

New York State Department of Corrections and Community Supervision

Fiscal Year 2020-21 Budget Hearing

February 12, 2020

Testimony of Anthony J. Annucci, Acting Commissioner

Good Afternoon. Chairwoman Krueger, Chairwoman Weinstein, and other distinguished Chairs and members of the Legislature, I am Anthony J. Annucci, Acting Commissioner for the Department of Corrections and Community Supervision. It is my honor to discuss some of the highlights of Governor Cuomo's Executive Budget plan.

Since the Governor took office, the incarcerated population has decreased by nearly 13,000 – representing a 23% reduction, marking the lowest total since 1987. More significantly, the total population reduction for 2018 and 2019 combined was approximately 6,000. Even with these drastic reductions to incarceration, New York proudly remains the safest large state in the country.

With the drastic reduction in our prison population, the State can safely eliminate excess capacity, while supporting the Department's hard-working men and women. Last year, the Department successfully closed Livingston and Lincoln Correctional Facilities, enabling the transfer of staff to vacancies at other facilities or offices, while transitioning the incarcerated population into vacant beds elsewhere. Based on the continued decline of the incarcerated population, we anticipate additional facility closures in the upcoming fiscal year.

In 2017, the Governor successfully passed legislation to gradually raise the age of criminal responsibility from 16 to 18 years old. By all accounts, the implementation has been a resounding success, but the Department currently houses a total of only 32

individuals under the age of 18. Harkening back to his initial Raise the Age proposal, the Governor has advanced legislation to remove all individuals under the age of 18 from DOCCS, and to divert future Adolescent Offenders to the Office of Children and Family Services. This change will allow youth sentenced to state incarceration, to receive consistent and comprehensive developmentally appropriate services at OCFS. It will also position DOCCS to focus on the rehabilitation of our adult population by repurposing the two AO facilities for the treatment of individuals with an identified substance abuse need or who have used illicit substances while in custody.

The incarcerated population is not immune to the opioid epidemic plaguing society at large. To counter this epidemic, under Governor Cuomo's leadership, we expanded access to treatment, and currently provide MAT services in 11 facilities through a partnership with the Office of Addiction Services and Supports and various community providers. This year, the Department will expand access to MAT by providing buprenorphine in those facilities, while seeking national certification and accreditation to operate a system-wide Opioid Treatment Program, creating the Nation's first state corrections-operated OTP in the country.

The safety of our staff and the security of our facilities and offices remain a top priority for the Department. Last year, we continued to leverage technology by expanding our first-in-the-nation body camera pilot, while furthering the installation of our fixed camera systems. We also successfully deployed tablet technology for the entire population at no cost. Incarcerated individuals now have access to free e-books and educational material and games, with an opportunity to purchase additional services such as movies and the ability to send secure messages to friends and families, thus

strengthening family ties and reunification. In the coming months, we will pilot an electronic grievance module, which will be rolled out statewide by year's end. I am proud to say that these tablets have already provided a noticeable improvement for both staff and the incarcerated population.

Building upon the success of the historic NYCLU settlement agreement, last year the Governor, along with the leaders of both houses, jointly agreed to further overhaul segregated confinement through administrative action. DOCCS issued regulations for public comment that are currently under review. Simultaneously, utilizing the \$69M in capital funding allocated last year, we have begun the necessary infrastructure upgrades required to develop residential rehabilitation units that will allow individuals serving a disciplinary sanction to receive out-of-cell programming to address their underlying behavior and to reinforce pro-social behavior. When fully implemented, these reforms will restrict the use of segregation for vulnerable populations, cap the amount of time someone can spend in segregation, and expand the number of specialized units available for individuals leaving segregated confinement. Through these ongoing reforms, I am confident we will successfully provide incarcerated individuals with the services and treatment they need, while continuing to keep staff, the population and visitors safe.

The Department's Community Supervision staff worked closely with the Board of Parole to publish revised regulations in December that update the standard conditions of supervision and substantially modify the parole revocation guidelines. These actions will further reduce the number of people readmitted to prison and provide them the necessary treatment opportunities and support to continue to become productive citizens. DOCCS will also continue to support the Board of Parole in all administrative activities, enhancing

their ability to make informed decisions and set the terms for successful reentry and reintegration into society.

In conclusion, many challenges and expectations lie ahead for the Department as it continues to develop transformative programs and initiatives, while relying upon a professional, well-trained and dedicated workforce, that performs its responsibilities in an exemplary manner, often under dangerous and difficult circumstances. The Governor's budget positions the Department to successfully execute its mission, while addressing the dramatic decline in the population, to the benefit of the agency and all New Yorkers. Every day, this Department reaffirms its mission to public safety by running a fair system that provides incarcerated individuals and parolees with the programs and services they need to succeed. Thank you and I will be happy to answer any questions.

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