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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

December 11, 2015

Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

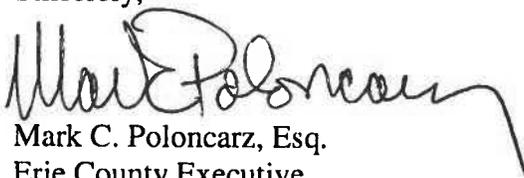
RE: Acceptance of GTSC Ignition Interlock Device Monitoring Funding from NYS DCJS

Dear Honorable Members:

Attached please find a proposed resolution requesting authorization for the STOP-DWI Office to accept grant funding from the New York State Division of Criminal Justice Services (DCJS), Office of Probation and Correctional Alternatives (OPCA). The grant will reimburse the Erie County STOP-DWI Office and the Erie County Probation Department for expenses related to the monitoring of individuals ordered to install the Ignition Interlock Devices.

Should your Honorable Body require further information, I encourage you to contact John Sullivan, Project Coordinator, at the STOP-DWI Office. Thank you for your consideration on this matter.

Sincerely,



Mark C. Poloncarz, Esq.
Erie County Executive

MCP/bs
Enclosure

cc: John Sullivan, Project Coordinator, at the STOP-DWI Office

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Central Police Services, STOP-DWI
Re: Acceptance of GTSC Ignition Interlock Device Monitoring Funding from NYS DCJS
Date: December 11, 2015

SUMMARY

The Department of Central Police Services, STOP-DWI is seeking approval for the County Executive to enter into contract to accept funding of no more than \$148,365 from the New York State Division of Criminal Justice Services (DCJS)/ Office of Probation and Correctional Alternatives (OPCA). Funds will reimburse the Erie County STOP-DWI Office and the Erie County Probation Department for expenses related to monitoring Ignition Interlock Devices.

FISCAL IMPLICATIONS

Positive for Erie County. No local match is required to receive this funding. Monitoring Ignition Interlock Devices is required by New York State law and this funding offsets the costs of performing this function. The resolution requests that the Budget Office be authorized to budget expense and revenue for these programs once actual reimbursement from the State is received. The county is reimbursed quarterly based on claims filed for cases monitored.

REASONS FOR RECOMMENDATION

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

BACKGROUND INFORMATION

This is the sixth year the state has offered reimbursement for expenses related to the implementation of Leandra's Law (Ignition Interlock). 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 including those who have an IID condition in their probation orders. Likewise, the STOP-DWI Office monitors those 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 Committee (GTSC) to reimburse monitoring agencies. Erie County was approved for continued funding for the period 10/1/2015-9/30/2016.

Each qualifying case handled by the Probation Department or the Erie County STOP-DWI Office will be reimbursed at \$135 up to a total of no more than \$148,365.

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 and Management, the Office of the Comptroller, the Probation Department and the Erie County STOP-DWI Office.

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

RE: Acceptance of GTSC Ignition Interlock Device Monitoring Funding 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 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 \$135.00 for each case in which an ignition interlock device is ordered, up to a maximum reimbursement of \$148,365.00; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to 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 \$148,365; and be it further

RESOLVED, that said reimbursement shall be recorded in the budget of the STOP-DWI Program, fund 110, cost center 1650060, funded program SDWI 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 c/o Christina Schrader 1 Niagara Plaza, room 111, and the Erie County STOP-DWI Office c/o John Sullivan 45 Elm Street, room 233.