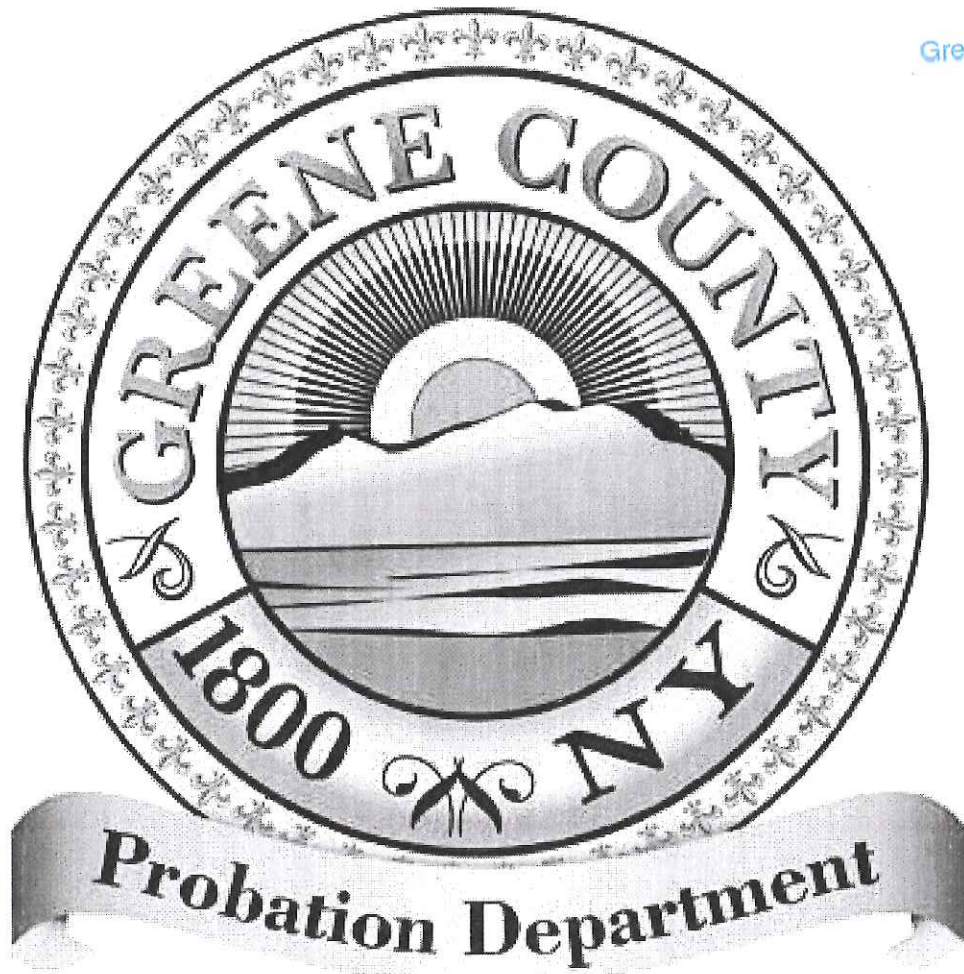


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Greene Co. Legislature



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# ANNUAL REPORT

For  
2016

In 2016 the Greene County Probation Department continued to provide mandated services to adults and juveniles in the community. Over the year, the department received 106 new adult probationers from Greene County courts and another 59 as transfers from other jurisdictions, including out-of-state. Overall, the 165 received were 30 less than in 2015, continuing a recent downward trend, after a significant spike in criminal cases occurred several years ago. In addition, 6 formal juvenile probationers were received, and another 15 in an informal capacity, after having been referred by the family court. At the end of the year, we were supervising 318 criminal court probationers, many of whom were serving more than one probation sentence. Of those 318 offenders, 166 were felons. Despite reductions over the past few years, 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 210 criminal offenders at the end of 2016; while neighboring Columbia County, with a population some 20,000 more, had 322. (source: NYS Division of Criminal Justice Services).

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. 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 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. 2016 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 \$2,975.13 were received from the NYS "Leandra's Law" grant for DWI probation cases received by this department in 2016, to help pay for ignition interlock device monitoring requirements, at a rate of \$135 per case for the first 3 quarters of the year, with a state-ordered reduction to nearly half of that 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 \$5,291.37 in additional reimbursement to that office, for a grand total of \$8,266.50.

In 2016 the department's main DWI (senior probation) officer, with the assistance of other officers and the Greene County Sheriff's Department/STOP-DWI program, 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. 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 2016 totaled \$7,455. The program was also expanded to include presentations to local high school classes.

In addition to the formal, i.e., court ordered, supervision cases, 2016 saw a total of 57 juvenile cases referred to the department. Of the 57 referrals, 32 involved Juvenile Delinquency offenses (youth from ages 7-15, inclusive; who have committed what would be crimes if they were adults and were referred to the department by police); and 25 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 28 cases were successfully diverted from the family court system through participation with the department's intake/diversion supervision program. 10 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 highly experienced senior probation officer who was named the County Employee of the Year in 2016.

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 2016, 190 investigation cases were opened, and 175 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 only 3 completed for the year. All 3 involved juvenile delinquency acts, with, unfortunately, two involving (would-be) felony sex crimes.

In 2016 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 23 individuals assigned to the work sites, with 22 satisfactorily completing their obligations. Thus, we were able to obtain reimbursement of \$3,582.82 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 17 offenders having had such devices for a total of 2,662 service days, which, at a would-be jail rate of \$85/day, amounts to projected savings of \$226,270. 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 2016 we opened 25 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 5 juvenile cases. For the year, the department collected a total of \$128,752.10 in criminal restitution/surcharge to Greene County. Additionally, another \$2,113.95 was collected from juvenile offenders. By statute, juvenile restitution does not include a surcharge. For 2016, over \$33,000 in collected restitution was payable to public or non-profit agencies, including nearly \$17,000 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 2016, that amount was \$5,631.20

In 2016, 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 2016. At year's end we had 17 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 2016, with 2015 comparisons.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Alan Frisbee", with a long horizontal flourish extending to the right.

Alan Frisbee  
Probation Director

Date of Report: 4/7/17

**Department staff as of 12/31/16**

Probation Director  
 2 Probation Supervisors  
 2 Senior Probation Officers  
 6 Probation Officers  
 2 Probation Assistants

Total-13 employees  
 (1 vacancy filled in Feb. 2017, open since 9/30/16)

**12/31/15**

Probation Director  
 1 Probation Supervisor  
 4 Senior Probation Officers  
 6 Probation Officers  
 2 Probation Assistants

Total- 14

**WORKLOAD****SUPERVISION**

	<b><u>2016</u></b>	<b><u>2015</u></b>
Adult criminal received from Greene County courts-	106	140
Adult criminal received via intra-state and inter-state transfers-	59	55
Total adult criminal received	165	195

**TOTAL SUPERVISED AT END OF YEAR**

Adult criminal as of 12/31/16

Felony- 166	Misdemeanor- 152	Total	318
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Juvenile- 0	Juvenile Delinquent- 0	Person In Need of Supervision- 8	Total	8
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**Total formal probation supervision as of 12/31/16 (person count, not case count)** 326

Juvenile intake supervision	JD- 13, PINS- 16	29
Pre-adjudicatory supervision	JD- 2, PINS- 6	8
<b><u>Total persons supervised (formal and informal) as of 12/31/16</u></b>		<b>363</b>

**2015**

Adult criminal- Felony- 179 Misdemeanor- 209	Total	388
Juvenile- Juvenile Delinquent- 0 Person In Need of Supervision- 7	Total	7
<b><u>Total formal probation supervision as of 12/31/15 (person count, not case count)</u></b>		<b>395</b>

Juvenile intake supervision	JD- 1, PINS- 18	19
Pre-adjudicatory supervision	JD- 2, PINS- 2	4
<b><u>Total persons supervised (formal and informal) as of 12/31/15</u></b>		<b>418</b>

**INVESTIGATIONS**

	<b><u>2016</u></b>	<b><u>2015</u></b>
Total Completed/Closed	178	213
	(175 criminal, 3 family)	(213 (all criminal)

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

	<b><u>2016</u></b>	<b><u>2015</u></b>
Total referred to Probation	57 (32 JD, 25 PINS)	58 (32 JD, 26 PINS)
Total diverted from family court	17 (10 JD, 7 PINS)	29 (19 JD, 10 PINS)

**SEX OFFENDER SUPERVISION**

	<b><u>As of 12/31/16</u></b>	<b><u>As of 12/31/15</u></b>
<b><u>Total</u></b>	17	24
<b>Cases on public registry</b>	7	10
	(Two Level 3, Five Level 2)	(Two Level 3, Eight Level 2)



**FINANCIAL INFORMATION**

**RESTITUTION (probation sentence or otherwise)**

	<b><u>2016</u></b>	<b><u>2015</u></b>
Total Collected	<b>\$130,866.05</b>	<b>\$150,236.41</b>
	(\$128,752.10- criminal/surcharge) (\$2,113.95-family court)	(\$148,504.72- criminal/surcharge) (\$1,731.69 family court)

**RESTITUTION COLLECTED FOR**

**DISBURSEMENT TO PUBLIC/NON-PROFIT AGENCIES- 2016**

Greene County Department of Social Services	\$	16,994.36
NYS Department of Labor	\$	4,965.00
NYS Department of Taxation and Finance	\$	1,052.75
Columbia County Department of Social Services	\$	3,662.37
Greene County District Attorney's Office	\$	840.00
Town of Cairo Animal Control	\$	168.64
Total	\$	27,683.12
Greene County Treasurer (surcharge)	\$	5,631.20
<b>TOTAL</b>	<b>\$</b>	<b>33,314.32</b>

**RESTITUTION COLLECTED FOR****DISBURSEMENT TO PUBLIC/NON-PROFIT AGENCIES-2015**

Greene County Department of Social Services	\$	14,813.23
NYS Department of Labor	\$	16,918.13
NYS Department of Taxation and Finance	\$	550.00
NYS Office of Victim Services	\$	44.84
Village of Catskill	\$	40.00
Village of Catskill Department of Public Works	\$	83.47
Columbia County Department of Social Services	\$	830.28
Windham Chamber of Commerce	\$	3,535.00
Windham-Ashland Jewett Central School	\$	629.95
Greene County District Attorney's Office	\$	160.00
Hunter-Tannersville Central School	\$	80.65
Hunter Area Ambulance	\$	470.00
Town of Cairo	\$	50.00
Ulster County Department of Social Services	\$	130.00
Total	\$	38,335.55
Greene County Treasurer (surcharge)	\$	6,773.80
<b>TOTAL</b>	<b>\$</b>	<b>45,109.35</b>

**ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)-2016**

23 adults assigned, 22 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 2016, the department received \$3,582.82 in reimbursement.

**ALTERNATIVES TO INCARCERATION (COMMUNITY SERVICE)-2015**

48 adults assigned, 42 completed

For 2015, the department received \$5,993.84 in reimbursement.

**ALTERNATIVES TO INCARCERATION (ELECTRONIC MONITORING)-2016**

17 offenders, of 2,662 service days, which, at a would-be jail rate of \$85/day, amounts to projected savings of \$226,270.

**IGNITION INTERLOCK DEVICE MONITORING- 2016**

\$2,975.13 was received via the NYS Governor's Traffic Safety Grant for probation cases, and another \$5,291.37 by the Sheriff/STOP-DWI for conditional discharge cases, for a total of \$8,266.51

**IGNITION INTERLOCK DEVICE MONITORING- 2015**

\$4,590 was received via the NYS Governor's Traffic Safety Grant for probation cases, and another \$3,105 by the Sheriff/STOP-DWI for conditional discharge cases, for a total of \$7,695.

**VICTIM IMPACT PANEL- 3 panels held each year****2016****2015**

\$7,455

\$6,075

These amounts include additional donations made by offenders beyond the standard \$25 fee.

**OTHER REIMBURSEMENTS-2016**

New York State continued with a block grant for probation aid, a total of \$122,328, a figure unchanged for approximately a half-dozen years. 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 alternatives to incarceration functions, for a total of \$47,600. The department also receives 1% of posted bail, to further offset alternatives to incarceration costs.