



STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES
OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES
80 Wolf Road
Albany, New York 12205
<http://criminaljustice.state.ny.us>

SEAN M. BYRNE
ACTING COMMISSIONER

ROBERT M. MACCARONE
DEPUTY COMMISSIONER
AND DIRECTOR
(518) 485-7692
(518) 485-5140 FAX

Kathleen Rooney
Schenectady County Manager
Schenectady County Office Building
620 State Street
Schenectady, New York 12305

June 29, 2010

Dear County Manager Rooney:

On November 18, 2009, Governor David A. Paterson signed into law the Child Passenger Protection Act or Chapter 496 of the Laws of 2009, referred to as "Leandra's Law". As you are aware, this important new law will help reduce drunken driving in New York State and promote traffic and community safety. "Leandra's Law" charged the NYS Division of Probation and Correctional Alternatives with the responsibility to promulgate regulations governing the monitoring of compliance by persons ordered to install and maintain ignition interlock devices on vehicles they own or operate. These regulations were promulgated as emergency regulations on April 23, 2010. Section 358.4 of these regulations requires that every County establish an ignition interlock program plan with respect to usage of ignition interlock devices and monitoring the compliance of an operator subject to installation of an ignition interlock device as directed by the sentencing court.

In order to facilitate this process, the Office of Probation and Correctional Alternatives (OPCA) prepared a simple plan document, which was largely prescriptive in format to ease preparation and submission. OPCA has received your plan and very much appreciates its timely submission. We have carefully reviewed and hereby approve your plan. I would like to take this opportunity to compliment you on its thoroughness, the extensive level of cooperation you received in the preparation of the plan, and your integration of the new forms into the process. Your plan indicates that Schenectady County will be well-positioned to implement the new law on August 15th.

I would like to take this opportunity to make a few observations regarding the new statewide ignition interlock initiative and the newly promulgated regulations. In the process of crafting the new regulations the workgroup learned that first time offenders have a relatively low recidivism rate and are not likely to need the higher levels of technology and scrutiny offered by Class III devices. Additionally, there was a lot of feedback from counties concerning the cost of the devices and what they perceived would be high rates of "unaffordability". Given these factors

the workgroup crafted regulations that allow for different levels of devices with different levels of costs so that monitors can match risk with appropriate devices. Higher risk cases can receive higher Class devices and lower risk cases can receive lower Class devices. The selection of all Class III devices for both probation and conditional discharge cases could inflate the cost to operators and increase the number of waivers granted by the court due to the increased cost of the devices, without providing the commensurate increase in public safety. As counties move forward with the implementation of the interlock initiative, OPCA recommends that the monitors of both the probation and conditional discharge cases be allowed the flexibility to choose the Class of device for each operator so they can align the risk of the operator with the appropriate level of device.

OPCA looks forward to our continued work together as we implement this new public safety measure. Should you have any questions please feel free to call or e-mail Walter Cogswell at 518-485-5168 or Walter.Cogswell@dpc.state.ny.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert M. Maccarone".

Robert M. Maccarone
Deputy Commissioner and Director

c. Mary Lolik, Probation Director



New York State
Division of Probation and Correctional Alternatives (DPCA)

IGNITION INTERLOCK PROGRAM PLAN

DAVID A. PATERSON
GOVERNOR



ROBERT MACCARONE
STATE DIRECTOR

SCHENECTADY COUNTY IGNITION INTERLOCK PROGRAM PLAN

INSTRUCTIONS: In accordance with New York State Division of Probation and Correctional Alternatives (DPCA) Rules and Regulations 9 NYCRR Section 358.4, every county, and the City of New York, shall establish an ignition interlock program plan with respect to the usage of ignition interlock devices and monitoring compliance of any operator subject to the condition of an ignition interlock device as directed by a sentencing court. Such plan shall be approved, as applicable, by the county executive, county administrator, etc., and in cities with a population of one million or more, the mayor, and become effective on or before August 15, 2010. **The plan shall be filed with DPCA no later than June 15, 2010.** Where a plan has been amended by the county/city, it shall be promptly filed with DPCA in advance of its new effective date. Please complete all portions of the attached plan and return **no later than June 15, 2010** to:

**Walter Cogswell
Community Corrections Representative III
NYS Division of Probation and Correctional Alternatives
80 Wolf Road – Suite 501
Albany, New York 12205**

Or E-Mail
Applications2010@dpca.state.ny.us

NOTE: This plan form has been prepared so that you may check appropriate boxes and type responses into expanding text boxes.

Plan prepared by:
Name: Mary Lolik
Title: Probation director
Phone Number: 518-388-4553
E-Mail: Mary.Lolik@schenectadycounty.com
Address: Street: 620 State Street
City: Schenectady
Zip Code: 12305

Questions about plan should be directed to:

Same as above
Or

Name
Phone
E-Mail

1. Every county/city shall develop a plan in consultation with the county/city’s probation director, district attorney, and in New York City the district attorney from each of the five boroughs, sheriff or Police Commissioner where applicable, STOP–DWI Coordinator, a representative of its drinking driver program where applicable and where more than one program exists in the county, a representative designated by the county executive, a superior and local criminal court judge designated by the administrative judge for the county, and in New York City a superior and local criminal court judge designated by the deputy chief administrative judge, a representative of an agency providing legal services to those unable to afford counsel in criminal cases designated by the county executive. A county/city may consult with other persons or entities as the county executive deems appropriate with respect to development of its plan. Indicate those consulted in the preparation of this plan. Check all that apply:

- District Attorney and in NYC the District Attorney from each of the five boroughs
- Drinking Driver Program Representative
- Local Criminal Court Judge
- Police Commissioner (Specify Department)
- Probation Director
- Representative of Legal Services for Indigent
- Sheriff
- STOP-DWI Coordinator
- Superior Court Judge
- Other (Specify)
- Other (Specify)

2. Every plan shall specify monitoring by the probation department where the operator is subject to a period of probation supervision.

- The Probation Department is designated as the monitor where the operator is subject to a period of probation.

3. Every plan shall specify the persons or entities responsible for monitoring where an ignition interlock device has been imposed pursuant to a conditional discharge. The following are designated to monitor conditional discharge cases:

- District Attorney
- Drinking Driver Program
- Police Commissioner (Specify Department)
- Probation
- Sheriff
- STOP-DWI Coordinator
- TASC
- Traffic Safety Board Representative
- Other Agency or Organization* (Specify:)

*Must be similar individual, agency or organization; cannot be a qualified manufacturer and/or installation/service provider.

Comments: (Provide any additional comments, if any, regarding the monitoring of conditional discharge cases here)

Provide contact information for your designated monitors: (attach additional pages if necessary)

Department/Agency: Schenectady Probation Contact Name: Cindy Morgan Phone Number: 518-388-4375 E-Mail: cindy.morgan@schenectadycounty.com Address: Street:620 State Street City: Schenectady Zip Code: 12305 For Conditional discharges	Department/Agency: Schenectady county Contact Name: Thomas Zampella Phone Number: 518-388-4251 E-Mail: thomas.zampella@schenectadycounty.com Address: Street:620 State Street City: Schenectady Zip Code: 12305 For Probation Cases
Department/Agency: Contact Name: Phone Number: E-Mail: Address: Street: City: Zip Code:	Department/Agency: Contact Name: Phone Number: E-Mail: Address: Street: City: Zip Code:

4. Every plan shall establish that where an operator is under probation supervision, the department selects the specific class and features of the interlock device from a qualified manufacturer in its region. The operator may select the model of the ignition interlock device, meeting the specific class and features selected by the probation department from a qualified manufacturer in the operator's region of residence.

This plan establishes that where an operator is under probation supervision, the department selects the specific class and features of the interlock device from a qualified manufacturer in its region. The operator may select the model of the ignition interlock device, meeting the specific class and features selected by the probation department from a qualified manufacturer in the operator's region of residence.

5. Every plan shall establish that where an operator has received a sentence of conditional discharge, the monitor shall select the class of ignition interlock device available from a qualified manufacturer in its region for any such operator. The operator may select the model of the ignition interlock device from within the class designated by the monitor from a qualified manufacturer in the operator's region of residence.

This plan establishes that where an operator has received a sentence of conditional discharge, the monitor shall select the class of ignition interlock device available from a qualified manufacturer in its region for any such operator. The operator may select the model of the

ignition interlock device from within the class designated by the monitor from a qualified manufacturer in the operator's region of residence.

6. In the event more than one qualified manufacturer does business within its region, the county/city shall establish an equitable procedure for manufacturers to provide ignition interlock devices without costs where an operator has been determined financially unable to afford the costs and has received a waiver (waiver cases) from the sentencing court. The equitable procedure should be based upon the proportion of ignition interlock devices paid to each qualified manufacturer by operators in the county/city.

Describe the procedure that the county/city will utilize to ensure the equitable distribution of waiver cases among manufacturers operating in the county/city. This will require coordination between the courts and monitors.

In Schenectady County the Probation Department will be monitoring the probation supervision and conditional discharge cases. The Schenectady County Probation Department shall therefore maintain a master log of all ignition interlock cases (probation supervision and conditional discharge) assigned to each vendor within each class of device. The log will categorize cases into two categories: paying cases and waived cases. Prior to the assignment of a waived case to a vendor, the Probation Department shall evaluate the master log to determine which vendor has proportionately the least number of waived cases to total cases within that class of device. The case will be assigned accordingly.

7. Every plan shall establish a distribution formula for any available funding earmarked for probation supervision and/or monitoring purposes associated with 9 NYCRR Part 358 (Handling of Ignition Interlock Cases Involving Certain Criminal Offenders).

Describe the distribution formula that the county/city will utilize for any funding specifically provided for probation supervision and/or monitoring purposes associated with DPCA Rules and Regulations 9 NYCRR Part 358. Counties may choose to distribute funds according to the percentage of cases handled by each monitoring entity.

Schenectady County Probation will receive the funding as they are monitoring the probation and conditional discharge cases.

Provide contact information for fiscal officer:

Name: Deborah Mancini

Title: Acting Commissioner

Phone Number: 518-388-4266

E-Mail: deborah.mancini@schenectadycounty.com

Address: Street: 620 State Street

City: Schenectady

Zip Code: 12305

8. Every plan shall establish a procedure whereby the probation department and any other monitor will be notified no later than five (5) business days from the date an ignition interlock condition is imposed by the sentencing court, any waiver of the cost of the device granted by the sentencing court, and of any intrastate transfer of probation or interstate transfer of any case which either has responsibility to monitor. Such procedure shall also establish a mechanism for advance notification as to date of release where local or state imprisonment is imposed.

- a. Describe the procedure the county/city will utilize to ensure the probation department and any other monitor will be notified of the ignition interlock condition no later than five (5) business days from the date an ignition interlock condition is imposed by the sentencing court.

The sentencing court will e-mail or fax a copy of the Monitor Notification of Ignition Interlock Order (DPCA-510-IIN) within five(5) business days.

The sentencing court shall provide to the defendant a copy of the Schenectady County Ignition Interlock Program Instruction Sheet (SCP-IIN1).

The sentencing court shall forward signed copies of the Monitor Notification of Ignition Interlock Orders (DPCA-510-IIN) and Probation and/or Conditional Discharge Orders and Conditions ((DPCA-10PRO-IID) (DPCA-10CD-IID) to the Probation Department. This must be done within 5 working days.

- b. Describe the procedure the county/city will utilize to ensure the probation department and any other monitor will be notified no later than five (5) business days from the date an ignition interlock condition is imposed by the sentencing court of any waiver of the cost of the device granted by the sentencing court.

The sentencing court will check the appropriate box on the Monitor Notification of Ignition Interlock Order (DPCA-510-IIN) which they will e-mail or fax to the Probation department within five(5) business days..

- c. Describe the procedure the county/city will utilize to ensure the probation department and any other monitor will be notified no later than five (5) business days from the date an ignition interlock condition is imposed by the sentencing court of any intrastate transfer of probation or interstate transfer of any case which either has responsibility to monitor.

The sentencing court will check the appropriate box on the Monitor Notification of Ignition Interlock (DPCA-510-IIN) to indicate if it is an intrastate transfer of Probation or interstate transfer, if appropriate, and they will e-mail or fax the form to the Probation Department within five (5) business days. The monitor will be Schenectady County Probation Department and they will follow DPCA guidelines for all transfers.

- d. Describe the procedure the county/city will utilize for advance notification as to date of release where local or state imprisonment is imposed. Jurisdictions may wish to utilize the VINE network.

The sentencing court will e-mail or fax a copy of the Monitor Notification of Ignition Interlock Order within five business days to the Schenectady County Probation Department of all dispositions of conditional discharge concerning DWI related charges. The Probation Department will utilize the VINE network for advance notification as to the date of release where state imprisonment is imposed. The Probation monitor will coordinate with the local correctional facility to determine the release date.

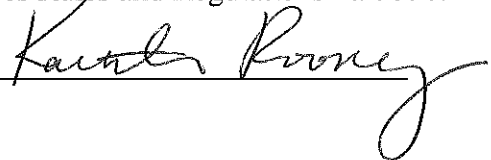
9. Every plan shall establish a procedure governing failure report recipients, including method and timeframe with respect to specific notification and circumstances. Failure report recipients are all persons or entities required to receive a report from the monitor of an operator's failed tasks or failed tests pursuant to a county/city's plan which may include, but is not limited to the sentencing court, district attorney, operator's alcohol treatment provider, and the drinking driver program, where applicable. At a minimum, the procedure shall be consistent with the provisions of DPCA Rules and Regulations Section 358.7(d) with respect to sentencing court and district attorney notification of specific failed tasks and failed tests reports.

Describe the county/city plan to report operator's failed tasks or failed tests to failure report recipients. Identify report recipients, method of reporting, events to be reported, and reporting time frames.

The Probation Department shall notify the sentencing court and the District Attorney of any reported operator's failed tasks and/or failed tests using the Conditional Discharge/ Probation Ignition Interlock Notification to Court and District Attorney form (DPCA-133CR-IID) within the three business days of receipt of the failure notice from the manufacturer.

Acknowledgement

This Ignition Interlock Program Plan has been developed in accordance with NYS Division of Probation and Correctional Alternatives Rules and Regulations Part 358.

County Executive Signature: 

Title of County Executive:

Date 6/15/2010/

MONITOR NOTIFICATION OF IGNITION INTERLOCK ORDER

(Please forward to applicable probation department and/or monitoring authority within 5 business days of sentence)
(Strike that in bold which is inapplicable, and complete information in shaded areas.)

_____ Court of the State Of New York
Part _____ County _____

Index/Docket No./Year

CJTN

TO: _____ (County Probation Department)(designated monitoring authority)
Defendant, _____, DOB: _____,
NYS Driver Lic.# _____, residing at _____
having been convicted of Driving While Intoxicated – related crime(s) as a **(Misdemeanor) (Felony)** has this day been ORDERED sentenced to:

- (Initial as applicable, "X" where not) {
- { A Conditional Discharge for a period of **(one) (three)** years to expire on _____
Within 10 days of the commencement of sentence, Ignition Interlocks are to be installed in each motor vehicle owned or operated by the defendant for a period of _____ months.
 - { Probation for a period of **(three) (five)** years to expire on _____
Within 10 days of the commencement of sentence, Ignition Interlocks are to be installed in each motor vehicle owned or operated by the defendant for a period of _____ months.
 - { A period of incarceration of _____ **(days) (months) (years)** in the custody of the **(NYS Department of Correctional Services) (local jail authority)** and the sentence of probation or conditional discharge, as ordered above, which shall be served consecutively to the period of incarceration.

The court has determined, and it is, therefore, **ORDERED** that:

- { The defendant **is able** to afford the immediate fees/charges associated with the installation and maintenance of an Ignition Interlock Device(s), and shall enter into a written agreement to that effect with the selected Ignition Interlock Device Vendor.

Upon review of the defendant's Financial Disclosure Report filed with the court, the court has determined, and it is, therefore, **ORDERED** that:

- { The defendant enter into a specific payment plan with the Ignition Interlock Device vendor, and such written plan/agreement shall be provided to the above-referenced monitoring entity; **OR**
- { The defendant **is NOT able** to afford the usual fees/charges associated with the installation and maintenance of an Ignition Interlock Device. All such fees/charges are hereby waived.

The defendant has been advised to submit proof of all Ignition Interlock installations within three (3) business days of installation to this court, as well as the above-referenced probation department and monitoring authority (where not probation).

Dated _____ Judge/Clerk _____

Direction to Monitoring Agency:

If the subject of this notification has been sentenced to a term of imprisonment, and if this procedure is consistent with the County Ignition Interlock Device Plan, the monitoring agency should register with VINE (Victim Information and Notification Everyday) so as to obtain notification when the offender will be released from either the local jail or the state facility.

Register with VINE with the following procedure:

1. Go to www.vinelink.com
2. Click on the picture of New York on the national map
3. Click the "Search and Register for Offenders" button
4. Enter the offender's NYSID # or name and DOB in the space indicated
5. Click on the offender you wish to register against
6. Click on the e-mail notification button and then enter your e-mail address

You will receive a confirmation notice on the screen that your registration was successful.



MARY P. LOLIK, M.A.
DIRECTOR OF PROBATION

JOSEPH M. MANCINI, M.S.W.
DEPUTY DIRECTOR

SCHENECTADY COUNTY
DEPARTMENT OF PROBATION
COUNTY OFFICE BUILDING, SCHENECTADY, N.Y. 12305-2114

Telephone: (518) 388-4330
Fax No: (518) 388-4342

PROBATION SUPERVISORS
KATE HOUGHTON, M.A.
CINDY MORGAN, M.A.
THOMAS ZAMPELLA, M.Ed.
BARBARA J. CERVASIO, M.Ed.

SCHENECTADY COUNTY

IGNITION INTERLOCK PROGRAM

You have been convicted by the Court of a Driving While Intoxicated offense and have been sentenced to either a Conditional Discharge or Term of Probation Supervision with installation of an ignition interlock device on vehicles you own or regularly operate.

PLEASE TAKE THE FOLLOWING STEPS:

- **You must report to the Schenectady County Probation Department, 2nd floor, 620 State Street, Schenectady, New York between the hours of 9:00 a.m. and 11:30 a.m. the next business day following your sentencing.** Tell the receptionist you are reporting for an "ignition interlock intake". You should bring your copy of the Order and Conditions of Condition Discharge or Order and Conditions of Probation with you to the Probation Department. **You must report for intake even if you live outside of Schenectady County.** If you should obtain a vehicle or intend to operate someone else's vehicle during your period of conditional discharge, you must report to the probation department to arrange for installation of ignition interlock prior to driving the vehicle. Your case will be opened and questions you have may be answered.
- Within ten (10) business days of your sentencing date, the ignition interlock device must be installed in your vehicle(s). You should contact the provider as soon as possible after you complete the intake process with the Probation Officer. The Probation Department will provide you with a list of approved providers. Remember, you only have 10 business days to have the device installed.
- Once the interlock device has been installed, you must provide proof of installation to our officer within three (3) business days.
- Questions-please call 388-_____.

ORDERS AND CONDITIONS OF CONDITIONAL DISCHARGE

_____ Court of the State Of New York

Part _____ County _____

Index/Docket No./Year

CJTN

Defendant _____ having been convicted of _____

is this day ORDERED to a Conditional Discharge for a period of (ONE) (THREE) years to expire on _____ unless terminated by the Court prior to the aforementioned date. While on Conditional Discharge, said defendant is ORDERED to comply with the following conditions and any others which the Court may impose at a later date and to follow the instructions of the monitoring authority as to the way in which these conditions are to be carried out:

GENERAL CONDITIONS:

1. Report to the monitoring authority as directed by the Court or the monitoring authority.
2. Answer all reasonable inquiries by the monitoring authority.
3. Notify the monitoring authority prior to any change in address, vehicle ownership or access for operation.

SPECIAL CONDITIONS:

4. An ignition interlock device shall be installed in the below-described vehicle(s) within 10 business days of this sentence or release from incarceration. The vehicle(s) listed are owned or operated by the probationer. If the vehicle is not owned by the probationer, written and notarized permission for the ignition interlock installation must be completed by the vehicle's registered owner.

5. The device(s) shall be installed for a minimum of _____ months.

6. Where applicable, pursuant to NYS Vehicle and Traffic Law §1193(1-a)(c), the device(s) shall be installed during the period of license revocation and its termination, and for each additional period as the court may determine.

Vehicle #1

Vehicle #2

Owner: _____ Owner: _____

Vehicle Make: _____ Vehicle Make: _____

Model: _____ Model: _____

Year: _____ Year: _____

Color: _____ Color: _____

V.I.N.: _____ V.I.N.: _____

Plate Number: _____ Plate Number: _____

Insurance Company: _____ Insurance Company: _____

Vehicle #3

Vehicle #4

Owner: _____ Owner: _____
Vehicle Make: _____ Vehicle Make: _____
Model: _____ Model: _____
Year: _____ Year: _____
Color: _____ Color: _____
V.I.N.: _____ V.I.N.: _____
Plate Number: _____ Plate Number: _____
Insurance Company: _____ Insurance Company: _____

7. The defendant shall provide proof of installation of each device to the court and the monitoring authority within 3 (three) business days of installation.
8. The defendant shall notify the monitoring authority immediately if any changes occur in the above information.
9. The defendant shall be responsible for the entire cost of the installation and maintenance of approved ignition interlock device(s), unless associated fees and charges are waived by the court.
10. The defendant shall deliver the vehicle(s) identified above and equipped with the ignition interlock device to the installer for the inspection and calibration checks as required by the installer or directed by the court or the monitoring authority in a manner consistent with DPCA Rules and Regulations 9NYCRR Part 358.
11. The defendant shall not request, solicit or allow any other person(s) to blow into the ignition interlock device, or start the motor vehicle with the device, for the purpose of providing the defendant with an operable motor vehicle.
12. The defendant shall not tamper with or attempt to circumvent an otherwise operable ignition interlock device. Such tampering is a Class A Misdemeanor under Section 1198 of New York State Vehicle and Traffic Law..
13. The probationer shall notify the court and the monitoring authority of his/her intention to operate his/her employer's vehicle within the scope of his/her employment for business purposes only and shall provide written permission from the employer, to be carried on his/her person and shown to the court or the monitoring authority, indicating that the employer is aware that the driving privilege of the probationer has been restricted, and permits operation of the business vehicle within the scope of his/her employment without the ignition interlock device.

Dated _____ Judge _____

The defendant has been fingerprinted, if applicable, as a result of the current arrest and the associated CJTN (Criminal Justice Tracking Number) is indicated above.

ACKNOWLEDGEMENT

I have read and received a copy of the above Order and Conditions of Conditional Discharge and agree to comply with them. I understand the conditions and that the Court may, at any time prior to the expiration or termination of the period of Conditional Discharge, modify or enlarge the conditions or, if I violate a condition or commit an additional offense other than a traffic infraction, revoke the sentence.

Dated _____ Defendant _____

Witnessed by _____ Address _____

ORDERS AND CONDITIONS OF ADULT PROBATION

_____ Court of the State Of New York

Part _____ County _____

Index/Docket No./Year

CJTN

Defendant _____ having been convicted of _____

is this day ORDERED sentenced to probation for a period of _____ years to expire on _____

Unless terminated by the Court prior to the aforementioned date. While on probation, said defendant is ORDERED to comply with the following conditions and any others which the Court may impose at a later date and to follow the instructions of the probation officer as to the way in which these conditions are to be carried out:

GENERAL CONDITIONS:

1. Report to a probation officer as directed by the Court or the probation officer and permit the probation officer to visit (him/her) at (his/her) place of abode or elsewhere.
2. Remain within the jurisdiction of the Court unless granted permission to leave by the Court or the probation officer.
3. Answer all reasonable inquiries by the probation officer and notify the probation officer prior to any change in address or employment.

SPECIAL CONDITIONS:

4. An ignition interlock device shall be installed in the below-described vehicle(s) within 10 business days of the probation sentence or release from incarceration. The vehicle(s) listed are owned or operated by the probationer. If the vehicle is not owned by the probationer, written and notarized permission for the ignition interlock installation must be completed by the vehicle's registered owner.

5. The device(s) shall be installed for a minimum of _____ months.

6. Where applicable, pursuant to NYS Vehicle and Traffic Law §1193(1-a)(c), the device(s) shall be installed during the period of license revocation and its termination, and for each additional period as the court may determine.

Vehicle #1

Vehicle #2

Owner: _____ Owner: _____

Vehicle Make: _____ Vehicle Make: _____

Model: _____ Model: _____

Year: _____ Year: _____

Color: _____ Color: _____

V.I.N.: _____ V.I.N.: _____

Plate Number: _____ Plate Number: _____

Insurance Company: _____ Insurance Company: _____

Vehicle #3

Vehicle #4

Owner: _____ Owner: _____
Vehicle Make: _____ Vehicle Make: _____
Model: _____ Model: _____
Year: _____ Year: _____
Color: _____ Color: _____
V.I.N.: _____ V.I.N.: _____
Plate Number: _____ Plate Number: _____
Insurance Company: _____ Insurance Company: _____

7. The probationer shall provide proof of installation of each device to the court and the probation department within 3 (three) business days of installation.
8. The probationer shall notify the probation officer immediately if any changes occur in the above information.
9. The probationer shall be responsible for the entire cost of the installation and maintenance of approved ignition interlock device(s), unless associated fees and charges are waived by the court.
10. The probationer shall deliver the vehicle(s) identified above and equipped with the ignition interlock device to the installer for the inspection and calibration checks as required by the installer or directed by the court or the probation officer in a manner consistent with DPCA Rules and Regulations Part 9NTCRR Part 358.
11. The probationer shall not request, solicit or allow any other person(s) to blow into the ignition interlock device, or start the motor vehicle with the device, for the purpose of providing the probationer with an operable motor vehicle.
12. The probationer shall not tamper with or attempt to circumvent an otherwise operable ignition interlock device. Such tampering is a Class A Misdemeanor under Section 1198 of New York State Vehicle and Traffic Law.
13. The probationer shall notify the court and the probation officer of his/her intention to operate his/her employer's vehicle within the scope of his/her employment for business purposes only and shall provide written permission from the employer, to be carried on his/her person and shown to the court or the probation officer, indicating that the employer is aware that the driving privilege of the probationer has been restricted, and permits operation of the business vehicle within the scope of his/her employment without the ignition interlock device.

Dated _____ Judge _____

The defendant has been fingerprinted, if applicable, as a result of the current arrest and the associated CJTN (Criminal Justice Tracking Number) is indicated above.

ACKNOWLEDGEMENT

I have read and received a copy of the above Order and Conditions of Probation and agree to comply with them. I understand the conditions and that the Court may, at any time prior to the expiration or termination of the period of probation, modify or enlarge the conditions or, if I violate a condition or commit an additional offense other than a traffic infraction, revoke the sentence.

Dated _____ Probationer _____

Witnessed by _____ Address _____

**CONDITIONAL DISCHARGE / PROBATION
IGNITION INTERLOCK
NOTIFICATION TO COURT AND DISTRICT ATTORNEY**

DATE
CASE #

SENTENCING COURT AND DISTRICT ATTORNEY ARE TO BE NOTIFIED WITHIN 3 BUSINESS DAYS OF ALLEGED VIOLATION(S)
BECOMING KNOWN

JUDGE	DEFENDANT (LAST)	(FIRST)	(M.I.)
COURT	FROM		
COUNTY			

DEFENDANT WAS:
 CONVICTED OF _____ AS A (FELONY) (MISDEMEANOR) AND
 SENTENCED TO (A CONDITIONAL DISCHARGE) (PROBATION) ON _____ FOR _____ YEARS
 BY THE HONORABLE _____, _____ COURT

SPECIAL CONDITIONS RELATED TO IGNITION INTERLOCK

THE MONITORING AGENT ALLEGES THAT THERE IS REASONABLE CAUSE TO BELIEVE THAT THE ABOVE DEFENDANT VIOLATED A
 CONDITION OF SENTENCE AS FOLLOWS:

- FAILED TO HAVE IGNITION INTERLOCK DEVICE INSTALLED ON REQUIRED VEHICLE(S).
- FAILED TO COMPLY WITH A SERVICE VISIT REQUIREMENT.
- A DEVICE REPORT INDICATES POSSIBLE TAMPERING WITH OR CIRCUMVENTION OF THE IGNITION INTERLOCK
 DEVICE OR AN ATTEMPT THEREOF.
- A DEVICE REPORT INDICATES THAT LOCK-OUT MODE WAS ENTERED.
- A DEVICE REPORT INDICATES A FAILED TEST OR RE-TEST WHERE THE BAC WAS .05% OR HIGHER.
- VIOLATED OTHER CONDITIONS OF THE SENTENCE.

DETAILS OF ALLEGED VIOLATIONS

CONTINUED ON ATTACHED PAGE

ACTION(S) TAKEN BY MONITORING AUTHORITY

CONTINUED ON ATTACHED PAGE

MONITORING AUTHORITY RECOMMENDATION TO COURT	DIRECTION BY COURT
1. <input type="checkbox"/> AWAIT ADJUDICATION ON NEW CHARGES BEFORE TAKING FURTHER ACTION	<input type="checkbox"/> SO ORDERED
2. SEND DEFENDANT "NOTICE TO APPEAR" IN COURT FOR: <input type="checkbox"/> ARRAIGNMENT AS VIOLATOR <input type="checkbox"/> HEARING REGARDING SENTENCE STATUS <input type="checkbox"/> RECOMMENDED COURT DATE: _____	<input type="checkbox"/> SO ORDERED <input type="checkbox"/> OTHER DATE DIRECTED BY COURT: _____
3. <input type="checkbox"/> ISSUE WARRANT FOR DEFENDANT	<input type="checkbox"/> SO ORDERED
4. <input type="checkbox"/> OTHER RECOMMENDATION:	DATED
SIGNATURE OF MONITOR/PROBATION OFFICER	DATED
PRINT NAME OF MONITOR/PROBATION OFFICER	
SIGNATURE OF JUDGE	DATED
PRINT NAME OF JUDGE	