



STOP-DWI ANNUAL ACTIVITY REPORT

County STOP-DWI Program	Greene
Coordinator Name	Peter Kusminsky
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Program Year	2023

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

The program continues much the same as it has in previous years. We remain having great cooperation between all members of administrative related components of the program as well as partners. As far as problems, fiscal issues that are affecting SOP DWI on the whole are being dealt with as necessary. As always, there is room for improvement in any type of program like this. Our Probation Department and Sheriff's Office members continue to do checks on subjects assigned to having an Interlock device as a team. The addition of the assistant for the Coordinator who helps keep track of IID related subjects, quarterly reports, and completion of STOP DWI forms has proven to be positive thing.

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 youth fair, provide items for car shows, purchase ads in yearbooks and at little league fields, 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 2023, there were 3 Victim Impact Panels. 75 defendants were ordered to attend the first panel. Of the 75, 56 attended. 61 defendants were ordered to attend the second panel. Of that 61, 44 attended. 46 defendants were ordered to attend the third panel. Of that 46, 36 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 3 victim impact panels held in 2023 totaled \$6,840. The total brought in for 2022 had totaled \$2,635. Unless the DA has a conflict of some sort, he personally attends all Victim Impact Panels and addresses the participants of the panel. The Greene County Sheriff's Office supplies security personnel during the panels. We believe it is important that those charged with substance-related offenses take the Victim Impact Panel seriously. Speakers have included the former Greene County Sheriff as well as the current Lieutenant, who brings his experience as a current DRE. Money supplied to the Probation Department in 2023 by Greene County STOP-DWI was \$33,000. At year's end, in 2023, SPO Grasse supervised 43 offenders. We had a total of 43 DWI cases that were supervised by other probation officers, 14 of which were felonies and 29 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. 2023 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 \$3,076.86 were received from the NYS "Leandra's Law" grant for DWI probation cases received by this department in 2023, 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 2022-23 Ignition Interlock Device Monitoring Program allocation to our county for the October 1, 2022- September 30, 2023 period is based upon the average number of court orders in your county during the 2021 and 2022 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 \$2,321.14 in additional reimbursement to that office, for a grand total of \$5,398.

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

2023
1192-
Persons arrested: 387

511 (2):
Persons arrested - 62

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

2023
1192-
Persons arrested: 387
Cases adjudicated: 220 (56.8%)
 Convicted on same impairment violation - 22
 Convicted on different impairment violation - 81
 Convicted on non-impairment violation - 97
 Dismissed/aquitted - 20

1192 cases pending: 167 (43.2%)

511 (2):
Persons arrested - 62

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

Chemical test refusals for 2023: 26

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

From the Greene County Clerk: \$6,530
From New York State - \$46,507

VTL1197 (3) B-5: Contemplated Programs.

STOP DWI plans to continue the ATI (Alternatives to Incarceration) Program. A probation assistant oversees the program. The department's utilization of various forms of electronic devices, including transdermal alcohol monitoring, resulted in a total of 28 offenders under Pre-Trial Supervision who were using electronic monitoring - 2 with transdermal alcohol monitoring and another 26 with GPS monitoring.

Said offenders had such devices for a total of 2,837 service days (207 transdermal and 2,630 GPS) which, at a would-be jail rate of \$85/day, amounts to projected savings of \$241,145(\$17,595 transdermal and \$223,550 GPS). In addition to Pre-Trial supervision, 6 more offenders convicted and under probation supervision were transdermal bracelets for a total of 1,211 service days with the devices being self-paid. This resulted in a potential jail savings of \$102,935. With School Resource Officers in every School District in Greene County as of 2023, the program plans to expand our public outreach to the youth of our communities through our assigned SRO's. We hope to support sending a Deputy to DARE school.

VTL1197 (3) B-6: Distribution of Moneys in Connection with Program Administration.

Enforcement - \$1,799.28
Court related/Prosecution - \$39,750
Probation - \$33,000
Public Information/Education - \$669.00
Program Administration - \$22,918.40

Coordinator Name *If Unsigned Peter Kusminsky

Date Signed Friday, March 29, 2024