



Kenneth W. Jenkins
County Executive

Department of Probation

Rocco A. Pozzi
Commissioner

#112996

DATE: February 6, 2026

TO: Honorable Members of the Board of Acquisition and Contract

FROM: Rocco A. Pozzi
Commissioner, Department of Probation

RE: Authority to enter into an agreement with CHOICE of New Rochelle Inc., pursuant to which it will provide pre-trial programs to evaluate criminal defendants, for a term from July 1, 2025 through June 30, 2026, for a total amount not-to-exceed \$2,093,325.00.

Authority is respectfully requested from your Honorable Board for the County of Westchester ("County"), acting by and through its Department of Probation ("Probation"), to enter into an agreement with CHOICE of New Rochelle, Inc. ("CHOICE"), pursuant to which CHOICE will provide 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 (the "Services"). The term of the Agreement will be the period from July 1, 2025 through June 30, 2026. In consideration for services rendered, the County will pay CHOICE an amount not to exceed \$2,093,325.00, payable pursuant to an approved budget.

Under the proposed Agreement, 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.

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.

The proposed Agreement will serve a public purpose by allowing qualifying Defendants to obtain pre-trial release from jail pursuant to a release on their own recognizance ("ROR") arrangement, which will thereby reduce, 1) the necessity for costly and administratively disruptive warrants, and 2) the significant expense of unnecessary pre-trial detention. The Agreement also will serve a public purpose by enabling Defendants qualifying for pre-trial release, who have the presumption of innocence, to maintain their family and community relationships as well as their employment during such time period.

This proposed Agreement's goals and objectives shall be to:

1. Identify which Defendants are acceptable risk candidates for pre-trial release from jail without bail pursuant to an ROR arrangement;
2. Reduce the number of outstanding warrants for Defendant failures to appear in court by ensuring their reappearance through CHOICE's structured follow-up services with Defendants;
3. Provide County residents with an alternative to the bail system; and
4. Promote a more streamlined and efficient movement of the court calendar.

The proposed Agreement is in the best interests of the County's in terms of fiscal responsibility, as an appropriately determined pre-trial release of Defendants, and the subsequent ensuring of their attendance at future court appearances through CHOICE's structured follow-up, is intended to reduce the necessity for costly and administratively disruptive warrants, as well as the significant expense of unnecessary detention.

The proposed Agreement is also in the County's best interests regarding public health and safety, in that it is intended to foster social stability. The pre-trial release and court-ordered supervision of qualifying Defendants will allow them to maintain their family and/or community relationships and employment during the pre-trial time period, as well as enhance their ability to re-obtain employment, if necessary, upon conclusion of their criminal case. The maintaining of relationships and employment, and enhancing the ability of Defendants to re-obtain employment, are crucial to economically marginalized and limitedly economically resourced Defendants who may be otherwise be denied pre-trial release due to economic circumstances.

The proposed Agreement's goals and objectives shall be tracked and monitored by CHOICE tracking each case and submitting a report to the Probation stating the number of Defendants screened, the number of Defendants interviewed, the number of Defendant's released, and the number of warrants issued, with categories of criminal charges noted. The report will also include key demographic information, specifying a breakdown of program participant ages at program entry, their ethnicity, and their race.

Authority to exempt the procurement of the Services, under the proposed Agreement, from the requirements of the Westchester County Procurement Policy and Procedures, pursuant to Section 3(a)(xxi) thereof, has been submitted to your Honorable Board by a separate resolution.

Accordingly, I recommend adoption of the annexed resolution.

RAP/DO/bdm-r

APPROVED BOARD OF ACQUISITION & CONTRACT - 02/19/2026 - RAYMOND SCULKY, SECRETARY

RESOLUTION

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

RESOLVED, that the County of Westchester (“County”) is authorized to enter into an agreement with CHOICE of New Rochelle, Inc. (“CHOICE”), pursuant to which CHOICE will provide pre-trial programs to evaluate criminal defendants 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, for the period from July 1, 2025 through June 30, 2026, for an amount not to exceed \$2,093,325.00, payable pursuant to an approved budget; and be it further

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

RESOLVED, that this Agreement is 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 this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Contractor, then the Contractor shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive, or his duly appointed designee, is hereby authorized and empowered to execute any documents and take such actions as may be necessary and appropriate to effectuate the purposes hereof.

Account to be Charged/Credited

Fund	Dept	Major Program, Program & Phase or Unit	Object/ Sub-Object	Trust Account	Dollars
263	39	Z066	4944	G066	\$2,093,325.00

Budget Funding Year(s): 25/26 Start Date: 07/01/25 End Date: 06/30/26
(must match resolution)

Funding Source	Tax Dollars	
	State Aid	<u>\$2,093,325.00</u>
	Federal Aid	_____
	Other	_____
<u>\$2,093,025.00</u>		
(must match resolution)		