



Broome County STOP-DWI PROGRAM

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2008

Broome County STOP-DWI Program Plan

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Broome County STOP-DWI Program

Mission Statement

To develop and coordinate a comprehensive DWI counter-measure program to deter the incidence of drunk driving and the occurrence of alcohol related traffic injuries and fatalities.

Program Description

STOP-DWI stands for "Special Traffic Options Program for Driving While Intoxicated". The STOP-DWI Program was enacted by the State Legislature in 1981 for the purposes of empowering county governments to coordinate local efforts to reduce alcohol and other drug-related traffic crashes within the context of a comprehensive and financially self-sustaining alcohol and highway safety program.

Pursuant to Article 31 Section 1197 of the New York State Vehicle and Traffic Law, the Broome County STOP-DWI Program develops and coordinates a comprehensive DWI countermeasures program - that places a priority on general deterrence – the prevention of drunk driving through the increased certainty of arrest and conviction. To that end, STOP-DWI funds extra police patrols that are dedicated to DWI enforcement. STOP-DWI also provides specialized breath testing equipment and video cameras to police agencies as well. The District Attorney's office receives funds to hire an additional prosecutor to specialize in DWI cases. STOP-DWI also funds a position with the Broome County Probation Department to deal with recidivist DWI offenders.

In order to educate the public about the dangers of drunk driving, the increased certainty of arrest and harsh penalties one faces if convicted, a large print and electronic media campaign have been undertaken.

Additionally, STOP-DWI sponsors numerous training seminars for professionals who deal with various aspects of the drunk driving issue. STOP-DWI also works with local middle and high school SADD Chapters and conducts outreach programs and community based education efforts. The STOP-DWI Program also sponsors a high school basketball tournament, a high school baseball tournament, a bicycle race, a 5K Run and a girl's softball tournament, using the popularity of sports to further promote the STOP-DWI message.

STOP-DWI funding is limited to enhancement programs, which reduce the incidence of drunk driving, and is supported entirely by the fines paid by people convicted of driving while intoxicated.

**Broome County
STOP-DWI Program**

Year 2008 Objectives

ENFORCEMENT AND ADJUDICATION COMPONENT:

- ★ Continue the STOP-DWI Task Force Program involving specially marked patrol vehicles and overtime patrols that are dedicated to DWI enforcement.
- ★ Continue the video tape program in which DWI offenders are video taped at the scene of arrest and at police stations.
- ★ Purchase specialized breath testing equipment and supplies for DWI enforcement.
- ★ Support specialized crash investigation and reconstruction efforts among Broome County's law enforcement agencies.
- ★ Continue the STOP-DWI Prosecution Program with the Broome County District Attorney's Office.
- ★ Continue the STOP-DWI Probation Program with the Broome County Probation Department.
- ★ Continue funding an in-house random drug testing program for DWI Probationers.

EDUCATION AND PUBLIC AWARENESS COMPONENT:

- ★ Continue specialized education programs for enforcement, prosecution, education and treatment professionals who deal with various aspects of the drunk driving issue.
- ★ Conduct a comprehensive electronic and print advertising campaign to promote awareness about the DWI issue.
- ★ Conduct special events such as the STOP-DWI Holiday Classic, STOP-DWI World Youth Classic, STOP-DWI Tournament of Champions, Chris Thater Memorial and the Danielle Stento Project to further promote the STOP-DWI message to youth and the community.

EDUCATION AND PUBLIC AWARENESS COMPONENT: - Continued

- ★ Conduct community outreach by public speaking engagements, presenting booths at health fairs and trade shows and by making available videos, displays and printed materials to schools and other organizations.
- ★ Continue to support SADD at the middle and high school levels.

ADMINISTRATIVE/EVALUATION COMPONENT:

- ★ Work with the STOP-DWI Advisory Board, local officials and public and private community organizations to develop and coordinate a comprehensive DWI countermeasure program.
- ★ Monitor and evaluate traffic accident, arrest and conviction data to assess the effectiveness of Broome County's STOP-DWI effort.
- ★ Seek private/corporate sponsorship to help finance education and promotional efforts.

2008 BUDGET HIGHLIGHTS

- ★ Application of DWI fine revenues to cover FY2008 program expenses at no cost to local taxpayers.
- ★ Application of DWI Probation Supervision Fees to fund STOP-DWI's Probation programming.
- ★ Application of STOP-DWI Holiday Classic funds to help finance STOP-DWI Program Manager position.

2008 STOP-DWI Program Plan

INTRODUCTION

The 2007 STOP-DWI Program represents Broome County's continued fight to combat the drunk driving problem. The 2008 STOP-DWI Program Plan continues those initiatives undertaken in previous years in order to maintain a long-term comprehensive approach in the fight to combat drunk driving. The 2008 funding initiatives contained herein will help strengthen the general deterrence model of our criminal justice system to successfully combat the drunk driving problem. The key program areas are: 1) Law Enforcement, 2) Prosecution, 3) Education and Public Awareness, and 4) Probation and Treatment.

STOP-DWI Finances

According to Section 1197 of Article 43-A of the Vehicle and Traffic Law, the STOP-DWI Program is supported entirely by the fine money paid by people convicted of DWI and AUO (aggravated unlicensed operation due to alcohol). New York State counties receive 100% of the fine amount that is deposited into a restricted fund for STOP-DWI. There are two revenue sources for the STOP-DWI Program: The Justice Court Fund and District Court Fund. The Justice Court Fund is administered by the Office of the State Comptroller and collects all fine monies from Broome County's Magistrate Courts and returns this fine money to Broome County Department of Finance on a quarterly basis. The District Court Fund is administered by the Broome County Finance Department and collects DWI fine money directly from Broome County Courts and the City of Binghamton. From 1982 through 2007, nearly \$7.6 million has been invested towards the fight to combat drunk driving in Broome County at no cost to the taxpayer. The projected 2007 year end fund balance in the STOP-DWI Restricted Fun is \$50,000. The proposed 2008 budget for the Broome County STOP-DWI Program is \$415,000.

STOP-DWI Program Revenues

Funding for the 2008 STOP-DWI Program budget is made possible from the combination of revenues from three sources: (1) DWI fines, (2) DWI probation supervision fees and (3) STOP-DWI Holiday Classic trust funds.

The primary revenue source for FY 2008 operations is DWI fine revenues as established by Article 31 Section 1197 of the New York State Vehicle & Traffic Law. STOP-DWI fine revenues have averaged \$383,408 per year for the last 7 years (2000 – 2006).

As arrest and convictions go...so goes the program. In that regard, the average number of DWI arrests have totaled 749 per year for the last 7 years. (2006's total was 744.) At the same time, the Broome County District Attorney's Office has maintained one of the top conviction

rates in New York State. (Ranks #6 in the State.)

Historically, STOP-DWI has been able to maintain FY budgets greater than its annual DWI fine revenue totals through use of appropriating money from its reserve fund. However, STOP-DWI Reserve funds were depleted in 2005. Until STOP-DWI can build a reserve to acceptable standards (10% of operating) it must rely on the following revenue sources: annual DWI fines revenues, STOP-DWI Holiday Classic trust account funding and DWI Probation supervision fees.

<u>Fiscal Year</u>	<u>DWI Arrests</u>	<u>DWI Revenues</u>
2000	825	\$456,635
2001	762	\$393,019
2002	766	\$406,451
2003	660	\$359,278
2004	743	\$314,356
2005	740	\$376,263
<u>2006</u>	<u>744</u>	<u>\$377,855</u>
7 Year Average:	749	\$383,408

The collection of DWI fines has improved significantly as a result of the Broome County Probation Department DWI fine collection program (started in September '99). STOP-DWI and Probation are evaluating the feasibility of expanding this collection program from County Court, where it currently operates, to City and Magistrate Courts. Broome County's budget estimate for DWI fine revenues in 2008 is \$370,000.

The second (alternative) revenue source proposed for FY 2008 operation is the collection of a DWI Probation Supervision Fee as per Section 257-c of the Executive Law of New York State. This fee was first established in Broome County as part of STOP-DWI's 2006 budget.

Section 257-c of the Executive Law allows counties to charge a fee of \$30 per month and the option to waive all or part of such fee because of the indigence of the offender. In addition, Section 257-c provides that monies collected are required to be used for probation services and would not be considered by New York State when determining state aid reimbursement pursuant to Section 246 of the Executive Law. New York State does not authorize a probation supervision fee for any other crime category.

In 2007, Broome County Probation has about 223 DWI probationers. Since issues of indigency/hardship must be addressed (as per Section 257-c) Broome County Probation has developed a sliding scale of fees. Some people pay \$5 or \$10 a month, others the full \$30/month. The following are revenue estimates for this program.

- Estimated revenue generated if all 223 probationers paid \$10/month would be \$26,760.
- Estimated revenue generated if all 223 probationers paid \$20/month would be \$53,520.
- Estimated revenue generated if all 223 probationers paid \$30/month would be \$80,280.

Assuming an 80% collection rate on an overall average of \$20/month, Broome County could realize \$42,816 per year. Broome County’s budget estimate for DWI supervision fees in 2008 is \$35,000.

In summary, Probation will continue to administer the program, set the fees, determine indigency and collect the money (that will be deposited in STOP-DWI’s revenue account).

The third revenue source is from the STOP-DWI Holiday Classic trust account. This special account was established by the Broome County Legislature to enable STOP-DWI to receive corporate sponsorship and grants to fund the STOP-DWI Holiday Classic. All expenses incurred for the tournament are paid from this account. STOP-DWI will use \$10,000 in funds to support the STOP-DWI Program Manager position whose job duties include running the tournament in 2008.

Another potential source of revenue is STOP-DWI’s reserve fund. Entering 2008 STOP-DWI projects the total rollover (fund balance) at year end to be \$50,000.

**2008 STOP-DWI Projected Revenues
Summary**

DWI Fine Money	\$370,000
DWI Probation Supervision Fees	\$ 35,000
Trust Account (STOP-DWI Holiday Classic)	<u>\$ 10,000</u>
Total	\$415,000

**SUMMARY OF PROPOSED 2008 FUNDING
Broome County STOP-DWI Program
Comparison of FY 2005 to 2007 Budgets to Proposed 2008 Budget**

<u>STOP-DWI PROGRAM AREA</u>	<u>CONTRACT NUMBER</u>	<u>2005 FY FUNDING</u>	<u>2006 FY FUNDING</u>	<u>2007 FY FUNDING</u>	<u>2008 FY PROPOSED</u>
<u>Law Enforcement</u>					
<u>STOP-DWI Task Force Program</u>					
Binghamton Police	CA1512-1	\$15,000	\$15,000	\$15,000	\$22,140
Vestal Police		\$15,000	\$15,000	\$15,000	\$23,700
Endicott Police		\$15,000	\$15,000	\$15,000	\$10,660
Johnson City Police		\$15,000	\$15,000	\$15,000	\$ 9,840
Sheriff’s Office		\$15,000	\$10,000	\$12,000	\$ 8,200
Deposit Police		\$ 2,000	\$ 2,000	\$ 2,500	\$ 820
Port Dickinson Police		\$ 2,000	\$ 2,000	\$ 2,500	\$ 2,500
<u>Law Enforcement Equipment</u>	CA1513				

Maintenance/Repair/Supplies for all police agencies county-wide	\$ 8,750	\$ 6,750	\$ 6,750	\$ 6,750
Purchase of Alco-Sensors, Radar, Camera Equipment – Vestal Police	-----	-----	-----	\$ 5,000
NYS Police	-----	-----	-----	\$ 4,140
<u>Prosecution</u>				
Broome County District Attorney's Office - One Assistant District Attorney II	\$50,000	\$40,000	\$40,000	\$40,000
<u>Education/Public Information/Public Awareness</u>				
STOP-DWI Public Information and Public Awareness Campaign	\$50,000	\$45,000	\$50,000	\$55,000
County-wide Training/Community Education	\$ 3,550	\$ 3,250	\$ 5,000	\$ 8,000
<u>Probation/Rehabilitation/Treatment</u>				
Broome County Probation Department DWI Felony Supervision Program – One Senior Probation Officer	\$30,000	\$30,000 *	\$30,000 *	\$35,000 *
<u>STOP-DWI Coordinator's Office</u>				
Salary Expenses for a Full-Time STOP-DWI Coordinator, Program Manager & Secretary	\$128,216	\$126,573	\$131,628	\$135,081
Fringe Benefits	\$ 31,014	\$ 39,136	\$ 36,211	\$ 38,376
Office Supplies	\$ 9,470	\$ 10,291	\$ 9,411	\$ 9,793
Indirect Cost	-----	-----	-----	-----
Total Office	<u>\$168,700</u>	<u>\$176,000</u>	<u>\$177,250</u>	<u>\$183,250</u>
TOTAL BUDGET	\$390,000	\$375,000	\$386,000	\$415,000

* Funded by monthly DWI Supervision Fees as per Section 257-C of the New York State Executive Law.

2008 STOP-DWI Law Enforcement Program

Over the years, Broome County STOP-DWI's law enforcement initiatives have included dedicated full time patrols, overtime patrols, equipment purchases and training programs for area police agencies.

The Broome County STOP-DWI Program seeks to continue its 2007 initiatives by supporting the STOP-DWI Task Force Vehicle Program deployed by Binghamton Police and the STOP-DWI Overtime Patrol Program conducted by the Sheriff's Office, Endicott, Johnson City, Vestal, Port Dickinson and the Deposit Police. In addition, STOP-DWI intends to provide equipment and supplies and fund specialized training for area police agencies (as well as to the District Attorney, Probation and other agencies) to further assist efforts to combat drunk driving.

2008 STOP-DWI Task Force Vehicle Program - CA-1512-1:

This funding initiative is directed at maintaining the highly successful and very visible STOP-DWI Task Force Vehicle Program. It is very important that this patrol program continue as it plays a critical role in the deterrent model followed by STOP-DWI.

The 2008 STOP-DWI Task Force Vehicle Program per CA-1512-1 will involve the City of Binghamton Police that covers the major metropolitan area of Broome County. According to this agreement, Broome County STOP-DWI will provide funding for a specially marked patrol vehicle in exchange for the deployment of a dedicated DWI patrol on a regular full-time basis (40 hours per week) at the key times of day and days of week identified as peak DWI periods. By continuing the STOP-DWI Task Force Patrols, the STOP-DWI enforcement effort achieves high visibility in the City of Binghamton. Therefore, STOP-DWI wishes to renew contract CA1512-1 with Binghamton to enable this agency to use STOP-DWI grant money to help purchase a vehicle, radar, in-car video system or other DWI equipment in exchange for deploying a dedicated officer in the specially marked STOP-DWI Task Force Vehicle on a full time basis.

2008 STOP-DWI Task Force Overtime Patrol Programs CA-1512:

The Broome County STOP-DWI Program proposes to continue funding the overtime patrol program detailed in CA-1512 with the Broome County Sheriff's Office, Endicott, Johnson City, Vestal, the Village of Port Dickinson and Village of Deposit Police Departments. Funding would not exceed the totals as listed for each agency as outlined in the chart below. As stipulated in CA-1512, the entire grant is directed at paying the overtime costs necessary to deploy extra patrols during those peak hours and days of week during 2008. Grant monies do not cover court overtime expenses only actual patrol coverage costs. The Sheriff's Program will be paid for through the interdepartmental chargeback system.

General Law Enforcement Equipment, Maintenance and Supplies – CA-1513:

Pursuant to Contract CA-1513, the STOP-DWI Program is responsible for the cost of supplies, maintenance and calibration of all STOP-DWI purchased equipment that is provided to local police agencies, the District Attorney, Probation and any other contract agency. The cost of these obligations will total \$6,750 for 2008.

2008 Law Enforcement Equipment Grants – CA1513:

Each year the Broome County STOP-DWI Program funds a variety of law enforcement initiatives as part of its comprehensive program. STOP-DWI proposes allocating \$9,500 toward equipment purchases such as alco-sensors, radar and cameras for 2008.

Summary of 2008 Law Enforcement Funding

<u>Agency</u>	<u>Contract</u>	<u>Grant</u>	<u>N.T.E. Grant Amount</u>
<u>STOP-DWI Task Force Vehicle Program</u>			
Binghamton Police	1512-1	STOP-DWI Task Force Vehicle Program	\$22,140

STOP-DWI Task Force Overtime Program

Broome County Sheriff	1512	STOP-DWI Overtime Patrol	\$ 8,200
Deposit Police	1512	STOP-DWI Overtime Patrol	\$ 820
Endicott Police	1512	STOP-DWI Overtime Patrol	\$10,660
Johnson City Police	1512	STOP-DWI Overtime Patrol	\$ 9,840
Port Dickinson Police	1512	STOP-DWI Overtime Patrol	\$ 2,140
Vestal Police	1512	STOP-DWI Overtime Patrol	\$23,700

STOP-DWI Equipment

All Law Enforcement Agencies, District Attorney, Probation and various other contract agencies.	1513	Maintenance and Repair of STOP-DWI Equipment	\$ 6,750
New York State police	1513	Purchase of radar, video cameras and/or Accident reconstruction equipment to be Determined in 2008.	\$ 4,500
Vestal Police	1513	Purchase of alco-sensors, radar and/or Video equipment to be determined in 2008.	\$ 5,000

2008 STOP-DWI Prosecution Component

In response to the 1981 STOP-DWI Law, Broome County's STOP-DWI Program has strengthened prosecution efforts by assisting with funding for a full-time Assistant District Attorney. This position will be maintained in year 2008 to enable the District Attorney's Office to specialize in prosecuting misdemeanor and felony drunk driving cases.

STOP-DWI will help fund this initiative with a \$40,000 grant. STOP-DWI funding will cover part of the salary of the Assistant District Attorney in charge of DWI prosecution. Broome County will cover any net salary costs plus all fringe benefits. The District Attorney's Office will be reimbursed through the interdepartmental chargeback system.

2008 STOP-DWI Education, Public Information, Public Awareness

STOP-DWI intends to continue its education, public information and public awareness programs with a \$63,000 budget appropriation.

2008 Education and Training

Each year Broome County STOP-DWI helps support police, prosecution, probation and community based organizations by either conducting or sending personnel to specialized training programs. Broome County STOP-DWI has appropriated \$8,000 to fund specialized training opportunities for Criminal Justice and Human Service personnel that deal with the DWI problem. STOP-DWI works with local police agencies, school districts, hospitals and not-for-profit organizations to conduct a variety of education programs. Regarding law enforcement, STOP-DWI has partnered with the Zone 6 Police Academy with SFST (Standard Field Sobriety Training), Accident Reconstruction training, Drug Awareness/Identification training and Alcohol Servers training. In addition, STOP-DWI works with the Governor's Traffic Safety Committee and local school districts to conduct Drug Identification Training for Education Professionals.

\$8,000 Subtotal allocated to fund Education and Training

2008 STOP-DWI Public Information and Public Awareness

The following is a summary of the television, radio and print public awareness projects that will be conducted out of the Office of STOP-DWI Coordinator for 2008.

\$20,000.00 Funding for public service announcements to be aired on the local television stations. It is anticipated that there will be a cooperative funding effort between Broome County and the surrounding New York State counties to conduct this particular campaign.

\$20,000.00 Funding for public service announcements and STOP-DWI promotional campaigns on local radio stations.

\$ 5,000.00 Funding for the Chris Thater Memorial – a world class cycling and running event that is held in memory of Chris Thater, who was killed by a drunk driver.

\$ 5,000.00 Funding for a STOP-DWI Program public informational and promotional campaign. To cover cost of publishing pamphlets, educational materials and the purchase of promotional items.

\$ 5,000.00 Funding for signage with Binghamton Senators Hockey Team at Broome County Veterans Memorial Arena and Binghamton Mets Baseball Team at NYSEG Stadium.

\$55,000.00 Subtotal allocated for Public Information and Public Awareness

\$63,000.00 Total Budget STOP-DWI Education, Public Information and Public Awareness

2008 STOP-DWI Probation Program

The STOP-DWI Program will continue funding a Senior Probation Officer to supervise a special DWI Probation caseload. The objective of this probation program is to provide a more concentrated effort on evaluating and monitoring the DWI offender. It is hoped that this program will serve as both an education and rehabilitation mechanism for the offender in order to effectively impact the behavior of the DWI offender.

The Broome County STOP-DWI Program intends to fund this position in the Broome County Probation Department with \$30,000 in revenues received from the assessment of monthly supervision fees paid by DWI offenders on Probation. This funding will cover the net salary and fringe benefit expenses after reimbursement from the New York State Division of Probation and Correctional Alternatives. The STOP-DWI Probation Program will be paid for through the interdepartmental chargeback system.

2008 STOP-DWI Administration

The 2008 funding of \$183,250 for the Office of the STOP-DWI Coordinator includes the salary and fringes of the full time Coordinator, Program Manager and Secretary as well as office supplies and charge back expenses.

<u>Office of STOP-DWI Program</u>	<u>2008</u>
Salary Expense of the STOP-DWI Coordinator, Program Manager and Secretary	\$135,081
Fringe Benefits	\$ 38,376
Office Supplies/Chargebacks	<u>\$ 9,793</u>
	\$183,250

The Office of the STOP-DWI Program is charged with the task of carrying out the mandates of Section 1197 of the Vehicle and Traffic Law and must effectively manage the numerous projects that comprise Broome County's STOP-DWI efforts. The Broome County STOP-DWI Program develops, coordinates and evaluates a variety of programs in the areas of law enforcement, prosecution, probation and education and public information that are described in this document.

Please see the 2008 Program Objectives at the beginning of this document.