

To The Honorable Members of
The Wayne County Board of Supervisors

I submit, for your review, the 71st Annual Report of the Wayne County Department of Probation and Correctional Alternatives for the year ending December 31, 2019. This report is essentially a statistical overview of the major departmental activities during 2019.

The cost to incarcerate adults and to place juveniles in residential programs continues to escalate. In as much as Probation is the most cost effective disposition available to the Criminal/Juvenile Justice systems, it is under an ever-increasing demand to provide viable and affordable programs. 2019 recognized this to be more imperative than ever before. This is due to new legislation adopted and put into effect by the NYS Governor on "Raise the Age". The intent of the new legislation is to provide more services/programs, "In-the-Community", thus keeping our youth home and out of adult Jails/Prisons as well as the new "Specialized Secure Detention", and both Secure and Non-Secure facilities.

In 2019, on October 1, The RTA initiative included all 17 year olds. This was the State's initiative to remove all 16 and 17 year olds from local jails and prisons and to handle each new arrest of either a 16 year old or 17 year old as a youth. The law went into effect on 10/1/18 for 16 year olds and as of October 1, 2019 includes all 17 year olds. The Adolescent Offender is a youth that has committed a Felony level offense. A 16 year old that commits a Misdemeanor level offense, other than a traffic infraction, will be handled as a Juvenile Delinquent (JD). The JD will be given an appearance ticket to appear at Probation for Intake services. As a result of this legislation, a new class of offender has been created, "Adolescent Offender" (AO). The AO, (16 or 17 year old), following an arrest for a Felony, will go before the newly created "Youth-Part Court." If the Youth is detained, bail set, he/she must be held in a Specialized Secure Detention facility for the RTA population. Wayne County continues to be involved in the Coalition of Counties looking to invest in 1/11th of a treatment facility in the southern tier. Wayne County Department of Social Services, Shelly Bentley, was appointed to the Coalitions Board as the Board was largely comprised of DSS Commissioners. By years end, New DSS Commissioner, Ellen Wayne, was introduced as Josh's replacement. Ellen has taken over as the member on the coalition to head this process for the County.

Several initiatives have been maintained during 2019 that did not require the adding of any additional positions. One initiative that began in 2018 and carried over into 2019 falls within the specialized Juvenile Unit. The Department of Social Services contracts with the Department of Probation to provide preventive Services. The State has required all parties, to enter data on all related cases into the States database, "Connections". Probation will, when trained by DSS staff begin to comply with this requirement to remain eligible to receive preventive funds through the Offices of Children and Family Services (OCFS) (DSS). As a result of this new requirement, the Preventive Funds Revenue to Probation was increased \$50,000.00 from \$336,368.00 to \$386,368.00. The advantage to Wayne County is that reimbursement through OCFS is at 63.5% compared to the approximate 11% received through the New York State Division of Probation and Correctional Alternatives. Officers are currently awaiting the official training on Connections.

Also in 2019, Wayne County Probation, alongside the Wayne County Attorney's Office and the Youth Advocacy Program, spearheaded the development of a Youth Court for Wayne County juveniles. Comprised of youth volunteers from several Wayne County school districts, lower-risk Juvenile Delinquency cases are referred to appear before this jury of their peers, who will discuss

the case and determine appropriate consequences. Youth Court implements restorative justice principles, requiring the youth to make amends, while also attempting to strengthen their ties to the community. In 2019, 9 cases were referred to Youth Court, and this new program will continue to develop and expand throughout 2020.

The Wayne County Probation Juvenile Unit tackled a number of other initiatives in 2019. We began working with Adolescent Offender cases for Voluntary Assessment and Case Planning Services as outlined in New York State's "Raise the Age Legislation". The Juvenile Unit also enhanced their knowledge in current youth assessments, such as YASI (Youth Assessment Screening Instrument) and DRAI (Detention Risk Assessment Instrument), while also preparing for the upcoming mental health screening instrument (MAYSI) which will be used at all juvenile intake meetings in 2020.

In June 2019, one officer completed training in Monroe County to become a certified Defensive Tactics Instructor. Now all state-required annual recertification courses (Firearms, Pepper Spray, and Baton) can be completed "in house" and taught by Department staff. Also in 2019, we had two Officer's attend the Fundamentals of Probation Training held in Monroe County at the MCC training facility on Scottsville Road. This training is a state mandated, initial Peace Officer's Training and is required to be attended within the first year of employment.

2019 saw the completion of the conversion from Probation's old database, "FE" to the New York State Standard Database, "CE". The conversion was completed by the end of January 2019 and we ran our first financials and cut checks at the end of February 2019.

The County took on a new initiative in 2019 by requiring each Department to participate in Continuity of Operations Planning training and then prepare a Continuity of Operations Plan (COOP). Probation attended the required trainings with the company contracted with by the County. The Probation plan was created by myself, Deputy Director, Coriza Rivera, and Supervisor, Jason Mills. This plan was approved and signed off on.

In 2019 the Department continued developing protocols involving the domestic violence/family offense population. It is felt that through timely notification and program coordination a dramatic impact could be realized in reducing the rate of domestic violence. Minimally, Probation should be able to more closely monitor the population under our authority. In 2019, Senior PO, Kimberly Cornwell continued as the Domestic Violence Liaison and attended two different Domestic Violence related trainings in early 2019.

The enhanced Electronic Monitoring Program changed in 2019 by ending the GPS Monitoring contract with Satellite Tracking of People (STOP), and adding the GPS monitoring service to our existing contract with SCRAM. This change was made due to the improved services provided by SCRAM as well as for the Officer's functionality with operating and navigating through the Web based software to monitor the individuals hooked up to EM in Wayne County. This change eliminated the need for the officer's to have to gain access into two different web sites for monitoring. Now they have one site, one dashboard of which to refer to. This has helped with time management as well as assurances that the participants are in compliance.

Also in 2019, the Wayne County Probation Department went live with Gov. Pay Services. A system set up to access Electronic-Web based payments or by the Probationer paying at the office with a credit/debit card. This new function did not go live until Mid-to-late November. By years

end, Probationers had only paid a total of \$426.30. Advertising began immediately and as this gets out, it is anticipated that financial collections will increase. This will be especially useful for all Out-of-State Transfer cases where Wayne County maintains jurisdiction of the case and the Probationer is required to pay the transferring county.

In 2010 the Department entered into an agreement with the U.S. Secret Service and a staff member completed a five-week computer forensic training program. As a result of the training/certification, Probation is now able to perform in-depth forensic examinations of computers used by probationers and has also extended those services to the District Attorney's Office and area Law Enforcement agencies. In 2011 a second staff member completed the one-week introduction course offered by the Secret Service, and in 2014 completed the five-week Basic Certification Program. Probation continues to have two fully trained Forensic examiners. In 2019, there were three officers that attended some level of Forensics training. PO Warters attended the following: BDFA-Previewing in Hudson, Ohio on 5/6/19 and 5/7/19 (16 hours); BDFA-Acquisition in Hudson, Ohio on 5/8/19 and 5/9/19 (16 hours); IDFA-AFT in New Castle, Delaware from 5/20/19 to 5/23/19 (32 hours); DCJS Social Network Investigations class (16 hours); NW3C webinar, Digital Evidence on 8/27/19; 9/12/19 webinar on, How to convict a child pornographer, and on 9/26/19 watched a webinar on Exploiting offender Psychology in proactive operations and abuse investigations. Chad McAdoo also attended the DCJS Social Networking class for 16 hours and Ryan Wunder attended a 1.5 hours NYMEC webinar on Forensic Imaging and Social Network investigations.

New York State enacted "Leandra's Law" in 2010, requiring individuals convicted of DWI to have Ignition Interlock Devices (IID) installed in vehicles that they own or operate. At years end, 2019, the Department was supervising/monitoring 340 IID cases (Probation and Conditional Discharges) with 74 Ignition Interlock Devices installed. In December, 2016, Albany advised that the original reimbursement amount of \$28,500 for IID was being reduced to \$13,556.00, a difference of \$14,944.00. In 2019, the Ignition Interlock Revenue was reduced to \$12,479.00 for a total reduction from onset of \$16,021. Reporting requirements for the Department have not changed despite the significant reduction in reimbursement from the original amount of \$28,500.00.

The Department's Probation Supervision caseload as of December 31, 2019 was 565 Probation Supervision cases and 84 JD and PINS Diversion cases, for a total of 689. Total cases including Conditional Discharges, Community Service, Money Judgments, Ignition Interlock and transfer cases in which jurisdiction was retained totaled 2674. A breakdown of Probation's Supervision Caseload is as follows: County Court (felons) 306 (44%), Justice Court (misdemeanants) 227 (32%), Family Court 32 (5%), juveniles supervised in Diversion Programs 54 (7%), 34 (6%) Juveniles Supervised in Person in Need of Supervision (PINS) programs and Interim Supervision cases 40 (6%).

Probation has been and continues to be a major participant in Wayne County's Drug Court Program. In 2019, Drug Court had Thirty-Seven (37) participants of which fourteen (14) successfully completed (graduated) from the program and three (3) were transferred to another county; three (3) participants were unsuccessful. Due to the nature in which probationer's problems are introduced to the Court, Twenty Four (24) Violations of Interim Probation

Supervision that include multiple amendments on each violation were filed. Effective December 31, 2019 twenty (20) probationers were active in the Drug Treatment Court Program.

The Wayne County Department of Probation and Correctional Alternatives employs the theories of graduated sanctions. As a result, the Department participates in programs of: Diversion, Restitution Collection, Community Service, required In-Patient and Out-Patient Programs, Electronic Monitoring, Cognitive Skills Training (T4C) and OWDS (Offender Workforce Development Specialist), Specialized DWI unit, Shock Probation Program, Conditional Release, Interim Probation Supervision, Enhanced Sex Offender Program, Drug Court participation and supervision/monitoring of Ignition Interlock Devices. Additionally, this Department has recognized the need for networking with other agencies. As a result, both the administration and line staff have taken an active role in planning groups and task forces centering on such areas as alcohol/drug offenses, domestic/family violence, sexual offenses, juvenile offenders, runaway and homeless youth, victims, jail protocols, crime coordination, etc.

In 2019, Wayne County Probation's Juvenile/Intake Unit processed a total of 152 Juvenile Delinquency Appearance Tickets, more than double the 2018 total of 70. Person In Need of Supervision referrals also increased slightly, with a total of 47 in 2019 (there were 39 in 2018). In 2019, Wayne County Probation handled 24 "Raise the Age" cases, 21 of which were designated Juvenile Delinquents, and 3 were classified Adolescent Offenders (AO's).

Wayne County Probation's Juvenile/Intake Unit continued to utilize alternatives to detention in 2019. Non-Secure detention usage was stable, with 92 non-secure nights (for 6 distinct youth) in 2019, compared to 85 non-secure nights for (9 distinct youth) in 2018. Total detention use, however, increased from 106 total bed nights in 2018, to 332 total bed nights in 2019, due to 2 "Juvenile Offenders" from Erie County, who committed a Robbery, 1st and Assault, 2nd in Clyde, NY. These two youths each spent 119 days in secure detention, in an Erie County AO Facility. No other youth were placed in secure detention in 2019. One Raise the Age/Adolescent Offender was placed in a Specialized Secure Detention for 2 nights. Electronic Monitoring was used on Juveniles in lieu of detention for a total of 512 days in 2019, a major increase from 100 days in 2018, which resulted in significant savings to the county.

Wayne County does not have a facility and will be required to either maintain involvement with the Consortium of Counties (11 total) and/or contract with a County for beds. The exact cost for this is not known.

In addition to overseeing detention, the Intake/Juvenile Unit has provided expedited dispositional investigations to Family Court, in an attempt to shorten the length of placement along with supervision to the more intensive juvenile cases.

In 2019, Probation received 493 court orders for pre-plea, pre-sentence, and pre-dispositional investigations. A breakdown for the total number of investigations reveals that Wayne County Family Court ordered 44 investigations, Supreme and County Court ordered 258, and local justice courts ordered 191.

The Wayne County Department of Probation and Correctional Alternatives is the agency designated to collect restitution payments ordered by the Courts and disperses those funds to the victims. Additionally, the Department collects fines, surcharges, Court ordered fees and imposes, as well as collects, fees for Supervision and Electronic Home Monitoring. The total collections for 2019 were as follows:

Restitution	\$ 67,204.45
Designated Surcharge	\$ 3,270.21
Fines	\$ 42,817.42
Mandatory Surcharge	\$ 34,144.84
EM Fees	\$ 9,267.00
Supervision Fees	\$ 32,413.35
Drug Testing Fees	\$ 7,509.22
Crime Victim Assistance Fee	\$ 3,115.26
Trust Account	\$ 12,481.92
Gov. Paid (Allpaid)	\$ 426.30
Gov. Pay did not start until Mid-November, 2019. Beginning of new service.	

These above figures, other than Gov. Pay, include November 1, 2018 through December, 2019. This was due to the conversion to the new Caseload Explorer database.

The Community Service Program completed its thirty second (32nd) year in 2019. This program oversees the Community Service placements ordered by County, Justice, and Family Courts and, in conjunction with the Sheriff's Department, operates the Weekend Work Program. The Weekend Work Program significantly reduces the number of intermittent (weekend) sentences by giving Courts an alternative to that disposition. In 2019, 84 referrals were made to the Community Service Program for a total of 4,191 hours. If not for this program, participants would have received a total of 699 days of jail. Based on the 2018 per diem rate of \$231.74 for incarceration in the Wayne County Jail, this program realized a County savings of \$161,986.26 in 2019. Cumulatively, since inception, the Community Service Program has produced savings of \$6,161,901.29

On December 31, 2019, there were 463 employable adult probationers. 325 (70.19%) were employed in some capacity. It should be noted, however, that a correlation between unemployment and recidivism are closely linked. In 2020, there will continue to be a department wide effort to increase the number of employed probationers, addressing both unemployment and under employment by specially trained and certified staff, programs, and services offered at the probation department.

The Electronic Monitoring Program (EM) completed its Thirty Second (32nd) full year of operation in 2018. The EM Program has the ability to monitor alcohol consumption via a transdermal ankle bracelet which provides for continuous alcohol monitoring of the offender based on a per diem contract between WC Probation and SCRAM. The program also entered into a per diem contract with STOP (Satellite Tracking of People, GPS units). During 2019 this extremely effective program saved a total of 6667 jail days which reflects a daily program average of 18.26 participants. Per the Wayne County Sheriff's Department, the projected per diem cost of an inmate at the Wayne County Jail in 2018 was \$231.74. Computing jail cost at \$231.74 per day per inmate, this program realized \$1,545,010.58 in savings to the County in 2018. Total program savings, since inception, stands at \$25,674,075.13

The Drug Testing Program is in its twenty-fourth year of operation and continues to offer a valuable tool to Probation's programs. It is commonly understood that an overwhelming number

of crimes are committed with one of the major underlying problems being substance abuse by the defendant. This program, which is used to help ensure probationer compliance with sobriety, provides the Officers with the ability to test for alcohol (ETG), T.H.C., cocaine, opiates, barbiturates, amphetamines, suboxone, methadone and ecstasy both in the office and in the field. In 2012 we added drug panels which allow staff to test for K2 spice and bupremorphine (fentanyl). During 2019 over 1,875 tests were completed consisting of 1,350 6-Panel tests, and 525 13-panel tests of which contain the ability to test for ETG. Probation will continue to drug screen Probationers to ensure early detection of use, which will assist in rehabilitative actions rather than the need for more violations resulting in increased incarcerations.

Training is an important aspect in the continued development of staff. In 2019, our Probation Staff was in 100% compliance with State Guidelines requiring 21 hours of training per Peace officer annually. Most officers exceeded the required minimum number of hours, and did so by taking advantage of local, free or low-cost training, as well as free webinars. In June 2019, one officer completed training in Monroe County to become a certified Defensive Tactics Instructor. Now all state-required annual recertification courses (Firearms, Pepper Spray, and Baton) can be completed “in house” and taught by Department staff. Also in 2019, we had two Officer’s attend the Fundamentals of Probation Training held in Monroe County at the MCC training facility on Scottsville Road. This training is a state mandated, initial Peace Officer’s Training and is required to be attended within the first year of employment. Additionally, Probation Staff has continued their enhanced training/certifications regarding forensic exams of technical devices (computers, iPads, smartphones, etc.) I anticipate that in the near future all Probation Officers will need this knowledge to effectively supervise their caseloads.

The Wayne County Department of Probation and Correctional Alternatives Staff in 2019 consisted of: Mark D. Ameele, Director of Probation; Coriza Rivera, Deputy Director; Probation Supervisors: Greg Caster, Todd DeWispelaere and Jason Mills; Senior Probation Officers: Christine A. VanDeWalle, Shannon Shear, Elizabeth Card-Celso, Richard Herbst, Steve Gergely, Kim Cornwell and Jeremy Poole; Probation Officers: Paul Loveless, Teena M. Sebastiano, William M. Hammond, Chad McAdoo, Andrea Murphy, Hulya Okdem, Mark Warters and Marc Harper, Ryan Wunder, Gerardo Vazquez, Alfred Brandt, Kayla DeWolf, Mikayla Bean and Jamie Stobie (09/03/19). Probation Assistants are Lisa Warner, Karen Brown, Tiffany DePauw and Karen Ohlrich. The clerical staff consisted of Account Clerk/Typist: Janette Rogers and Senior Account Clerk: Deborah Johnson

In conclusion, I gratefully acknowledge the Wayne County Board of Supervisors’ support of Probation Services. Additionally, I must also acknowledge the dedication, loyalty and hard work of the employees in the Probation Department who have made it possible for us to maintain the highest standards of service to the citizens of Wayne County.

Respectfully Submitted,

Mark Ameele
Director of Probation and Correctional Alternatives

Dated at Lyons, New York
January 22, 2020

