

MEMORANDUM OF AGREEMENT

Between

THE ULSTER COUNTY SHERIFF

And

LOCAL AND STATE LAW ENFORCEMENT AGENCIES

POLICY: Establish an Agreement between the Ulster County Sheriff's Office (hereinafter "UCSO") and all local and state law enforcement agencies, hereinafter referred to as "law enforcement," operating within Ulster County allowing the law enforcement agencies to utilize the Ulster County Jail (hereafter, "UCJ") in pre-arranged circumstances, as outlined below.

INTENT: The intent of this Agreement is to allow use of the UCJ by law enforcement for holding arrestees who require an arraignment in Ulster County.

AGREEMENT: The UCJ agrees to accept arrestees in custody of law enforcement to be temporarily housed within the UCJ and to safely, and securely, maintain custody of these individuals under the terms and conditions of the Agreement.

PROCEDURE: The following terms and conditions shall remain in effect for the duration of this agreement.

1. Arrestees in custody of law enforcement shall be accepted into the UCJ seven days a week, including holidays and weekends.
2. Prior to transporting an arrestee to the UCJ, the law enforcement agency will contact the UCJ at (845)340-3644 and request to speak with the Zone 2 Supervisor to confirm the availability of a holding cell.
3. The UCJ vehicular sally port will be utilized to provide a secure transfer from law enforcement to the booking area.
4. Any personal property of the arrestee should be logged in and secured in a property envelope by the law enforcement agency. The property envelope will be brought to the UCJ along with the arrestee in the event the arrestee makes bail or is released.
5. Arrestees with immediate medical needs will not be accepted for admittance to the UCJ. In the event the arrestee presents in need of immediate medical attention, UCJ medical provider will facilitate treatment until local EMS personnel arrive. Law enforcement will retain custody of the arrestee.
6. All bail eligible offenses, all Class A, B, C, D felonies, mandatory remands, and warrants are eligible for pre-arraignment detention. However, the following may be accepted for admission subject to the terms and conditions of the Agreement.

- a. Arrests for domestic violence related incidents, or for incidents involving offenses where an order of protection is needed.
 - b. E Felonies eligible for admission:
 - i. PL 130.25 Rape in the 3rd degree
 - ii. PL 130.40 Criminal Sexual Act in the 3rd degree
 - iii. PL 130.53 Persistent Sexual Abuse (VF)
 - iv. PL 130.65a Aggravated Sexual Abuse in the 4th degree (VF)
 - v. PL 205.10 Escape in the 2nd degree
 - vi. PL 205.05 Escape in the 3rd degree
 - vii. PL 205.17 Absconding from temporary release in the 1st degree
 - viii. PL 205.19 Absconding from a community treatment facility
 - ix. PL 215.56 Bail Jumping 2nd degree
 - x. PL 240.55 Falsely Reporting an Incident in the 2nd degree (VF)
 - xi. PL 240.61 Placing a False Bomb or Hazardous Substance in the 2nd degree (VF)
 - xii. PL 265.02 Attempt to Commit Criminal Possession of a Weapon in the 3rd degree Subsections 5, 6, 7, or 8 (VF)
 - c. Driving While intoxicated or Impaired refusals.
 - d. Aggravated Unlicensed Operation 1st degree.
 - e. Driving While Intoxicated (any felony).
7. An "Arrestee Checklist" form shall be completed by a member of law enforcement. The original shall be presented at the UCJ with the arrestee. A copy of the completed accusatory instrument(s), a criminal history, originating from the arresting agency's ORI and all necessary paperwork to complete the arraignment will be submitted to the UCJ Booking staff. Law enforcement is responsible for the completion of the arrest processing, including fingerprinting and photographs of the arrestee at their own facility.
8. In the event of an incident (i.e. medical emergency/suicidal tendencies) that occurs **after** the arrestee has been screened and processed by the booking staff, the UCJ will hold the subject and seek medical and/or mental health attention.

9. Law enforcement may choose to hold an arrestee in their custody until the Centralized Arraignment Part is available if the arrestee does not meet the requirements of this Agreement. If law enforcement elects to hold the arrestee, they must notify the Zone 2 Supervisor at (845)340-3644 of their intention to arraign the arrestee at the next scheduled arraignment time. The Zone 2 Supervisor will make the proper notification to all parties needed to conduct the arraignment.
10. The UCSO will conduct transfers from the UCJ to the Central arraignment part located in the Ulster County Law Enforcement Center. The UCSO will not be responsible for any transportation of any arrestee to any other court, the law enforcement agency originating arrest are responsible for such transportation.
11. If an arrestee is released at arraignment, UCSO will provide said arrestee with a phone call to obtain a ride. However, if the arrestee is unsuccessful in obtaining a ride, UCSO will provide (contracted) cab service request to any Ulster County destination only.

Signature/Printed name of Authorized City, Town, or Village Official

Date

Signature of Ulster County Sheriff

Date

Signature of Chair of the Ulster County Legislature

Date