



Kenneth W. Jenkins
County Executive

Department of Community Mental Health

Michael Orth
Commissioner

114037

Date: July 7, 2026

To: Honorable Members
Board of Acquisition and Contract

From: Michael Orth, M.S.W.
Commissioner, Department of Community Mental Health

Re: Authority to enter into an agreement with Mental Health Empowerment Project, Inc. to assist the Department of Community Mental Health in offering the Fresh Start program, a criminal justice diversion program offered to low-level first-time offenders, for a term commencing retroactively January 1, 2026 and continuing through December 31, 2026 for a total not-to-exceed amount of \$40,000, payable pursuant to an approved fee schedule.

Authority is respectfully requested from your Honorable Board for the County of Westchester (the "County"), acting by and through its Department of Community Mental Health ("DCMH"), to enter into an agreement with Mental Health Empowerment Project, Inc. ("MHEP"), pursuant to which MHEP will assist the DCMH in collaboration with the Westchester County District Attorney's Office ("District Attorney's Office"), implement the Fresh Start program, for a total not-to-exceed amount of \$40,000.00. The term of the Agreement will commence retroactively on January 1, 2026 and continue through December 31, 2026.

The Fresh Start program is a pre-arraignment diversion program intended to address the root causes of crime and improve public safety through social services, counseling, and rehabilitation as an alternative to fines, conviction, and incarceration for certain non-violent, first-time, low-level offenders in Westchester County. Under the Fresh Start program, the District Attorney's Office refers to DCMH eligible first-time defendants charged with non-violent, low-level offenses, such as Petit Larceny, Disorderly Conduct, and Trespassing, among others, and DCMH offers such criminal justice diversion program to low-level first-time offenders, by providing them with an opportunity to avoid prosecution and the potential for a criminal record.

Pursuant to this contract, MHEP will serve as the co-facilitator between DCMH and the District Attorney's Office, and will assist DCMH by providing a 3-hour criminal justice diversion program for low-level first-time offenders, implementing new models, new programs, and new ways to improve people's lives and avoid recidivism, focusing on rehabilitation instead of incarceration for certain types of non-violent crimes, low-level offenses. The 3-hour program will be delivered by MHEP between sixty (60) and sixty-five (65) times per year. The MHEP, as co-

facilitator, is responsible for the facilitation, preparation, presentation, and attendance at the program presentations.

This Agreement is exempt from the procedures of the Procurement Policy under section 3(a)xvii thereof regarding contracts for the provision of care, treatment, counseling, referral or rehabilitative or preventative services to individuals with mental illness, intellectual/developmental disabilities, and those experiencing addiction and/or substance abuse.

The proposed Agreement will serve a public purpose by helping individuals recognize and address the underlying factors of criminogenic behavior, to help avoid repeating those mistakes, improve peoples' lives, resulting in safer communities and lower crime rates.

Authority is respectfully requested from your Honorable Board for the County to enter into the proposed Agreement.

MO/aa/cmc

APPROVED BOARD OF ACQUISITION & CONTRACT - 07/16/2026 - RAYMOND SCULKY, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Community Mental Health, be it hereby

RESOLVED, that the County of Westchester (the “County”), acting by and through its Department of Community Mental Health (“DCMH”), is authorized to enter into an agreement with Mental Health Empowerment Project, Inc. (“MHEP”), pursuant to which MHEP will assist DCMH, in co-facilitating the Fresh Start program with the Westchester County District Attorney’s Office, by providing a 3-hour criminal justice diversion program, which is to be delivered between sixty (60) and sixty-five (65) times per year, to low-level first time offenders, focusing on rehabilitation instead of incarceration for certain types of non-violent crimes, low level offenses, to avoid recidivism and improve peoples’ lives. The term of the Agreement will commence retroactively on January 1, 2026 and continue through December 31, 2026 and shall be for a total not-to-exceed amount of \$40,000; and be it further

RESOLVED, that the Agreement is subject to County appropriations; and be it further

RESOLVED, that the Agreements are also subject to further financial analysis of the impact of any New York State Budget (the “State Budget”) proposed and adopted during the term of this Agreement. The County shall retain the right, upon the occurrence of any release by the Governor of a proposed State Budget and/or the adoption of a State Budget or any amendments thereto, and for a reasonable period of time after such release(s) or adoption(s), to conduct an analysis of the impacts of any such State Budget on County finances. After such analysis, the County shall retain the right to either terminate each Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to MHEP, then MHEP shall have the right to terminate the Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be
Charged/Credited

	Fund	Dept	Major Program, Program & Phase or unit	Object/ Sub-Object	Trust Account	Dollars
2026	101	26	2000	4380		\$40,000

Budget Funding Year(s) 2026 Start Date: 01/01/2026 End Date: 12/31/2026

Funding Source (must match resolution)
Tax Dollars: \$40,000.00
State Aid: _____
Federal Aid: _____
Other: _____

\$40,000.00
must match the resolution)