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# ANNUAL REPORT

For

2014

In 2014 the Greene County Probation Department continued to provide mandated services to adults and juveniles in the community. Over the year, the department received 235 (four less than in 2013) new adult probationers, either from local sentences or incoming transfers from other jurisdictions (other counties in New York or other states) In addition, 7 (six less than 2013) formal juvenile probationers were received; and another 10 (7 more than 2013) in an informal capacity, after having been referred by the family court. At the end of the year, we were supervising 443(1 less than 2013) criminal court probationers, many of whom were serving more than one probation sentence. Of those 443 offenders, 175 (down 16 from 2013) were felons. Despite some reductions from 2013 to 2014, this department continues to have a significant workload for the county size/population. For comparative purposes, neighboring Delaware County, with approximately the same population, was supervising 220 criminal offenders at the end of 2014; while neighboring Columbia County, with a population some 20,000 more, had 378. (source: NYS Division of Criminal Justice Services)

Where appropriate, supervision included the requirements that offenders pay restitution, engage in available educational, vocational, and/or treatment programs; and submit DNA samples (collected by this department), in order to remain at liberty. 2014 saw the continuation of the required ignition interlock device for DWI probationers who own or operate a vehicle. 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, or, as required by a law change late in 2013, to state under oath in court that they had disposed of the vehicle. Reimbursements totaling \$5,378.19 were received from the NYS ‘Leandra’s Law’ grant for DWI probation cases received by this department in 2014, to help pay for ignition interlock device monitoring requirements., at a rate of \$110.21 per case for the first three quarters of the year, and \$135 for the last quarter. 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 \$2,082.94 in additional reimbursement to that office.

In 2014 the department’s main DWI officer, with the assistance of other officers and the Greene County Sheriff’s Department/STOP-DWI, 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 panel were required to pay a \$25 fee each, which went toward STOP-DWI operations. \$950 was collected for that purpose.

In addition to the formal, i.e., court ordered, supervision cases, 2014 saw a total of 64 (an increase of 7 from 2013) juvenile cases referred to the department. By nearly two to one, the vast

majority of these were Juvenile Delinquents, youth from ages 7-15, inclusive; who have committed what would be crimes if they were adults. A Person In Need of Supervision, or PINS, is 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 21 (one less than in 2013) cases, including some that were opened in 2013, were successfully diverted from the family court system through participation with the department’s intake/diversion supervision program. 16 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 senior probation officer, who has a small adult caseload in addition to the officer’s juvenile tasks.

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 2014, 260 investigation cases were opened, and 295 ( including some cases that were opened in 2013) completed/closed for the criminal courts, with another 1 completed for the family court. Through the concerned efforts of the department’s juvenile officer, over recent years the Greene County Family Court has tended to waive the investigation/report for PINS cases, for which an investigation is not mandatory. 2 probation officers completed the bulk of the pre-sentence investigations, as their primary tasks.

In 2014 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. This year saw 40 (down 17 from 2013) individuals assigned to the work sites, with 30 (down 20 from 2013) satisfactorily completing their obligations. Despite a reduction, we were able to obtain reimbursement of \$5,359.46 out of the \$5,998 allotted by the New York State Division of Criminal Justice Services 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 officer oversees this task, in addition to the officer’s overall adult probation supervision responsibilities.

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 2014 we opened 56 (down 14 from 2013) adult restitution cases, either as a condition of probation or simply as the designated restitution collection agency for Greene

County, regardless of the sentence. In 2014, the department collected a total of \$121,101.14 in criminal restitution/surcharge to Greene County, which was a reduction of \$4,454.55 from 2013. Additionally, another \$1,942.69 was collected from juvenile offenders, which was an increase of \$345.19 from 2013, and does not include a surcharge, by statute. For 2014 over \$46,000 in collected restitution was payable to public or non-profit agencies, including more than \$23,000 in welfare fraud reimbursement, an increase of some \$5,000 from 2013. While the overall criminal restitution collection was reduced from 2013, the amount paid to the Greene County Treasurer for restitution surcharge, \$4,428.63, was only approximately \$212 less than the prior year.

In 2014, 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 senior probation officer 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 (mental health clinician and senior probation officer) monitored sex offender treatment groups. The sex offender treatment groups, which are held at this department, consisted of one weekly session held during the late afternoon/early evening. Until May, a second group was also held during the morning here, however, a reduction in the overall number of participants resulted in the consolidation into the evening session. By having a local 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. New in 2014 was the introduction of polygraph examinations for certain sex offenders.

The attachments to this narrative should help to understand the level at which the department operated during the year 2014.

Respectfully Submitted,



Alan Frisbee

Probation Director

Date of Report: March 27, 2015

**WORKLOAD**

**SUPERVISION**

Adult criminal- Felony- 175	Misdemeanor- 268	Total	443
Juvenile- Juvenile Delinquent- 1	Person In Need of Supervision- 12	Total	13
<b><u>Total formal probation supervision as of 12/31/14 (person count, not case count)</u></b>			<b>456</b>

Juvenile intake supervision 13	JD- 1, PINS- 15		16
Pre-adjudicatory supervision	JD- 1, PINS- 7		8
<b><u>Total persons supervised (formal and informal) as of 12/31/14</u></b>			<b>480</b>

**INVESTIGATIONS**

Total Completed/Closed		295
	(294 criminal, 1 family)	

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

Total referred to Probation	64
	(42 JD, 22 PINS)

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Total diverted from family court	21
	(16 JD, 5 PINS)

## FINANCIAL INFORMATION

### RESTITUTION (probation sentences or otherwise)

Total Collected	<b>\$123,043.83</b>
	(\$121,101.14 criminal/surcharge)
	(\$ 1,942.69 - family)

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

Greene County DSS	\$ 23,014.30
Greene County Highway	\$ 50.00
NYS Dept. of Labor	\$ 16,630.25
NYS Dept. of Taxation & Finance	\$ 1,727.50
Village of Catskill	\$ 490.00
Columbia County DSS	\$ 1,180.88
Greenville Central School	\$ 440.00
Windham-Ashland-Jewett Central School	\$ 236.14
City of Albany	\$ 602.03
Heart of Catskill Association	\$ 197.00
Windham Chamber of Commerce	\$ 2,294.00
 Total	 \$ 46,862.10
 Greene County Treasurer (surcharge)	 \$ 4,428.63
 <b>TOTAL</b>	 <b>\$ 51,290.73</b>

**ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)**

40 adults assigned, 30 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 2014 the department received \$5,359.46 in reimbursement.

**IGNITION INTERLOCK DEVICE MONITORING**

\$5,378.19 was received via the NYS Governor's Traffic Safety Grant.

**OTHER REIMBURSEMENTS**

For 2014, New York State continued with a block grant for probation aid, a total of \$122,328. In addition, the Greene County STOP-DWI program funded 50% of the salary for the department's DWI officer, and another \$19,000 to assist in departmental functions, for a total of \$47,600. The department also receives 1% of posted bail, to offset alternatives to incarceration costs.