

**GREENE COUNTY**  
**S.T.O.P. – D.W.I. PROGRAM**



**ANNUAL REPORT**

**TO THE**

**GREENE COUNTY LEGISLATURE**

**FOR CALENDAR YEAR**

**2020**

***SUBMITTED BY***

**Peter J. Kusminsky**

***COORDINATOR***

This report is submitted as prescribed by the Greene County Legislature for all county departments. It is submitted so as to provide the legislators, and any others who read it, with an overview of the activities, expenses and revenues of the STOP-DWI Program during calendar year 2020.

**ENFORCEMENT:**

The final reported numbers for 2020 have been received by the Program as reported by New York State Department of Motor Vehicles TSLED Program (Traffic Safety Law Enforcement and Disposition Program). The data received indicates a year as follows: Throughout Greene County, there were 341 DWI related arrested subjects in 2020. There were also 123 tickets issued for driving while their license was suspended. See chart below for 2020 data:

<b><u>Month</u></b>	<b><u>AUO</u></b>	<b><u>DWI/DWAI</u></b>
January	19	32
February	9	33
March	8	15
April	8	23
May	12	40
June	17	43
July	12	35
August	7	30
September	8	27
October	14	21
November	9	22
December	10	20
<b>TOTAL</b>	<b>133</b>	<b>341</b>

The amount of revenue for the STOP DWI Program in 2020 was \$119,114.49 and \$140,862.27 in 2019. The amount of expenditures was \$154,306.76 in 2020 and \$165,761.41 in 2019.

The Mid-Hudson STOP DWI Enforcement Conference was not held as it had been for the past 35 years due to Covid. The Program normally sponsors attendance by county enforcement personnel, as well as probation and prosecution individuals. Many topics are generally discussed and several beneficial networks created between coordinating personnel. In the past, Greene County STOP DWI has assisted in funding the necessary audio/visual aids used during the conference by paying a shared portion of the total cost. We hope that 2021 brings back this very important and informative event!

**COURT RELATED:**

**PROSECUTION OF CASES :**

The final count for VTL 1192 charges prosecuted by the District Attorney's office for the year 2019 was 446. In 2020, the total was 357. A total of \$56,000 was contributed from STOP DWI towards DA staff salaries for the prosecution of DWI related cases.

### **VICTIM IMPACT PANEL:**

Due to District Attorney Joseph Stanzione's policy which requires DWI and DWAI Drug offenders to attend the Victim Impact Panel, the panel is now held at least (3) times per year. Attendance is usually 80 to 110 persons at each panel. The cost of attendance has been \$25.00 per person, but was recently increased to \$35 (\$50 if paid late) to be more on par with other county's programs. This fee is paid to Greene County STOP DWI directly. Most counties charge \$75 to \$100 per person for attendance at the panel, however, our **priority** is to have people attend, while the money generated is secondary. Thanks in no small part to the District Attorney's Office expansion of those required to attend the panel; to include drug offenders, income from the 2 victim impact panels held in 2020 totaled \$2,635. The total monies brought in for VIP's given in 2019 was \$9,765. Unless the DA has a conflict of some sort, he personally attends all Victim Impact Panels and addresses the participants of the panel. Myself and DA Stanzione believe it is important that those charged with substance related offenses take the Victim Impact Panel seriously. Due to COVID, in person VIP's were suspended. A video was made and attendees were able to log in to a zoom meeting and fulfill the requirement's set forth by the court.

### **PROBATION:**

Money supplied to this department in 2020 by Greene County STOP-DWI was \$50,000. At year's end, in 2020, SPO Grasse supervised 31 offenders, totaling 37 cases. 34 were felonies and 16 misdemeanors (including 3 non-DWI). We had a total of 69 DWI cases that were supervised by other Probation Officers, 16 of which were felonies and 53 which were misdemeanors. A number of these "overflow" cases are Drug Court candidates. For 2019, SPO Grasse had 45 cases, 29 of which were felony convictions, and 16 were misdemeanors. The rest of the DWI cases (including some other DWI felonies) are split among several other Probation Officers, including the probation supervisor who supervises Greene County Drug Court offenders. Despite a reduction in caseloads in recent years, DWI and related offenses still comprise a significant percentage of the department's workload.

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, to state under oath in court that they had disposed of the vehicle. Reimbursements totaling \$1,600.42 were received from the NYS "Leandra's Law" grant for DWI probation cases received by this department in 2020, 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 \$1,798.80 in additional reimbursement to that office, for a grand total of \$3,399.22, as we have yet to receive money for the October – December quarter.

The probation 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 2019) having satisfactorily completed their obligations. Thus, we were able to obtain reimbursement of \$1,230.16 from our state allotment for the program for the first half of 2020 for the program, as we are waiting for the contract to be renewed. 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 \$280,075.00 (\$258,995.00- transdermal, \$21,080.00- GPS).

### **PUBLIC INFORMATION & EDUCATION:**

During 2020, Greene County STOP DWI faced challenges in addressing the public directly due to the pandemic. Normally informational material would be distributed and presentations would be given by members of GCSO and probation officers to our youth, local clubs, and other county organizations. The Sheriff's Office plans to continue its support with educational and informative reference materials at multiple public forums throughout the coming year. Members of the Sheriff's Office along with the Sr. Probation Officer truly enjoy setting up and maintaining a booth at the Greene County Youth Fair, as they have for many years. Donations were still provided for advertisements to further the message of STOP DWI in several High School Year Books in our local schools.

### **PROGRAM ADMINISTRATION:**

Since 2011 the Greene County Sheriff's Office has overseen the responsibilities of the STOP-DWI Program, with the Sheriff assigned as the Coordinator. The constant contact with local law enforcement departments, the media, and the various agencies that wish to work with the Program enables us to maintain the professionalism that STOP DWI has provided over the years. The accounting for all Program income and expenditures was maintained appropriately and effectively.

The Sheriff's Office is responsible for monitoring the subjects that have been ordered to have interlock systems placed in their vehicles and who are not assigned to probation supervision. The Sheriff's Office monitored approximately 37 subjects for violations and maintained oversight of their responsibilities, contacting the appropriate courts as well as the assigned Assistant District Attorney when a violation of conditions occurred. All interlock systems that are ordered as a condition of probation are monitored by the Greene County Probation Department, as mentioned above. The monitoring is subject to audit by the Division of Criminal Justice Services, as it has been in the past, at any given time. In early 2020, an in depth audit was conducted by The Governor's Traffic Safety Committee for the past several years of Greene County STOP DWI's operations. It was conducted successfully and the team that performed it was very happy with our organization and participation in the program.

**GOING FORWARD:**

As 2020 fades into the rearview, I hope for a safe 2021 which may allow for a more active and effective Program year. We did receive a grant for \$15,000 in Crackdown funds, to be shared amongst the municipalities for targeted DWI/DWAI Patrols during periods of heavy traffic. As the businesses begin to open up and people begin to move more freely, this type of enforcement will be all the more necessary. The fantastic training events that are provided by the STOP DWI Foundation and it's known professionals are very beneficial to our Law Enforcement Members, Probation and Parole, as well as Legal representatives. We plan to hold a training with Tall Cop Jermaine Galloway in September, who focuses on underage drinking and recognizing substance abuse issues, as we were supposed to host him at the Columbia Greene Community College in the Summer of 2020. Overall, the Program definitely had a lull, not uncommon for any entity this past year, but remains self-sustaining and very effective.

