

**WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE: CRIMINAL JUSTICE (*PROBATION*)**

**DATE: OCTOBER 28, 2010**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BENTLEY  
KENNY  
VANNESS  
STRAINER  
TAYLOR  
MCCOY

**OTHERS PRESENT:**

ROBERT IUSI, PROBATION DIRECTOR  
FREDERICK MONROE, CHAIRMAN  
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS CONOVER  
GIRARD  
MCDEVITT  
SOKOL  
STEC  
THOMAS  
BUD YORK, SHERIFF  
KAREN PUTNEY, ADMINISTRATOR OF FIRE PREVENTION AND BUILDING  
CODE ENFORCEMENT  
BRIAN LAFLURE, DIRECTOR OF THE OFFICE OF EMERGENCY  
SERVICES/FIRE COORDINATOR  
MICHAEL GATES, CAPTAIN OF CORRECTIONS  
JOHN DIAMOND, MAYOR OF THE CITY OF GLENS FALLS  
EVELYN WOOD, TOWN OF THURMAN  
DON LEHMAN, *THE POST STAR*  
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR GOODSPEED

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Mr. Bentley called the meeting of the Criminal Justice Committee to order at 9:30 a.m.

Motion was made by Mr. Kenny, seconded by Mr. Taylor, and carried unanimously to approve the minutes from the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Robert Iusi, Director of the Probation Department, who distributed copies of the agenda to the Committee members; *a copy of the agenda is on file with the minutes.*

Mr. Iusi presented a request for out-of-state travel to attend the National Association of Pre-Trial Services Agencies (NAPSA) 38<sup>th</sup> Annual Conference and Training Institute in Washington, DC on December 13-14, 2010 with no cost to the County.

Motion was made by Mr. Kenny, seconded by Mr. Strainer and carried unanimously to approve the request for out-of-state travel as presented. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the November 19, 2010 Board meeting.*

Mr. McCoy entered the meeting at 9:32 a.m.

Pertaining to the pending item concerning an update on costs associated with the Ignition Interlock Plan, Mr. Iusi stated, the Ignition Interlock portion of Leandra's Law had gone into effect on August 15, 2010 and to date there was little to report as to the associated costs. He noted there were ten CD (conditional discharge) cases which ordered installation of the device, and of the CD's being monitored by the DA's (District Attorney's) Office, only one had installed the Ignition Interlock device in their vehicle. He advised the defendants were relinquishing ownership of their vehicles in order to avoid the necessity of installing the device on their vehicles. He opined the Law was well intended but poorly crafted. He said the courts had a disadvantage as there was no way to determine which member of a household was the true owner of a vehicle and judges were reluctant to order that Ignition Interlock devices be placed on all vehicles owned by the household. This would require the Probation Department to expend additional time monitoring the vehicles within the households of the CD defendants, he apprised, and limited funding would be received from the State to enforce the Ignition Interlock Law.

Mr. Iusi reminded the Committee that the State had indicated the counties would receive funding for enforcement of the Ignition Interlock Law and Warren County was to receive \$26,000 which would be divided between the Probation Department and the DA's Office. He reported it had later been determined that in order to receive the funding it was a requirement to identify the individuals who were ordered to install the Ignition Interlock device and provide proof of installation. He explained the source of the funding was a Federal grant which had been awarded to New York State and the County was in the process of determining the terms of the grant funding which he would report to the Committee at the next meeting.

Brief discussion ensued.

Mr. Iusi said he had previously discussed with the Committee the possibility of the State Aid funding switching to a Block Grant from the State. He apprised in the past there had been various funding streams, such as State Aid and Sex Offender funding, which had required submission of separate vouchers. He reported the State had incorporated the separate funding streams into one Block Grant to make administration easier for the counties. He stated the process was easier; however, he questioned how the funds would be disbursed to the counties if lumped into one funding stream and the possibility of current funding sources being eliminated. He reported the State Division of Probation had merged with the State Division of Criminal Justice System which meant the Probation Department was no longer a stand-alone agency on the State level. He voiced his concern that the Probation Department would lose their identity and funding sources would be eliminated. Mr. Iusi said the original Block Grant was in the amount of \$210,000 which was reduced by 1.1% to \$207,000 in order to accommodate the reduction of FMAP (Federal Medical Assistance Percent) funding being received by the State. He explained the State had not received the anticipated amount of FMAP funds and had reduced all aid funding by 1.1% in order to cover their shortfall. He reported the Probation Department had been approved to be reimbursed for the attendance of two Probation Officers at a conference; however, he added, that reimbursement had also been reduced by 1.1%.

Pertaining to restitution to the DSS (Department of Social Services), Mr. Iusi stated the Probation Department collected funds on restitution and disbursed it to numerous victims and to the DSS for Welfare Fraud. He said in 2009 the DA's Office and the Sheriff's Department had

hired a part-time Investigator to investigate and reduce Welfare Fraud in Warren County. He explained the restitution funds which were allocated to the DSS were from collections made from persons found guilty of committing Welfare Fraud. He reported the amount of restitution paid to the DSS over the last four years, as follows: \$365 in 2007; \$2,831 in 2008; \$10,919 in 2009; and approximately \$19,000 to date for 2010. Mr. Iusi stated the figures clearly showed that the part-time Investigator was having a significant impact on reducing Welfare Fraud in the County.

Mr. Iusi announced the Probation Department had received notification from the State of potential eligibility for ARRA (American Recovery and Reinvestment Act) grant funding based on their Rockefeller Drug Law numbers; however, he reported, they were not awarded the funding as the grant had required hiring a new employee for at least one year or documentation that a layoff had been prevented. He said if the funding had been awarded it would have been necessary to dedicate one Probation Officer to a specific caseload of 35.

There being no further business to come before the Criminal Justice Committee, on motion made by Mr. Strainer and seconded by Mr. McCoy, Mr. Bentley adjourned the meeting at 9:43 a.m.

Respectfully submitted,  
Charlene DiResta, Sr. Legislative Office Specialist