



Kenneth W. Jenkins
County Executive

Department of Probation

Rocco A. Pozzi
Commissioner

#112995

DATE: February 6, 2026

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner, Department of Probation

RE: Resolution to exempt from the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)xxi thereof, the procurement of pre-trial program services from CHOICE of New Rochelle Inc.

Authority is requested from your Honorable Board to exempt from the Westchester County Procurement Policy and Procedures (the "Procurement Policy"), pursuant to Section 3(a) (xxi) thereof, the procurement, by the County of Westchester (the "County"), of pre-trial program services (the "Services"), under an agreement between the County and CHOICE of New Rochelle Inc. ("CHOICE"), for a term from July 1, 2025 through June 30, 2026, for an amount not to exceed \$2,093,325.00 (the "Agreement").

The Services will including pre-trial programs to evaluate criminal defendants ("Defendant(s)") for potential pre-trial release from custody and work to ensure the return of Defendants for future court appearances through CHOICE's structured follow-up during the pre-trial release period, and to conduct outreach to newly incarcerated defendants at the County Jail to inform them about the bail set by the court and options for posting bail.

Under the proposed Agreement, as part of the Services, CHOICE will conduct interviews with Defendants awaiting arraignment or within a reasonable period of time thereafter to verify community ties, which has been proven to be a reliable predictor of a defendant's return to court that is not related to one's ability to post monetary bail. CHOICE will then use an objective measure based upon interview findings to make a pre-trial release recommendation, which CHOICE then will provide to the presiding Judge, Assistant District Attorney and the Defendant's attorney. Upon the court granting pre-trial release to a Defendant pursuant to CHOICE's recommendation, CHOICE shall then provide ongoing follow-up services with the Defendant, as appropriate, in an effort to ensure that the Defendant will attend all future scheduled court appearances.

Administrative Office

In addition to assisting the criminal justice system by reducing the necessity for warrants and pre-trial detention, CHOICE will assist Defendants by, 1) giving low-income Defendants an opportunity to secure pre-trial release; 2) providing follow-up services to help Defendants overcome obstacles to court appearances, as well as 3) providing release recommendations to permit qualifying Defendants to maintain family and community relationships and their employment, as well as assist newly incarcerated Defendants in determining their ability to have bail posted.

Ordinarily, the County would be required to procure the Services via a request for proposals ("RFP"), pursuant to Section 6 of the Procurement Policy. However, the County used an extensive procurement process in 2022, when CHOICE was selected as the County's contractor to implement pre-trial services. At that time, an RFP was posted and the County received only two (2) proposals: one from CHOICE, and one from Pretrial Services of Westchester, which no longer exists. The Department of Probation believes that CHOICE has done an exceptional job in developing the needed relationships with the courts and the various County departments so as to make it possible to render the pre-trial services in a manner that best meet the needs of the courts and provides justice for residents of Westchester County. In addition, CHOICE is currently the only certified provider of pre-trial services by the New York State Unified Court System. The certification process was lengthy but successful and makes CHOICE eligible for additional New York State grants that could further support the Services in Westchester County, and which would not be available to any non-certified pre-trial providers. Given the complexities associated with bail reform and pre-trial services, and taking into account the relationships that CHOICE has established with the courts and within the County, it is uniquely positioned to provide the Services in the best manner possible.

Based upon the foregoing, it is proposed that the best interests of the County would be served by exempting, from the Procurement Policy, pursuant to Section 3(a) xxi thereof, the procurement of the Services, under the proposed Agreement.

RAP/DO/bdm-r

RESOLUTION

Upon a communication from the Commissioner of Probation, be it hereby:

RESOLVED, that pursuant to Section 3(a)(xxi) of the Westchester County Procurement Policy and Procedures, it is hereby determined that application of the procedural requirements contained therein, including the necessity of soliciting proposals, is neither cost effective nor expedient, and accordingly, not in the best interests of the County of Westchester (the "County") in connection with the procurement of pre-trial programs to evaluate criminal defendants, under an agreement with CHOICE of New Rochelle Inc., for a term from July 1, 2025 through June 30, 2026, for an amount not to exceed \$2,093,325.00.

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/19/2026 - RAYMOND SCULMI (SECRETARY)