

Public Safety & Veterans

BOL Meeting Minutes - Published Draft



Committee Chair: David Tubiolo

800 Michaelian Office Bldg.
148 Martine Avenue, 8th Floor
White Plains, NY 10601
WestchesterLegislatorsNY.gov

Monday, May 18, 2026

1:00 PM

Committee Room

Joint W/ LEG

CALL TO ORDER

Please note: Meetings of the Board of Legislators and its committees are held at the Michaelian Office Building, 148 Martine Avenue, 8th Floor, White Plains, New York, 10601, and livestreamed via the WebEx video conferencing system. Legislators may participate in person or via Webex. Members of the public may attend meetings in person at any of its locations, or view the meeting and its video recording online on the Westchester County Legislature's website: <https://westchestercountyny.legistar.com/>. This website also provides the links to documents to be discussed at a given meeting.

Legislator Colin Smith will be participating remotely from 1132 Main Street, Suite 1, Peekskill, NY 10566

With a quorum present, Chair Tubiolo called the meeting to order at 2:21 pm.

Others in Attendance: BOL: Legislators: Erika Pierce, Jewel Williams Johnson, Nancy Barr, David Imamura, James Nolan and ; Committee Coordinators: Jill Axelrod and Sebastian Loreti; Dylan Tragni, James Silverberg, and Santiago Caceres; Lisa Hochman (Remote); Guest: Law Dept.: Justin Adin.

Present: Legislator Tubiolo, Legislator Smith and Legislator Gashi

Absent: Legislator Clements, Legislator Cunzio and Legislator Woodson-Samuels

MINUTES APPROVAL

I. ITEMS FOR DISCUSSION

1. [RES-2026-55](#) PH - Repealing VOP Authorization

A Public Hearing on "A LOCAL LAW repealing the authorization for the County Attorney to present criminal proceedings related to Violations of Probation in the Criminal Courts in conjunction with the Department of Probation." [Public Hearing set for June 15, 2026 at 7:30 p.m.]. LOCAL LAW INTRO: 2026-26.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND PUBLIC SAFETY & VETERANS

Mr. Adin said that this amendment would appeal the authorization for the County Attorney to prosecute violations of probation. He said that until last year, the County Attorney's office had not handled any violations of probation for almost 20 years, and they had been handled by the

District Attorney's office. He said the County Attorney's office recently had to handle some of these cases due to conflicts for people who had come before the new District Attorney in her former position as a judge. He noted that the County Attorney's office does not have the expertise or capacity to handle these cases.

Mr. Adin said that at the last meeting where this legislation was discussed, he was asked how the County Attorney's office would deal with the cases they had. He explained that the County Attorney's office would keep the cases they currently have. They have stopped taking new ones, which are being handled by special prosecutors appointed by the courts.

Mr. Adin said that in order to cover the existing cases his office is handling, he is requesting that Section 2 of the Local Law, which provides that the law shall take effect immediately, be amended to add "except that it shall not apply to violations of probation for which the County Attorney's Office has an active appearance as of the date of this enactment."

Legislator Nolan asked why the District Attorney and Commissioner of the Probation Department were not invited to the meeting. BOL Chair Vadat Gashi said that both the District Attorney and Probation Commissioner have been consulted. He said that the District Attorney has been clear that her office's handling of these cases is not impacted by this law. He added that if the District Attorney chooses not to handle these violations of probation anymore, the County will have to something out since the County Attorney's office as currently situated and constituted cannot handle it.

Legislator Williams Johnson asked that Section 1 of the Local Law be amended to change the word "he" at the start of the second sentence, which references the County Attorney, to "they" in the event there is a female County Attorney.

On motion of Legislator Smith, seconded by Legislator Gashi, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Smith and Legislator Gashi

Absent: Legislator Clements, Legislator Cunzio and Legislator Woodson-Samuels

WO Prejudice: Legislator Tubiolo

2. [2026-26](#) **LL - Repealing VOP Authorization**

A LOCAL LAW repealing the authorization for the County Attorney to present criminal proceedings related to Violations of Probation in the Criminal Courts in conjunction with the Department of Probation.

SUBMITTED BY: COMMITTEES ON LEGISLATION AND PUBLIC SAFETY & VETERANS

See discussion of ID #2026-25 above.

On motion of Legislator Smith, seconded by Legislator Gashi, the above item was signed by committee and referred to Board of Legislators. The motion carried by the following vote:

Aye: Legislator Smith and Legislator Gashi

Absent: Legislator Clements, Legislator Cunzio and Legislator Woodson-Samuels

WO Prejudice: Legislator Tubiolo

II. OTHER BUSINESS

III. RECEIVE & FILE

ADJOURNMENT

On motion of Legislator Smith, seconded by Legislator Gashi, the meeting was adjourned at 2:40 pm. The motion carried by the following vote:

Aye: Legislator Tubiolo, Legislator Smith and Legislator Gashi

Absent: Legislator Clements, Legislator Cunzio and Legislator Woodson-Samuels

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