



ANNUAL REPORT

For
2017

In 2017 the Greene County Probation Department continued to provide mandated services to adults and juveniles in the community. Over the year, the department received 113 new adult probationers from Greene County courts and another 39 as transfers from other jurisdictions, including out-of-state. Overall, the 152 received were 13 less than in 2016, continuing a recent downward trend, after a significant spike in criminal cases occurred several years ago. In addition, 13 formal juvenile probationers were received, and another 15 in an informal capacity, after having been referred by the family court. At the end of the year, we were supervising 301 criminal court probationers, a number of whom were serving more than one probation sentence. Of those 301 offenders, 142 were felons, a reduction of 24 from the prior year.

While the department's adult caseload levels have dropped over the past few years, it must also be pointed out that the epidemic of opiate and other substance abuse continues to significantly impact the workload, as while the overall number of offenders has decreased, the problems demonstrated by the remaining offenders continues to increase, with a large number of offenders demonstrating significant drug abuse issues. Most offenders require referrals for treatment services, and to aid in rehabilitative efforts, this department continued to transport offenders to inpatient treatment facilities, sometimes directly from jail.

Where appropriate, supervision included the requirements that offenders: maintain employment, pay restitution, engage in available educational, vocational, and/or treatment programs; provide urine samples (supervised by probation officers); and submit DNA samples (collected by this department and forwarded to the state repository), in order to remain at liberty. 2017 saw the continuation of the ignition interlock device requirement for DWI probationers who own or operate a vehicle, even if they have lost their driver's licenses. While, similarly to the statewide occurrence, most Greene County probationers sentenced under "Leandra's Law" have avoided the interlock requirement by having disposed of their vehicles, this department's officers remain responsible for reviewing those cases to ensure that offenders have disposed of the vehicles as claimed, with the offenders required to submit notarized affidavits to support their claims, and as required by a law change late in 2013, to state under oath in court that they had disposed of the vehicle. Reimbursements totaling \$1,646,523 were received from the NYS "Leandra's Law" grant for DWI probation cases received by this department in 2017, to help pay for ignition interlock device monitoring requirements, at a (reduced in half since 2016 level) rate of \$63 per case. Per arrangement with the Greene County Sheriff's Department/STOP-DWI, this department also submits the state reports for their monitoring of DWI cases that resulted in offenders being sentenced to a conditional discharge, which resulted in \$2,265.48 in additional reimbursement to that office, for a grand total of \$3,906; a reduction of some \$4,300 from 2016.

In 2017 the department's main DWI (senior probation) officer, with the assistance of other officers and the Greene County Sheriff's Department/STOP-DWI program, was able to

continue the DWI victim impact panel, to further educate those offenders as to the effect their conduct has on others. Offenders who attended the first two panels were required to pay a \$25 fee each, with the fee raised to \$35 for the November session, and \$50 if paid late, which went toward STOP-DWI operations. Thanks in no small part to the District Attorney's Office expansion of those required to attend the panel to include not only DWI offenders, but also drug offenders, income from the 3 victim impact panels held in 2017 totaled \$7,685. The program was included a presentation to a local high school during prom season.

In addition to the formal, i.e., court ordered, supervision cases, 2017 saw a total of 66 juvenile cases referred to the department. Of the 66 referrals, 34 involved Juvenile Delinquency offenses (youth from ages 7-15, inclusive; who have committed what would be crimes if they were adults and were referred to the department by police); and 32 Person In Need of Supervision, or PINS, (one who has committed a "status offense," i.e., the conduct which they have displayed is age specific and not otherwise necessarily illegal; low level marijuana possession being the sole exception). A total of 37 cases were successfully diverted from the family court system through participation with the department's intake/diversion supervision program. 23 of the successfully diverted cases were juvenile delinquents, with their cases "terminated in their favor," the legal equivalent of a court dismissal; and sealed. Most of the family court cases are handled by a highly experienced senior probation officer.

Another significant part of this department's tasks include the preparation of pre-plea/pre-sentence/certificate of relief from disabilities (criminal court) and pre-dispositional (family court) investigations/reports. These reports, which require a probation officer to make assessments of an offender based on legal history/delinquent behavior and social circumstances, are utilized by the courts as an aid in determining which offenders should remain in the community, and which should have certain privileges, which were lost as a result of their convictions, restored. In 2017, 215 investigation cases were opened, and 183 completed/closed for the criminal courts, both increases over 2016. 2 probation officers completed the bulk of the pre-sentence investigations, as their primary tasks. The primary juvenile officer remains highly involved in the family court process, from initial referral through formal adjudication, and in most instances, as a result of the involvement, a possible pre-dispositional investigation is waived by the court. Consequently, our number of the latter investigations remains quite low, with only 1 completed for the year.

In 2017 the department also continued to oversee an Alternatives to Incarceration (ATI) program, which placed a variety of offenders at community service work sites throughout the county, as ordered by the various criminal courts. This year saw 39 individuals assigned to the work sites, with 22 satisfactorily completing their obligations. Thus, we were able to obtain reimbursement of \$4,724.26 from our state allotment for the program. In addition to reducing the cost of confining such offenders, their presence at the work sites helped to show the

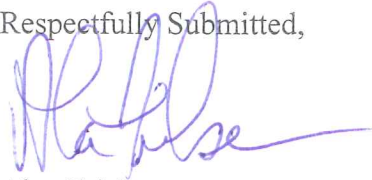
community that offenders are being held accountable for their actions. A probation assistant oversees the program for the department. In addition to that aspect of Alternatives to Incarceration, the department's utilization of various forms of electronic devices, including transdermal alcohol monitoring, resulted in a total of 18 offenders having had such devices for a total of 3,192 (an increase of 500 from 2016) service days, which, at a would-be jail rate of \$85/day, amounts to projected savings of \$271,320. A senior probation officer oversees this aspect of alternatives to incarceration. Alternatives to Incarceration were augmented by the renewed use of pre-trial criminal supervision cases.

The collection of restitution also remained a significant activity for the department. This obligation not only includes the collection of restitution from people who are under our direct supervision, but also from those who have been incarcerated/released on parole or have been otherwise conditionally discharged and still obligated to pay, despite no other tie to this department. In 2017 we opened 36 adult restitution cases, either as a condition of probation or simply as the designated restitution collection agency for Greene County, regardless of the sentence; and 5 juvenile cases. For the year, the department collected a total of \$68,509.36 in criminal restitution/surcharge to Greene County. Additionally, another \$7,845 was collected from juvenile offenders. By statute, juvenile restitution does not include a surcharge. For 2017, over \$21,000 in collected restitution was payable to public or non-profit agencies, including over \$5,000 in welfare fraud reimbursement. The surcharge, which, in this county, is collected after a victim has been made whole, is paid by this department to the Greene County Treasurer. For 2017, that amount was \$4,409.50

In 2017, the department continued to participate in a variety of collaborative efforts designed to enhance services to those in need. Those efforts, both in the juvenile and adult spheres, included the Greene County (criminal) Drug Treatment Court program, to which a probation supervisor has been assigned and for many years has been a valuable asset to the Drug Court team; the Single Point of Access for troubled youth, and jointly (licensed psychologist and probation supervisor) monitored sex offender treatment groups. By having a local sex offender program, offenders are able to engage in services not only at a convenient time, but also in the area, which also serves to aid in the supervision process. Prior to 2016 the psychologist was a County employee, however since his County retirement that year, this department has assumed responsibility for payment of his fees, in order to sustain the program. Polygraph examinations for certain sex offenders were continued in 2017. At year's end we had 16 registered sex offenders under supervision, of which 6 were either Levels 2 or 3 and thus on the public registry. The probation supervisor assigned to the sex offender caseload is required to personally verify offenders' addresses on a quarterly basis, at least, depending upon their risk levels.

The attachments to this narrative should help to understand the level at which the department operated during the year 2017, with 2016 comparisons.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Alan Frisbee', with a long horizontal flourish extending to the right.

Alan Frisbee
Probation Director

Date of Report: 4/2/18

Department staff as of 12/31/17

Probation Director

2 Probation Supervisors

3 Senior Probation Officers

6 Probation Officers

2 Probation Assistants

Total-14 employees, 12 of whom are NYS sworn peace officers

WORKLOAD

<u>SUPERVISION</u>	<u>2017</u>	<u>2016</u>
Adult criminal received from Greene County courts-	113	106
Adult criminal received via intra-state and inter-state transfers-	39	59
Total adult criminal received	152	165

TOTAL SUPERVISED AT END OF YEAR-2017

Adult criminal as of 12/31/17

Felony- 142	Misdemeanor- 159	Total	301
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Juvenile- Juvenile Delinquent- 1	Person In Need of Supervision- 12	Total	13
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<u>Total formal probation supervision as of 12/31/17 (person count, not case count)</u>			314
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Juvenile intake supervision	JD- 5, PINS- 11	16
Pre-adjudicatory supervision	JD- 2, PINS- 6	8
<u>Total persons supervised (formal and informal) as of 12/31/17</u>		338

TOTAL SUPERVISED AT END OF YEAR-2016

Adult criminal as of 12/31/16				
	Felony- 166	Misdemeanor- 152	Total	318
Juvenile-	Juvenile Delinquent- 0	Person In Need of Supervision- 8	Total	8
<u>Total formal probation supervision as of 12/31/16 (person count, not case count)</u>				326

Juvenile intake supervision	JD- 13, PINS- 16	29
Pre-adjudicatory supervision	JD- 2, PINS- 6	8
<u>Total persons supervised (formal and informal) as of 12/31/16</u>		363

INVESTIGATIONS

	<u>2017</u>	<u>2016</u>
Total Completed/Closed	184	178

(183 criminal,
1 family)

(175 criminal,
3 family)

JUVENILE DELINQUENT (JD) & PERSONS IN NEED OF SUPERVISION (PINS)

	<u>2017</u>	<u>2016</u>
Total referred to Probation	66 (34 JD, 32 PINS)	57 (32 JD, 25 PINS)
Total diverted from family court	37 (23 JD, 14 PINS)	17 (10 JD, 7 PINS)

SEX OFFENDER SUPERVISION

	<u>As of 12/31/17</u>	<u>As of 12/31/16</u>
<u>Total</u>	16*	17
Cases on public registry	6	7
	(Three Level 3, Three Level 2)	(Two Level 3, Five Level 2)
*One offender has a prior sex offense, and is residing and being supervised in Maine, with Greene County retaining jurisdiction		

FINANCIAL INFORMATION

RESTITUTION (from probation sentence or otherwise)

	<u>2017</u>	<u>2016</u>
Total Collected	\$74,354.36	\$130,886.05
	(\$68,509.36 - criminal/surcharge)	(\$128,752.10- criminal/surcharge)*
	(\$7,845 -family court)	(\$2,113.95 family court)

*In 2016 one offender paid \$45,370, and concluded his account in 2017 with a payment of \$2,390.

RESTITUTION COLLECTED FOR

DISBURSEMENT TO PUBLIC/NON-PROFIT AGENCIES- 2017

Greene County Department of Social Services	\$	5,832.41
NYS Department of Labor	\$	7,543.00
NYS Department of Taxation and Finance	\$	1,827.00
Greene County District Attorney's Office	\$	278.79
Village of Coxsackie	\$	1,715.00
Heart of Catskill Association	\$	300.00
Total	\$	17,496.20
Greene County Treasurer (surcharge)	\$	4,409.50
TOTAL	\$	21,905.70

RESTITUTION COLLECTED FOR
DISBURSEMENT TO PUBLIC/NON-PROFIT AGENCIES- 2016

Greene County Department of Social Services	\$	16,994.36
NYS Department of Labor	\$	4,965.00
NYS Department of Taxation and Finance	\$	1,052.75
Columbia County Department of Social Services	\$	3,662.37
Greene County District Attorney's Office	\$	840.00
Town of Cairo Animal Control	\$	168.64
Total	\$	27,683.12
Greene County Treasurer (surcharge)	\$	5,631.20
TOTAL	\$	33,314.32

ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)-2017

39 adults assigned, 22 completed**

** The New York State Office of Probation and Correctional Alternatives/Division of Criminal Justice Services provides different levels of reimbursement for each assigned adult and each completed adult. For 2017, the department received \$4,724.26 in reimbursement.

ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)-2016

23 adults assigned, 22 completed- \$3,582.82 in reimbursement.

ALTERNATIVES TO INCARCERATION (ELECTRONIC MONITORING)-2017

18 offenders, 3,192 service days, which, at a would-be jail rate of \$85/day, amounts to projected savings of \$271,320.

ALTERNATIVES TO INCARCERATION (ELECTRONIC MONITORING)-2016

17 offenders, 2,662 service days, projected savings of \$226,270.

IGNITION INTERLOCK DEVICE MONITORING- 2017

\$1,640.52 was received via the NYS Governor's Traffic Safety Grant for probation cases, and another \$2,265.48 by the Sheriff/STOP-DWI for conditional discharge cases, for a total of \$3,906. The per case reimbursement has been halved by the state in recent years.

IGNITION INTERLOCK DEVICE MONITORING- 2016

\$2,975.13 was received via the NYS Governor's Traffic Safety Grant for probation cases, and another \$5,291.37 by the Sheriff/STOP-DWI for conditional discharge cases, for a total of \$8,266.50

VICTIM IMPACT PANEL- 3 panels held each year**2017****2016**

\$7,685

\$7,455

These amounts include additional donations made by offenders beyond the standard fee, which increased from \$25 to \$35 for the November panel, with an additional \$15 charge if paid late. 209 people attended the 2017 sessions.

OTHER REIMBURSEMENTS-2017

New York State continued with a block grant for probation aid, a total of \$122, 328, a figure unchanged for approximately a half-dozen years. In addition, the Greene County STOP-DWI program funded approximately 50% of the salary for the department's DWI officer, and another \$19,000 to assist in departmental alternatives to incarceration functions, for a total of \$47,747. The department also receives 1% of posted bail, to further offset alternatives to incarceration costs.