

Program Narrative

1) State Strategy/Funding Priorities

Introduction

New York State has experienced significant declines in both the crime rate—or the number of “Index” crimes per capita—and the crime volume—the total number of Index crimes reported over the past decade. Over the past 10 years, the overall rate of Index crimes per 100,000 residents declined 16 percent; the rate of violent crimes (murder, rape, robbery, and aggravated assault) fell 11% and property crimes (burglary, larceny, and motor vehicle theft) were down 17%. The largest reductions in crime rates were reported for motor vehicle theft, murder, and forcible rape.

While New York State's crime rate has decreased over the past 10 years, New York has also reported a significant reduction in the actual number of crimes reported. Index crimes fell each year between 2004 and 2013 with the exception of slight rises in 2008, 2010 and 2012. The number of Index crimes reached the lowest levels ever recorded statewide in 2013, when there were 69,734 fewer crimes reported than in 2004. The State's population increased by approximately 270,000 residents during the same time period.

Counties in the state's two regions—New York City (five counties) and non-New York City (57 counties)—experienced similar declines in Index crime over the last 10 years. The number of Index crimes reported in New York City fell 14.3% between 2004 and 2013, while the rate of decline was 13.6% in the rest of the state. The counties outside of New York City accounted for 55% of the reported crime statewide, and almost 60% of the property crime reported in 2013.

The decline in violent crime over the last 10 years was nearly three times greater outside New York City (-16.3%) than in New York City (-5.9%). Counties outside New York City have reported a steady decline in violent crime since 2006. New York City reported increases in violent crime between 2009 and 2012 but reported a decline in 2013. New York City now accounts for 69% of the violent crime reported in New York State.

In 2013, New York State reported a decline in all seven Index crime categories as compared to 2012. Violent crime declined 3.7% while property crime declined 4.8%. The largest declines were reported in burglary (-12.6%) and motor vehicle theft (-10.4%).

The total number of Index crimes in New York City remained mostly unchanged between 2012 and 2013. There were slight increases in aggravated assault (+1.8%) and larceny (+1.7%) during the period. In the violent crime category,

murders dropped significantly (-20%) while there were large decreases in two property crime categories: burglary (-10.9%) and motor vehicle theft (-9.2%). Reported crime outside of New York City decreased by 7.5% between 2012 and 2013. Decreases were reported in all crime categories except for murder, which increased by 14.1% during the period.

The Division of Criminal Justice Services (DCJS) collects data from law enforcement regarding the number of reported violent crimes that involved the use of a firearm. Between 2012 and 2013, violent crime involving firearms decreased in New York City by 8.4% with 684 fewer crimes reported. During the same time period, violent crimes by firearm outside New York City decreased slightly, by approximately 3.5% with 170 fewer crimes reported.

The total number of homicides has declined 29% when comparing 2004 to 2013. In the past four years, the decline has been more significant: homicides are down 26%. Since 2010, the number of reported homicides has declined every year. Homicides by firearm also decreased by 29% over the past 10 years and by 31% since 2010. This is driven primarily by homicide decreases in New York City.

Priorities

Based on an analysis of crime data and budget information, New York will utilize the federal fiscal year (FFY) 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) to support the following priorities:

- Improve the quality, accuracy and timeliness of criminal justice records.
- Improve the capabilities and quality of work of forensic laboratories in DNA identification, ballistic evidence processing, and new technologies.
- Enhance the quality and effectiveness of drug and violent crime prosecution and enforcement, especially as it relates to gangs and to illegal possession and use or sale of guns, and gun violence reduction initiatives.
- Improve the quality and effectiveness of prosecution and defense services.
- Provide additional support for the State's Regional Crime Analysis Centers who share information and provide law enforcement with accurate and timely data.
- Enhance local law enforcement efforts to effectively and efficiently reduce the incidence of crime and violence in their locality.
- Provide training and supplies for law enforcement officers responding to individuals who have overdosed on opioids.

The projects to be funded illustrate the comprehensive nature of New York's Byrne JAG Program: a variety of projects to improve the accuracy and completeness of state criminal history records and facilitate electronic data sharing among authorized users; forensic services including the enhancement of ballistic evidence and DNA processing; prosecution and defense programs that handle cases involving drugs, gangs, and guns; crime analysis designed to assist local law enforcement; law enforcement efforts to reduce crime and gun violence; and training and supplies to aid law enforcement officers responding to individuals experiencing opioid overdose.

Award Process and Timeline

Allocation of Byrne JAG monies in New York, including the determination of specific grantees, is a shared responsibility of the Executive and Legislative branches. Traditionally, the Legislature has identified for distribution approximately two-thirds of the local pass-through funds. While the Commissioner of DCJS will engage in a collaborative dialogue with legislative leaders to foster a more coordinated funding approach consistent with overall criminal justice goals, it is expected that both houses will continue to be responsive to constituent demands and needs and will fund a broad array of programs consistent with their longstanding patterns and Byrne JAG guidelines.

The timeline for awarding Byrne JAG funds will vary. The State Legislature earmarks certain Byrne JAG funding at their discretion. Byrne JAG funding authorized by the Commissioner of DCJS will be awarded in varying ways using both directed and competitive methodologies. DCJS will award grants designed to advance the public policy objectives identified under "Priorities", as well as based on emerging crime patterns around the State.

Program Descriptions

Improve the quality, accuracy and timeliness of criminal justice records

Each year, a substantial portion of the State's Byrne JAG award is allocated for enhancement of State and local criminal justice records through DCJS administered data access and data quality initiatives and local efforts to automate records and records management systems. A broad range of agencies, including police, prosecutors, public defense agencies, probation departments, parole and others benefited from these funds. These funds enabled New York law enforcement and other criminal justice agencies to keep pace with the latest information technology, promote electronic data sharing, and improve data quality. Among the projects funded were:

- deployment of the DCJS Spectrum Justice System (SJS) records management system in local law enforcement agencies;
- automation of records management for the State's town and village courts;

- deployment of the DCJS Jails Management System (JMS) in local correctional facilities;
- automation of local probation department records management through deployment of Caseload Explorer;
- automation of local public defender case management systems;
- automation for local prosecutors through the provision of equipment;
- the DCJS Data Standardization Project, and publication of the Statewide Criminal Justice Data Dictionary;
- the DCJS Standard Practices Project, and publication of the New York State Standard Practices Manual for Processing Fingerprintable Criminal Cases;
- web-based training and electronic performance support for State and local criminal justice agencies; and
- training for State and local agency staff who interact with the DCJS criminal history system and who use, and contribute to, the DCJS database of criminal case history information.

Support for these efforts will be continued.

In addition, in past years Byrne JAG funding was used to provide Livescan equipment for electronic fingerprint submission to police departments, sheriffs' offices, and jails throughout the state. The use of Livescan provides better quality fingerprint submissions than traditional ink and roll fingerprints. It also facilitates the receipt of arrest fingerprint search results by law enforcement agencies and the courts in a much more timely manner. In addition, electronic submission provides greater efficiency for DCJS because DCJS staff must manually enter ink and roll arrest fingerprint cards into the fingerprint repository. Additionally, newer Livescan equipment is capable of processing palm prints, which can be valuable when processing crime scenes. 2014 Byrne JAG funding will be used to update and replace older Livescan equipment with current technology.

Improve the capabilities and quality of work of forensic laboratories in DNA identification, ballistic evidence processing, and new technologies

Forensic services supported through the Byrne JAG program have enabled New York to take advantage of the capabilities afforded by the collection and analysis of DNA samples from known offenders and crime scene evidence. The advances in this area have already yielded impressive dividends, leading to the closure of numerous unsolved cases. These benefits will continue to accrue as state and national DNA databases expand, law enforcement agency skills improve through additional training, and additional resources are devoted to emerging technologies.

DCJS' Office of Forensic Services (OFS) was created following passage of Executive Law Section 995, et seq., providing for:

- DCJS design and oversight of the DNA Identification Index (synonymously known as the "DNA Databank" throughout the law);

- management and coordination of the New York State Commission on Forensic Science and its DNA Subcommittee; and
- DCJS activities related to the accreditation of all New York State public forensic laboratories.

The 2012 expansion of the DNA Databank is continuing to show important results. As of February 2014, there were 546,341 unique DNA offender profiles in the Databank. There were 339 hits to the DNA Databank during the first three months of 2013. Since inception, there have been more than 17,000 hits to the DNA Databank. A total of 17,348 law enforcement investigations have been aided since August 2000. Byrne JAG funding will continue to be used to supplement State resources devoted to the activities of the DCJS Office of Forensic Services.

Enhance the quality and effectiveness of drug and violent crime prosecution and enforcement, especially as it relates to gangs and to illegal possession, use or sale of guns, and gun violence reduction initiatives.

The issue of criminal acquisition and subsequent use of firearms in the United States continues to plague law enforcement officials and the communities they serve. The increase and spread of violent crime, in particular crimes committed by juveniles, and youth gangs, must be specifically addressed to decrease the number of gun-related deaths and injuries that negatively impact the quality of life in our communities. Research has shown people between the ages of 15 and 24 are most likely targeted by gun violence as opposed to other forms of violence. This age group was most at risk for gun violence during this time period. Teens and young adults have an increased likelihood of being murdered with a gun as compared to persons of other ages.

In 2013, the number of firearm-related violent crimes decreased by approximately 6.5% statewide when compared to 2012.

These trends show that law enforcement must continue to employ effective enforcement tactics and policies that include community-based intervention and prevention with an emphasis on collaboration with all vested partners. Research indicates there have been a number of models, initiatives, and programs tried: suppression, deterrence, interventions, demand side versus supply side gun violence strategies; even carrot and stick approaches showcased as NIJ published strategies of the Retailing and Lever Pulling genre.

Over the last several years, New York State has supported a variety of programs under Operation Impact to improve information sharing and partnerships, timeliness and accuracy of crime data, community involvement, and intelligence-based policing in order to fight crime and reduce violence in the 17 counties that account for over 80% of reported crimes outside of New York City. In 2014, DCJS will begin implementing the Gun-Involved Violence Elimination (GIVE) initiative, which will

build on the programs, networks, and collaborations established under Operation Impact to focus more specifically on reducing gun violence in those jurisdictions.

DCJS will use 2014 Byrne JAG funding to evaluate the effectiveness of the programs implemented under the GIVE initiative in order to inform data-driven strategies for reducing gun violence. Funding will also be used to provide technical assistance and oversight for GIVE programs.

DCJS has studied many of the programs tried over the last ten years, including: the Chicago Ceasefire model, Cure Violence, Kansas City's Directed Patrol, Indianapolis Violence Reduction Strategy and High Point, and NC's Gun Reduction Strategy. All contain valuable, proven practices that have had varying degrees of success. DCJS will continue to use Byrne JAG funding to support programs that utilize proven strategies such as these to reduce gun violence in areas not funded under the GIVE initiative.

Improve the quality and effectiveness of prosecution and defense services

Byrne JAG funding will continue support for both prosecution and defense services designed to enhance the quality and effectiveness of drug and violent crime prosecution; and to improve case outcomes by expediting the flow of drug and violent offenders through the criminal justice system. For over twenty years, Byrne JAG funding has provided additional resources to prosecutors in the State to combat identity theft, violent crime, gangs and the trafficking of illegal guns and drugs, as well as community prosecution programs. Defense programs have also received Byrne JAG funding to improve the defense of indigent special population groups (drug or alcohol addicted, persons with mental health issues, sex offenders, etc.) or those indigent defendants processed through specialty courts (Drug, Domestic Violence, Sex Offender, etc.) or to enhance early defense intervention strategies and representation during initial court proceedings.

Provide additional support and expansion of the State's Regional Crime Analysis Centers who share information and provide law enforcement with accurate and timely data

Byrne JAG funds will continue support for the State's five Regional Crime Analysis Centers (CACs) for on-site training, guidance and assistance in developing effective intelligence-led crime reduction strategies and for improving local crime analysis capabilities. The Centers are comprised of law enforcement personnel and crime analysts from Federal, State, county and local agencies. The goal of the centers is to share information and provide law enforcement with accurate and timely data, which they can then use to identify patterns, deploy resources and reduce crime throughout the State. This year's funding will also support the continued expansion of an additional Center in Binghamton which will be utilized by law enforcement jurisdictions in New York's Southern Tier.

Enhance local law enforcement efforts to effectively and efficiently reduce the incidence of crime and violence in their locality

DCJS will competitively award Byrne JAG funds to the jurisdictions in New York that did not qualify for direct awards from the Department of Justice (the less than \$10k jurisdictions) to enhance local law enforcement efforts to effectively and efficiently reduce the incidence of crime and violence in their jurisdiction. 2014 Byrne JAG funds will be used to provide research, training, and program development to law enforcement agencies throughout the state.

Last year, Byrne JAG funds were used to support the Video Recording of Statements Program. This program is designed to enhance the effectiveness of law enforcement and improve prosecution outcomes in New York State by expanding the use of videotaping equipment for police interviews and interrogations. In 2014, funds will be used to provide this equipment to the New York State Police for use in investigations at 85 barracks throughout the state.

Provide training and supplies for law enforcement officers responding to individuals who have overdosed on opioids.

DCJS is collaborating with the NYS Department of Health to train law enforcement officers to administer Naloxone to individuals who have overdosed on opioids. Naloxone, also known as Narcan, counter-acts the life threatening depression of the central nervous system and respiratory system caused by an opioid or heroin overdose. If timely administered, Naloxone can prevent overdose deaths. The training will be offered across the state, will be co-taught by a law enforcement trainer and a health care provider, and will include a hands-on demonstration on administering Naloxone. At the conclusion of the training, officers will be issued prescriptions allowing them to administer Naloxone and provided with a supply of Naloxone.

2014 Byrne JAG funds will be utilized to provide law enforcement officers throughout the state with a prescription for Naloxone and the related supplies required for administering the drug.

Statewide Planning and Coordination

The initiatives outlined in this narrative reflect the priorities identified in State's 2014-2015 budget. They include improving the effectiveness of statewide enforcement and prosecution efforts against violent crime (including gun and drug trafficking, and gang violence), developing local capacity to adopt intelligence-led policing strategies based on real-time crime analysis, and maintaining high quality criminal justice records and forensic laboratory services. Most sources of funding (both State and federal) administered by DCJS will be given to local criminal justice agencies

based on a competitive process and contingent upon their creation and implementation of programs designed to impact these priorities.

Some of the requirements imposed by DCJS as a condition of receiving both State and federal funding promote coordination and planning. Two of the State's major initiatives, the GIVE initiative and the Reentry initiative, require recipient jurisdictions to form a local partnership or consortium to develop a local strategy as part of their application to DCJS. In past years, Operation IMPACT required local consortiums whose memberships included the U.S. attorney as well as federal, State, and local law enforcement agencies. This year the State will be building on the success of Operation Impact with the GIVE Initiative. GIVE will utilize the partnerships and consortiums developed under Operation IMPACT to address the problem of gun violence, focusing those resources on shootings and homicides. Similarly, the Reentry Task Forces have a local consortium requirement which assures the perspectives of multiple State and local agencies are reflected in each jurisdiction's plan.

Local task forces and all gun, gang, and drug enforcement and prosecution initiatives funded with Byrne JAG monies, either partly or in whole, will have this same requirement. In addition, the mechanisms that will be employed to fund these programs, combining federal and State dollars from several agencies and funding streams, ensure shared responsibility and ownership. State agencies also will collaborate on research efforts designed to ascertain the efficacy and cost effectiveness of various crime strategies.

The strategic planning process utilized to determine allocation of JAG funds involves a variety of stakeholders at the state and local level. The Governor's Deputy Secretary for Public Safety oversees the activities of all state criminal justice agencies with the exception of the Unified Court System. The Secretary's role involves determining program and budget priorities in conjunction with agency heads charged with the administration of corrections, parole, probation, juvenile justice, criminal justice information systems such as the criminal history and fingerprint databases and the NYS Sex Offender Registry, and other functions. Support for these programs is provided using a combination of state and federal resources, including JAG funds, although criminal justice funding is largely the responsibility of localities. Thus, the Deputy Secretary receives input from stakeholders including state agency commissioners and local criminal justice officials (e.g., district attorneys, police, probation), which is factored into the development of the state's criminal justice plan as reflected in the Executive Budget (there is not a separate JAG strategic plan). In addition, many state criminal justice functions are governed by advisory boards that have a say in the distribution of funds for programs involving forensics, juvenile justice, motor vehicle theft and insurance fraud, and other areas.

The NYS Legislature and the Judiciary are separate branches of government; however, they too have an important stake in the strategic planning

process. For example, through longstanding agreement with the Executive branch, the Legislature allocates a portion of JAG funds each year. Their process reflects input from local stakeholders, including law enforcement agencies, community crime prevention groups, domestic violence organizations, substance abuse service providers, schools, and others. There is also consultation between the Legislature and Executive branches to ensure that unmet needs are satisfied and to avoid duplication of effort.

In summary, NYS takes into consideration and weighs the distribution of the JAG funds in conjunction with numerous state policy makers and based on data-driven statistics. We have also used JAG funds as seed money based on the indication of data and research to start a variety of different public safety initiatives that are then supported with state general funds in later years. Many of these initiatives involve collaboration with local public safety agencies to implement a funded JAG program.

Collecting and Submitting Performance Measurement Data

Since BJA's PMT system became operational, DCJS integrates the required performance measures into each Byrne JAG subrecipient grant contract. DCJS is requiring each subrecipient to submit data for the PMT directly into the PMT system with close DCJS monitoring. DCJS also conducts on-going training for subrecipients and continues assist them in complying with this important requirement.