



Division of Criminal Justice Services

ANDREW M. CUOMO
Governor

MICHAEL C. GREEN
Executive Deputy Commissioner

ROBERT M. MACCARONE
Deputy Commissioner and Director

**TO: All Probation Directors and Commissioners
Ignition Interlock Monitors
District Attorneys**

**FROM: Robert M. Maccarone, Deputy Commissioner and Director *R.M.M.*
Office of Probation and Correctional Alternatives**

DATE: March 2, 2016

RE: "Leandra's Law" Implementation—2015 Annual Report

A total of 4,608 ignition interlock devices (IID's) were installed in the motor vehicles of DWI and other alcohol-related criminal offenders during the period January 1, 2015 through December 31, 2015 in New York State (NYS). This represents 26.9% of the 17,104 operators ordered to install IID's in motor vehicles which they "own or operate". Many operators—non-installers sell their motor vehicles or transfer ownership and/or registration as their NYS Driver's License has been suspended or revoked following sentence. Importantly, the 26.9% installation rate is limited to IID's reported to DCJS by probation departments/monitors during the installation period immediately following the court order—in most cases at sentencing. IID Manufacturers consistently report IID installation totals that exceed those reported by probation departments/monitors—7,212 during 2015. The difference represents IID's installed in the motor vehicles of sentenced operators who subsequently regain their NYS Driver's Licenses, often months and even years following sentence. By law, the IID Restricted Driver Condition continues on the operator's NYS Driver's License File through the maximum period of probation supervision/conditional discharge.

In comparing the number of IID installations (aggregate data) reported by IID Manufacturers with the IID installations (case specific data) reported by probation departments/monitors, it appears that the actual IID installation rate in New York State is approximately 40% of court orders. A copy of both the *2015 Ignition Interlock Annual Report* and the *IID Total Program Report through 2015* are attached. Additional IID statistical reports may be accessed at: <http://www.criminaljustice.ny.gov/opca/ignition.htm>.

Also attached is the *IID Negative Events/Failed Tests by County Report for 2015*. This informative report reflects a number of operator driving events including Missed Service Visits; Failed/Missed Start-up Re-tests; Failed Start-up Re-tests with BAC Range $\geq .08$; Failed/Missed Rolling Re-tests; Failed Rolling Re-tests with BAC Range $\geq .08$; Lock-outs Initiated; Vehicles Disabled and Attempted Circumvention or Tampering—by County. Counties are encouraged to reconvene their Leandra's Law Planning Committees and review this data.

Additionally, please continue to submit your IID Quarterly Monitors Reports to dcisopcaiireports@dcjs.ny.gov and DCJS' Finance Office within 30 days of the close of the quarter. The next reports for the 2016 First Quarter (January-March) are due *no later than Monday, May 2, 2016*. Guidance documents for the quarterly reporting process have been developed for both CE and Non-CE reporting counties. These have been uploaded to the Integrated Justice Portal (IJP) for reference. They are located under the following sequence of tabs: Resources > Reference Library > Probation > Ignition Interlock and the Non-CE guide is also available on the OPCA Website <http://www.criminaljustice.ny.gov/opca/ignition.htm>.

Should you have any IID related questions, please contact Community Correction Representative Gary Govel at Gary.Govel@dcjs.ny.gov. Thank you for your continued cooperation in the implementation of Leandra's Law and the extensive work undertaken in your jurisdiction.

Attachments:

- 1) 2015 Ignition Interlock Annual Report
- 2) IID Total Program Report through 2015
- 3) 2015 IID Negative Events/Failed Tests by County for 2015

cc: OCA/Supervising Judges
Executive Deputy Commissioner Michael C. Green