

GENESEE COUNTY PROBATION DEPARTMENT NEWSLETTER

VOLUME 3: ISSUE 1 JANUARY 2010

ANNUAL REPORT 2009

In January each County Department prepares an Annual Report for the County Manager and Legislature to review. The report outlines the workload and services provided by the Department.

In last year's January Newsletter, we outlined the services provided by our Department which included providing investigations to the Court on each individual before they are sentenced. In 2008 we prepared 812 investigation reports for the Courts with 75 prepared for Family Court and 737 prepared for the criminal courts. In 2009 we prepared 71 investigations for Family Court and 747 for Criminal Court for a total of 818 investigations.

While our investigations may have increased slightly, our collection of monies has experienced a significant increase. The Probation Department is designated by the Legislature as the restitution collection agency for the courts. As an added service, GCPD also assists in the collection of fine monies and assesses a Supervision Fee for persons who are supervised for DWI offenses. In 2008 the total of all monies collected was \$209,059.55. In 2009 the total

collected was \$253,117.75. This includes restitution to be disbursed to victims in the amount of \$108,697.40, surcharges of \$5025.67, fines disbursed to the courts in the amount of \$110,299.68 and DWI Supervision Fees in the amount of \$29,095.00. This is an increase of \$44,058.20 or 21%.

In 2009 there were 422 new cases put on probation and 395 cases discharged. In 2008 the average number of persons supervised each month was 675 while in 2009 the average was 688.

The Probation Department filed 234 Violations of Probation and 137 of our clients were revoked from probation. Of those revoked, 118 received incarceration sentences while 19 were discharged, sent to Drug Court or received Community Service. Of those who were continued on probation, 43 received jail time or were put into the new Home Confinement Program instituted in 2009 through GCPD. In Family Court, 6 juveniles were revoked and placed with DSS or put in the STAR program while 4 were continued on probation with STAR.

The intake officers counseled 511 cases and opened 64 JD and 76 PINS intakes.

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Mission Statement

The Mission of the Genesee County Probation Department is to enhance the safety of victims and communities through the fair and effective supervision of community-based offenders, community partnerships, and results-driven management practices.

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DIRECTOR'S CORNER

JULIE A. SMITH, PROBATION DIRECTOR



As we enter into 2010 I wish all of you good health and happiness and hope your holidays were filled the "presence" of family and friends.

Budget year 2010 presents challenges as New York State's reimbursement to probation and specialized programs within departments remains uncertain.

As a mandated function, probation services in counties across New York State continue to "do more with less" in terms of assistance from the State.

Genesee County Probation continues to use resources to meet the needs of our probationers, to provide community protection

and assistance to victims.

As a department we continue to partner with county agencies and providers to address the supervision of offenders and the required training of staff members in the most cost effective and efficient manner.

Favorite Probationer Quotes



"Can you write me a letter about failing my drug test so I can get my money back for the Detox that I bought." To PO Russo

"I'm on my way to the jail, you guys won I guess." To PO Bogan



"Please...please...please sir don't make me tell Sarah I smoked. She's gonna be p&#@%!"

To PO Engle after a positive drug test for marijuana.



"Can we stop at Taco Bell?"

To PO Bogan

From Probationer picked up on warrant

A PROBATION OFFICER'S FIRST YEAR

EDWARD ENGLE, PROBATION OFFICER



It is hard to comprehend that it was almost two years ago that I interviewed for the position of Probation Officer/Trainee. Walking into the interview, I really had no idea what a Probation Officer did. I knew I met the educational requirements, had some law enforcement experience from working as a security guard and had a strong work ethic.

When I received an offer for employment, I felt a sense of accomplishment, but, little did I know, I had accomplished nothing at that point. Day by day, I realized that this was a field that I could excel in. Did I know what I was doing? Absolutely not! As I worked with veteran officers, I felt like a sponge trying to absorb all that I could in a relatively fast amount of time and demonstrate to my supervisors that I could meet their expectations.

By the time I started state-mandated training I had been employed for approximately four months and had a fairly decent understanding of a Probation Officer's duties.

The first training was firearms and use of deadly physical force. Being an avid outdoorsman I had full confidence in my abilities. I knew this was an area of my training that I could truly excel in.

After qualifying in firearms, it was off to Albany for further training in Fundamentals of Probation Practice, Peace Officer and Officer Safety and Survival. My training was completed in June, but I still had over eight months left as a probationary officer and looked forward to gaining actual field experience.

I continued to try and learn as much as I possibly could from veteran officers and supervisors. Fortunately, my partner took the time to show me where I was making mistakes and how to handle situations that came up.

By October of that year I had built up a tremendous amount of knowledge in a relatively short period of time. I was supervising a full caseload of adult offenders and writing PreSentence In-

vestigations.

With five months still left on my probationary period I was focused on improving my time management and refining my methods of supervision. As my probationary period inched closer and closer, I gained more and more experience both in the field and in the office.

Coming in to work on February 11, 2009, after completing my first year on the job, I reflected on how much work it actually was to get to that point. It was busy and sometimes stressful, but when I left work that day as a Probation Officer and no longer a trainee, I did feel a sense of accomplishment. Every day brings new challenges and I have continued to try and learn more and more. I may have made some mistakes along the way, but I believe mistakes provide an opportunity to learn and grow.

Having the ability to serve the community my family and I reside in everyday is a privilege that I don't take for granted.

SEX OFFENDER MANAGEMENT PRACTICES ADOPTED BY NYS

★ Congratulations to Probation Director Julie Smith, Probation Supervisor Kevin Wright, Sr. Probation Officer Michele Tucci-Walker and former Sr. Probation Officer Judith Essig! Over the years these individuals have supervised the county's sex offender caseload and in doing so have developed documents to manage the supervision of this specific type of offender. This year New York's Department of Probation & Correctional Alternatives has made two of these documents a part of **DPCA's Sex Offender Management Practitioner Guidance** published for all of NYS.

CRIMINAL VS JUVENILE PROBATION SUPERVISION

SARAH WELKER, PROBATION OFFICER



This summer I made the transition from Juvenile to Adult Supervision. While the basic principles of supervision are similar, there are differences between the two.

In the Family Court System, there is one Court for all of Genesee County. Juveniles are held accountable and placed under probation supervision for a 6,12 or 24 month term. Frequently juveniles must rely on their parents to assist them in following through with their Conditions of Probation. Juveniles are unable to sign their own Releases of Information; they are unable to make appointments with treatment providers; and are often unable to transport themselves to and from treatment. It is not uncommon for a parent to refuse or be unable to provide the services recommended by the Court.

During the supervision period, the amount of service providers utilized by juveniles is often greater than those used by adults

as there are many agencies to which the family can be referred to address behaviors. These providers often include one or more of the following: school, mental health counselor, STAR Program, substance abuse provider and CCSI/SPOA Committee. Frequent contact with these agencies is essential in monitoring the juvenile's behavior and compliance. If a child violates their conditions of probation, the consequences can include a Judicial Reprimand, continuation on probation, placement in foster care with the Genesee County Department of Social Services or placement with the Office of Child and Family Services (Juvenile Detention).

In comparison, with Adult Supervision, there are several different Town, Village, City and County Courts. Adult supervision terms vary from 1, 3 & 5 year terms to 6 & 10 year terms for

certain sex offenses and lifetime probation. While there are additional services involved with adults, the responsibility for linkage and follow through with these services is placed solely on the defendant. Providers are involved in assisting Probation with monitoring the defendant's compliance. In most cases the number of providers is less than with juveniles. In addition, the Probation Officer must often rely on information from other community sources such as employers, family members and neighbors. Adult defendants also have graduated sanctions for noncompliance. Consequences for noncompliance under adult supervision can include a Judicial Reprimand, continued supervision, local incarceration or state prison.

Our Department, with the support of the community and service providers, works hard to assist both juveniles and adults in making life changes to become more productive members of our community.

DWI Case Study - John Doe Update

In the last issue, Mr. Doe had been Judicially Reprimanded for use of alcohol and leaving the county. He was ordered to re-engage in alcohol treatment and complete his community service hours.

When Mr. Doe was found to again be out of county and intoxicated, a Violation of Probation was filed. While the violation was pending, the defendant engaged in treatment four times a week and tested negative for alcohol. Sources in the community confirmed that he was not drinking.

In November, Mr. Doe pled Guilty to the Violation of Probation and an Updated Investigation was ordered before sentencing. The investigation report includes a summary of Mr. Doe's probation supervision and his compliance with conditions of probation for the Court.

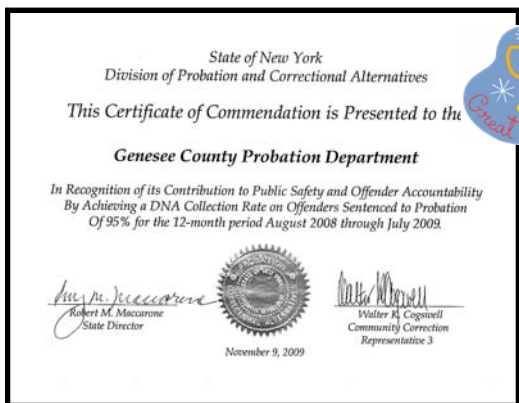
The Probation Officer will make a recommendation for sentencing based on Mr. Doe's efforts at compliance while on probation and potential for successful completion of probation. Possible sanctions include revocation with state prison or local jail time, straight or intermittent jail, home confinement and continued probation.

Since Mr. Doe is engaged in treatment, employed and now in compliance, a recommendation for intermittent incarceration is made.

In our next issue, how does Mr. Doe fare at sentencing? Will he go to state prison or will he be continued on probation with intermittent incarceration? If continued, will he be able to remain sober?



GENESEEE COUNTY PROBATION RECEIVES STATE RECOGNITION



EMPLOYEE NEWS



Probation Trivia:

Q. When was the first Bullet-proof vest invented?



A. In 1538 Filippo Negroli was commissioned to create a bullet-proof vest.
http://en.wikipedia.org/wiki/Bulletproof_vest

WE'RE ON THE WEB!

WWW.CO.GENESEE.NY.US/DPT/PROBATION

PROTECTING GENESEE COUNTY

GENESEE COUNTY PROBATION IN THE COMMUNITY



Probation Officers Rachel Mathers, Michele Tucci and Kevin Forsyth volunteered to ring bells for the Salvation Army Red Kettle Campaign at Tops in Batavia.



Merry Christmas!



This year the Genesee County Probation Department sponsored three children whose mother was deployed overseas for Christmas.

We hope Leah, Shane and Samantha enjoyed their Christmas as much as we enjoyed providing their gifts for them.



Welcome to Carrie Everett who joins the GCPD staff as the new Principal Financial Clerk!



Welcome to Stephen Babcock who joins the GCPD Staff as a new Probation Officer!



Goodbye...

GCPD bids farewell to Super PO Jeff Mileham. Jeff is moving on to Federal Probation in Rochester. Good Luck Jeff!

GENESEE COUNTY PROBATION DEPARTMENT IN THE NEWS



BATAVIA -- Thomas K. Lee, 46, of 4 MacArthur Drive, Apt. 10, Batavia was charged with two counts of felony first-degree criminal contempt and three counts of second-degree harassment at 3:46 p.m. Friday at his residence, city police said.

Lee was charged after a Probation Department residence check. He allegedly violated an order of protection twice on Friday. Two of the harassment counts involved his actions toward the protected person and one count was for his actions toward a probation officer, city police said.

Lee was arraigned and jailed pending an appearance in Batavia City Court at 1 p.m. Tuesday.

SPECIAL DETAIL (FROM BATAVIA DAILY NEWS)

150 people were charged by sheriff's deputies, state police and Corfu police before, during and after the Kid Rock/Lynyrd Skynyrd concert at Darien Lake July 16, 2009.

Nearly 100 of the charges came during a joint operation aimed at underage drinkers.

The Genesee County Sheriff's Office and State Police were joined in the operation by three Genesee County Probation Officers, the State Police Aviation Unit and supported by Genesee-Orleans Council on Alcoholism and Substance Abuse. Police said 96 were charged with underage drinking, ranging in age from 16 to 20. They were from throughout Western New York.