

DIVISION OF CRIMINAL JUSTICE SERVICES

MISSION

The mission of the Division of Criminal Justice Services (DCJS) is to enhance public safety and improve criminal justice. The Division measures progress toward the overall goal of reducing crime, and tracks the effectiveness of both agency and system-wide criminal justice strategies designed to increase public safety.

ORGANIZATION AND STAFFING

The Division of Criminal Justice Services is located in Albany and is headed by a Commissioner who also serves as the Governor's Deputy Secretary of Public Safety, overseeing policy development and operations for all public safety agencies and programs.

BUDGET HIGHLIGHTS

The Executive Budget recommends that the Crime Victims Board, Office for the Prevention of Domestic Violence, and the Division of Probation and Correctional Alternatives merge with the Division of Criminal Justice Services. These agencies will be established as specialized offices within the Division to continue their important missions. The Division already provides administrative support to these smaller agencies, and a full merger offers a more efficient and cost-effective environment for the delivery of programs and services for which these agencies are responsible. The merger will also foster improved coordination of policies and programs.

In 2010-11, the overall budget for this expanded Division will total **\$493 million All Funds**. Operations of the new Division will be supported by \$137 million (\$61 million General Fund; \$76 million Other Funds). The Division's combined Aid to Localities programs will distribute \$260 million in State funds and \$96 million in Federal funds to support various local criminal justice initiatives.

Major budget actions include:

- **DNA Databank:** Legislation will be advanced to increase the number of persons required to submit a DNA sample at the time of conviction. The current requirement, which requires less than one-half of individuals convicted of a penal law offense to submit a DNA sample, will expand to include all penal law offenses for which fingerprints are currently collected.
- **Expansion of Crimes Against Revenue Program (CARP):** An additional \$10 million in resources will be provided to district attorneys to prosecute tax and other revenue fraud identified by the Department of Taxation and Finance.
- **Indigent Defense:** A new office will provide oversight of the indigent defense system, governed by an independent board of key stakeholders from the Judiciary, the Executive Branch, and other representatives, including the New York State Association of Counties and New York Bar Association. Current aid formulas and county maintenance of effort requirements will be replaced with a new grant program to be designed by the new office and board, driven by performance standards and supplemented with \$7 million in new funding. Including the \$3 million cost of the office, a total new investment of \$10 million will support improvements to indigent legal services.

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- **Local Criminal Justice and Probation Programs:** Grants to communities for crime fighting, prevention activities, alternatives to incarceration, and legal services are reduced by 10 percent for a savings of \$7.2 million. Support for local probation departments is also reduced by 10 percent for a savings \$5.2 million, with the impact on counties partially mitigated by the positive impact of regulatory and statutory changes to relieve workload for county probation departments.
- **Operation IMPACT:** The Division will provide nearly \$16 million in funding for the continued support of Operation IMPACT (Integrated Municipal Police Anti-Crime Teams). This multi-agency program supports crime-fighting strategies in the 17 highest crime jurisdictions outside New York City.
- **Offender Re-Entry:** In addition to coordinating New York State's multi-agency re-entry effort, the Division will provide \$3.3 million to promote the successful re-entry of offenders into their communities through Local Re-Entry Task Forces that work with local governments, not-for-profit organizations and the criminal justice community.
- **Sex Offender Management:** \$1 million is provided for the continued operation of the Office of Sex Offender Management. Additionally, funding is provided for the continued maintenance and operation of the Sex Offender Registry.
- **Transfer of the Rape Crisis Program from the Department of Health:** DCJS assumes responsibility for the rape crisis program, which provides counseling as well as information to victims of sexual assault. As DCJS administers the Federal Violence Against Women Act grant funds, and these funds support many of the rape crisis centers currently receiving funds through DOH, this initiative will help to streamline funding to these grantees and improve the management of the programs.
- **Transfer of Support for Medical Examiners from the Department of Health:** DCJS also assumed responsibility for funding for medical examiners, as this function is more directly related to the provision of forensic laboratory services, rather than to programs which protect public health. This transfer allows the State to coordinate the support of forensic science comprehensively through DCJS.

PROGRAM HIGHLIGHTS

The Division of Criminal Justice Services' vision is to make New York the safest state in the nation. Through strategic planning, the Division is meeting the challenge to continue lowering the crime rate in New York by: improving coordination among Federal, State, and local law enforcement agencies; making vital information more readily available to help fight crime; expanding the use of technology to combat crime; and, fostering inter-agency initiatives concerning sex offender management.

The Division directly supports inter-agency law enforcement, in part through programs such as Operation IMPACT. This program targets 17 counties that account for 80 percent of crime outside New York City. The focus of IMPACT is to bring together the resources and strategies of Federal, State and local law enforcement in order to fight crime more effectively. Additionally, the Division provides local assistance funding to support an array of criminal justice functions such as: law enforcement operations, prosecution, defense, and crime laboratories.

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As the central repository for criminal history records, the Division identifies individuals through fingerprint comparison and provides criminal history records to law enforcement through the Statewide Automated Fingerprint Identification System (SAFIS). A comparable service is offered for civil fingerprints to check the backgrounds of prospective employees for sensitive positions in government and the private sector.

The Division also maintains a DNA Identification Index, conducts extensive criminal justice statistical research and policy analysis, and supports New York's Uniform Crime Reporting program. Further, the Division coordinates and provides information technology services for the criminal justice community. A statewide criminal justice information system, eJusticeNY, is utilized by nearly 2,000 organizations, and includes: the ability to obtain rap-sheets; perform name searches; access NYS criminal history data; wanted/missing person data; and the complete NYS Sex Offender Registry.

In addition, the Division acts as the State planning agency for the receipt and processing of Federal Juvenile Justice and Delinquency Prevention funding. These funds support programs addressing youth who are at risk of criminal and/or delinquent behavior. The Division also administers other Federal programs, including funds which support a statewide anti-drug strategy of prosecution and preventive enforcement efforts, and which focus on prosecution, law enforcement and victim services related to domestic violence.

A key new activity was added in 2009-10, following enactment of the 2009 Drug Law Reform. In conjunction with the Office of Alcoholism and Substance Abuse Services and the Office of Court Administration, the Division is undertaking a comprehensive analysis of the impacts of this major legislation, and will provide ongoing data on the implementation and effectiveness of the reforms. The Division is overseeing the allocation of \$67 million in Federal funds through the American Reinvestment and Recovery Act to support drug law reform through investments in drug treatment, drug courts, alternatives to incarceration, probation, probation violation centers, and computer training and transitional employment for former offenders.

In 2010-11, three existing agencies will join the Division of Criminal Justice Services as new offices, broadening the agency's mission and promoting greater coordination of the State's criminal justice agenda.

OFFICE OF VICTIM SERVICES

The Office of Victim Services, formerly the Crime Victims Board, is the lead State source of assistance to persons who have been the victims of crime, particularly crimes of a violent nature. Its principal mission will continue to be the provision of financial assistance to victims for losses they suffer as a result of crime; making grants to local agencies, which assist witnesses and victims; and, serving as the State's advocate for crime victims' rights, needs and interests.

OFFICE FOR THE PREVENTION OF DOMESTIC VIOLENCE

The Office for the Prevention of Domestic Violence (OPDV) will continue to lead New York State's efforts to respond to and prevent domestic violence, advising the Governor and Legislature, developing statewide policies, conducting domestic violence training for judges, prosecutors, police, attorneys, probation and parole personnel, social services and health care providers, and serving as a clearinghouse of information and guidance on domestic violence for the entire State.

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In cooperation with other agencies, the Office develops domestic violence policies and provides training and information about domestic violence. These programs clarify professional and legal responsibility to promote the safety of victims of domestic violence and to hold offenders accountable for their actions.

OFFICE OF PROBATION AND CORRECTIONAL ALTERNATIVES

The Office of Probation and Correctional Alternatives, formerly the Division of Probation and Correctional Alternatives, will continue to oversee county probation departments and community correction programs. It establishes standards, provides training and technical assistance, and monitors outcomes related to the supervision and treatment of offenders. The Office of Probation and Correctional Alternatives will continue to focus on evidence-based practices, performance measurement, enhanced training and education for local providers, and improved technology.

For 2010-11, all aid to local probation departments is consolidated into a single program, which is expected to ease the burden on counties when applying for and reporting on their use of State funds.

ALL FUNDS APPROPRIATIONS (dollars)

Category	Available 2009-10	Appropriations Recommended 2010-11	Change	Reappropriations Recommended 2010-11
State Operations	149,028,000	137,009,000	(12,019,000)	113,117,000
Aid To Localities	364,318,449	356,490,000	(7,828,449)	248,562,997
Capital Projects	0	0	0	0
Total	<u>513,346,449</u>	<u>493,499,000</u>	<u>(19,847,449)</u>	<u>361,679,997</u>

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ALL FUND TYPES PROJECTED LEVELS OF EMPLOYMENT BY PROGRAM FILLED ANNUAL SALARIED POSITIONS

Full-Time Equivalent Positions (FTE)			
Program	2009-10 Estimated FTEs 03/31/10	2010-11 Estimated FTEs 03/31/11	FTE Change
Administration			
General Fund	103	94	(9)
Assistance to Crime Victims			
Special Revenue Funds - Federal	0	24	24
Special Revenue Funds - Other	0	64	64
Funding and Program Assistance			
General Fund	47	47	0
Special Revenue Funds - Federal	77	77	0
Special Revenue Funds - Other	4	4	0
Indigent Defense			
Special Revenue Funds - Other	0	20	20
Operation and Systems			
General Fund	359	355	(4)
Special Revenue Funds - Federal	23	23	0
Prevention of Domestic Violence			
General Fund	0	18	18
Special Revenue Funds - Federal	0	2	2
Internal Service Funds	0	12	12
Probation and Correctional Alternatives			
General Fund	0	32	32
Public Safety			
General Fund	46	46	0
Special Revenue Funds - Other	3	3	0
Total	<u>662</u>	<u>821</u>	<u>159</u>

STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

Fund Type	Available 2009-10	Recommended 2010-11	Change
General Fund	64,964,000	61,406,000	(3,558,000)
Special Revenue Funds - Federal	49,611,000	40,886,000	(8,725,000)
Special Revenue Funds - Other	33,563,000	33,827,000	264,000
Internal Service Funds	890,000	890,000	0
Total	<u>149,028,000</u>	<u>137,009,000</u>	<u>(12,019,000)</u>

Adjustments:

Transfer(s) From	
Crime Victims Board	
Special Revenue Funds - Federal	(3,061,000)
Special Revenue Funds - Other	(7,614,000)
Prevention of Domestic Violence, Office for	
General Fund	(1,658,000)
Special Revenue Funds - Federal	(200,000)
Special Revenue Funds - Other	(140,000)
Internal Service Funds	(1,780,000)
Probation and Correctional Alternatives, Division of	
General Fund	(3,006,000)
Transfer(s) To	
Prevention of Domestic Violence, Office for	
Special Revenue Funds - Federal	100,000
Special Revenue Funds - Other	70,000
Internal Service Funds	890,000
Appropriated 2009-10	<u>132,629,000</u>

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STATE OPERATIONS ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

Program	Available 2009-10	Recommended 2010-11	Change
Administration			
General Fund	15,429,000	14,674,000	(755,000)
Assistance to Crime Victims			
Special Revenue Funds - Federal	3,061,000	3,061,000	0
Special Revenue Funds - Other	7,614,000	7,178,000	(436,000)
Funding and Program Assistance			
General Fund	4,015,000	3,800,000	(215,000)
Special Revenue Funds - Federal	40,900,000	33,725,000	(7,175,000)
Special Revenue Funds - Other	629,000	829,000	200,000
Indigent Defense			
Special Revenue Funds - Other	0	3,000,000	3,000,000
Operation and Systems			
General Fund	37,294,000	35,035,000	(2,259,000)
Special Revenue Funds - Federal	5,550,000	3,000,000	(2,550,000)
Special Revenue Funds - Other	24,000,000	21,500,000	(2,500,000)
Prevention of Domestic Violence			
General Fund	1,658,000	1,611,000	(47,000)
Special Revenue Funds - Federal	100,000	1,100,000	1,000,000
Special Revenue Funds - Other	70,000	70,000	0
Internal Service Funds	890,000	890,000	0
Probation and Correctional Alternatives			
General Fund	3,006,000	2,709,000	(297,000)
Public Safety			
General Fund	3,562,000	3,577,000	15,000
Special Revenue Funds - Other	1,250,000	1,250,000	0
Total	<u>149,028,000</u>	<u>137,009,000</u>	<u>(12,019,000)</u>

STATE OPERATIONS - GENERAL AND OFFSET FUNDS SUMMARY OF PERSONAL SERVICE APPROPRIATIONS AND CHANGES 2010-11 RECOMMENDED (dollars)

Program	Total		Personal Service Regular (Annual Salaried)	
	Amount	Change	Amount	Change
Administration	6,449,000	(312,000)	6,444,000	(312,000)
Funding and Program Assistance	3,533,000	(198,000)	3,533,000	(198,000)
Operation and Systems	20,003,000	(1,549,000)	19,928,000	(1,549,000)
Prevention of Domestic Violence	1,231,000	(36,000)	1,231,000	(36,000)
Probation and Correctional Alternatives	2,284,000	(218,000)	2,265,000	(218,000)
Public Safety	3,151,000	40,000	3,151,000	40,000
Total	<u>36,651,000</u>	<u>(2,273,000)</u>	<u>36,552,000</u>	<u>(2,273,000)</u>

Program	Temporary Service (Nonannual Salaried)		Holiday/Overtime Pay	
	Amount	Change	Amount	Change
Administration	0	0	5,000	0
Funding and Program Assistance	0	0	0	0
Operation and Systems	0	0	75,000	0
Prevention of Domestic Violence	0	0	0	0
Probation and Correctional Alternatives	17,000	0	2,000	0
Public Safety	0	0	0	0
Total	<u>17,000</u>	<u>0</u>	<u>82,000</u>	<u>0</u>

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STATE OPERATIONS - GENERAL AND OFFSET FUNDS SUMMARY OF NONPERSONAL SERVICE AND MAINTENANCE UNDISTRIBUTED APPROPRIATIONS AND CHANGES 2010-11 RECOMMENDED (dollars)

Program	Total		Supplies and Materials	
	Amount	Change	Amount	Change
Administration	8,225,000	(443,000)	978,000	(60,000)
Funding and Program Assistance	267,000	(17,000)	104,000	(6,000)
Operation and Systems	15,032,000	(710,000)	392,000	(24,000)
Prevention of Domestic Violence	380,000	(11,000)	50,000	0
Probation and Correctional Alternatives	425,000	(79,000)	33,000	0
Public Safety	426,000	(25,000)	137,000	(8,000)
Total	24,755,000	(1,285,000)	1,694,000	(98,000)

Program	Travel		Contractual Services	
	Amount	Change	Amount	Change
Administration	34,000	(2,000)	5,512,000	(338,000)
Funding and Program Assistance	87,000	(6,000)	42,000	(3,000)
Operation and Systems	138,000	(8,000)	12,037,000	(951,000)
Prevention of Domestic Violence	42,000	0	270,000	(11,000)
Probation and Correctional Alternatives	39,000	(27,000)	343,000	(52,000)
Public Safety	221,000	(14,000)	39,000	(2,000)
Total	561,000	(57,000)	18,243,000	(1,357,000)

Program	Equipment		Maintenance Undistributed	
	Amount	Change	Amount	Change
Administration	701,000	(43,000)	1,000,000	0
Funding and Program Assistance	34,000	(2,000)	0	0
Operation and Systems	2,065,000	(127,000)	400,000	400,000
Prevention of Domestic Violence	18,000	0	0	0
Probation and Correctional Alternatives	10,000	0	0	0
Public Safety	29,000	(1,000)	0	0
Total	2,857,000	(173,000)	1,400,000	400,000

STATE OPERATIONS - OTHER THAN GENERAL FUND AND OFFSET FUNDS SUMMARY OF APPROPRIATIONS AND CHANGES 2010-11 RECOMMENDED (dollars)

Program	Total		Personal Service	
	Amount	Change	Amount	Change
Assistance to Crime Victims	10,239,000	(436,000)	5,999,000	(399,000)
Funding and Program Assistance	34,554,000	(6,975,000)	5,725,000	(1,475,000)
Indigent Defense	3,000,000	3,000,000	1,500,000	1,500,000
Operation and Systems	24,500,000	(5,050,000)	0	0
Prevention of Domestic Violence	960,000	0	770,000	0
Public Safety	1,250,000	0	0	0
Total	74,503,000	(9,461,000)	13,994,000	(374,000)

Program	Nonpersonal Service		Maintenance Undistributed	
	Amount	Change	Amount	Change
Assistance to Crime Victims	4,240,000	(37,000)	0	0
Funding and Program Assistance	629,000	200,000	28,200,000	(5,700,000)
Indigent Defense	1,500,000	1,500,000	0	0
Operation and Systems	0	0	24,500,000	(5,050,000)
Prevention of Domestic Violence	190,000	0	0	0
Public Safety	0	0	1,250,000	0
Total	6,559,000	1,663,000	53,950,000	(10,750,000)

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AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY FUND TYPE APPROPRIATIONS (dollars)

<u>Fund Type</u>	<u>Available 2009-10</u>	<u>Recommended 2010-11</u>	<u>Change</u>
General Fund	149,881,949	124,386,000	(25,495,949)
Special Revenue Funds - Federal	83,193,000	96,268,000	13,075,000
Special Revenue Funds - Other	131,243,500	135,836,000	4,592,500
Total	364,318,449	356,490,000	(7,828,449)

Adjustments:

Transfer(s) From

Audit and Control, Department of Special Revenue Funds - Other	(78,000,000)		
Crime Victims Board			
Special Revenue Funds - Federal	(37,843,000)		
Special Revenue Funds - Other	(30,627,000)		
Prevention of Domestic Violence, Office for			
General Fund	(685,000)		
Probation and Correctional Alternatives, Division of			
General Fund	(67,759,500)		
Appropriated 2009-10	149,403,949		

AID TO LOCALITIES ALL FUNDS FINANCIAL REQUIREMENTS BY PROGRAM APPROPRIATIONS (dollars)

<u>Program</u>	<u>Available 2009-10</u>	<u>Recommended 2010-11</u>	<u>Change</u>
Assistance to Crime Victims			
Special Revenue Funds - Federal	37,843,000	37,843,000	0
Special Revenue Funds - Other	30,627,000	30,627,000	0
Funding and Program Assistance			
General Fund	66,562,000	55,331,000	(11,231,000)
Special Revenue Funds - Federal	45,350,000	57,925,000	12,575,000
Special Revenue Funds - Other	19,416,500	25,329,000	5,912,500
Indigent Defense			
General Fund	7,858,000	7,166,000	(692,000)
Special Revenue Funds - Other	81,200,000	79,880,000	(1,320,000)
Prevention of Domestic Violence			
General Fund	685,000	475,000	(210,000)
Special Revenue Funds - Federal	0	500,000	500,000
Probation and Correctional Alternatives			
General Fund	67,759,500	61,414,000	(6,345,500)
Community Projects			
General Fund	7,017,449	0	(7,017,449)
Total	364,318,449	356,490,000	(7,828,449)