



STOP-DWI ANNUAL ACTIVITY REPORT

County STOP-DWI Program	Greene
Coordinator Name	Peter Kusminsky
Coordinator Email	pkusminsky@greenesherriffny.com
Program Year	2022

VTL 1197 (3)a: The Progress, Problems and Other Matters Related to the Administration of Said Program.

Overall the program flowed very smoothly. We have great cooperation between all members of administrative related components of the program. As far as problems, we have not identified any that we feel are causing the program to falter in any way. As in anything, there is always room for improvement. We have adjusted how we perform the releases for our conditional discharges with the implementation of the DMV specific email. Our Probation Department and Sheriff's Office members have teamed up to do checks on subjects assigned to having an Interlock device. We hired an assistant for the Coordinator who helps keep track of IID related subjects and perform any tasks the Coordinator requires.

VTL 1197 (3) b: An assessment of the effectiveness of the program within the geographic area of the county participating therein and any and all recommendations for expanding and improving said program.

From where we sit, the program is hugely beneficial in allowing for more targeted patrols to combat driving under the influence. With the rise in opioid abuse, we have been trying our best to support any and all requests from local police agencies to send out law enforcement onto the roads to catch anyone driving impaired before a tragedy can occur. We attend the local fairs, provide items for car shows, purchase ads in yearbooks, and participate in Prom Promise events at area schools. We plan to continue the course as well as join in on local parades and possibly develop a program where we provide courtesy rides on high traffic days, such as New Years, Memorial Day, and Thanksgiving. Due to District Attorney Joseph Stanzione's policy which requires DWI and DWAI Drug offenders to attend the Victim Impact Panel (VIP), the panel is now held at least (3) times per year. For 2022, there were 3 Victim Impact Panels. 58 defendants were ordered to attend the first panel. Of the 58, 42 attended. 76 defendants were ordered to attend the second panel. Of that 76, 52 attended. 68 defendants were ordered to attend the third panel. Of that 68, 50 attended. The cost of attendance has been \$35 per person, but was recently increased (effective later in 2023) to \$50 (\$65 if paid late), to be more on par with other counties' programs. This fee is paid to Greene County STOP-DWI. 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 2022 totaled \$2,635. The total monies brought in for VIP's given in 2021 was \$10,660. The total monies brought in for VIP's given in 2022 was \$6,400. Unless the DA has a conflict of some sort, he personally attends all Victim Impact Panels and addresses the participants of the panel. We 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 requirements set forth by the court.

Money supplied to the Probation Department in 2022 by Greene County STOP-DWI was \$44,000. At year's end, in 2022, SPO Grasse supervised 44 offenders. We had a total of 44 DWI cases that were supervised by other probation officers, 11 of which were felonies and 33 which were misdemeanors. A number of these "overflow" cases are Drug Court candidates. Despite a reduction in caseloads in recent years, DWI and related offenses still comprise a significant percentage of the department's workload. 2022 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 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 \$2,443.50 were received from the NYS "Leandra's Law" grant for DWI probation cases received by this department in 2022, to help pay for ignition interlock device monitoring requirements. The Ignition Interlock Device Monitoring program is funded with National Highway Traffic Safety Administration funds that DCJS receives from the Governor's Traffic Safety Committee (GTSC). The 2021-22 Ignition Interlock Device Monitoring Program allocation to our county for the October 1, 2021- September 30, 2022 period is based upon the average number of court orders in your county during the 2019 and 2020 calendar years. Per arrangement with the Greene County Sheriff's Officer/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 \$2,081.50 in additional reimbursement to that office, for a grand total of \$4,525.

VTL 1197 (3) B-1: Number of Arrests for Violations of Section 1192 and Section 511 (2).

As reported by our District Attorney's office, the number of arrests for section 1192 was 380 and section 511 (2) was 26.

VTL 1197 (3) B-2: Number and Descriptions of Dispositions Resulting From Section 1192 and Section 511(2).

For section 1192, the disposition was as follows: Guilty of a DWI related offense - 93, guilty of a reduced charge - 88, convicted on another ticket - 40, dismissed - 16. For section 511 (2) the disposition was as follows: guilty - 6, guilty of a reduced charge - 15, convicted on another ticket - 4, dismissed - 5.

VTL 1197 (3) B-3: Number of Suspensions Issued in the County for Alleged Refusals to Submit to Chemical Tests.

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VTL 1197 (3) B-4: Total Fine Moneys Returned to Participating County in Connection with the Program.

\$75,684.84

VTL1197 (3) B-5: Contemplated Programs.

STOP DWI plans to continue our 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 27 individuals assigned to the work sites, with 13 (including ones referred in 2021) having satisfactorily completed their obligations. Thus, we were able to obtain reimbursement of \$5,641.82 from our state allotment for the program, including \$2,249.02 for claims from the 2nd half of 2021 that weren't paid until 2022, due to the state contract not having been renewed until early 2022. 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 34 offenders under Pre-Trial Supervision who were using electronic

monitoring - 2 with transdermal alcohol monitoring and another 32 with GPS monitoring. Said offenders had such devices for a total of 2,936 service days (149 transdermal and 2,787 GPS) which, at a would-be jail rate of \$85/day, amounts to projected savings of \$249,560 (\$12,665 transdermal and \$236,895 GPS).

With School Resource Officers in every School District in Greene County as of 2022, the program plans to expand our public outreach to the youth of our communities through our assigned SRO's. We hope to approach the schools about having the students design flyers or billboards with messages opposing DWI and supporting the use of good decision making skills when it comes to driving.

VTL 1197 (3) B-7: Any Other Information Required by the Commissioner.

N/A

Coordinator Name *If Unsigned

Peter Kusminsky

Date Signed

Friday, March 31, 2023