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Ulster sheriff under fire over checks for outstanding warrants

KINGSTON -- Civil liberty organizations have put Ulster County on warning for a new protocol of running warrant checks on everyone walking into its Department of Social Services, calling it "unlawful and misguided."

But Ulster County Sheriff Paul Van Blarcum not only won't budge from the protocol, he wants to expand it.

Starting in October, the Ulster County Sheriff's Office, that's a post in the county's DSS building for years, began requiring identification of every person who walks into the building so they can check if there's a warrant out on them. It was first reported in the Kingston Times.

By Oct. 30, the New York Civil Liberties Union and the National Center for Law and Economic Justice got wind of the practice and sent out a joint letter saying they've received complaints over the policy. They say the policy discourages and deter the county's neediest including "homeless people, domestic violence victims and those with mental and physical disabilities" from visiting DSS.

"This policy turns every casual visit to DSS to access those benefits or to ask a question into a police encounter and every visitor into a potential criminal," the letter reads.

The letter, addressed to Ulster County Executive Mike Hein, Van Blarcum and DSS Commissioner Michael Iapocce, asks the county to rescind the policy and that it's "utterly inconsistent with the spirit of state and federal benefits law."

The organizations lay out three reasons to rescind the policy. First, it may run afoul of federal law because it could prohibit DSS from deterring or delaying people from applying from benefits. Second, it may violate the Fourth Amendment because the check isn't for securing safety but reducing outstanding warrants. Finally, they argue that the sheriff's office could be singling out a certain population, namely minority groups, in the practice.

DSS administers a bevy of services aimed to help the most needy, ranging from the elderly to teen parents, foster children and low-income families. They manage the county's food stamps program, temporary assistance, medical assistance, child and family services and day care subsidies, to name some.

On Monday, Van Blarcum said the protocol wasn't exactly new. Deputies sporadically ran warrant checks by paper as far back as the 1990s, he said. Deputies also have discretion to do fewer checks if there are long waits and that it's not a criminal history check, a different practice.

Warrant checks aren't done in other posts in county buildings, mostly because those posts are manned by security guards, not police officers or aren't needed in places like Probation, Van Blarcum said.

Van Blarcum said he thinks the protocol is a deterrent and not only will he not stop the practice but hopes to expand .

He wants warrant checks into other county building posts in the next four years. He said he's been trying to ramp up the checks since he took office in 2007 but was finally been given the go-ahead from the county recently.

"I believe in this," Van Blarcum said. "I don't think we're targeting poor people."

As of Monday, Van Blarcum said 20 people had been arrested on bench or arrest warrants since the new policy began, ranging from charges of stalking, drug possession, petit larceny and criminal mischief. Warrants stemmed from around the region including Newburgh, Liberty and Montgomery.

Attorneys for both the county Legislature and executive branch are reviewing the policy.

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Concerns are arising about the new practice of checking warrants for everyone who walks into the Department of Social Services building.

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