112 State Street - Albany, NY 12207



Meeting Agenda

2024 BUDGET SESSION 4

Monday, November 6, 2023

5:30 PM

**Harold L. Joyce Albany County Office Building
Cahill Room - First Floor**

Audit and Finance Committee

2024 BUDGET SESSION 4

LEGAL AGENCIES

1. PROBATION
2. PUBLIC DEFENDER
3. ALT. PUBLIC DEFENDER
4. ASSIGNED COUNSEL
5. COUNTY ATTORNEY
6. IMMIGRATION
7. BOARD OF ELECTIONS

PROBATION



DANIEL P. MCCOY
COUNTY EXECUTIVE

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PROBATION DEPARTMENT
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WILLIAM CONNORS
DIRECTOR III

LORI M. HAGGERTY
DEPUTY DIRECTOR

MICHAEL J. O'CONNOR
PRINCIPAL PROBATION OFFICER

TO: Hon. Wanda F. Willingham, Chair – Audit and Finance Committee

FROM: William Connors, Probation Director *WC*

DATE: October 17, 2023

SUBJECT: Albany County Probation Proposed 2024 Budget

1. William Connors – Probation Director III -- Lori M. Haggerty – Deputy Director -- Michael J. O'Connor – Principal Probation Officer

2. Vacant Positions:

A3140.1.4203.013 – 380160 – Probation Supervisor
 A3140.1.4223.003 – 380026 – Probation Officer
 A3140.1.4223.005 – 380028 – Probation Officer
 A3140.1.4223.012 – 380035 – Probation Officer
 A3140.1.4223.018 – 380041 – Probation Officer
 A3140.1.4223.020 – 380043 – Probation Officer
 A3140.1.4223.024 – 380047 – Probation Officer
 A3140.1.4223.028 – 380051 – Probation Officer
 A3140.1.4223.030 – 380053 – Probation Officer
 A3140.1.4223.045 – 380068 – Probation Officer
 A3140.1.4223.049 – 380072 – Probation Officer
 A3140.1.4223.051 – 380074 – Probation Officer
 A3140.1.4223.053 – 380076 – Probation Officer
 A3140.1.4223.069 – 380163 – Probation Officer
 A3140.1.4224.004 – 380081 – Probation Officer PT

A3140.1.6043.005 – 380146 – Keyboard Specialist

3. New Positions / How Funded:

A93140.1.2279R-001 - RTA Coordinator – RTA Grant Funded – offset by Probation Officer PT line A93140.1.4224.003
 A93140.1.4223G-003 - GIVE position – GIVE Grant funded – 100% - offset by Vacant Line Number A93140.1.4223.013
 A93140.1.4213-003 – Senior Probation Officer \ - Offset by 3 Probation Officer Positions
 A93140.1.4213-011 – Senior Probation Officer | - Adding 3 Senior Probation Officer Positions to create advancement opportunities
 A93140.1.4213-012 – Senior Probation Officer /

4. Proposed Salary Increase beyond Union Contract Commitments:

A3140.1.1045.001 – 380001
 A3140.1.1124.001 – 380002
 A3140.1.1301.001 – 380003
 A3140.1.2414.001 – 380137
 A3140.1.2510.001 – 380138
 A3140.1.2551.001 – 380185
 A3141.1.6042.001 – 380169

The above are all Non-Union positions – 3% increase applied.

A3140.1.6401.001 – 380125 – 6% increase applied – Executive Initiative increasing Confidential Secretary position to meet equitable pay throughout the County.

5. Positions Eliminated or Decreased:

Probation Officer PT – to offset RTA Coordinator position
 Probation Officer FT – to offset new GIVE grant position
 3 - Probation Officer FT – to offset 3 Senior Probation Officer Positions

6. Positions Funded by Grant Money / Percentage / Commitment Grant Renewed for 2024:

Please see next page.

		Proposed Salary	Total Grant Funding		%	Total County Funding	%
			Salary	Fringe			
GIVE Grant							
A3140.1.4223.026	Probation Officer	\$62,265.00	\$31,133.00		50.00%	\$31,132.00	50.00%
	Fringe @ 53%	\$33,000.00		\$15,566.00	47.17%	\$17,434.00	52.83%
A3140.1.4223G.001	Probation Officer	\$62,265.00	\$62,265.00		100.00%	\$0.00	0.00%
	Fringe @ 53%	\$33,000.00		\$31,132.00	94.34%	\$1,868.00	5.66%
A3140.1.4223G.002	Probation Officer	\$62,265.00	\$62,265.00		100.00%	\$0.00	0.00%
	Fringe @ 53%	\$33,000.00		\$31,132.00	94.34%	\$1,868.00	5.66%
A3140.1.4223G.003	Probation Officer	\$62,265.00	\$62,265.00		100.00%	\$0.00	0.00%
	Fringe @ 53%	\$33,000.00		\$31,132.00	94.34%	\$1,868.00	5.66%
DCYF Programs							
A3140.1.4203.001	Probation Supervisor	\$84,235.00	\$84,235.00		100.00%		0.00%
	Fringe - 58%			\$48,856.30	100.00%	\$0.00	0.00%
A3140.1.4213.001	Sr. Probation Officer	\$72,616.00	\$72,616.00		100.00%		0.00%
	Fringe - 58%			\$42,117.28	100.00%	\$0.00	0.00%
A3140.1.4223.048	Probation Officer	\$63,185.00	\$63,185.00		100.00%		0.00%
	Fringe - 58%			\$36,647.30	100.00%	\$0.00	0.00%
A3140.1.4223.054	Probation Officer	\$72,063.00	\$72,063.00		100.00%		0.00%
	Fringe - 58%			\$41,796.54	100.00%	\$0.00	0.00%
A3140.1.4203.005	Probation Supervisor	\$84,235.00	\$84,235.00		100.00%		0.00%
	Fringe - 58%			\$48,856.30	100.00%	\$0.00	0.00%
A3140.1.4223.006	Probation Officer	\$59,275.00	\$59,275.00		100.00%		0.00%
	Fringe - 58%			\$34,379.50	100.00%	\$0.00	0.00%
Raise The Age							
A3140.1.4203R.001	Probation Supervisor	\$84,235.00	\$84,235.00		100.00%		0.00%
	Fringe - 53%			\$44,644.55	100.00%	\$0.00	0.00%
A3140.1.4203R.002	Probation Supervisor	\$84,235.00	\$84,235.00		100.00%		0.00%
	Fringe - 53%			\$44,644.55	100.00%	\$0.00	0.00%
A3140.1.4423R.001	Senior Probation Officer	\$76,633.00	\$76,633.00		100.00%		0.00%
	Fringe - 53%			\$40,615.49	100.00%	\$0.00	0.00%
A3140.1.4423R.002	Senior Probation Officer	\$76,633.00	\$76,633.00		100.00%		0.00%
	Fringe - 53%			\$40,615.49	100.00%	\$0.00	0.00%
A3140.1.4223R.001	Probation Officer RTA	\$58,350.00	\$58,350.00		100.00%		0.00%
	Fringe - 53%			\$30,925.50	100.00%	\$0.00	0.00%
A3140.1.4223R.002	Probation Officer RTA	\$58,350.00	\$58,350.00		100.00%		0.00%
	Fringe - 53%			\$30,925.50	100.00%	\$0.00	0.00%
A3140.1.4223R.003	Probation Officer RTA	\$58,350.00	\$58,350.00		100.00%		0.00%
	Fringe - 53%			\$30,925.50	100.00%	\$0.00	0.00%
A3140.1.4223R.004	Probation Officer RTA	\$57,424.00	\$57,424.00		100.00%		0.00%
	Fringe - 53%			\$30,434.72	100.00%	\$0.00	0.00%
A3140.1.4223R.005	Probation Officer RTA	\$57,424.00	\$57,424.00		100.00%		0.00%
	Fringe - 53%			\$30,434.72	100.00%	\$0.00	0.00%
A3140.1.4223R.006	Probation Officer RTA	\$55,572.00	\$55,572.00		100.00%		0.00%
	Fringe - 53%			\$29,453.16	100.00%	\$0.00	0.00%
A3140.1.4223R.007	Probation Officer RTA	\$55,572.00	\$55,572.00		100.00%		0.00%
	Fringe - 53%			\$29,453.16	100.00%	\$0.00	0.00%
A3140.1.4223R.008	Probation Officer RTA	\$57,424.00	\$57,424.00		100.00%		0.00%
	Fringe - 53%			\$30,434.72	100.00%	\$0.00	0.00%
A3140.1.4223R.009	Probation Officer RTA	\$57,424.00	\$57,424.00		100.00%		0.00%
	Fringe - 53%			\$30,434.72	100.00%	\$0.00	0.00%
A3140.1.5311R.001	Probation Assistant RTA	\$42,549.00	\$42,549.00		100.00%		0.00%
	Fringe - 53%			\$22,550.97	100.00%	\$0.00	0.00%

7. Job Titles Proposed to be Changed or Moved:

A93140.1.6102.003 – Account Clerk I to be changed to A93140.1.6104.001 – Account Clerk II
 A93140.1.6200.001 – Clerical Supervisor to be changed to A93140.1.6232.002 – Clerk Typist III

8. Fees for Services:

FEES FOR SERVICES A93140.44046				
	BUDGETED	ACTUAL	CURRENT BUDGET	PROJECTED
YEAR	2023	2023	REMAINING	2024
		10/3/2023		
ORIGINAL BUDGET	\$110,806	\$75,072		\$234,576
Transfers In / Transfers Out	\$8,000	\$0		
REVISED BUDGET	\$118,806	\$75,072	\$43,734	\$234,576
ACTUAL EXPENSES:				
Psychology Services	\$6,000	\$3,725		\$6,500.00
West Law	\$5,594	\$3,706		\$5,761
Hitech Systems	\$451	\$451		\$464
Rise Vision	\$700	\$720		\$1,000
GPS Monitoring Services	\$80,000	\$67,615		\$200,000
Geneva Worldwide - sign lang.	\$1,000	\$349		\$1,000
Language Services - interpreter	\$2,000	\$975		\$2,000
Behavior Data	\$1,750	\$0		\$1,750
Programs - Food/Supplies	\$7,232	\$2,096		\$10,000
Miscellaneous	\$4,000	\$2,110		\$4,000
Bottled Water	\$2,080	\$1,416		\$2,100
TOTAL EXPENSES	\$110,806	\$83,163	\$27,643	\$234,576
RAISE THE AGE A93140.44046R:				
Programming - RTA	\$587,365	\$107,959 *		\$587,365
Programming - STSJP RTA	\$125,606	\$1,839		\$125,606
	\$712,971	\$109,798		\$712,971
* \$7,958.72 GPS Charges				

9. New Initiatives and/or Eliminated Programs:

Approximately 24% of the probation population lacks a high school diploma and we recognize the interconnected relationship between education level, crime rates and lifetime earning potential. In 2021, Probation collaborated with Capital Region Board of Cooperative Educational Services (BOCES) and Capital District Educational Opportunity Center (EOC) to offer remote and on-site access to instruction for High School Equivalency Preparation. A classroom setting was constructed within the Department so that students have access to the tools they need for success. BOCES has provided a teacher who instructs in-person several evenings per week. There are currently (12) Twelve students engaged in this program and two students have already graduated. There is no cost incurred in operating this program.

Albany County Probation entered into a contract with Parson's Child and Family Center to provide Enhanced Case Management and Community Support Services to Raise the Age youth and families. Participants Achieving through Hard Work (PATH) is a collaborative effort between Parson's and Trinity Alliance SNUG which provides youth with both a Case Manager who provides holistic service and coordinated case management and a credible messenger who serves as both a role model and mentor. Working together and with the Probation Department, an aftercare plan will be designed that builds on a youth's achievements, exposes them to new opportunities and reduces their overall risk for reoffending and further entry into the juvenile and criminal justice systems. The program is able to serve up to twelve higher risk youth ages 15-18 for a period of 3-5 months. To date, there have been (40) Forty youth engaged in the program with (27) Twenty Seven graduating and several others scheduled to graduate in 2023. At this rate, it is projected to have a 90 Percent graduation rate with only (3) clients total being re-arrested. This initiative is reimbursed with Raise the Age funding.

10. County Vehicles / Title of Employees:

YEAR	MAKE/MODEL	PLATE NUMBER
2007	Dodge Charger	AU9225
2009	Dodge Charger	AU9227
2015	Ford Focus	AW9081
2015	Ford Focus	AW9097
2018	Ford Fusion	AZ7833
2018	Ford Fusion	AZ7834

*No vehicle is assigned to any staff. They are used continuously throughout the day and evening to conduct field work, monitor probationers, transporting probationers and also transporting participants to programs.

11. Conference/Training/Tuition Breakdown:

The 2023 Probation Department Budget included \$18,000 for Conferences/Training/Tuition. Historically, we have been very conservative in spending of the allocated monies. For the past few years, in-person trainings and conferences have been minimal due to the COVID 19 pandemic. Most trainings have been presented in a virtual platform which reduces related costs. Planning for the future, Probation will require additional trainers to be trained in specialized topics (Firearm, Defensive Tactics and Non-Lethal Weapons) so that we can continue to be self-sufficient in meeting the annual recertification requirement. Some of these trainings may be local, although as they are offered on a limited basis, there may be a need for travel and associated costs. Under NYS Executive Law, Probation Officers are required to obtain a minimum of 21 hours of continuing education per year. Staff are encouraged to attend free trainings, although there are often costs associated with trainings related to specialized supervision such as Mental Health, DWI, Sex Offender, Gangs and Veterans. Effective January 2023, the initial training for Peace Officers has changed per the requirement of the New York State Municipal Police Training Council. Probation Officers are required to attend a Basic Course for Peace Officers, which is a lengthier, more intense training than the Fundamentals of Probation Practice previously provided by our regulatory agency the Office of Probation and Correctional Alternatives at Division of Criminal Justice Services. There is no cost incurred to attend the Fundamentals of Probation Practice. This year, newly hired Probation Officer Trainees are attending the Basic Course for Peace Officers conducted by the Albany County Sheriff's Office. Although there is no tuition cost for the training, various supplies and uniform purchases were required.

12. Overtime Breakdown:

	Overtime			
	Proposed Overtime	2023	2022	2021
		10/3/2023		
Budget Amount	\$60,150.00	\$60,150.00	\$60,150.00	\$60,150.00
Transfers In		\$5,000.00		
		\$65,150.00		
Expended		\$33,045.13	\$28,982.73	\$19,744.08
Grant Funding				
GIVE	\$25,000.00	\$25,000.00	\$15,000.00	\$15,000.00
DCYF Programs	\$32,263.00	\$32,263.00	\$32,263.00	\$32,263.00
Total Grant Funded	\$57,263.00	\$57,263.00	\$47,263.00	\$47,263.00
% Grant Funded	95.20%	95.20%	78.58%	78.58%
RAISE THE AGE				
Overtime Staffing	\$18,000.00	\$19,000.00	\$19,000.00	\$19,000.00
Expended		\$3,852.35	\$7,022.89	\$6,739.27
Overtime Program	\$31,700.00	\$30,700.00	\$37,700.00	\$37,700.00
Expended		\$9,440.74	\$13,395.22	\$8,738.26

OVERTIME

Overtime is utilized for Probation Officers to conduct after hours home and field contacts with Probationers. NYS Executive Law mandates contacts with Probationers in their homes. Probation Officers often partner with police to provide community policing. Overtime is also paid to Probation Officers warrant squad personnel for early morning and after hours transportation of Probationers. It is further used for Probation Officers to appear in various courts and to provide evening programming to Probationers.

13. Line Items Established / Changed During 2023:

None

14. Biggest Risk:

Currently, the largest risk the Probation Department faces is staffing. In the past (3) three years, (31) Thirty One employees have retired or left service. In addition, a minimal number of individuals sat for the last two Probation Officer Trainee Civil Service test causing an emergency staffing crisis. A plan going forward the Probation Department is utilizing the NYS Local HELP Program. This program was established to allow local civil service agencies to address the emergency staffing crisis that are facing many agencies across health and safety positions. Traditionally, the titles filled under the HELP Program required job candidates to compete in a competitive examination to be considered for employment. For the duration of the HELP program these titles will be filled via non-competitive appointment, which means examinations are not required, but candidates must meet the minimum qualifications of the titles for which they apply. At the end of the HELP program in April 2024, employees that were hired into positions under the HELP program will be then transferred into the competitive class, without further examination, and will continue their County careers on a permanent basis.

The Department continues great effort to hiring qualified candidates and has been able to hire (29) new staff in the last three years. Another challenge has been the retention of staff. Much time, effort and cost go into training a Probation Officer with the hope of them becoming a long-term employee. This training is lengthy in process and for one full year with attendance required at a certified NYS Peace Officer Academy and DCJS Fundamentals of Probation. Until certified by New York State, Probation Officers are not able to do full functions of a Probation Officer. The Department will maintain the philosophy that quality training and a positive working environment are key factors we will practice to retain quality, long term employees.

15. Performance Indicators and Metrics:

The Probation Department serves all Courts in Albany County. Additionally we supervise individuals residing in Albany County who were sentenced in jurisdictions outside of Albany County and New York State that reside in Albany County. We are seeing a leveling in the number of investigation assignments and persons sentenced to formal Probation supervision from last year. Several factors contribute to the number of cases received. The COVID pandemic attributed to the decrease from 2020-2021. Most courts were closed or had limited operations for a significant period in 2020. Over time, as the courts re-opened and returned to normal operations, the numbers appear to be leveling off. It is important to note that several courts increasingly utilize Interim Probation, which is not a formal sentence of Probation and are included in the 2nd chart below. Interim Probation is a trial period of informal Probation. Often, if an individual is successful on Interim Probation, they would receive a more beneficial disposition at the end of the term not involving formal probation, such as a Conditional Discharge.

New York State's Bail Reform and Raise the Age Legislation has impacted the Probation Department substantially. The courts have increased the use of Probation Services for Pre-Disposition/Release Under Supervision cases released to Probation while their case is pending final disposition. These numbers have significantly increased over time as reflected below, Assigned Release Under Supervision. Additionally, courts have increased the use of GPS tracking as authorized under Bail Reform. It is important to note that a substantial number of formal Probation, Interim and Pre-Disposition cases are more serious/high risk offenders often involving firearms.

	<u>Assigned Release Under Supervision</u>	<u>Jan. - Mar.</u>	<u>Apr. - Jun.</u>	<u>Jul. - Sept.</u>	<u>Oct. Dec.</u>
2020		115	70	108	126
2021		99	133	176	191
2022		207	223	221	279
2023		264	259		

	<u>Active Number of cases</u>	<u>Pre-Dispositional/Interim</u>	<u>Formal Supervision</u>	<u>Total % of High/Greatest Risk</u>
12/2020		253	1647	10%
12/2021		343	1401	12%
12/2022		306	1348	14%
YTD 2023		439	1328	15%

	<u>GPS</u>	<u>GPS</u>	<u>GPS</u>
	<u>Pre-Dispositional</u>	<u>Adult Supervision</u>	<u>Juvenile Supervision</u>
2020	108	6	0
2021	176	14	42
2022	382	18	52
YTD 2023	363	24	52

16. New Unfunded Mandates / Regulations / Risks to Grant Revenue / Risks to Reimbursement Revenues:

Although the Probation Department is not experiencing any new Unfunded Mandates, Regulations, Risks to Grant Revenue or Reimbursements, we continues to assess the workload of all operations. As noted, Bail Reform and Raise the Age Legislation continue to have a major impact on the number of investigations, supervision and monitoring services we provide. We are also seeing a trend and change in the type of individuals referred to our Department to monitor and supervise. Many of these individuals have committed serious offenses such as firearm possession and/or use and would likely have been incarcerated in the past. As such, the Probation Department allocated resources and staffing to supervise and monitor these high-risk offenders at an increased level.

New York State Division of Criminal Justice Service continues to reimburse the Probation Department for services provided to the Courts of Albany County.

PUBLIC DEFENDER



DANIEL P. MCCOY
COUNTY EXECUTIVE

STEPHEN W. HERRICK
PUBLIC DEFENDER

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October 13, 2023

Hon. Wanda F. Willingham, Chair
Audit and Finance Committee
Albany County Legislature
Harold L. Joyce Albany County Office Building
112 State Street, Room 710
Albany, New York 12207

Re: Responses to Information Request
Proposed 2024 Budget

Dear Chairperson Willingham:

In response to your inquiry dated October 2, 2023, the Office of the Albany County Public Defender submits the following:

1. *Identify department representative appearing before the Audit & Finance Committee for your agency budget presentation.*

The department representatives appearing before the Audit and Finance Committee for this Budget Hearing are Stephen W. Herrick, Albany County Public Defender, Matthew Alpern, Chief Assistant Public Defender, and Keith G. Bulatao, Director of Accounts.

2. *Identify by line item all vacant positions in your department.*

The following are currently vacant positions in the Office of the Albany County Public Defender (by funding source) as of 10/11/23. All vacant APD I – VI positions are currently posted for hiring.

A. Assistant Public Defenders (APD)

I. Albany County funded:

- a. APD I: 150069, 150070, 150119
- b. Floating Attorney: 150156
- c. APD II: 150117
- d. APD III: 150123, 150133 (scheduled to be filled 11/3/23), 150171

- e. APD IV: 150166
 - f. APD VI: 150130
 - II. NYS Office of Indigent Legal Services (NYS ILS) funded:
 - a. APD I: 150098
 - b. APD II: 15024, 150025, 150114, 150145, 150194
 - c. APD III: 150132, 150149
 - d. APD IV: 150198
 - e. APD V: 150158, 150199, 150200
- B. Support Staff
 - I. Albany County funded:
 - a. Criminal Investigator: 150032
 - II. ILS funded:
 - a. Clerk II: 150151, 150152
 - b. Director of Operations: 150192
 - c. Director of Training: 150143
 - d. Legal Secretary: 150040, 150100
 - e. Paralegal: 150046

3. *Identify by line item any new position(s), how the position(s) will be funded and the reimbursement rate(s), if applicable.*

The following are new proposed positions in the Office of the Albany County Public Defender.

- A. 100% Albany County funded:
 - I. Family Court Supervisor: 150202 (defunded 150121 APD I to offset)
 - B. 100% NYS Office of Indigent Legal Services funded:
 - I. Assistant Public Defender VI: 150190 (defunded 150148 APD III to offset), 150204 (defunded 150174 APD IV to offset)
4. *Identify by line item any proposed salary increase(s) beyond union contract commitments. Include justification for those raise(s).*

The following are proposed salary increases beyond non-union 3% COLA.

- A. Administrative/Support Staff salary adjustments pursuant to County-wide confidential administrative staff and legal support staff schedule (150099 Legal Secretary defunded to offset)
 - I. Clerk I: 150183 – salary increase to \$45,320
 - II. Confidential Secretary: 150048 (23% NYS ILS funded) – salary increase to \$57,299
 - III. Legal Secretary: 150040 (NYS ILS funded), 150153 (NYS ILS funded), 150154 (NYS ILS funded) – salary increases to \$54,500
 - IV. Legal Secretary: 150088 (18% NYS ILS and NYS DCJS funded), 150090, 150100 (NYS ILS funded) – salary increases to \$51,000
 - V. Paralegal: 150046 (NYS ILS funded) and 150086 – salary increases to \$55,747

- B. Supervisory salary adjustments to ensure salary parity with other supervisors in the Office (each position is NYS ILS funded)
 - I. Court Supervisor: 150138 and 150170 – salary increases to \$108,327
 - II. Felony Supervisor: 150144 – salary increase to \$108,327

5. *Identify by line item any position proposed to be eliminated or salary decreased.*

The following positions are proposed to be eliminated in the Office of the Albany County Public Defender.

- A. Assistant Public Defenders (APD)
 - I. APD I: 150121
 - II. APD III: 150148
 - III. APD IV: 150174
 - IV. APD V: 150157
- B. Fiscal Officer II: 150178
- C. Legal Secretary: 150099
- D. Peer Advocate: 150179
- E. Data Officer: 150191

6. *Identify by line item all positions that are funded by grant money, the percentage of funding provided by the grant and indicate whether there is a commitment that the grant has been renewed for 2024.*

The following positions are funded by grants. The percentage funded is 100% from NYS ILS unless otherwise indicated. I have no indications that any of the several existing State grants, and especially the Hurrell-Harring Statewide Expansion grant (which is in the extension year of a five (5) year initial commitment), will be cancelled or reduced. The funds necessary for the Statewide Expansion grant have been “set aside” in a special State fund.

- A. Assistant Public Defender (APD) I-VI:
 - I. 150069 (32%), 150070 (32%), 150071, 150098 (93%)
 - II. 150024, 150025, 150033, 150042, 150114, 150116, 150117 (18% New York State Division of Criminal Justice Services (NYS DCJS)), 150145, 150194
 - III. 150131 (75%), 150132 (85%), 150133 (19% NYS DCJS), 150141, 150147, 150149, 150160, 150161, 150162
 - IV. 150126, 150150, 150163, 150164, 150165, 150198
 - V. 150127, 150128, 150158, 150159, 150172, 150199, 150200
 - VI. 150129 (87%), 150173, 150190, 150201, 150204
- B. Chief Assistant Public Defender: 150003 (9%)
- C. Clerk II: 150151, 150152
- D. Confidential Secretary: 150048 (23%)
- E. Court Supervisor: 150138, 150170
- F. Criminal Defense Caseworker: 150185, 150186
- G. Criminal Investigator: 150031 (8%), 150034 (8%), 150181 (7% NYS DCJS)
- H. Data Entry Machine Operator: 150038 (13%)

- I. Deputy Public Defender: 150085 (12%)
- J. Director of Accounts: 150196
- K. Director of Operations: 150192
- L. Director of Training: 150143
- M. Felony Supervisor: 150144
- N. IT Discovery Tech: 150175
- O. Legal Secretary: 150040, 150088 (18% NYS ILS and NYS DCJS), 150100, 150153, 150154
- P. Mitigation Specialist: 150197
- Q. Paralegal: 150037
- R. Paralegal/Data Specialist: 150140
- S. Strategic Litigation Counsel: 150203

7. *Identify by line item all job titles proposed to be changed or moved to another line item (e.g., reclassifications).*

None.

8. *Provide an itemized breakdown of specific expenditures regarding fees for services lines and miscellaneous contractual expense lines and indicate 2023 budgeted expenditures compared to 2024 proposed expenditures (include a column for each expenditure year).*

Expense Description	2023 Revised Budget	2023 Year To Date Expended	2024 Proposed Budget
Office Supplies	\$ 24,300	\$ 14,588	\$ 24,125
Client Services	\$ 2,500	\$ 1,822	\$ 3,500
Postage	\$ 3,500	\$ 1,723	\$ 3,500
Telephone	\$ 24,500	\$ 14,061	\$ 22,500
Insurance	\$ 11,059	\$ 10,822	\$ 11,093
Travel Mileage Freight	\$ 26,000	\$ 11,437	\$ 26,000
Conferences/Training/Tuition	\$ 80,343	\$ 61,385	\$ 114,000
Computer Fees	\$ 5,000	\$ -	\$ 5,000
Printing And Advertising	\$ 18,548	\$ 1,595	\$ 18,700
Fees For Services	\$ 98,455	\$ 7,457	\$ 36,250
Photocopier Lease	\$ 8,000	\$ 3,947	\$ 8,000
Equipment Repair And Rental	\$ 950	\$ -	\$ 950
Discovery/Storage/PDCMS	\$ 146,866	\$ 71,741	\$ 105,772
Specialized Services	\$ 102,500	\$ 40,752	\$ 92,500
Legal Reference	\$ 75,000	\$ 37,144	\$ 70,000
Association Dues	\$ 20,000	\$ 5,636	\$ 15,000

9. *Identify any new initiatives and/or eliminated programs, and reimbursements associated with those programs.*

The principal “new initiative” that we are continuing to deal with is discovery reform. We are working with the Albany County Division of Information Services and the NYS Defenders Association (NYSDA) to implement and support an expandable cloud storage system that allows us to accept and store discovery from law enforcement and prosecuting agencies and allows us to distribute discovery to our clients and prosecutors. We will also to explore additional technology and systems that may improve our handling and storage of the ever-increasing volume of discovery.

10. *Identify all County vehicles used by your department. Include the title of any employee(s) assigned each vehicle and the reason for the assignment of a County vehicle to that employee.*

Albany County has assigned two (2) vehicles to the Public Defender’s Office: Vehicle 1, a 2020 Chevrolet Blazer (car #102) assigned to the Senior Criminal Investigator and Vehicle 2, a 2019 Ford Fusion (car #037) assigned to the Criminal Investigators. Both vehicles are used for the work of the Office.

11. *Provide a specific breakdown of the use for the proposed funding for all Conferences/Training/Tuition line items in your department budget.*

Our request for \$114,000 for “Conferences/Training/Tuition” is an increase over the Office’s 2023 request, with the increase funded by NYS ILS Distribution funds. We feel this a reasonable request for 2024. In 2024, we anticipate that there will be an abundance of highly relevant in-person legal education and conferences available for our attorneys.

In 2023, as part of our plans to improve attorney recruitment, retention, and training, we began a partnership with Gideon's Promise, which includes Gideon's Promise providing fellows to public defender offices through their Law School Partnership Program. In 2024, funds will be used to place attorneys in Gideon's Promise's Core 101, Trainer Development, and Leadership Development trainings. We believe this partnership will develop into a recruitment pipeline, improve attorney retention rates, and provide valuable skills to all levels of attorneys in our office.

12. *Provide a specific breakdown of overtime line items in your department budget including the actual overtime expenditures for the previous two years.*

Our “Overtime” costs are for office support staff to assist our attorneys on “off hours” court assignments in two of our busier local criminal courts. The two staff members that receive overtime provide clerk related services opening and updating files during busy court sessions. In the last two budget years, 2022 and 2023 (as of 10/11/23), there

were/are expenditures of \$5,458 and \$4,772, respectively. We anticipate higher usage of this line in 2024 as the courts continue to become busier.

13. Identify by line item any positions that were established/changed during the 2023 fiscal year.

The following positions were established/changed during the 2023 fiscal year. Each of the positions is funded by the NYS ILS.

- A. The position of Fiscal Officer II (150178) was eliminated and replaced by the position of Director of Accounts (150196).
- B. The position of Peer Advocate (150179) was eliminated and replaced by the position of Mitigation Specialist (150197).
- C. The position of Assistant Public Defender V (150157) was eliminated and replaced by the position of Strategic Litigation Counsel (150203)
- D. The following Assistant Public Defender (APD) positions were established:
 - I. APD II: 150024, 150025, 150194
 - II. APD IV: 150198
 - III. APD V: 150199, 150200
 - IV. APD VI: 150201
- E. The following Support Staff positions were established:
 - I. Clerk II: 150151, 150152
 - II. Director of Operations: 150192
 - III. Legal Secretary: 150040
- F. The following Support Staff positions were eliminated:
 - I. Data Officer: 150191
 - II. Receptionist: 150139

14. Please describe the biggest risk your department faces and the actions you have taken (or will take in 2024) to better understand that risk and mitigate it.

The ongoing implementation and support of an effective and flexible cloud storage discovery system that will allow our office to receive discovery materials in its various forms, store it safely in appropriate location(s), access it by authorized staff and recipients, and distribute discovery materials that we are required to serve on the prosecution in a timely, efficient and accurate manner continues to be a major issue and concern. To do this, we have spent much of 2023 working with the Albany County Division of Information Services and the New York Defenders Association (NYSDA). We have begun implementation of an expandable system that we believe will meet our current and future needs.

Also, while the NYS ILS has provided our Office with the majority of its funding for the past several years, and continues to do so, we have some concern about the future. NYS ILS currently has the resources to maintain at least the current level of funding well beyond 2024. Our concern, however, is the State's ability to maintain Statewide funding for indigent legal services into the future. This Office and the County needs to monitor

closely the State's ability to fund and to develop a plan to continue services, in the event of a decrease in financial aid.

15. Please list performance indicators and metrics used by your department and current statistics for those metrics.

This is somewhat difficult to respond to because we do not measure performance in terms of wins or losses. We reference NYS ILS caseload standards to ensure reasonable "active" caseloads for our attorneys and evaluate performance based on some objective standards, such as time and attendance, but much of our oversight is subjective. We evaluate based on our own professional experience; and it helps to have an open mind. There is no single way to be an effective criminal defense attorney, and often it requires many years to find what works best. We use local criminal court and felony supervisors to help our attorneys develop. We pair newer attorneys with those more experienced. We have a Director of Training and the support of NYS ILS and the NYSDA, both located here in Albany, to help develop our expertise.

We train and prepare on an ongoing basis to ensure our clients receive superior representation. We do not maintain statistics other than the maintaining of caseload assignments and dispositions; I am not sure that there are any that confirm what the legal community knows – the Albany County Public Defender provides excellent, innovative and effective legal representation to our clients.

16. Note specifically all potential new unfunded mandates, regulations, risks to grant revenues, risks to reimbursement revenues, from any source.

None is known to exist for budget year 2024.

If you require any supplemental information or have additional questions, please feel free to contact me.

Respectfully submitted,

Stephen W. Herrick
Albany County Public Defender

ALT. PUBLIC DEFENDER



HON. DANIEL P. MCCOY
ALBANY COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE ALTERNATE PUBLIC DEFENDER
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TINA K. SODHI, ESQ.
ALTERNATE PUBLIC DEFENDER

Honorable Wanda F. Willingham, Chair
Albany County Legislature
Audit and Finance Committee
112 State Street, Room 710
Albany, New York 12207

1. *Identify department representative appearing before the Audit and Finance Committee for your agency budget presentation.*
 - a. Tina K. Sodhi, Esq. (Alternate Public Defender)
2. *Identify by line item all vacant positions in your department.*
 - a. As of October 11, 2022, the Alternate Public Defender's Office has two vacant positions.
 - i. A1171 12025 001 670012 - Assistant Alternate Public Defender
 - ii. A1171 12151F 001 670024 – Family Court Caseworker
3. *Identify by line item any new position(s), how the position(s) will be funded and the reimbursement rate(s), if applicable.*
 - a. n/a
4. *Identify by line item any proposed salary increase(s) beyond union contract commitments. Include justifications for those raise(s).*

Line	Title	Current Salary	Proposed Salary	Justification
A1171 12025 001 670002	Asst. Alt. PD	\$103,490	\$108,837	Family Ct. Supervisor w/ 15 years of experience; <u>parity with sister agencies – Court Supervisor</u>
A1171 12025 002 670003	Asst. Alt PD	\$103,490	\$107,297	15+ years of experience; <u>parity with sister agencies – APD</u> <u>VI</u>

A1171 12025 003 670004	Asst. Alt. PD	\$78,832	\$92,797	<u>3-5 years of experience; parity with sister agencies – APD IV</u>
A1171 12025 004 670005	Asst. Alt. PD	\$90,093	\$107,297	<u>15+ years of experience; parity with sister agencies – APD VI</u>
A1171 12025 010 670006	Asst. Alt. PD	\$90,093	\$107,297	<u>15+ years of experience; parity with sister agencies – APD VI</u>
A1171 12025 009 670007	Asst. Alt. PD	\$90,093	\$100,343	<u>6-10 years of experience; parity with sister agencies – APD V</u>
A1171 12025 005 670010	Asst. Alt. PD	\$90,093	\$100,343	<u>6-10 years of experience; parity with sister agencies – APD V</u>
A1171 12025 006 670011	Asst. Alt. PD	\$90,093	\$107,297	<u>15 years of experience; parity with sister agencies – APD VI</u>
A1171 12025 007 670012	Asst. Alt. PD	\$78,832	\$100,343	<u>Seeking 6-10 years of experience; parity with sister agencies – APD V</u>
A1171 12025 008 670013	Asst. Alt. PD	\$90,093	\$100,343	<u>6-10 years of experience; parity with sister agencies – APD V</u>
A1171 12025 001 670021	Asst. Alt. PD	\$101,960	\$110,313	<u>Special Counsel to Alt. PD and Appellate Atty.; parity with sister agencies - Deputy</u>
A1171 15025 001 670014	Legal Secretary	\$48,711	\$56,500	<u>To align with other secretaries, who perform the same duties. Pursuant to County-wide legal support staff schedule.</u>
A1171 16401 001 670009	Confidential Secretary	\$53,550	\$56,500	<u>To align with other secretaries, who perform the same duties. Pursuant to</u>

				<u>County-wide confidential administrative staff schedule</u>
A1171 16401 002 670023	Confidential Secretary	\$53,550	\$56,500	<u>To align with other secretaries who perform the same duties Pursuant to County-wide confidential administrative staff schedule</u>

5. Identify by line item any position proposed to be eliminated or salary decreased.

a. None

6. Identify by line item all positions that are funded by grant money, the percentage of funding provided by the grant and indicate whether there is a commitment that the grant has been renewed for 2023.

a. A1171 12025 001 670002 – Assistant Alternate Public Defender – Parity increase (4.5%) funded by Indigent Legal Services’ Aid to Defense grant, and funding will continue for next year.

b. A1171 12025 002 670003 – Assistant Alternate Public Defender - Parity increase (3.5%) funded by Indigent Legal Services’ Aid to Defense grant, and funding will continue for next year.

~~a.c.~~ A1171 12025 003 670004 – Assistant Alternate Public Defender – this position is 100% grant funded by Indigent Legal Services Fund and the funding will continue until December 31, 2023. ~~To, and will~~ be renewed for another 3 years.

~~b.d.~~ A1171 12025 004 670005 – Assistant Alternate Public Defender – this position is 31.6% grant funded by the Statewide Implementation Funds and funding will continue for next year.

~~e.c.~~ A1171 12025 006 010 670006 –Assistant Alternate Public Defender – this position is 100% grant funded by the Statewide Implementation Funds and funding will continue for next year.

~~f.f.~~ A1171 12025 009 670007- Assistant Alternate Public Defender – this position is 100% grant funded by Indigent Legal Services Fund and the funding will continue until December 31, 2023. To be renewed for another 3 years.

~~e.g.~~ A1171 12025 005 670010 – Assistant Alternate Public Defender – this position is 26.9% grant funded by the Statewide Implementation Funds and funding will continue for next year.

~~f.h.~~ A1171 12025 006 670011 – Assistant Alternate Public Defender – this position is 31.6% grant funded by the Statewide Implementation Funds and funding will continue for next year.

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- ~~g.i.~~ A1171 12025 007 670012- Assistant Alternate Public Defender – this position is 21.4% grant funded by Aid to Defense Grant and funding will continue for next year.
- ~~h.i.~~ A1171 12025 008 670013 – Assistant Alternate Public Defender - this position is 100% grant funded by Indigent Legal Services Fund and we are awaiting the new contract for the next three years.
- ~~i.k.~~ A1171 12025 001 670021 – Assistant Alternate Public Defender – this position is 100% grant funded by the Statewide Implementation Funds and funding will continue for next year.
- ~~j.l.~~ A1171 12151F 001 670024 – Family Court Caseworker – this position is 100% grant funded by the Statewide Implementation Funds and funding will continue for the next 3 years.
- ~~k.m.~~ A1171 14013 001 670022 – Criminal Investigator – this position is 100% grant funded by the Statewide Implementation Funds and funding will continue for next year.
- ~~l.n.~~ A1171 16401 001 670009 – Confidential Secretary – this position is 21.2% grant funded by the Statewide Implementation Funds and funding will continue for next year.
- ~~m.o.~~ A1171 16401 002 670023 – Confidential Secretary – this position is 100% grant funded by the Statewide Implementation Funds and funding will continue for next year.
- ~~n.p.~~ A1171 15025 001 670014 – Legal Secretary - this position is 100% grant funded by the Statewide Implementation Funds and funding will continue for next year.

7. Identify by line item all job titles proposed to be changed or moved to another line item (e.g. reclassifications).

- a. None.

8. Provide an itemized breakdown of specific expenditures regarding fees for services lines and miscellaneous contractual expense lines and indicate 2023 budgeted expenditures compared to 2024 proposed expenditures (included a column for each expenditure year).

Contractual Expenses	2023 Exp Budget	2024 Prop. Budget	2023 Expenditures
Office Supplies	\$3000	\$3,000	\$2,169.88
Postage	\$900	\$900	\$782.15
Telephone	\$5,750	\$5,750	\$3,998.83
Insurance	\$7,883	\$7,664	\$7,476.81
Travel Mileage	\$5,000	\$5,000	\$719.79
Conferences/Training	\$8,000	\$8,000	\$1,680
Printing/Advertising	\$2,500	\$2,500	\$1,060.58
Fees for Services	\$26,500	\$26,500	\$855.50 (water bill, shirts for law day

			run, clothes for clients, business cards)
Photocopier Lease	\$2,000	\$2,000	\$1,543.10
Investigative Services	\$5,000	\$5,000	\$4,955.01
Discovery/Storage	\$26,500	\$26,500	\$11,5
Specialized Services	\$20,000	\$20,000	\$18,554.76
Legal Reference	\$27,000	\$17,500	\$21,452.84
Association Dues	\$8,000	\$8,000	\$1,870
DGS Shared Services	\$40,018	\$41,219	\$40,018

9. *Identify any new initiatives and/or eliminated programs, and reimbursements associated with those programs.*
- The Alternate Public Defender's Office will have in house Family Case Worker, which will provide significant assistance to the attorneys and our clients.
10. *Identify all County vehicles used by your department. Include the title of any employee(s) assigned each vehicle and the reason for the assignment of a County vehicle to that employee.*
- There are no county vehicles used by this department.
11. *Provide a specific breakdown of the use for the proposed funding for all Conferences/Training/Tuition line items in your department.*
- As of October 11, 2023, \$1,680 has been utilized for Conferences and Trainings.
 - Attorneys attend various trainings through New York State Defender's Association, National Criminal Defense College, and any other organization that offers Continued Legal Education credits to the attorneys. Attorneys are reimbursed for any trainings that they attend. All expenditures are reimbursed by Indigent Legal Services and conferences and trainings are highly recommended by the Office of Indigent Legal Services.
12. *Provide a specific breakdown of overtime line items in your department budget including the actual overtime expenditures for the previous two years.*
- There are no overtime lines in this department.
13. *Identify by line item any positions that were established/changed during the 2023 fiscal year.*
- A91171 12151F 001 670024 – Family Court Caseworker position was established in 2023 through a grant by Indigent Legal Services.
14. *Please describe the biggest risk your department faces and the actions you have taken (or will take in 2024) to better understand that risk and mitigate it.*

- a. The biggest risk faced by this Department is the risk of losing attorneys and staff due to the increase in 18b rates. To retain the attorneys and staff, it is necessary to increase the salaries not only to match other legal professionals, but at least to match our sister agencies within the County.

15. Please list performance indicators and metrics used by your department and current statistics for those metrics.

- a. New York State Office of Indigent Legal Services has set caseload standards for all Public Defender Offices along with other performance metrics and expectations. Our caseloads are tracked by PDMCS and reports and updates are provided to Indigent Legal Services multiple times a year to ensure that our caseloads remain at or below the State's recommended level. All attorneys are expected to attend various trainings throughout the year. Our performance is measured by availability at arraignment, continuity of counsel, use of investigative and expert services and the quality of representation provided. Furthermore, NYS Indigent Legal Services has provided and will continue to provide significant funding over the next few years to ensure that quality representation is provided to our clients.

16. Note specifically all potential new unfunded mandates, regulations, risks to grant revenues, risks to reimbursement revenues, from any source.

- a. As of yet, there has not been any indication of any potential funding reductions by Indigent Legal Services. In fact, Indigent Legal Services is pushing to improve the quality of representation provided in Family Court and Indigent Legal Services is seeking for additional funding from the State to improve Family Court.

ASSIGNED COUNSEL



DANIEL P. MCCOY
COUNTY EXECUTIVE

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THOMAS C. DEBOSE III
ASSIGNED COUNSEL PROGRAM ADMINISTRATOR

WILLIAM A. CARTER
SUPERVISING ATTORNEY

LARRY J. ROSEN
SENIOR ATTORNEY

To: Hon. Wanda F. Willingham, Chair
Audit and Finance Committee

From: Thomas C. DeBose III
Assigned Counsel Administrator
Albany County Assigned Counsel Program

Date: October 10, 2024

Re: Proposed 2024 Budget

Chairwoman Willingham:

In preparation for our impending Budget Session Discussion on the Assigned Counsel Program ("ACP") submits the following responses to the 2024 Agency Budget Call Letter (ACP answers in bold):

1) Identify Department Representative appearing before the Audit & Finance Committee for your Agency Budget presentation.

The Representative for ACP will be its Administrator and head of department, Thomas C. DeBose III.

2) Identify by line item all vacant positions in your department.

Currently, ACP has no vacant positions. In July of 2023, we filled the only vacant position from last year's budget, the Data Analyst.

3) Identify by line item any new position(s), how the position(s) will be funded and the reimbursement rate(s), if applicable.

ACP has one (1) new position A1172 16210 001 146008—Office Assistant. This position will be 100% funded through the Statewide funds provided by the New York State Office of Indigent Legal Services (“ILS”).

4) Identify by line item any proposed salary increase(s) beyond union contract commitments. Include justifications for those raise(s).

There is one (1) salary position that has increased beyond the cost-of-living adjustment provided by the County budget: The Secretary II position. This salary has been increased to reflect the increased responsibilities of the position as the primary individual responsible for overseeing reimbursement obligations to New York State, as well as increased data collection and management responsibilities.

5) Identify by line item any position proposed to be eliminated or salary decreased.

No position(s) will require elimination this year.

6) Identify by line item all positions that are funded by grant money, the percentage of funding provided by the grant, and indicate whether there is a commitment that the grant has been renewed for 2024.

All six (6) positions in ACP are fully funded (100%) by grant money ILS. Five of the Positions (A1172 12002 001 146001—Supervising Attorney, A91172 15025 001 146606—Legal Secretary, A1172 16024 001 146007—Data Analyst, A91172 16210 001 146008—Office Assistant, and A1172-16404-146002—Secretary II) are funded exclusively by the NYS ILS Statewide Funding Source (“Statewide”), and one position (A1172 15031 001 146003—Administrator) is funded primarily by Statewide, and partially by ILS funding called Distributions. The Distribution funding has already been approved of for 2024, and the Statewide funding will undergo a new three (3) contract for 2024—2026).

7) Identify by line item all job titles proposed to be changed or moved to another line item (*e.g., reclassifications*).

None.

8) Provide an itemized breakdown of specific expenditures regarding fees for services lines and miscellaneous contractual expense lines and indicate 2024 expenditures compared to 2023 proposed expenditures.

As of October 10, 2024, ACP has the following services lines and expenditures for them:

- 1) A1172 44068 10000—Investigative Services (\$12,527.50 [2023] v. \$12,907.00 [2022]). This line is used to provide investigative services to the Panel Attorneys for assistance in their assigned cases.

- 2) A1172 44300 10000—Association Duties (\$1,425.00 [2023] v. \$0 [2022—non-existent]). This line is used to cover association fees such as NYSDA for Panel Attorneys.
- 3) A91172 44121 1000—Specialized Services (\$3,500 [2023] v. \$9,575 [2022]). This line covers the fees for Expert Services for assigned cases.

All three lines are budgeted in concurrence with ILS Guidelines on the use of these services and the expanded provision of investigators, experts, and other non-legal personnel for the Panel Attorneys in 2024 and beyond.

- 9) Identify any new initiatives and/or eliminated programs and reimbursements associated with those programs.

ACP does not anticipate launching any new initiatives in 2024, but expanding the programs that we have established over the course of 2023—Expanding the services to parents in Family Court matters through the expansion of investigator/expert services through the Upstate Family Defense Grant the County has been awarded, and the continual development of our Mentor and 2nd Chair Programs for 18-B attorneys. In continuation of our partnership with the Capital Group Collaboration and with NYSDA, we will be providing more detailed “Last Tuesday” MCLEs in 2024.

- 10) Identify all County vehicles used by your department. Include the title of any employee(s) assigned each vehicle and the reason for the assignment of a County vehicle to that employee.

ACP does not utilize any County vehicles.

- 11) Provide a specific breakdown for the use of the proposed funding for all Conferences/Training/Tuition line items in your department budget.

Part of the obligations that ACP has under the terms of the Statewide Grant is to improve the quality of services rendered by the 18-B attorneys under our umbrella. To do so, we are working with organizations such as the Albany County Bar Association, ILS, and the New York State Defender’s Association to develop MCLE programs relating to the practice of criminal law, with a focus on issues identified by ACP and the Panel. Further, there are specialized events hosted by non-profits such as Gideon’s Promise which ACP has been invited to attend. These events place the leading organizations in New York State together and offer specialized training, which ACP can then develop into programs for the 18-B panels. We also have funding for CLEs to further prepare our Panel Attorneys for parental representation through the Upstate Family Defense Grant. All of these expenditures are 100% grant funded.

The grant funding also supports the production and implementation of ACP’s 2023 MCLE initiative with the assigned counsel programs in Saratoga, Schenectady, and Warren Counties—the eight (8) program “Last Tuesdays” series. This series of one-hour MCLEs provides new programming for our Panel Attorneys, with emphasis on the issues proposed

by ILS for expansion—the use on non-legal professional services and more specialized section of criminal practice.

12) Provide a specific breakdown of overtime line items in your department budget, including the actual overtime expenditures for the previous two years.

ACP does not have any overtime line items in our budget, and we have had 0 overtime expenditures in the past two years.

13) Identify by line item any positions that were established/changed during the 2023 fiscal year.

ACP created no positions during the 2023 fiscal year.

14) Please describe the biggest risk your department faces and the actions you have taken (or will take in 2024) to better understand that risk and mitigate it.

ACP faces many of the same struggles that defined 2023: 1) The potential loss of ACP staff due to poaching from State agencies, 2) The challenge of integrating a program that serves private contractors, court personnel, the County, and the State into an efficient, effective, and productive whole, and 3) meeting the ever-changing environment of indigent defense, and the tidal shifts that often take place in a short period of time, while managing the Program from its infancy into its toddlerhood.

ACP has, and continues, to face these challenges in the only way it can: by addressing them all head-on. Many of the successes ACP has had were tasks previously thought unsurmountable. Through diligence, determination, and drive, those hurdles are now our current foundation.

15) Please list performance indicators and metrics used by your department and current statistics for those metrics.

Metrics for the evaluation of the Assigned Counsel Program are a continuing process, as many of its responsibilities are dependent on entities that are beyond its control (the courts assign panel attorneys, and it is ACPs responsibility to ensure those panel attorneys receive payment and are provided with support). Currently, ACP has made great strides in reducing the time in which claims provided by the 18-B panel attorneys are evaluated and processed (our average time for a properly submitted Claim Form Packet is approximately 2 business days).

16) Note specifically all potential new unfunded mandates, regulations, risks to grant revenues, risks to reimbursement revenues, from any source.

The single biggest concern for ACP regarding funding is the adjustment that the State provided to the 18-B hourly rate (from \$75.00/hr. in 2022 to \$158.00/hr. in 2023). This rate raise is partially reimbursable to the State, but was only placed in the one-year Aid To Localities budget, rather than a permanent commitment by the State to supplying its half of

If you required any additional information regarding the Assigned Counsel Program, please feel free to contact me.

Respectfully,

Thomas C. DeBose III

Thomas C. DeBose III

Administrator

Albany County Assigned Counsel Program

the rate lift. ACP anticipates that this will be a flash point in the 2024 state budget negotiations, and is doing all that it can (including processing their claims for reimbursement as soon as the quarter closes) to demonstrate the necessity of maintaining that funding, in collaboration with our colleagues at State ILS.

COUNTY ATTORNEY

DANIEL P. MCCOY
COUNTY EXECUTIVE



EUGENIA KOUTELIS CONDON
COUNTY ATTORNEY

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JOHN W. LIGUORI
DEPUTY COUNTY ATTORNEY

MEMORANDUM

TO: Hon. Wanda F. Willingham, Chair
Audit and Finance Committee

FROM: Eugenia Koutelis Condon
County Attorney

DATE: October 18, 2023

RE: Proposed 2024 Budget

With respect to the Law Department's 2024 proposed budget, the following information is submitted in response to your memo of October 2, 2023.

1. **Department Representative Attending Committee Meeting:** I will attend the meeting along with Deputy County Attorney, John Liguori and First Assistant County Attorney, Yorden Huban.
2. **Vacancies:** Current vacancies are as follows:

A1420 16401 004 250015 Confidential Secretary
A1420 14130 001 250041 Investigator

We are actively recruiting to fill these positions.
3. **New Positions:** This budget provides for new positions as follows:

A1420 1420 11244 001 250079 Director of Employee Safety

This is a retitling of an existing position in the Department of Human Resources with a transfer of the employee and job responsibilities to the Law Department consistent with the Law Department's on going goals of improving safety and reducing the risk of injury to help reduce Worker's Compensation and Liability claims against the County. This position will continue to focus on safety issues while broadening their responsibilities to assist Law by, among other things, working directly with County agencies to develop protocols to reduce liability.

A1420 15023 001 250012 Paralegal

This new position will be dedicated full time to contract management which will include responsibility for managing the Contract Management System and Legislative System, drafting of template contracts, working with attorneys and vendors to have contracts fully executed and final distribution of same. Having one person dedicated full time to contract management will allow for expediency in the contract process from initiation to conclusion.

A1420 12006 004 250080 Assistant County Attorney IV

A1420 12006 005 250082 Assistant County Attorney IV

A1420 12053 001 250081 Assistant County Attorney VI

A1420 12053 002 250083 Assistant County Attorney VI

Several positions in the Department are designated as promotional in nature. It is proposed that the attorneys move from their current Assistant County Attorney designation to the next Assistant County Attorney designation with a corresponding salary increase. The lines they are vacating will be eliminated or decreased. These promotions are being done uniformly for long term employees. We are hoping to retain our long term employees who we have put considerable time and resources into training and to recognize their worth to the Department. In order to accomplish these moves, new lines needed to be created. In total, three Assistant County Attorney III's will move to Assistant County Attorney IV titles. One Assistant County Attorney IV will move to an Assistant County Attorney V position and two Assistant County Attorney V's will move to Assistant County Attorney VI.

4. Proposed Salary Increases:

A1420 16044 004 250051 Assistant County Attorney PT

This increase is to make the hourly rate consistent with the Assistant County Attorney IV title for equity purposes.

5. Positions to be eliminated or subject to Salary Decrease:

A1420 16207 001 250038 Clerk I PT (eliminated)

A1420 16044 005 250075 Assistant County Attorney PT (eliminated)

A1420 14130 001 250041 Investigator (Salary decrease to reflect part time status)

A1420 12004 001 250058 Assistant County Attorney II (eliminated)

A1420 12995 001 250060 Assistant County Attorney III (eliminated)
 A1420 12005 003 250062 Assistant County Attorney III (eliminated)
 A1420 12005 004 250063 Assistant County Attorney III (eliminated)
 A1420 12007 002 250068 Assistant County Attorney V (eliminated)

6. **Grant Funded Positions:** There are no grant funded positions, however, the Law Department implements chargebacks to the Departments of Social Services and Children, Youth and Families for services rendered to those Departments. In addition, the salaries of one full-time Assistant County Attorney, one part-time Assistant County Attorney, one Paralegal and two legal secretaries are funded through the Department of Finance for their attention to real property matters. Finally, the salary of the County Enforcement Technician is funded through the Bus Patrol agreement through fines received. The amount of legal service charges is set forth in the proposed budget.

7. **Titles to be Changed or Moved:**

The proposed budget contains a new title, A1420 1420 11244 001 250079 Director of Employee Safety, which is a transfer of a title from the Department of Human Resources with a retitle.

8. **Fees for Services:** See attached report.

9. **New Initiatives or Eliminated Programs:** The Department of Law's proposed budget includes a Director of Employee Safety position which will be a transfer and retitle of a position from the Department of Human Resources. This person will continue to perform the functions of Employee Safety that they performed in Human Resources while working under the jurisdiction of the County Attorney. The Director will proactively make assessments County-wide as to safety and similar issues that impact our Worker's Compensation and Liability coverage and claims.

10. **Vehicles:** The Department of Law does not have any vehicles assigned to it.

11. **Overtime:** The Department of Law budget does not contain any overtime.

12. **Positions that were established/changed:**

During 2023, position A1420 12537 001 250078 County Enforcement Technician was established.

13. **Biggest Risk and Action Plan:** The biggest risk facing our operations is consistent with those facing other County agencies, the recruitment and retention of County staff. We have lost several staff members over the last three years to retirement and to staff resigning to take higher paying jobs with other agencies. As quickly as we fill vacancies, we are faced with another resignation. This is an ongoing conversation that this Office regularly has with the other law departments in the County. This problem is not expected to resolve itself any time soon. In the next five years, we anticipate roughly one-half of our current attorney staff will be retired. The institutional knowledge held by that staff is tremendous. Recruiting and

training of new staff is challenging. We are not a general practice firm, most of our units practice highly specialized and concentrated areas of municipal law. We spend a significant amount of time and resources training staff, however, retention of those attorneys is becoming exceedingly difficult as they are leaving County employment for other options. We are attacking this problem by several methods. First, we have an intern program and have successfully trained and hired interns after they have obtained their degree. Second, we work with Affirmative Action which continuously recruits attorney candidates. Third, we communicate and share resumes with the other law departments in the County. Finally, we work with Civil Service and Human Resources to recruit on our behalf, through posting on advertising sites as well as direct recruiting through the Albany Law School.

14. **Performance Indicators:** The Law Department is a service based department that utilizes best practices to provide counsel and assistance to all clients effectively and as efficiently as possible. As a result, we do not have specific performance metrics or indicators.
15. **Unfunded mandates:** The Raise the Age Legislation has created significant additional caseload for the Family Court Unit in the Department of Law. Based upon the projections from OCFS and DCJS, the Department of Law requested the creation of three new positions, an Assistant County Attorney, Legal Secretary and an Investigator in the 2019 budget. The positions and the request for reimbursement were included in Albany County's budget plan submitted to the State. After their review, they determined that these positions would not be approved for reimbursement. While the positions are not in our budget, the caseload created as a result of the Raise the Age Legislation continues to be challenging for our Department in terms of the number and types of cases.

Thank you for your attention to this matter.

EKC:e

Enclosure

cc: David Reilly, Commissioner, Management and Budget
John Liguori, Deputy County Attorney
Yorden Huban, First Assistant County Attorney

COUNTY OF ALBANY



G/L ACCOUNT DETAIL

Org: A91420 Object: 44046 Project: 10000
Fees For Services A -11-15-1420-000-44046 -10000

YEAR	PER	JOURNAL	EFF DATE	SRC T	PO/REF2	REFERENCE	AMOUNT	P	CHECK NO	WARRANT	VDR NAME/ITEM	DESC	COMMENTS
2023	10	856	10/13/2023	API 1		W 11/15/23	4,612.50	Y		011/15/23	O'CONNELL AND ARO	INVOICE 4	
2023	10	208	10/03/2023	API 1		W 11/01/23	343.00	Y		011/01/23	JOHN R PROBST INV	AUG BILL	
2023	10	208	10/03/2023	API 1		W 11/01/23	123.20	Y		011/01/23	JOHN R PROBST INV	DSS AUG	
2023	10		10/17/2023	API			2,433.80	N		0	JOHN R PROBST INV	SEPT BILL	
2023	10		10/17/2023	API			3,478.80	N		0	JOHN R PROBST INV	AUG BILL	
2023	09	1884	09/29/2023	API 1		W 11/01/23	120.00	Y		011/01/23	CORRIGAN, MCCOY &	FILE NO-1	
2023	09	1884	09/29/2023	API 1		W 11/01/23	210.00	Y		011/01/23	CORRIGAN, MCCOY &	FILE NO10	
2023	09	1826	09/29/2023	GEN 1		AD	-15,823.87	Y		0	JOHN R PR		
2023	09	456	09/08/2023	API 1		W PC	1.35	Y	2043565PC		STATE OF NY SUPRE	PC	
2023	09	456	09/08/2023	API 1		W PC	45.00	Y	2043565PC		STATE OF NY SUPRE	PC	
2023	09	456	09/08/2023	API 1		W PC	207.50	Y	2043566PC		PACER SERVICE CEN	PC	
2023	09	96	09/05/2023	API 1		W 10/04/23	3,397.40	Y		315956210/04/23	JOHN R PROBST INV	JULY BILL	
2023	08	1515	08/24/2023	API 1		W 09/30/23	2,466.00	Y		315937909/27/23	JOHN R PROBST INV	JUNE BILL	
2023	08	1515	08/24/2023	API 1		W 09/30/23	2,530.14	Y		315937909/27/23	JOHN R PROBST INV	JAN BILL	
2023	08	1515	08/24/2023	API 1		W 09/30/23	2,373.53	Y		315937909/27/23	JOHN R PROBST INV	MARCH BIL	
2023	08	570	08/09/2023	API 1		W PC	5.00	Y		2043047PC	INDEED	PC	
2023	07	1605	07/25/2023	API 1		W 08/23/23	3,750.00	Y		315800708/23/23	ADAM FUSCOFUSCO	Smith and	
2023	07	1563	07/25/2023	API 1		W 08/23/23	1,320.00	Y		315796608/23/23	CAPEZZA HILL, LLP	INVOICE 0	
2023	07	1563	07/25/2023	API 1		W 08/23/23	8,732.50	Y		315808308/23/23	O'CONNELL AND ARO	INVOICE 4	
2023	07	731	07/13/2023	API 1		W 08/16/23	123.20	Y		315774908/16/23	JOHN R PROBST INV	29482,294	
2023	07	611	07/12/2023	API 1		W PC	39.30	Y		2042748PC	PACER SERVICE CEN	PC	
2023	06	1506	06/23/2023	API 1		W 07/26/23	251.40	Y		315691007/26/23	JOHN R PROBST INV	MAY DSS	
2023	06	1506	06/23/2023	API 1		W 07/26/23	65.20	Y		315691007/26/23	JOHN R PROBST INV	APRIL DSS	
2023	06	1506	06/23/2023	API 1		W 07/26/23	412.40	Y		315691007/26/23	JOHN R PROBST INV	MARCH DSS	
2023	06	1506	06/23/2023	API 1		W 07/26/23	92.40	Y		315691007/26/23	JOHN R PROBST INV	FEBRUARY	
2023	06	1049	06/15/2023	API 1		W 07/19/23	1,795.00	Y		315660007/19/23	JOHN R PROBST INV	MAY INVOI	
2023	06	683	06/12/2023	API 1		W PC	1.35	Y		2042338PC	STATE OF NY SUPRE	PC	
2023	06	683	06/12/2023	API 1		W PC	45.00	Y		2042338PC	STATE OF NY SUPRE	PC	
2023	06	683	06/12/2023	API 1		W PC	225.00	Y		2042340PC	PACER SERVICE CEN	PC	
2023	06	292	06/06/2023	API 1		W 07/05/23	1,162.50	Y		315609607/05/23	O'CONNELL AND ARO	INVOICE 4	
2023	05	2036	05/30/2023	API 1		W 06/28/23	947.44	Y		315580106/28/23	COUNSEL PRESS, IN	PRINTING	
2023	05	1594	05/23/2023	API 1		W 06/21/23	7,837.50	Y		315557306/21/23	GREENBERG TRAUIG	SMITH VS	
2023	05	1594	05/23/2023	API 1		W 06/21/23	6,655.50	Y		315557306/21/23	GREENBERG TRAUIG	WHALEN V	
2023	05	1594	05/23/2023	API 1		W 06/21/23	8,712.00	Y		315557306/21/23	GREENBERG TRAUIG	ELECTION	
2023	05	858	05/11/2023	API 1		W 06/14/23	562.50	Y		315530006/14/23	O'CONNELL AND ARO	INVOICE 4	
2023	05	858	05/11/2023	API 1		W 06/14/23	2,317.20	Y		315524006/14/23	JOHN R PROBST INV	29218-293	
2023	04	130	04/04/2023	API 1		W 04/05/23	600.00	Y		315248904/05/23	O'CONNELL AND ARO	KENWOOD C	
2023	04	116	04/04/2023	API 1		W 04/05/23	1,593.75	Y		315237104/05/23	DEROHANNESIAN & D	COMPTROLL	
2023	03	933	03/16/2023	API 1		W 04/19/23	150.00	Y		315297004/19/23	LAURA COUCH	janess doe	
2023	03	558	03/09/2023	API 1		W 03/15/23	825.00	Y		315167903/15/23	O'CONNELL AND ARO	KENWOODS	
2023	03	424	03/08/2023	API 1		W PC	35.50	Y		2041290PC	PACER SERVICE CEN	PC	
2023	03	424	03/08/2023	API 1		W PC	59.10	Y		2041290PC	PACER SERVICE CEN	PC	
2023	02	525	02/14/2023	API 1		W 03/22/23	902.50	Y		315190803/22/23	O'CONNOR, O'CONNO	MEDIATION	
2023	01	1239	01/31/2023	API 1		W PC	1.35	Y		2041155PC	STATE OF NY SUPRE	PC	
2023	01	1239	01/31/2023	API 1		W PC	45.00	Y		2041155PC	STATE OF NY SUPRE	PC	
2023	01	1239	01/31/2023	API 1		W PC	348.90	Y		2041157PC	PACER SERVICE CEN	PC	
2023	01	1051	01/31/2023	API 1		W 03/01/23	850.00	Y		315106903/01/23	DEROHANNESIAN & D	AUDIT COU	

Total Amount: 56,981.84

COUNTY OF ALBANY



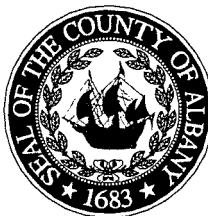
G/L ACCOUNT DETAIL

Org: A91420 Object: 44046 Project: 10000

YEAR	PER	JOURNAL	EFF DATE	SRC T	PO/REF2	REFERENCE	AMOUNT	P	CHECK NO	WARRANT	VDR NAME/ITEM	DESC	COMMENTS
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** END OF REPORT - Generated by Berghela, Teresa **

IMMIGRATION



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
REGIONAL IMMIGRATION ASSISTANCE CENTER
REGION 3- CAPITAL REGION & NORTHERN N.Y.
112 STATE STREET, SUITE 830
ALBANY, NEW YORK 12207
PHONE: (518) 447-4890
www.albanycounty.com

EVELYN A. KINNAH, ESQ.
DIRECTOR

BAKARY JANNEH
DEPUTY DIRECTOR

MEMORANDUM

TO: Hon. Wanda F. Willingham
Chair, Audit and Finance Committee

FROM: Evelyn Kinnah, Director

DATE: October 12, 2023

RE: Office of Immigration Assistance

1. Identify department representative appearing before the Audit & Finance Committee for your agency budget presentation.

Evelyn A. Kinnah, Director

2. Identify by line item all vacant positions in your department.

1173 12037 001 145006 (Immigration Counsel)

3. Identify by line item any new position(s), how the position(s) will be funded and the reimbursement rate(s), if applicable.

The Department has no new positions.

4. Identify by line item any proposed salary increase(s) beyond union contract commitments. Include justification for those raise(s).

There is a 3% Cost of Living Adjustment applied to all non-union positions throughout the County.
Pay adjustment for Confidential Secretary (position 145003) pursuant to County-wide confidential administrative staff schedule.

5. Identify by line item any position proposed to be eliminated or salary decreased.

There are no positions proposed to be eliminated or salary decreased.

6. Identify by line item all positions that are funded by grant money, the percentage of funding provided by the grant and indicate whether there is a commitment that the grant has been renewed for 2023.

All positions in the Department are 100% grant funded through the New York State Office of Indigent Legal Services. Current grant funding for the Department is for the period January 1, 2020 to December 31, 2023. The Department is working to secure funding through New York State Indigent Legal Services for the period January 1, 2024 to December 31, 2026.

- A1173 12008 001 145007 – 100% State
- A1173 12018 001 145005 – 100% State
- A1173 12037 001 145006 – 100% State
- A1173 16401 001 145003 – 100% State
- A1173 19935 -- 100% State

7. Identify by line item all job titles proposed to be changed or moved to another line item (e.g., reclassifications).

There are no job titles proposed to be changed or moved to another line item.

8. Provide an itemized breakdown of specific expenditures regarding fees for services lines and miscellaneous contractual expense lines and indicate 2024 budgeted expenditures compared to 2024 proposed expenditures (included a column for each expenditure year).

Fees for Service A 1173 44046: Total Budget \$24,000

The Department works closely with community outreach organizations and will enlist their services as needed. The cost of this service is expended on the “Fees for Services” line. Additionally, any interpreter services needed and provided for a client is expended on this line. This expenditure is reimbursable through the grant process.

2023 budgeted expenditures	2024 proposed expenditures
Language Line Services	Same as 2023 and described above
Water	
Recruitment	
Case management systems	

9. Identify any new initiatives and/or eliminated programs, and reimbursements associated with those programs.

There are no new initiatives and/or eliminated programs. The grant funding reflects a continuation

of the Department's existing work.

10. Identify all County vehicles used by your department. Include the title of any employee(s) assigned each vehicle and the reason for the assignment of a County vehicle to that employee.

There are no vehicles assigned to the Department.

11. Provide a specific breakdown of the Use of the proposed funding for all Conferences/Training/Tuition line items in your department budget.

A 1173 44039: Total Budget \$30,000.

The Center provides continuing legal education trainings for court-mandated attorneys practicing within Region 3. The line covers the logistics for venues, speakers, announcements, outreach and associated fees.

As part of a robust staff development plan, Center staff receive intensive and ongoing immigration training, support, consultation, seminars, practice advisories and comprehensive immigration materials.

12. Provide a specific breakdown of overtime line items in your department budget including the actual overtime expenditures for the previous two years.

There is no overtime budget for the Department.

13. Identify by line item any positions that were established/changed during the 2021 fiscal year.

No positions were established/changed during the 2023 fiscal year.

14. Please describe the biggest risk your department faces and the actions you have taken (or will take in 2024) to better understand that risk and mitigate it.

- a. **While the risk of COVID-19 exposure is currently diminished, the Department will continue to monitor this risk and respond appropriately by (a) limiting travel to the 14 counties in Region 3 (which is the geographic area covered under the grant), and (b) conducting all trainings, outreach and other functions remotely when possible. We will continue to assess our strategy and be informed by the level of COVID-19 transmissions as reported.**
- b. **The current migrant crisis poses a special challenge to the resources of this Department. Generally, there is an increased need for direct services, but a limited resource of service providers in the County to assist families in need. As such, we are partnering with our local immigration partners to identify specific areas of need for this population, and to pool resources in order to provide needed services.**

15. Please list performance indicators and metrics used by your department and current statistics for those metrics.

- Cultivate indigent legal service providers, bar associations and nonprofit organizations to develop and coordinate regional attorney and judicial trainings and resource materials which address the intersection of Criminal, Family and Immigration law.
- Provide expert legal advice and defense strategies to court-mandated attorneys in assisting their noncitizen clients in making informed choices regarding any adverse immigration consequences which may arise from a family law and/or criminal court proceeding.
- Collaborate with New York State Indigent Legal Services and the other five (5) Regional Immigration Assistance Centers in New York to analyze regional trends, collect data, and identify attorney best practices that should be considered for possible replication throughout the State.
- Provide attorneys and noncitizens with critical resources to stay abreast of the constant evolution of immigration policy nationwide.
- Assist with requests to vacate prior criminal convictions.
- Identify victims of human trafficking in addition to victims of crime and help navigate a pathway to lawful status.
- Assist attorneys whose clients may be targeted by impending ICE raids.
- Maintain an immigration hotline and translation service line.
- Direct assistance referrals

16. Note specifically all potential new unfunded mandates, regulations, risks to grant revenues, risks to reimbursement revenues, from any source.

As previously stated in response to question 6, all positions in the Department are 100% grant funded through the New York State Office of Indigent Legal Services. The Department is working to secure funding through New York State Indigent Legal Services for the period January 1, 2024 to December 31, 2026.

There are no potential new unfunded mandates, regulations, risks to grant revenues, or risks to reimbursement revenues at this time.

BOARD OF ELECTIONS



Albany County Board of Elections

COMMISSIONERS OF ELECTION

RACHEL L. BLEDI
REPUBLICAN

KATHLEEN A. DONOVAN
DEMOCRATIC

260 S. Pearl St.
ALBANY, NEW YORK 12206-1324
OFFICE HOURS: 8:30 AM to 4:30 PM
TELEPHONE: (518) 487-5060
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WWW.ALBANYCOUNTY.COM/VOTE

DEPUTY COMMISSIONERS

DAVID CADY (D)

MELISSA KERMANI (R)

TO: Hon. Wanda Willingham, Chair
Audit & Finance Committee

FROM: Albany County Board of Elections

Date: October 17, 2023

RE: Proposed 2024 Budget

1. The department representatives appearing before the Audit & Finance Committee will be: Kathleen Donovan and Rachel Bledi.
2. There are no vacant positions.
3. There are no new positions.
4. There are no proposed salary increases.
5. There are no positions proposed to be eliminated or salary decreased.
6. There are no positions funded by grant money.
7. There are no proposed job title changes or movements to another line item.
8. There is a decrease in the 2023 fees for services line (1450-44046). These decreases are attributable to a reduction in grants that require service contracts. The majority of our grant funds available have shifted instead toward the purchase of election equipment. There is a slight increase in request for the moving of machines to reflect an additional 3rd election.
9. In looking forward to 2023, the primary goal of the Board will be to incorporate advancements in technology to modernize our elections operation, creating greater efficiencies and taxpayer savings. Through the availability of grants, (The Cybersecurity Remediation Grant and Technology, Innovation and Resource Grant) we will be purchasing additional ballot on demand systems to be used in the consolidation of election districts at poll sites, cutting back on costs associated with the hiring of inspectors and renting poll sites. The ballot on demand systems also increase the rate of accuracy in the issuance of ballots while cutting back on paper and ink costs associated with the preprinting of ballots. Additionally, the Board will continue its work to enhance election security through cybersecurity remediation and mitigation services. In 2022 and 2023, the Board began to undergo a comprehensive risk assessment of its election infrastructure, resulting in numerous steps taken to address risks identified. The undertaking will continue into 2024, with greater security enhancements implemented. All of the grants reimburse the county for funds expended associated with these initiatives. Additionally, the Board is seeking to modernize its elections operation with

the purchase of two hundred DS300 voting machines and related software and peripherals for use in connection with the creation and scanning of ballots along with the tabulation of election results. The estimated cost of the total purchase is \$1,651,667.57. The scanners would replace the existing inventory of equipment originally purchased in 2008. The machines have far exceeded their expected lifespan of 10 years; however, excessive wear and tear has taken its toll in the form of ballot jams, overheated equipment and software that freezes. The constant disruption at poll sites and deployment of machine custodians to address the technical deficiencies requires a more substantive and long-term resolution of the problem.

10. The Board of Elections has two (2) county vehicles, a 2008 Ford box truck and a 2009 Chevy van, which are used to transport voting machines and election-related supplies to polling sites and voter outreach presentations. There are no county vehicles assigned to any specific staff member of the Board of Elections. (See attached)
11. There is \$10,000 allocated to the Conferences Training Tuition line (#44039) which covers expenses for two major conferences held annually for Commissioners and staff. Both conferences are hosted by the NYS Elections Commissioners Association.
12. We have requested a \$20,000 increase in our overtime budget for 2024 (\$80,000) due to the addition of a 3rd election in a Presidential Election Year. The majority of our overtime is expended during the 9-day early voting period and to process absentee ballots. In 2023, we have thus far expended \$34,662 in overtime costs and in 2022, we expended \$67,468 in overtime costs.
13. There were no positions established or changed in 2022.
14. Cyberattacks pose a serious threat to election security and is an ongoing concern and challenge. We have applied for a Cybersecurity Remediation Grant, in the amount of \$145,220 to address vulnerabilities identified in risk assessments. We have developed a remediation plan with a nonprofit technology consulting company, NYSTEC, to ensure that our systems are more secure.
15. The Board of Elections sole performance metric is the successful conduct of elections with minimal disruption at poll sites, zero impediments to register to vote and all absentee ballots requests fulfilled timely.
16. The Board of Elections is presently aware of one (1) potentially unfunded mandate: the acquisition of a new line of electronic voting machines is all but inevitable given the well-known obsolescence rate of electronic equipment.

			2023 Fees for Services	
	Org	Account	Description	
	A91450	44046		
			Moving Machines	\$60,000.00
			Crystal rock (water)	\$3,000.00
			Sheriffs Dept.	\$15,000.00
			Steno Services	\$1,000.00
			Election Meals	\$3,000.00
			Elections Systems & Services Maintenance agreement	\$90,000.00
			Verizon	\$96,000.00
			Stanley	\$7,000.00
			CHA Integrated Solutions LLC	\$6,000.00
			Knowink	\$50,000.00
			Redistricting Services	\$25,000.00
			Misc /machine supplies	\$15,000.00
			Cleaning of polling sites for 2 elections	\$20,000.00
			Early Voting Expansion Grant	\$31,823.32
			Cybersecurity	\$5,000.00
			Eclipse Network Solutions-doorbell intercom	\$1,000.00
			Total	\$428,823.32

			2024 Fees for Services	
	Org	Account	Description	
	A91450	44046		
			Moving Machines	\$70,000.00
			Crystal rock (water)	\$3,000.00
			Sheriffs Dept.	\$20,000.00
			Steno Services	\$1,000.00
			Election Meals	\$3,000.00
			Elections Systems & Services Maintenance agreement	\$130,000.00
			Verizon	\$52,500.00
			Stanley	\$6,000.00
			CHA Integrated Solutions LLC	\$7,000.00
			Knowink	\$52,500.00
			Redistricting Services	\$25,000.00
			Misc /machine supplies	\$15,000.00
			Cleaning of polling sites for 3 elections	\$10,000.00
			Eclipse Network Solutions-doorbell intercom	\$2,000.00
			Total	\$397,000.00



Albany County
Board of Elections

COMMISSIONERS OF ELECTION
Rachel L. Bledi (R)
Kathleen Donovan (D)

260 S. PEARL ST.
ALBANY, NEW YORK 12202
OFFICE HOURS: 8:30 A.M. TO 4:30 P.M.
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FAX: (518) 487-5077
WWW.ALBANYCOUNTY.COM /VOTE/

MEMO

TO: Hon. Wanda Willingham, Chair
Audit & Finance Committee

FROM: Rachel Bledi, Board of Elections Commissioner
Kathleen Donovan, Board of Elections Commissioner

RE: Proposed 2024 Budget

DATE: 10/17/2023

Attached are four copies of the responses provided by the Board of Elections pertaining to the proposed 2024 budget.