



ANNUAL REPORT

For
2020

In 2020, despite COVID-19 inhibiting circumstances, the Greene County Probation Department continued to provide mandated services to adults and juveniles in the community. Unfortunately, the pandemic caused a significant slowdown in the operation of courts in the state, which contributed to marked decline in work sent to this department. Over the year, the department received 90 new adult probation sentences/interim probation placements from Greene County courts, and another 19 as transfers from other jurisdictions, including out-of-state. The 99 received were down significantly from the 228 received in 2019. Of the 90 new local cases received, 17 were interim probation terms. 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, 8 formal juvenile probationers were received, and another 6 in an informal capacity, after having been referred by the family court. At the end of the year, we were supervising 240 criminal court probationers, many of whom were serving more than one probation sentence. Of those 240 offenders, 106 were felons, a drop of 31 from the end of 2019. It should also be noted that, during the early part of 2020, this department fully transitioned persons in need of supervision (PINS) diversion efforts to the Greene County Department of Social Services, with that department now the designated “lead agency” for PINS diversion, under the NYS Family Court Act

While the caseloads are significantly reduced from the highs experienced earlier in the decade, it must also be pointed out that the epidemic of opiate and other substance abuse continues to impact the workload. A large number of offenders continue to demonstrate significant drug abuse issues. Unfortunately, the COVID crisis made it extremely difficult for many offenders to obtain assistance, as treatment facilities either reduced the number of people that they were seeing or outright stopped taking new admissions.

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. 2020 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, state under oath in court that they had disposed of the vehicle. Reimbursements totaling \$2,167.77 were received in 2020 from the NYS “Leandra’s Law” grant for DWI probation cases received by this department, to help pay for ignition interlock device monitoring requirement. 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 (possibly in conjunction with a jail or prison term), which resulted in \$2,444.52 in additional reimbursement to that office, for a grand total of \$4,352.42, an increase of some \$260 from 2019.

In 2020 the department's main DWI (senior probation) officer, with the assistance of other officers/department members and the Greene County Sheriff's Department/STOP-DWI program and the District Attorney, 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 2020 totaled \$6,360. The third panel in 2020 was held "virtually," which was a first. COVID restrictions prohibited the regular in-person programs that have been done at local high schools during prom season.

In addition to the formal, i.e., court ordered, supervision cases, 2020 saw a total of 23 juvenile cases referred to the department. Because of the PINS diversion changes, all of the matters involved Juvenile Delinquency offenses (which now include matters involving youth from 7-17, inclusive, for what would be crimes if they were adults). A total of 11 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 continues to produce little impact for the department, given the relatively low number of arrests for offenders in that category. 6 cases were actively handled by the department after initial prosecution in the Youth Part of the Greene County Court and the matter then having been referred to the Family Court, and then to our office for intake/diversion services. COVID-caused remote schooling resulted in the primary juvenile officer having to make extra effort in getting offenders to completing school work, given the unfortunate lack of adequate parental supervision in a lot of instances.

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 2020, 98 investigation cases were opened, and 106 completed/closed

(including some from the prior year) 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 only 1 completed in 2020.

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 14 (which included ones referred in 2019) having satisfactorily completing their obligations. Given that the state ATI reimbursement contract expired as of 6/30/20, we were only able to receive reimbursement in the amount of \$1,230.16. The balance of the monies owed for 2020 are expected to be received in 2021, when the new contract is complete. 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 25 offenders (20 with transdermal alcohol monitoring and another 5 with GPS monitoring) having had such devices for a total of 3,295 service days (3,047- transdermal, 248-GPS) which, at a would-be jail rate of \$85/day, amounts to projected savings of \$280,075 (\$258,995 -transdermal, \$21,080- 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 2020 we opened 13 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 \$79,208.52 in criminal restitution/surcharge to Greene County. Additionally, another \$736 was collected from juvenile offenders. By statute, juvenile restitution does not include a surcharge. For 2020, \$14,094.85 in collected restitution was payable to public or non-profit agencies, including \$2,801 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 2020, that amount was \$4,805.95, which doubled that of the prior year.

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. It should be noted that the sex offender group only ran through March, in an effort to reduce access to the building and having groups of people in a confined area. Polygraph examinations for certain sex offenders were continued in 2020. At year's end we had 8 registered sex offenders under supervision, of which 4 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.

NYS "bail reform" initiatives were enacted in 2020, with this department designated to perform pre-trial supervision for certain offenders. Some of those ordered to participate in pre-trial services were required to have either a GPS tracking device or a transdermal alcohol monitoring device, with the County entering into arrangements with a private vendor for them to provide the devices, at County cost. Prior to these initiatives, the use of such devices was at expense of the offenders. In 2020 8 offenders (not including 2 from prior years who were involved in such services, informally, before the "bail reform" statutes were enacted) were ordered to participate in pre-trial services, with six of those ordered to have electronic monitoring. County cost for the devices was \$1,986, for devices ordered from late September on.

The attachments to this narrative should help to understand the level at which the department operated during the year 2020, with 2019 comparisons.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Alan Frisbee".

Alan Frisbee
Probation Director

April 2021

Department staff – as of 12/31/21

Probation Director	
Probation Supervisors	(2)
Senior Probation Officers	(3)
Probation Officers	(5)
Probation Assistants	(2)

Total- 13 employees, 11 of which are NYS Peace Officers, and who completed at least the minimum of 21 hours of annual required training. Overall Peace Officer experience is over 200 years

WORKLOAD

<u>SUPERVISION</u>	<u>2019</u>	<u>2020</u>
Adult criminal received from Greene County courts-	175	90
Adult criminal received via intra-state and inter-state transfers-	53	19
Total adult criminal received	228	109

TOTAL SUPERVISED AT END OF YEAR

Adult criminal as of 12/31/20

Felony- 106	Misdemeanor- 134	Total	240
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Juvenile- Juvenile Delinquent- 2	Person In Need of Supervision- 12	Total	14
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Total formal probation supervision as of 12/31/20 (person count, not case count) **254**

Juvenile intake supervision	JD- 6, PINS- 0	6
Pre-adjudicatory supervision	JD-3, PINS- 3	6
<u>Total persons supervised (formal and informal) as of 12/31/20</u>		266

2019

Adult criminal- Felony- 137	Misdemeanor- 1171	Total	308
Juvenile- Juvenile Delinquent- 1	Person In Need of Supervision- 13	Total	14
<u>Total formal probation supervision as of 12/31/19 (person count, not case count)</u>			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

INVESTIGATIONS

	<u>2019</u>	<u>2020</u>
Total Completed/Closed	189	107
	(all criminal)	(106 criminal, 1 family)

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

	<u>2019</u>	<u>2020</u>
Total referred to Probation	52 (25 JD, 27 PINS)	23 (All JD)

In 2020 PINS diversion “lead agency” status changed from Probation to DSS, therefore, we no longer receive referrals from other agencies for diversion services for those status offense matters.

Total diverted from family court	34 (21 JD, 13 PINS)	11 (8 JD, 3 PINS*)
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*Includes PINS cases diverted prior to complete transition to DSS as “lead agency”

SEX OFFENDER SUPERVISION

	<u>As of 12/31/19</u>	<u>As of 12/31/20</u>
<u>Total</u>	11*	8*
Cases on public registry	7 (Four Level 3, Three Level 2)	4 (Two 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 result of a Greene County sex offense conviction, with Greene County retaining jurisdiction. Supervision for both offenders is done by those states via the Interstate Compact for Adult Offender Supervision.

FINANCIAL INFORMATION

RESTITUTION (probation sentence or otherwise)

	<u>2019</u>	<u>2020</u>
Total Collected	\$76,526.45	\$79,208.52
	(\$71,026.45 - criminal/surcharge)	(\$78,472.52 - criminal/surcharge)
	(\$ 5,500 - family court)	(\$ 736 - family court)

RESTITUTION COLLECTED FOR

DISBURSEMENT TO PUBLIC/NON-PROFIT AGENCIES- 2020

Delaware County Department of Social Services	\$	1, 200.00
Montgomery County Department of Social Services	\$	531.00
Ulster County Department of Social Services	\$	1, 070.00
NYS Department of Labor	\$	230.00
The Association of Property Owners of Sleepy Hollow	\$	686.00
Saugerties Town Police Department	\$	4,646.90
Hunter-Tannersville Central School District	\$	20.00
Greene County District Attorney's Office	\$	860.00
Total	\$	9,243.90
Greene County Treasurer (surcharge)	\$	4,805.95
TOTAL	\$	14,049.85

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

ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)-2020

18 adults were assigned to perform community service, 14 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 2020 the department received \$1,230.16*** in reimbursement. Certain offenders who completed in 2020 had entered the program in 2019.

***The NYS Alternatives to Incarceration (ATI) contract expired as of 6/30/20, and reimbursements for services provided after that point were not made. Therefore, that figure only reflects reimbursements for two quarters of the year. The contract is in the process of being renewed, therefore, reimbursement for the last 2 quarters the year will be expected in 2021.

ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)-2019

18 adults were 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 (ELECTRONIC MONITORING)-2020

25 offenders (20 transdermal alcohol monitoring, 5 GPS), 3,295 service days (3,047 transdermal, 248 GPS, which, at a would-be jail rate of \$85/day, amounts to projected savings of \$280,075 (\$258,995 transdermal, \$21,080 GPS)

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)

IGNITION INTERLOCK DEVICE MONITORING- 2020

\$2,167.77 was received, via the NYS Governor's Traffic Safety Grant, for probation cases, and another \$2,444.52 by the Sheriff/STOP-DWI for conditional discharge cases, for a total of \$4,612.29.

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.

VICTIM IMPACT PANEL- 3 panels held each year**2019****2020**

\$9,765

\$6,360

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

OTHER REIMBURSEMENTS-2020

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 -2020* **

Test Type	Pos	Neg	SA
Alcohol	50	789	42
Amphetamine	24	451	13
Barbiturate	1	262	0
Benzodiazapene	14	540	3
Cocaine	26	804	14
Morphine	5	353	0
Opiate	17	744	5
Other	53	317	2
Psychedelic	1	310	0
THC	91	655	43
Site Total All Tests:	282	5225	122

SA= offender admitted to results

*Figures do not include tests performed on 54 adults, per Greene County Family Court order, who were engaged in court actions not involving this department.

**Modification of state probation supervision rules during the COVID-19 outbreak allowed for reduced office reporting and drug testing.

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.