



ANNUAL REPORT

For
2019

In 2019 the Greene County Probation Department continued to provide mandated services to adults and juveniles in the community. Over the year, the department received 175 new adult probation sentences from Greene County courts and another 53 as transfers from other jurisdictions, including out-of-state. Overall, the 228 received were 40 more than in 2018, and included an increasing number (42) of interim supervision cases. In most instances, the successful completion of an interim supervision term results in a lesser sentence ultimately imposed, and, possibly, a lesser ultimate conviction. In addition, 13 formal juvenile probationers were received, and another 9 in an informal capacity, after having been referred by the family court. At the end of the year, we were supervising 308 criminal court probationers, many of whom were serving more than one probation sentence. Of those 308 offenders, 137 were felons, a drop of 12 from 2018.

While the caseloads are reduced from a high of several years ago, it must also be pointed out that the epidemic of opiate and other substance abuse continues to 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. Such usage is evident in the attached records of drug test conducted by the department. Most offenders require referrals for treatment services, and to aid in rehabilitative efforts, this department transported 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 or breath 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. 2019 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 \$1,959.63 were received from the NYS "Leandra's Law" grant for DWI probation cases received by this department in 2019, to help pay for ignition interlock device monitoring requirements, at a 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 \$2,392.79 in additional reimbursement to that office, for a grand total of \$4,352.42, an increase of some \$350 from 2018.

In 2019 the department's main DWI (senior probation) officer, with the assistance of other officers and the Greene County Sheriff's Department/STOP-DWI program, continued the DWI victim impact panel, to further educate those offenders as to the effect their conduct has on others. Offenders who attended the panel were required to pay a \$35 fee each, which went toward STOP-DWI operations. Late-paying offenders were charged \$50. 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 2019 totaled \$9,765. The program also included a presentation to a local high school during prom season.

In addition to the formal, i.e., court ordered, supervision cases, 2019 saw a total of 52 juvenile cases referred to the department. Of the 52 referrals, 25 involved Juvenile Delinquency offenses (until October, these involved youth from ages 7-16, inclusive; who have committed what would be crimes if they were adults and were referred to the department by police; with the age raised through 17 as of October 1); and 27 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 34 cases were successfully diverted from the family court system through participation with the department's intake/diversion supervision program. For juvenile delinquency matters, a successfully diverted case is the legal equivalent of a court dismissal. The "Raise the Age" initiative implemented in the last quarter of 2018 produced little impact for the department, with only 4 arrests for that new age group, and 4 cases actively handled by the department after initial prosecution in the Youth Part of the Greene County Court and the matter first having been referred to the Family Court, and then to our office for intake/diversion services.

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 2019, 205 investigation cases were opened, and 189 completed/closed for the criminal courts. 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 none having been completed in 2019, and only one 1 in the prior year.

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 18 individuals assigned to the work sites, with 5 (which included ones referred in 2018) having satisfactorily completing their obligations. Thus, we were able to obtain reimbursement of \$3,704.40 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 27 offenders (23 with transdermal alcohol monitoring and another 4 with GPS monitoring) having had such devices for a total of 3,812 service days (3,670- transdermal, 212-GPS) which, at a would-be jail rate of \$75/day, amounts to projected savings of \$291,150 (\$275,250-transdermal, \$15,900- GPS). A senior probation officer oversees this aspect of alternatives to incarceration.

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 2019 we opened 31 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 2 juvenile cases. For the year, the department collected a total of \$71,026.45 in criminal restitution/surcharge to Greene County. Additionally, another \$5,500 was collected from juvenile offenders. By statute, juvenile restitution does not include a surcharge. For 2019, \$16,290.43 in collected restitution was payable to public or non-profit agencies, including nearly \$6,000 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 2019, that amount was \$2,168.92

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. Polygraph examinations for certain sex offenders were continued in 2019. At year's end we had 11 registered sex offenders under supervision, of which 7 were either Levels 2 or 3. 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 2019, with 2018 comparisons.

Respectfully Submitted,



Alan Frisbee
Probation Director

May 20, 2020

Department staff (same since 2017)

Probation Director
 Probation Supervisors (2)
 Senior Probation Officers (3)
 Probation Officers (6)
 Probation Assistants (2)

Total- 14 employees, 12 of which are NYS Peace Officers- overall Probation experience is nearly 250 years

WORKLOAD

<u>SUPERVISION</u>	<u>2019</u>	<u>2018</u>
Adult criminal received from Greene County courts-	175	144
Adult criminal received via intra-state and inter-state transfers-	53	44
Total adult criminal received	228	188

TOTAL SUPERVISED AT END OF YEAR

Adult criminal as of 12/31/19

Felony- 137	Misdemeanor- 171	Total	308
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Juvenile- Juvenile Delinquent- 1	Person In Need of Supervision- 13	Total	14
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Total formal probation supervision as of 12/31/19 (person count, not case count) **322**

Juvenile intake supervision	JD- 5, PINS- 10	15
Pre-adjudicatory supervision	JD-5, PINS- 1	6
<u>Total persons supervised (formal and informal) as of 12/31/19</u>		343

2018

Adult criminal- Felony- 149	Misdemeanor- 160	Total	309
Juvenile- Juvenile Delinquent- 1	Person In Need of Supervision- 12	Total	13
<u>Total formal probation supervision as of 12/31/18 (person count, not case count)</u>			322

Juvenile intake supervision	JD- 5, PINS- 11	16
Pre-adjudicatory supervision	JD- 6, PINS- 2	8
<u>Total persons supervised (formal and informal) as of 12/31/18</u>		338

INVESTIGATIONS

	<u>2019</u>	<u>2018</u>
Total Completed/Closed	189	207
	(all criminal)	(206 criminal, 1 family)

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

	<u>2019</u>	<u>2018</u>
Total referred to Probation	52 (25 JD, 27 PINS)	56 (32 JD, 24 PINS)
Total diverted from family court	34 (21 JD, 13 PINS)	23 (14 JD, 9 PINS)

SEX OFFENDER SUPERVISION

	<u>As of 12/31/19</u>	<u>As of 12/31/18</u>
<u>Total</u>	11*	11*
Cases on public registry	7 (Four Level 3, Three Level 2)	5 (Three Level 3, Two Level 2)

*One offender has a prior sex offense, and is residing and being supervised in Maine, with Greene County retaining jurisdiction. Another offender is being supervised in Vermont, as a current Greene County sex offender probationer

FINANCIAL INFORMATION

RESTITUTION (probation sentence or otherwise)

	<u>2019</u>	<u>2018</u>
Total Collected	\$76,526.45	\$66,807.94
	(\$71,026.45 - criminal/surcharge)	(\$64,611.30 - criminal/surcharge)
	(\$ 5,500 - family court)	(\$ 2,196.44 - family court)

RESTITUTION COLLECTED FOR

DISBURSEMENT TO PUBLIC/NON-PROFIT AGENCIES- 2019

Greene County Department of Social Services	\$	4,865.50
NYS Department of Labor	\$	4,240.99
Greene County District Attorney's Office	\$	995.00
Coxsackie-Athens Little League	\$	1,000.00
Delaware County Department of Social Services	\$	1,100.00
Hunter-Tannersville Central School District	\$	12.50
Saugerties Town Police Department	\$	1,790.00
Greene County Clerk's Office	\$	117.52
Total	\$	14,121.51
Greene County Treasurer (surcharge)	\$	2,168.92
TOTAL	\$	16,290.43

RESTITUTION COLLECTED FOR**DISBURSEMENT TO PUBLIC/NON-PROFIT AGENCIES- 2018**

Greene County Department of Social Services	\$	6,227.90
NYS Department of Labor	\$	8,102.73
NYS Department of Taxation and Finance	\$	612.87
Greene County District Attorney's Office	\$	732.01
Village of Coxsackie	\$	1,740.50
Allegany County Dept. of Social Services	\$	9,000.00
Social Security Administration	\$	218.22
Total	\$	26,634.23
Greene County Treasurer (surcharge)	\$	3,765.57
TOTAL	\$	30,399.80

ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)-2019

18 adults assigned to perform community service, 25 completed their assignments**

** The New York State Office of Probation and Correctional Alternatives/Division of Criminal Justice Services provide different levels of reimbursement for each assigned adult and each completed adult. For 2019 the department received \$3,704.40 in reimbursement. Certain offenders who completed in 2019 had entered the program in 2018.

ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)-2018

32 adults assigned, 32 completed

For 2018, the department received \$5,104.96 in reimbursement.

ALTERNATIVES TO INCARCERATION (ELECTRONIC MONITORING)-2019

29 offenders (25 transdermal alcohol monitoring, 4 GPS), 3,812 service days (3,670 transdermal, 212 GPS), which, at a would-be jail rate of \$75/day, amounts to projected savings of \$291,150 (\$275,250 transdermal, \$15,900 GPS)

ALTERNATIVES TO INCARCERATION (ELECTRONIC MONITORING)-2018

16 offenders, 2,135 service days, projected savings of \$181,475. (per day calculation was \$85)

IGNITION INTERLOCK DEVICE MONITORING- 2019

\$1,959.63 was received, via the NYS Governor's Traffic Safety Grant, for probation cases, and another \$2,392.79 by the Sheriff/STOP-DWI for conditional discharge cases, for a total of \$4,352.92.

IGNITION INTERLOCK DEVICE MONITORING- 2018

\$1,640.52 was received for probation cases, and another \$2,265.48 by the Sheriff/STOP-DWI for conditional discharge cases, for a total of \$3,906.

VICTIM IMPACT PANEL- 3 panels held each year**2019****2018**

\$9,765

\$11,561

These amounts include additional donations made by offenders beyond the standard \$35 (or, if late, \$50) fee.

OTHER REIMBURSEMENTS-2019

New York State continued with a block grant for probation aid, a total of \$122, 328, a figure largely unchanged for close to ten years, despite increasing local expenses. In addition, the Greene County STOP-DWI program funded 50% of the salary for the department's principal DWI officer, and another \$19,000 to assist in departmental alternatives to incarceration functions, for a total of \$50,103. The department also receives 1% of posted bail, to further offset alternatives to incarceration costs.

DRUG TESTS CONDUCTED -2019*

Test Type	Pos	Neg	SA
Alcohol	55	1,027	40
Amphetamine	29	707	12
Barbiturate	0	501	0
Benzodiazapene	30	763	17
Cocaine	40	918	12
Morphine	12	612	3
Opiate	27	932	6
Other	38	545	1
Psychedelic	0	512	0
THC	87	901	55
Site Total All Tests:	318	7418	146

SA= offender admitted to results

*Figures do not include tests performed on 60 adults, per Greene County Family Court order, who were engaged in court actions not involving this department.

DRUG TESTS CONDUCTED -2018*

Test Type	Pos	Neg	SA
Alcohol	60	829	39
Amphetamine	39	647	9
Barbiturate	2	540	0
Benzodiazapene	17	692	9
Cocaine	45	797	20
Morphine	5	639	0
Opiate	45	752	17
Other	49	443	3
Psychedelic	2	443	1
THC	105	764	69
Site Total All Tests:	369	6546	167

SA= offender admitted to results

*Figures do not include tests performed on 89 adults, per Greene County Family Court order, who were engaged in court actions not involving this department.