



COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

2025 MAY 2 11:24

May 2, 2025

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Re: Acceptance of Funding from the Division of Criminal Justice Services – Aid to Defense for Discovery Reform

Dear Honorable Members:

The attached resolution requests authorization to accept funding from New York State's Division of Criminal Justice Services (DCJS) and to enter into contracts with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo. Funds will be used to help improve public defense services and expenses related to discovery reform implementation.

Should your Honorable Body require further information, I encourage you to contact the Office of the County Attorney. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in blue ink, reading "Mark C. Poloncarz", with a long horizontal flourish extending to the right.

Mark C. Poloncarz, Esq.
Erie County Executive

MCP/kmw
Enclosure

cc: Jeremy Toth, County Attorney

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Office of the County Attorney
Re: Acceptance of Funding from the Division of Criminal Justice Services – Aid to Defense for Discovery Reform
Date: May2, 2025

SUMMARY

It is recommended that the Legislature authorize the County Executive to accept funding from New York State's Division of Criminal Justice Services (DCJS) for purposes of utilizing funds to help improve public defense services and expenses related to discovery reform implementation. The resolution also seeks approval to enter into contracts with the Erie County Bar Association's Aid to Indigent Prisoners Society (Assigned Counsel) and the Legal Aid Bureau of Buffalo (Legal Aid).

FISCAL IMPLICATIONS

There are no fiscal implications to the County's operating budget. All services are fully funded through New York State.

REASONS FOR RECOMMENDATION

Legislative approval is required for the County Executive to enter into a contract, establish grant budgets and enter into subcontracts with Assigned Counsel and Legal Aid.

BACKGROUND INFORMATION

DCJS has made funding available to help aid defense agencies with discovery reform in the amount of \$2,155,699. The funds will be disbursed by the County to Legal Aid and Assigned Counsel to help discovery reform implementation, such as digital evidence transmission technology, administrative support, computers, hardware, operating software, data connectivity, development of training materials, staff training and litigation readiness.

CONSEQUENCES OF NEGATIVE ACTION

Failure to approve this resolution will serve to hinder the improvement of State mandated indigent legal services in Erie County.

STEPS FOLLOWING APPROVAL

Grant budgets will be established by the Division of Budget and Management. Contracts will be executed after final review by the Department of Law as to form.

A RESOLUTION SUBMITTED BY:
THE OFFICE OF THE COUNTY ATTORNEY

RE: Indigent Legal Services Grant- Statewide Expansion of Hurrell-Harring

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) will provide a grant award in the amount of \$2,155,699 to the County for purposes of providing aid for discovery reform to support indigent defense services, and

WHEREAS, Erie County will contract with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver the services required through the grant.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to accept \$2,155,699 in funding from the New York State Division of Criminal Justice Services in order to aid indigent defense discovery reform in the form of a multi-year grant within the Department of Law (Fund 281, Funds Center 16010) as follows:

Erie County Department of Law
DCJS Aid to Defense for Discovery Reform
160ADDR2325
April 1, 2023 to March 31, 2025

REVENUES	BUDGET
409000 State Aid Revenues	<u>\$2,155,699.00</u>
TOTAL	<u>\$2,155,699.00</u>

APPROPRIATIONS	BUDGET
516601 Legal Aid Bureau Indigent Defense	\$ 711,380.67
516602 EC Bar Association Indigent Defense	<u>\$1,444,318.33</u>
TOTAL	<u>\$2,155,699.00</u>

and be it further

RESOLVED, that authorization is hereby given to the County Executive or Deputy County Executive to enter into subcontracts with the Erie County Bar Association Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo to deliver said services; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, that the County Executive be authorized to enter into no-cost contract

amendments and extensions related to the underlying grant; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, Comptroller's office, Department of Law and Division of Budget and Management.