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## COUNTY

### Sheriff suspends warrant checks at Social Services

by JESSE J SMITH on Nov 20, 2014 • 5:00 pm

1 Comment



**Sheriff Paul VanBlarcum**

Ulster County Sheriff Paul VanBlarcum said this week that he will suspend a controversial policy of running warrant checks on visitors to the county's Department of Social Services HQ after lawmakers threatened to replace sheriff's deputies assigned to security at the facility with private security guards.

"I was not going to take the chance of 20 or 25 people losing their jobs," said VanBlarcum, who has steadfastly defended the policy in the face of criticism from civil-liberties groups and county lawmakers.

The policy, which began last month, called for all visitors to the DSS facility on Ulster Avenue to present identification to the deputies who run the metal detectors and perform bag checks at the entrance. IDs were checked against a statewide database of active warrants. Those found to be wanted by the law were detained and, if the arresting agency asked, taken into custody. During the 20 business days that the policy was in effect, 30 people were arrested after

their name popped up on the warrant list. The majority of the arrests were for low-level misdemeanors and probation violation warrants. The program netted its first felony-level arrest last week when a Kingston man wanted for allegedly selling crack cocaine to an undercover cop was caught when he showed up at the DSS building.

The policy drew concern from county officials and outrage from civil liberties groups. Deputy County Executive Ken Crannell told the *Kingston Times* that DSS Commissioner Michael Iapoce had asked VanBlarcum to temporarily halt the warrant checks but VanBlarcum declined. That led County Executive Mike Hein to ask county lawmakers to examine the issue and draw up their own policy. It remained unclear, however, whether lawmakers had the authority to alter law enforcement protocols.

Meanwhile, attorneys for the New York Civil Liberties Union and the National Center for Law and Economic Justice issued a strongly worded letter calling on county officials to abandon the “misguided and unlawful” policy. The attorneys wrote that the blanket warrant checks violated the spirit of federal and state benefit law by discouraging those in need from seeking assistance. The policy, they argued, was also a violation of the Fourth Amendment to the Constitution and unfair because it treated visitors to DSS differently from visitors to other county facilities.

VanBlarcum continued to defend the policy and his department’s authority to establish security protocols at County buildings. The sheriff said that the ID checks served a legitimate security purpose and were not simply a dragnet effort to clear up outstanding warrants. For example, VanBlarcum said, without the database searches, there would be no way of knowing if a visitor entering DSS was violating an order of protection to stay away from an employee at the facility. VanBlarcum noted that the DSS building housed the largest concentration of county workers and a disproportionately female staff. VanBlarcum said that the policy was popular among both staff and clientele at the DSS building and added that he’d urged lawmakers to visit the facility, observe the security checkpoint and poll workers’ and visitors’ attitudes towards the warrant checks. Only one legislator, Carl Belfiglio (R-Port Ewen) took him up on the offer, VanBlarcum said.

“This was never just about the warrants,” said Van Blarcum. “This was about security.”

### **Financial pressure**

Pushback intensified earlier this month when county Legislator Tracy Bartels (D-Gardiner) moved to use the “power of the purse” to curtail the warrant checks. Bartels proposed shifting \$1.17 million for the sheriff’s security detail to a contingency line in the 2015 budget. The detail would then be funded on a month-to-month basis while county officials sought a private contractor to take over security at all county buildings. Bartels said she put the amendment forward after VanBlarcum told lawmakers that he was unsure whether he would obey a proposed policy directive banning the warrant checks.

“My concern was to stop this policy as quickly as possible and as permanently



as possible,” said Bartels. “I felt there was no other option.”

On Tuesday, November 18, as lawmakers prepared to put the finishing touches on the 2015 county budget, including a vote on Bartels amendment, VanBlarcum told lawmakers that he would suspend the policy indefinitely. VanBlarcum said he reached the decision after consulting with the New York State Sheriff’s Association about the constitutionality of the warrant checks. Van Blarcum said that the association determined that it was “not clear-cut” whether the policy of blanket warrant checks violated the Fourth Amendment. VanBlarcum added that the contract between the county and the sheriff’s office to provide security services was due to expire at the end of the year and he fully expected lawmakers to include language in the new agreement barring the warrant checks.

“I think the legislature was wrong on this. They were more concerned philosophically than with some of the security issues,” said VanBlarcum. “But given the circumstances it seemed logical to suspend the policy for the time being.”

**Tags:** sheriff Paul VanBlarcum, social services, Tracy Bartels, Warrant searches

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