

## WARREN COUNTY BOARD OF SUPERVISORS

**COMMITTEE: CRIMINAL JUSTICE**

**DATE: JUNE 2, 2011**

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS BENTLEY  
GOODSPEED  
KENNY  
STRAINER  
MONROE

**OTHERS PRESENT:**

ROBERT IUSI, DIRECTOR OF THE PROBATION DEPARTMENT  
DANIEL G. STEC, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ATTORNEY/ADMINISTRATOR  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS GIRARD

**COMMITTEE MEMBERS ABSENT:**

SUPERVISORS VANNESS  
MCCOY

LOEB  
MCDEVITT  
TAYLOR  
THOMAS  
MIKE SWAN, DIRECTOR OF REAL PROPERTY TAX SERVICES  
DON LEHMAN, *THE POST STAR*  
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Bentley called the meeting of the Criminal Justice Committee to order at 10:31 a.m.

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

Mr. Bentley stated there was a request on behalf of Assigned Counsel to authorize continuation of the agreement with the Legal Aid Society of Northern New York to provide free legal services to the indigent as a Conflict Defender in the Warren County Family Court, for a term commencing May 1, 2011 and terminating April 30, 2012, in an amount not to exceed \$80,718 annually or \$6,726.50 monthly.

Motion was made by Mr. Kenny, seconded by Mr. Strainer and carried by majority vote, with Mr. Goodspeed abstaining, to authorize continuation of the agreement as outlined above. *A copy of the resolution request form is on file with the minutes and the necessary resolution was authorized for the June 17, 2011 Board meeting.*

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.*

Commencing the agenda review, Mr. Iusi pointed out that there were no pending items this month. He requested authorization to attend the New York State Council of Probation Administrators (NYSCOPA) Summer Conference in Lake Placid, New York on June 27-29, 2011. He noted the cost of the Conference was covered by the dues paid to NYSCOPA and he would utilize a County fleet vehicle.

Motion was made by Mr. Kenny, seconded by Mr. Monroe and carried unanimously to authorize Mr. Iusi to attend the Conference as outlined above. *A copy of the Authorization to Attend Meeting of Convention form is on file with the minutes.*

Mr. Iusi distributed a document entitled "Youth Court Comparative Analysis" to the Committee members noting that the document had been prepared by his Department at the request of the Social Services Committee; *a copy of the document is on file with the minutes*. He said that the Probation Department handled the juvenile justice portion of the PINS (Person in Need of Supervision) and JD (Juvenile Delinquent) Programs and the Youth Court was a pivotal component of the juvenile justice system in Warren County. Knowing that the Youth Court had ongoing funding issues, Mr. Iusi explained, the Probation Department provided the document in order to supply the Board with the information necessary to make decisions pertaining to the future of the Youth Court. He stated the document outlined how the Probation Department handled juvenile supervision cases with the Youth Court versus how the cases would be handled without the Youth Court. Mr. Iusi apprised the Probation Department had referred 14 cases to the Youth Court in 2010. Mr. Loeb voiced his appreciation to the Probation Department in the preparation of the document and he pointed out that the information would assist the Social Services Committee in assigning a monetary value to the services provided by the Youth Court which could be useful in justification of future expenditures.

Continuing, Mr. Iusi informed that it had been nearly a year since the adoption of Leandra's Law which included the Ignition Interlock Plan. The District Attorney's Office monitored the CD's (conditional discharges) for DWI (Driving While Intoxicated) cases and 77 CD's had been ordered to install an ignition interlock device on their vehicles, 12 of which had installed the device. He reminded the Committee that a loophole in Leandra's Law allowed those who were ordered to install an ignition interlock to get around the order by transferring ownership of their vehicle. He advised the issue of DWI offenders transferring ownership in order to avoid the installation of the device was a Statewide issue. Mr. Strainer suggested that knowledge of the fact that the person accepting the transfer of ownership for the vehicle would become liable for any accidents caused by the DWI offender while driving said vehicle should act as a deterrent. Mr. Kenny pointed out that in most cases the transfer of ownership was to a spouse or other family member in the same household. Mr. Iusi advised that the Probation Department had developed an affidavit for the DWI offenders to sign which stated that they neither owned a vehicle nor would they operate a vehicle for the term of the order.

Discussion ensued.

Lastly, Mr. Iusi notified the Committee that it was mandated that the County provide a 24 hour call-in crisis center to handle PINS cases when the Probation Department was closed. In the past, he continued, the Department of Social Services (DSS) paid approximately \$500 a month in order to provide this mandated service for which there had been very few calls. Mr. Iusi stated that Sheila Weaver, Commissioner of the DSS had contacted Berkshire Farms who agreed to act as the County's 24 hour call-in crisis center for PINS cases at no cost to the County. He added if the volume of calls increased, the agreement could be re-evaluated in the future.

There being no further business to come before the Criminal Justice Committee, on motion made by Mr. Goodspeed and seconded by Mr. Kenny, Mr. Bentley adjourned the meeting at 10:44 a.m.

Respectfully submitted,  
Charlene DiResta, Sr. Legislative Office Specialist