



2025 MAY 16 '25 PM 2:57

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

May 16, 2025

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

Re: Indigent Legal Services Grant – ILS Statewide Expansion of Hurrell-Harring

Dear Honorable Members:

The attached resolution requests authorization to enter into a contract with the New York State Office of Indigent Legal Services to allow for a no-cost extension for funding previously granted under the Statewide Expansion of Hurrell-Harring. Funds will be used to help improve the quality of representation to indigent defendants through the efforts of the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo.

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 yours,

A handwritten signature in blue ink that reads "Mark C. Poloncarz".

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: Indigent Legal Services Grant – ILS Statewide Expansion of Hurrell-Harring
Date: May 16, 2025

SUMMARY

It is recommended that the Legislature authorize the County Executive to enter into a contract with the New York State Office of Indigent Legal Services to allow for a no cost extension to expend previously granted funding under the Hurrell-Harring settlement in order to aid in the quality of representation to indigent defendants. In addition, the resolution requests authorization to subcontract 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.

FISCAL IMPLICATIONS

There are no fiscal implications for the operating budget. All services will be fully reimbursed 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 community agencies.

BACKGROUND INFORMATION

The New York State Office of Indigent Legal Services has made a commitment of \$48,961,972.83 to the County of Erie over the past five years to help implement higher quality representation for indigent defendants through the Hurrell-Harring settlement. This grant was originally approved by the Legislature as COMM 18E-30 (2019) and set up as grant 160HHEXPILS1823 within the Department of Law. This resolution will allow for a no cost extension of the contract to expend the previously committed funds from New York State.

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 Office of Indigent Legal Services previously provided a grant totaling \$48,961,972.83 to the County for the provision of indigent defense services; and

WHEREAS, Erie County has contracted with the Erie County Bar Association's Aid to Indigent Prisoners Society and the Legal Aid Bureau of Buffalo (Legal Aid) to deliver the services required through the grant; and

WHEREAS, the purpose of this resolution is to allow for a no-cost extension to expend the grant funding awarded under the Hurrell-Harring settlement.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the County Executive or Deputy County Executive to enter into contract with the State of New York Office of Indigent Legal Services to implement a no-cost extension of the ILS Statewide Expansion of Hurrell-Harring grant funding within the Department of Law (Fund 281, Funds Center 1601040, Grant 160HHEXPILS1823) through March 31, 2025; and be it further

RESOLVED, that authorization is hereby given for 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 from the original grant start date of April 1, 2018 through March 31, 2025; and be it further

RESOLVED, that authorization is hereby given for the Division of Budget and Management to adjust grant appropriations and revenues including those required to comply with the grantor funding changes provided there are no changes to authorized personnel levels or county share amounts; and be it further

RESOLVED, that authorization is hereby given for the County Executive or Deputy County Executive to enter into any further no-cost contract extensions and amendments 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.