



## COUNTY OF ERIE

**MARK C. POLONCARZ**  
COUNTY EXECUTIVE

January 4, 2013

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: Acceptance of GTSC Ignition Interlock Device Monitoring Program from  
NYS DCJS**

Dear Honorable Members:

Attached, please find a proposed resolution and an accompanying memorandum from Erie County STOP-DWI Office requesting authorization to accept an award not to exceed \$167,188 from the New York State Division of Criminal Justice Services (DCJS), Office of Probation and Correctional Alternatives (OPCA) to reimburse the Erie County STOP-DWI Office and Erie County Probation Department for expenses related to the implementation of Leandra's Law.

The Erie County STOP-DWI Office and Erie County Probation Department will be monitoring individuals required by the Court to install an ignition interlock device in their vehicle.

Should your honorable body require further information, I encourage you to contact John Sullivan, Project Coordinator in the Erie County STOP-DWI Office. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in blue ink that reads "Mark C. Poloncarz". The signature is written in a cursive style and is positioned above the printed name and title of the signatory.

Mark C. Poloncarz  
Erie County Executive

MCP/bb  
Enclosure

cc: John Sullivan, Dept of Central Police Services

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Erie County STOP-DWI Office  
**Re:** Acceptance of GTSC Ignition Interlock Device Monitoring Program from NYS DCJS  
**Date:** January 3, 2013

---

### **SUMMARY**

The attached resolution and accompanying memorandum request authorization to accept an award of no more than \$167,188 from the New York State Division of Criminal Justice Services (DCJS), Office of Probation and Correctional Alternatives (OPCA) to reimburse the Erie County STOP-DWI Office and the Erie County Probation Department for expenses related to the implementation of Leandra's Law.

### **FISCAL IMPLICATIONS**

Funding, which represents reimbursement for services provided through the STOP-DWI Office and the Probation Department, will be submitted to the State once ignition interlock cases develop. This resolution requests that the Budget Office be authorized to budget expense and revenue for these programs once actual reimbursement from the State is received.

### **REASONS FOR RECOMMENDATION**

The Erie County STOP-DWI Office has received a 11/20/12 letter of approval for funding from the New York State Division of Criminal Justice Services for this purpose.

### **BACKGROUND INFORMATION**

This is the third year the state has offered reimbursement for expenses related to the implementation of Leandra's Law. Under Leandra's Law, courts must order all drivers convicted of misdemeanor and felony drunk driving charges, even first-time offenders, to install and maintain ignition interlock devices (IID) on any vehicle they own or operate for at least six months at their own expense, in addition to any other terms of sentence.

The Probation Department supervises all persons sentenced to Probation inclusive of those who have an IID condition in their probation orders. Likewise the STOP-DWI program monitors those adults sentenced to a conditional discharge with an IID requirement.

Recognizing the cost involved with implementation of this law, the OPCA applied for and received grant funding from the Governors Traffic Safety Council (GTSC) to reimburse monitoring agencies for some of that cost that ended 9/30/2012. We were recently notified that the OPCA has received a third year of funding for the period 10/1/2012-9/30/2013.

Each qualifying case handled by the Probation Department or the Erie County STOP-DWI Office will be reimbursed at \$110.21 up to a total of no more than \$167,188.

**CONSEQUENCES OF NEGATIVE ACTION**

The County will forfeit the funding.

**STEPS FOLLOWING APPROVAL**

Certified copies of this resolution will be forwarded to the Division of Budget & Management, the Office of the Comptroller, the Probation Department, and the Erie County STOP-DWI Office.

**A RESOLUTION SUBMITTED BY:  
STOP-DWI CENTRAL POLICE SERVICES**

**RE: Acceptance of GTSC Ignition  
Interlock Device Monitoring  
Program from NYS DCJS**

**WHEREAS, the New York State Division of Criminal Justice Services (DCJS), Office of Probation and Correctional Alternatives has been awarded a grant from the Governor's Traffic Safety Council (GTSC) related to the implementation of mandatory ignition interlock devices (Leandra's Law); and**

**WHEREAS, the Department of Probation is responsible for providing supervision and probation services to adults sentenced to probation including those with a condition to install an ignition interlock device; and**

**WHEREAS, the Erie County STOP-DWI Office is responsible for monitoring those adults sentenced to a conditional discharge with an ignition interlock device requirement; and**

**WHEREAS, the DCJS, Office of Probation and Correctional Alternatives will reimburse monitors at the rate of \$110.21 for each case in which an ignition interlock device is ordered, up to a maximum reimbursement of \$167,188; and**

**WHEREAS, the reimbursement will enable the Probation Department and the Erie County STOP DWI Office to recoup costs associated with the implementation of Leandra's Law.**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the County Executive is hereby authorized to enter into contract and accept reimbursement from the New York State Division of Criminal Justice Services, Office of Probation and Correction Alternatives in the amount of no more than \$167,188; and be it further**

**RESOLVED, that said reimbursement shall be recorded in the budget of the STOP-DWI Program, Fund 110 cost center 1650060 and the Probation Department, Fund 110 cost center 1261010 in proportion to the amount earned by each department or program; and be it further**

**RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as actual funds are received in order to reimburse related expense in the Probation Department or STOP-DWI program; and be it further**

**RESOLVED, that certified copies of this resolution be sent to the County Executive's Office, the Division of Budget and Management, the County Comptroller, the County Attorney, the Probation Department, and the Erie County STOP-DWI Office c/o John Sullivan 45 Elm Street, room 233.**