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STATE DIRECTOR'S MEMORANDUM #2013-10

TO: All Probation Directors and Commissioners

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

RE: "Roadside Stop—Probation/Parole Inquiry Response Program"

DATE: May 20, 2013

I am pleased to advise you that New York State is implementing the "**Roadside Stop—Probation/Parole Inquiry Response Program**" this week. As you are aware, when a probationer with an open supervision case in New York State's Integrated Probation Registrant System (IPRS) is rearrested for a fingerprintable offense, a notification of that rearrest is forwarded to the supervising agency. Such notification plays a crucial role in offender accountability and the supervision process by providing timely information to the probation department regarding the probationer's arrest and alleged continued criminal behavior. However, probation professionals are also aware that individuals under supervision frequently have contact with police officers that may not necessarily result in arrests or fingerprintable arrests. The circumstances of these contacts, particularly as it concerns motor vehicle operator behaviors resulting in traffic stops by police, may also provide meaningful information to the supervision process, which until now has not been available to our probation departments. OPCA proposed this program and we are pleased to announce that this gap is being addressed with the implementation of the "Roadside Stop—Probation/Parole Inquiry Response Program", a collaborative effort between DCJS and the New York State Police.

Through this project, when a police officer submits a query to DMV using an individual's driver's license number, vehicle registration number, or VIN number subsequent to a traffic stop, the name, gender, and DOB returned from DMV will be sent to DCJS and compared with the probation, parole, and Wanted/Missing persons files for possible matches. A list of possible matches are ranked and returned to the police officer who made the stop. When the police

officer selects a possible match from the list who is under probation supervision, the information provided will include the offense for which the person is being supervised, as well as the name and phone number of the supervising probation department (the phone number returned will be that associated with the agency's ORI). Since these queries are not fingerprint based, the results returned will include a disclaimer that the subject should not be searched, detained, or arrested based solely on that information. Further, the disclaimer will request that the police officer contact the supervising agency should the subject be arrested for a new offense, or if the subject is determined to be traveling outside the jurisdiction of the supervising probation department.

The "Roadside Stop" Project will improve police officer safety during traffic stops by raising their awareness of the person they have stopped, including supervision information which may include offenses of violence, weapons possession, resisting arresting arrest, and more. Further, this project will increase the report of non-arrest contacts with probationers to the supervising agency via follow-up phone calls by the police. This process will provide police and probation with additional offender information such as scenarios where a subject reported to be under probation supervision in a particular county comes into contact with a police officer outside of the supervising jurisdiction, as well as information for possible curfew and travel violations and more.

The following is a screen shot showing a sample of a result which may be returned to a police officer via "Roadside Stop" follows for your reference.

The screenshot displays the eJusticeNY Integrated Justice Portal interface. The search results are as follows:

Search Criteria	Results
Last: turner First: megan Birth Date: 07/11/1982 Sex: Female	<p>DMV Drivers License</p> <p>Status: VALID (Non-CDL) License Class: *D* Expiration: 07/11/2017 Name: TURNER, MEGAN Client ID: 737582205 Birth Date: 07/11/1982 Sex: Female Height: 5' 6" Eye Color: BLUE Address: 65 CAMPBELL ST NEWBURGH, New York 12550 (more)</p>
NYS Parole	No hit
NYS Probation	<p>***HIT***</p> <p>Do not search, detain or arrest based solely on this information. Contact the supervising official if this subject is arrested for a new offense.</p> <p>Name: TURNER, MEGAN Birth Date: 07/11/1982 Sex: Female Race: White Ethnicity: Not Hispanic State ID: 10150090</p> <p>Expiration: 04/05/2015 Offense: Driving While Intoxicated- 1st Offense</p> <p>Supervising Agency ORI: NY035013G - PROB ORANGE CO Phone: 845-291-2619 Case Number: 2013-0094 (less)</p>
NYS Order of Protection	No hit

OPCA thankfully acknowledges our partners in DCJS, the Office of Information Technology Services (ITS) and the New York State Police for their work on this important project. OPCA will continue to work with these partners on the "Roadside Stop Program" with

the intention of developing a component through which the information sent to the police agency will be sent contemporaneously to the supervising probation department.

Please contact OPCA Community Correction Representative Gary Govel at (518) 457-4336 with any questions you might have regarding the “Roadside Stop” Program. “Roadside Stop” provides an important tool to law enforcement to protect police officers, assist our probation departments in holding offenders accountable and improve community safety.