

STOP
DWI New
York

ONTARIO COUNTY

ONTARIO COUNTY

STOP-DWI PROGRAM

1983-2011

TWENTY- NINE YEARS OF REDUCING

THE DEATHS AND INJURIES

CAUSED BY DRINKING AND DRIVING

TABLE OF CONTENTS

| | PAGE |
|-----------------------------------------------------|------|
| NARRATIVE 2010 | 1 |
| ADVISORY BOARD 2010 | 2 |
| PUBLIC INFORMATION AND EDUCATION | 3 |
| PROSECUTION | 3 |
| ADMINISTRATION | 4 |
| REHABILITATION; MENTAL HEALTH/FLACRA | 4 |
| PROBATION | 4 |
| ENFORCEMENT BY DEPARTMENT | 5 |
| COURTS / MAGISTRATES | 6 |
| UNDERAGE ENFORCEMENT INITIATIVES | 6 |
| WOMEN OFFENDER STATISTICS | 7 |
| DISTRICT ATTORNEY STATISTICS | 8 |
| NON-FATALITY ALCOHOL CRASHES | 9 |
| FATALITY ALCOHOL CRASHES | 10 |
| GRAPHS: | |
| FATALITY CRASHES, DEATHS; ALCOHOL CRASHES, ALL AGES | 11 |
| ALCOHOL CRASHES, UNDER AGE 21; WOMEN | 12 |
| ARRESTS, CITY DEPARTMENTS; SHERIFF AND STATE POLICE | 13 |
| ARRESTS, PERCENTAGES BY DEPARTMENT | 13 |
| ARRESTS, TOTALS, DRUG RELATED, UNDER 21, WOMEN | 14 |
| ARRESTS, REFUSALS OF BREATH TEST | 15 |
| ARRESTS, FELONY; REPEAT OFFENDERS | 15 |
| FUNDING PERCENTAGES BY ACTIVITY | 16 |

New York State's STOP-DWI is based on the philosophy that innovative local efforts are the key to solving the drinking/driving problem. The emphasis of the program is to coordinate as many deterrents as possible, providing comprehensive solutions.

Ontario County STOP-DWI is responsible for the development of local programs which discourage drinking and driving. Each county is free to consider local conditions when deciding the direction of its programs. Funding in past years has come entirely from court-imposed fines from offenders, with no tax dollars at any level used to support our activities. However, in 2011 a decrease in both arrests and fine collections resulted in a deficit of \$16,700 which was financed by Ontario County. Budget items were cut during the year in an attempt to keep the deficit as low as possible.

During 2011, our program continued to provide detailed information about the mechanics of drinking and driving in Ontario County. We track every DWI arrest through the courts, and trace drinking drivers through the rehabilitation process. We also provide data about alcohol-related motor vehicle crashes and fatalities. Our Annual Report is available online at www.co.Ontario.ny.us, under "Departments" and "STOP-DWI."

This was a year with eleven fatal crashes in Ontario County, one of them with alcohol present and two with drugs present. This compares to last year's seven fatal crashes and deaths with two alcohol fatalities. There were 115 non-fatal alcohol crashes, compared with 134 in 2010.

Seven drivers, two men and five women, were arrested under the 2010 felony Leandra's Law which provides severe sanctions on impaired drivers who have children under the age of fifteen in their cars. The second provision of this law is a requirement for ignition interlock devices to be installed in the cars of offenders convicted of a misdemeanor or felony DWI. The Ontario County Probation Department is providing monitoring and oversight for the interlock requirement, an activity partially funded by a Governor's Traffic Safety Committee grant based on number of devices actually installed by sentenced offenders.

Oversight of STOP-DWI is provided by District Attorney R. Michael Tantillo, one of the original Advisory Board members. The Coordinator is Dru Malavase, Assistant Coordinator from 1984 to 2003 and Coordinator for the past eight years. The STOP-DWI office is located at the county's Safety Training Facility at 2914 County Road 48 in Hopewell.

**2011
STOP-DWI ADVISORY BOARD
ONTARIO COUNTY TRAFFIC SAFETY BOARD**

| | |
|---------------------|--------------------------------------------------------------------|
| Carl Belawske | ABATE Motorcycle Club Representative |
| Brent Bowman | Sergeant, NYSP Troop E, Canandaigua |
| Kevin Case | Senior Probation Officer /STOP-DWI Probation Officer |
| Sharon Donovan | Director, Probation Department |
| David Frasca | Sergeant, Sheriff's Department, DWI Program Officer |
| Jeffrey Harloff | Ontario County Emergency Manager |
| James Harvey | Retired County Court Judge and former District Attorney |
| Kevin Henderson | Canandaigua School District, Safety Advisor (and a County Coroner) |
| George Herren | Retired Director, Real Property. Motorcycle Safety Advocate |
| Wayne Houseman | Town Councilman and former Town Supervisor, Town of Bristol |
| Greg Kerrick | NYS Department of Transportation Resident Engineer |
| Jason Maitland | Director of Security, Finger Lakes Community College |
| Donald Ninestine | Retired Teacher. Board of Supervisors, Geneva City |
| Richard Onze | Retired Teacher. Former Chair, Public Safety Committee |
| James Picchi | Sergeant, Geneva Police Department |
| Ethel Peters | Retired Principal, Geneva Schools. Former Supervisor, Geneva |
| Robert Purple | Retired , NYS Department of Transportation |
| R. Michael Tantillo | District Attorney |
| Jon Welch | Chief, Canandaigua Police Department |

Dru Malavase STOP-DWI Staff
Telephone: 585 396-4308 Fax: 585 396-4295 E-Mail: Drusilla.Malavase@co.ontario.ny.us

PUBLIC INFORMATION AND EDUCATION

Funding was provided for the Geneva Boys and Girls Club and the Never Alone Club, a teen recovery program in Bloomfield..

We continue our concern about our drivers under the age of 21, who represent 6.7% of the licensed drivers. They accounted for 35 (8.33%) of the DWI arrests and 7.83% (15.67% in 2010) of the alcohol-related motor vehicle crashes. One of these crashes was drug related. Deterring underage drivers who continue to drink and drive at both high school and college levels remains a high priority with our Advisory Board.

We also funded school, community, and server training (FAIR) presentations by deputies from the Ontario County Sheriff's Department. The Cops in Shops program was continued, and Underage Stings involved joint efforts of the Sheriff's Department, Geneva Police Department, New York State Police, State Liquor Authority and the Department of Motor Vehicles. We were a sponsor of the Ontario County Safety Council's 47th Annual Safety Awards.

PROSECUTION / DISTRICT ATTORNEY

Our two funded Assistant District Attorneys, with backup by several other ADA's, Filed 106 (82 in 2010) reports on cases in all parts of the county. A comparison of the last four years of reports is found on page 8. It is interesting to note the continuing low level of both jury and non-jury trials over the past year. ADAs Kirk Hazen and Neal McClelland worked full time preparing and prosecuting DWI cases. They researched case law and supplied hundreds of letters of reply, notice, and/or affirmation. The Ontario County DA's office had the state's highest percentage of DWI convictions over DWAI convictions for the calendar year 2010. ADA Hazen continued as a resource instructor and writer for the New York Prosecutors Training Institute.

Continuing this year were Victim Impact Panels, a joint project of the DA's office and the Probation Department, with assistance from the Sheriff's Department and Alternatives to Incarceration. Cathy Crowley does the scheduling and documentation. Panels were held five times during the year with attendance running about 70 per panel as DWI victims told their stories to offenders. Offenders are sentenced to attend by the courts or as a condition of Probation, and jail prisoners are also required to attend. Special sessions for women were held during the year as part of our initiative to target women offenders with gender-specific assistance. ADA Kathy Valone assisted with the VIP women's panels which began in the fall of 2007.

ADMINISTRATION

In addition to her normal duties as STOP-DWI Coordinator, Dru Malavase has continued to serve as the Treasurer of the New York State STOP-DWI Foundation, a 501c3 Corporation which disburses funding to local, regional, and statewide programs. Among other activities she assisted Naples and Red Jacket High Schools with planning for Mock DWI presentations, and through the STOP-DWI Foundation facilitated a grant from the Rochester Community Foundation Chris Craft fund to pay for expenses related to the presentations. The Ontario County Sheriff Department and the two city police departments received several Governors' Traffic Safety Committee grants for which Ontario County STOP-DWI provides administrative coordination.

REHABILITATION

MENTAL HEALTH

FLACRA counselors, overseen by Mental Health, continued to provide services in the Ontario County Jail at the new Hopewell correctional facility. Counselors attempt to help drinking drivers serving time in jail to change their habits and lifestyles. Programs were focused on offenders meeting criteria for STOP-DWI and Alternatives to Incarceration, since that program also provides funding. Special efforts are made to encourage DWI offenders to participate in treatment after leaving the jail. During the year both men and women, were served, for a grand total of 5592 (5014 in 2010) units of service. The jail initiated a special unit ("pod") for DWI and drug offenders so they can more easily receive enhanced services. The county's Substance Abuse Services department, Turnings, in now part of the Mental Health Department, and Counselor Pamela Muxworthy continued to help with the women offenders initiative at Victims Impact Panel sessions and with offender counseling.

PROBATION

STOP-DWI continued to fund a Senior Probation Officer, Kevin Case, whose job has involved spending both office hours and additional work time on non-traditional hours, making visits to probationers at home, and checking bars to assure that convicted DWI offenders who are not permitted to drink are not doing so. Operation Night Watch, which paired probation officers with deputy sheriffs to make home visits and bar checks had to be discontinued because of budget constraints. Probation Officer Sue Cirencione served with the women offenders initiative. Virginia Gumaer-Muller oversaw the Ignition Interlock program required by Leandra's Law, a major undertaking.

During the year the Probation Department opened 133 (131in 2010) new DWI cases, and completed 181 (206) Pre-Sentence Investigation reports for DWI cases; most of these were for County Court, but there are occasional requests for this service from city and town courts as well. The Department counts DWI offenders as representing about 25% of their caseload.

LAW ENFORCEMENT

ONTARIO COUNTY OFFICE OF SHERIFF

| | 2009 | 2010 | 2011 |
|-----------------------------|---------------|---------------|---------------|
| Total Arrests | 189 | 248 | 230 |
| Arrests with Crashes | 70 | 83 | 87 |
| Percentage Crashes | 37.09% | 33.47% | 37.83% |

CANANDAIGUA POLICE DEPARTMENT

| | 2009 | 2010 | 2011 |
|-----------------------------|---------------|---------------|---------------|
| Total Arrests | 94 | 61 | 52 |
| Arrests with Crashes | 10 | 16 | 9 |
| Percentage Crashes | 10.64% | 26.23% | 17.31% |

GENEVA POLICE DEPARTMENT

| | 2009 | 2010 | 2011 |
|-----------------------------|---------------|---------------|--------------|
| Total Arrests | 75 | 108 | 66 |
| Arrests With Crashes | 13 | 16 | 3 |
| Percentage Crashes | 17.33% | 14.81% | 4.55% |

NEW YORK STATE POLICE ARRESTS - ALL STATIONS

| | 2009 | 2010 | 2011 |
|-----------------------------|---------------|---------------|---------------|
| Total Arrests | 87 | 82 | 68 |
| Arrests With Crashes | 16 | 24 | 13 |
| Percentage Crashes | 18.39% | 29.26% | 19.12% |

CLIFTON SPRINGS, PHELPS, MANCHESTER POLICE DEPARTMENTS

NEW YORK STATE PARK POLICE

One arrest each, none with a crash

TOTAL ARRESTS

| 2009 | 2010 | 2011 |
|-------------|-------------|-------------|
| 445 | 501 | 420 |

COURT SERVICES ADJUDICATION / MAGISTRATES

A total of \$2925. (\$6640 in 2010) was paid to Ontario County towns and to the Canandaigua Police Department for court reporting on adjudicated cases in 2011. This valuable information is an important part of our tracking system.

Our town courts are very consistent in their use of all available sentencing options and are outstanding in their cooperation with our program. They successfully adjusted to the new requirement for sentencing offenders to install interlock devices on their cars.

UNDERAGE ENFORCEMENT INITIATIVES

Advisory Board member Sgt. David Frasca continued to represent Ontario County STOP-DWI on the regional task groups addressing the problem of underage drinking in colleges.

The Intelli-Check machines, purchased for the use of all enforcement agencies and for loan to licensed premises, were used to scan drivers' licenses and detect altered and faked identification documents. Several bars have purchased similar machines of their own.

During the course of the year an increasing number of sting operations were conducted throughout the county and the City of Geneva. These joint stings have resulted in the closing of several persistent trouble spots, with others in jeopardy of losing their liquor licenses.

STOP-DWI has been represented at meetings of the Partnership for Ontario County.

The Social Host Law which deals with underage drinking was vigorously enforced throughout the year, with a total of 17 arrests reported in several towns.

2011 WOMEN'S STATISTICS

NUMBER OF WOMEN DWI/DWAI: 114/420. 28.62%
(27.45% in 2010)
DRUG-RELATED ARRESTS: 19/80. 23.75%
(29.70% IN 2010)

WOMEN AVERAGE BAC 11.67%
(15.95% IN 2010)
MEN 15.1%
(14.75% IN 2010)

LEANDRA'S LAW ARRESTS 5/7 71.43%
(2/4 50% IN 2010)

NO ALCOHOL FATALS

MV ALCOHOL CRASHES 39/115 33.91%
(42/134 31.34% IN 2010)

MV CRASHES WITH DRUGS 3/9 33.33%
(10/24 41.66% IN 2010)

PERSONAL INJURY CRASHES 8
(10 IN 2010)

PROPERTY DAMAGE CRASHES 31
(32 IN 2010)

DISTRICT ATTORNEY STATISTICS FOR 2008 – 2011

| | 0809 | 10 | 11 | |
|--------------------------------------------|-------------|-----------|-----------|------------|
| NUMBER OF REPORTS | 81 | 98 | 82 | 106 |
| FOUND GUILTY AS CHARGED | 11 | 15 | 8 | 5 |
| FOUND GUILTY TO REDUCED CHARGES | 6 | 3 | 3 | 4 |
| PLED GUILTY AS CHARGED | 30 | 28 | 34 | 25 |
| PLED GUILTY TO REDUCED CHARGES | 2 | 2 | 4 | 4 |
| DISMISSED OR NOT GUILTY | 0 | 2 | 0 | 0 |
| JURY TRIALS | 12 | 8 | 6 | 4 |
| NON-JURY TRIALS | 9 | 10 | 11 | 6 |
| CASES SCREENED | | | | 331 |
| GRAND JURY INDICTMENTS | | | | 23 |
| REPLIES | | | | 281 |

ONTARIO COUNTY ALCOHOL NON-FATAL CRASH INFORMATION 2011

| | | | |
|---------------|------|-----|---------------------------|
| TOTAL CRASHES | 2010 | 134 | (26.75% of total arrests) |
| | 2011 | 115 | 27.38% |

| | | | |
|----------------|------|----|----------|
| INJURY CRASHES | 2010 | 38 | (28.36%) |
| | 2011 | 35 | 30.43% |

| | | | |
|-----------------|------|----|----------|
| PROPERTY DAMAGE | 2010 | 96 | (71.64%) |
| | 2011 | 80 | 69.57% |

| | | | |
|--------------------|------|----|----------|
| DRUG INVOLVED, ALL | 2010 | 24 | (17.91%) |
| | 2011 | 9 | 7.83% |

AVERAGE BLOOD ALCOHOL WHERE KNOWN: FEMALE .11 MALE .13

| | | | |
|------------------|------|----|---------|
| REVOKED LICENSES | 2010 | 12 | (8.95%) |
| | 2011 | 8 | 6.96% |

| | | | |
|-----------|------|----|----------|
| PRIOR DWI | 2010 | 36 | (26.86%) |
| | 2011 | 26 | 22.61% |

| | | | |
|--------------|------|----|----------|
| UNDER AGE 21 | 2010 | 21 | (15.67%) |
| | 2011 | 9 | 7.83% |

| | | | |
|---------------------|------|---|----------|
| UNDERAGE WITH DRUGS | 2010 | 3 | (12.50%) |
| | 2011 | 1 | 11.11% |

| | | | |
|--------|------|----|----------|
| FEMALE | 2010 | 42 | (31.34%) |
| | 2011 | 39 | 33.91% |

| | | | |
|-------------------|------|----|----------|
| FEMALE WITH DRUGS | 2010 | 10 | (41.66%) |
| | 2011 | 3 | 33.33% |

2011 MOTOR VEHICLE FATALITIES

There were 11 fatality crashes in 2011. Of these, one was alcohol-related and two were drug related.

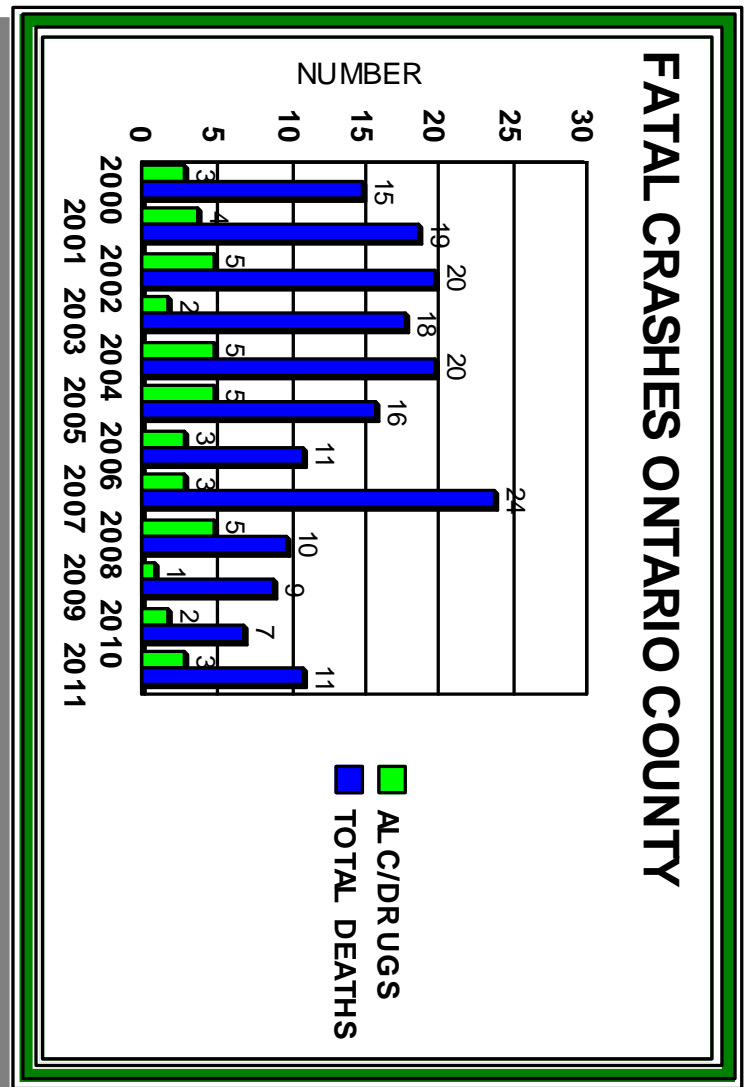
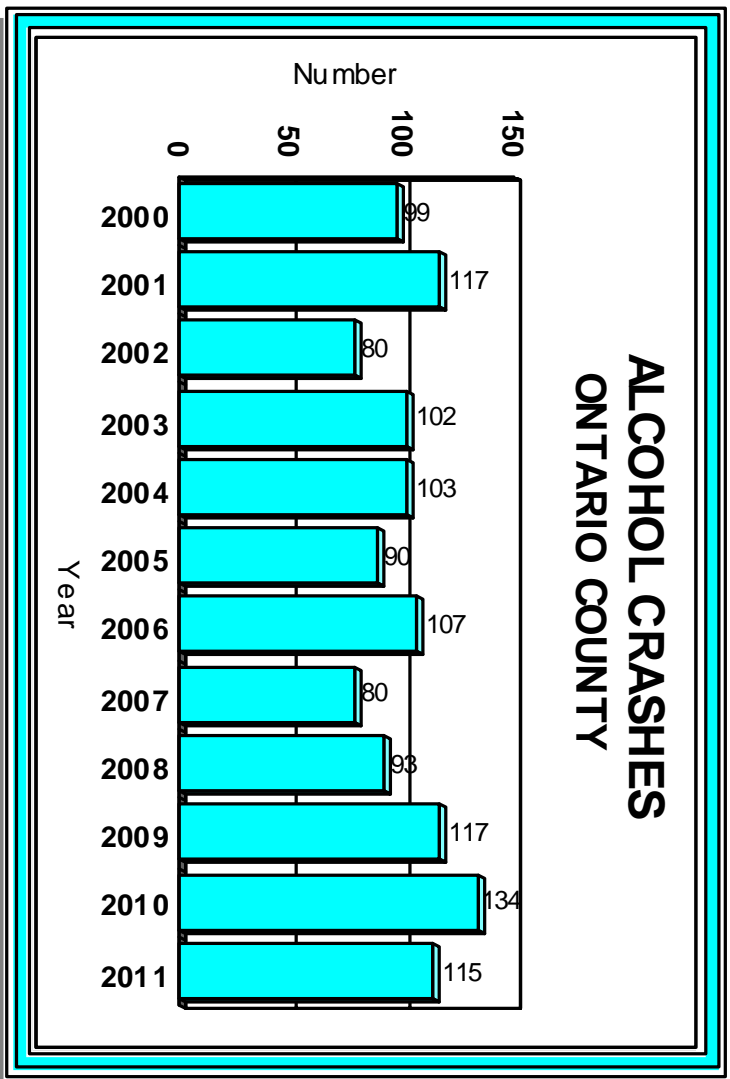
The alcohol-related fatality was to a male pedestrian age 60. The drug related fatalities were single vehicle crashes with male drivers aged 20 and 48.

Of the eight non-alcohol related crash victims, five were male and three were female. They ranged in age from 14 to 87. Three were drivers, three were passengers, and two were pedestrians. Vehicles included a snowmobile, a motorcycle and a bicycle.

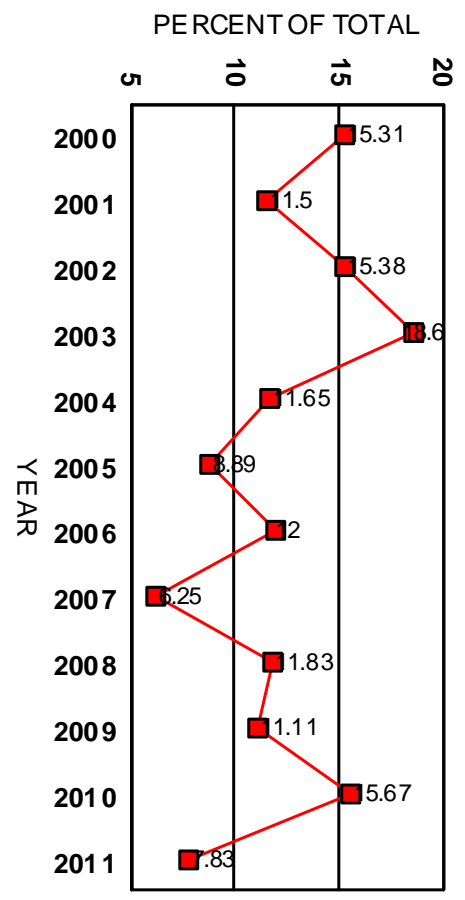
The age distribution of ALL those fatally injured follows.

| Ages | 2011 | 2010 | 2009 | 2008 | 2007 |
|-----------|------|------|------|------|------|
| Under 16 | 1 | 0 | 0 | 2 | 1 |
| 16-21 | 1 | 2 | 1 | 0 | 8 |
| 22-35 | 1 | 1 | 2 | 3 | 3 |
| 36-45 | 0 | 2 | 1 | 1 | 3 |
| 46-55 | 3 | 0 | 2 | 1 | 4 |
| 56-65 | 1 | 1 | 3 | 2 | 2 |
| 66-75 | 1 | 1 | 0 | 0 | 1 |
| 76 & over | 3 | 0 | 1 | 0 | 2 |

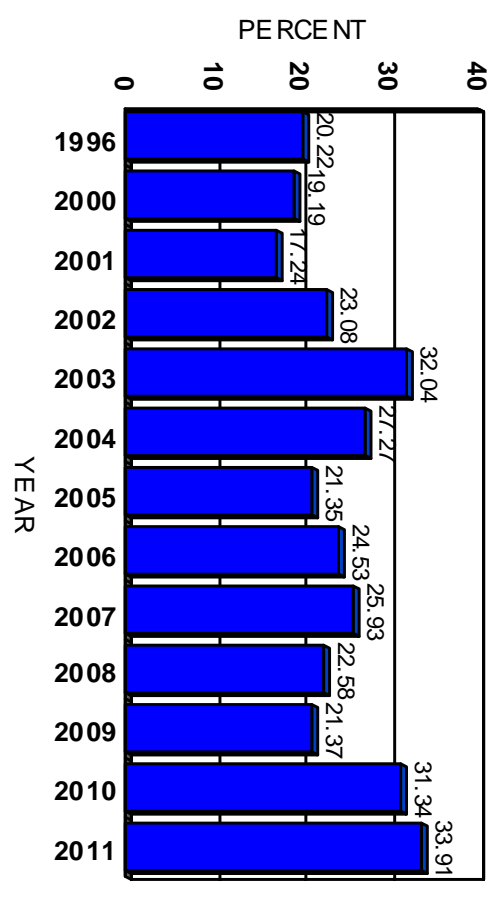
* Our statistics conform to federal and state guidelines for alcohol-related crashes, in which a Blood Alcohol Count of .01 or more of anyone deceased in a crash meets the definition. Drivers with medical conditions which directly cause crashes are not counted.

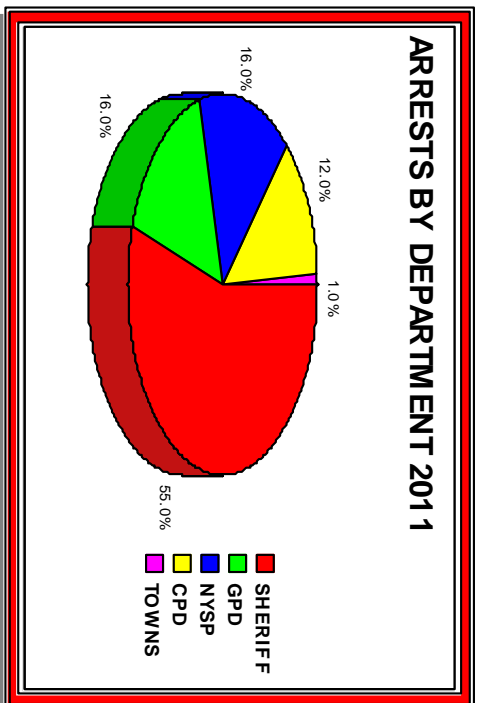
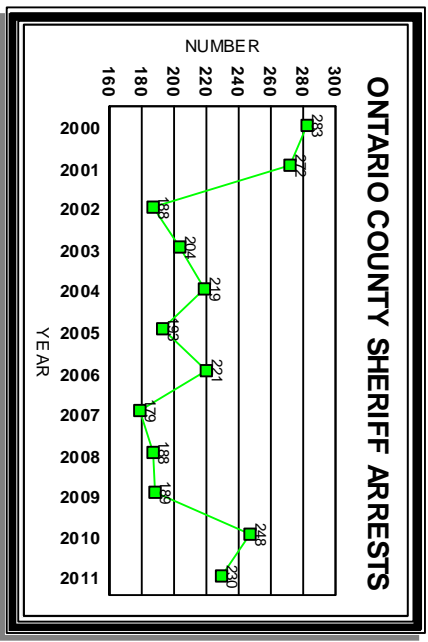
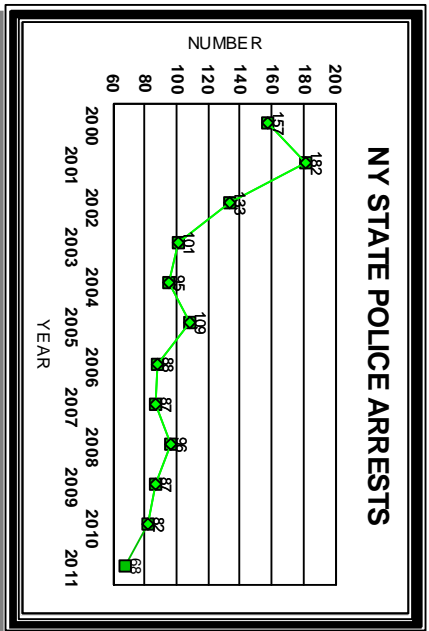
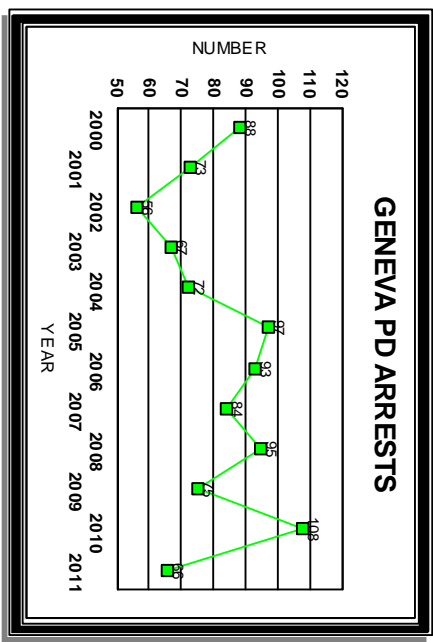
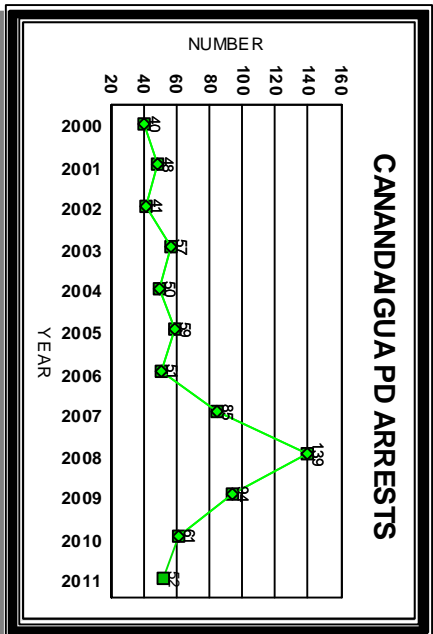


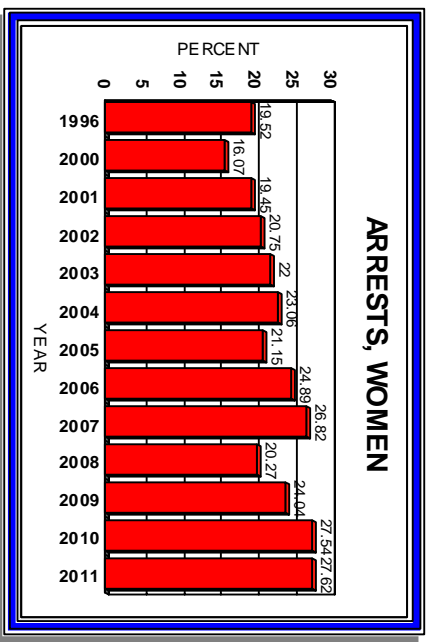
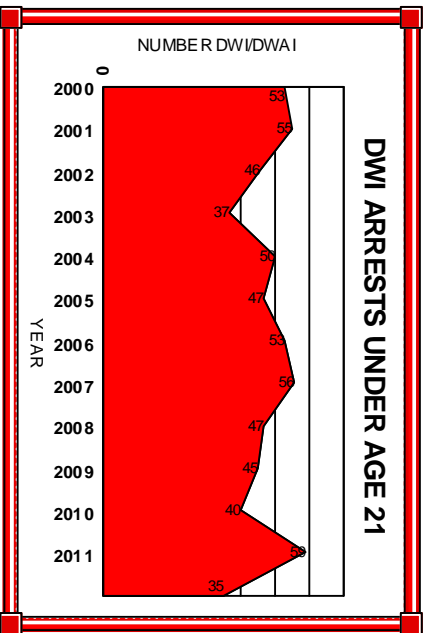
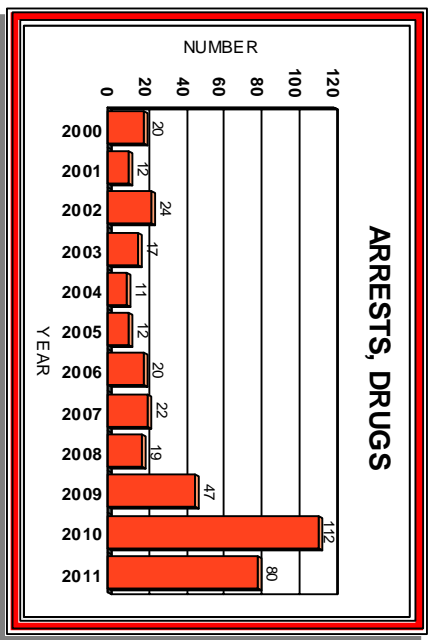
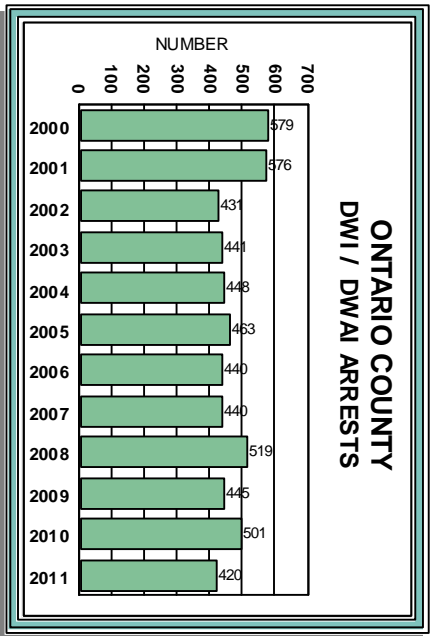
ALCOHOL CRASHES UNDERAGE DRIVERS

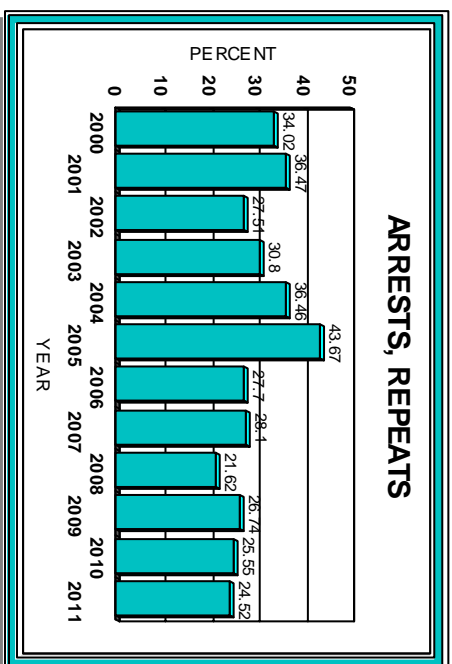
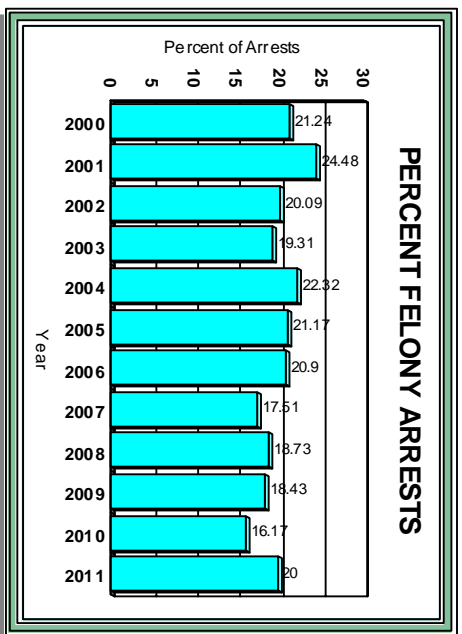
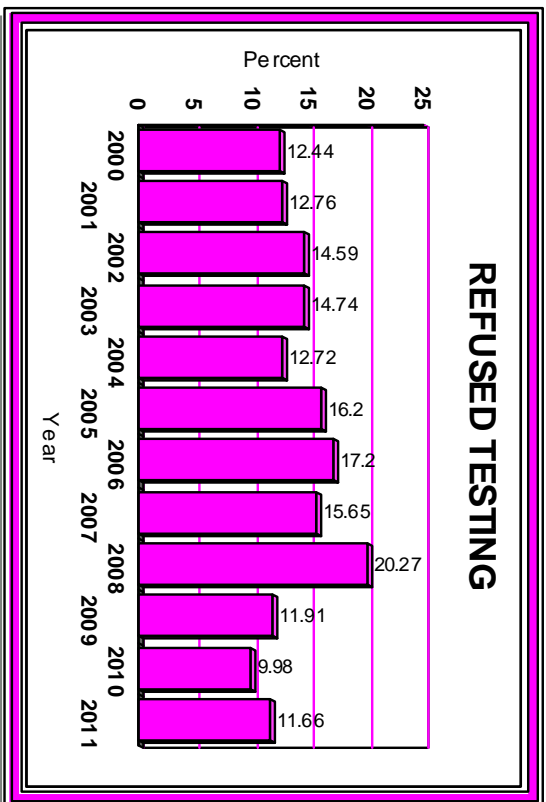


CRASHES, WOMEN









2011 EXPENSES BY PROGRAM

