

FY 2013-2014 Budget Testimony

Division of Criminal Justice Services

February 6, 2013

Good morning Chairman DeFrancisco, Chairman Farrell and distinguished members of the Senate Finance and Assembly Ways and Means Committees. I am Michael Green, Executive Deputy Commissioner of the Division of Criminal Justice Services. Thank you for inviting me to appear before you today.

Governor Cuomo's proposed budget for Fiscal Year 2013-2014 builds on the success of the last two years by continuing our fiscal discipline and spending restraint while taking our commitment to accountability and results to the next level. Simply put, this budget will allow DCJS to continue our mission to enhance public safety and improve criminal justice.

Last year, the Legislature enacted a major expansion of the DNA Databank. New York now requires a DNA sample from those offenders convicted and sentenced for all felony offenses and all Penal Law misdemeanors, with the exception of first-time offenders convicted of low-level misdemeanor marijuana possession. New York now has one of the most comprehensive DNA statutes in the country, which will help to prevent crime, exonerate the innocent and convict the guilty. The Governor's proposed budget includes an increase of \$135,000 to fully annualize operational costs associated with this important law.

Crime declined in 2011, and the FBI reports that New York continues to be the safest large state in the country, and the fourth safest state overall, behind only the Dakotas and Idaho. While crime data is still being finalized for 2012, preliminary statistics indicate that New York City is likely to show a slight increase, and the rest of the State will likely be unchanged from the lows seen in 2011. At the same time, New York's prison population has declined steadily over the past decade, from a high of more than 72,000 inmates to a current population of less than 53,000. In addition, New York has the lowest imprisonment rate of any large state.

The success of Operation IMPACT and the growing sophistication of the regional Crime Analysis Centers have played key roles in maintaining these historically low levels of crime. Under the Governor's proposed budget, funding for the 17 Operation IMPACT sites, and the Crime Analysis Centers located in Albany, Buffalo, Rochester and Syracuse, will be continued at the same levels as last year.

Over the past year, DCJS has worked to implement a new cost benefit model called Results First which helps decision-makers quantify how much public safety our investments are buying. The model also identifies where criminal justice interventions may be targeted to most effectively reduce crime and reduce costs. The Results First model applies the outcomes of national and New York studies to project the costs and public safety benefits of different interventions and program options. The model quantifies the impact of targeting the more intensive and expensive programs to higher-risk offenders, while providing less expensive options to lower-risk individuals.

Under the model, programs must adhere to practices that have been proven to reduce recidivism. In addition, the process utilized to match offenders to services is important to results. Studies show that programs can most significantly reduce recidivism rates when they serve the right offenders for their program model, and offenders should be matched to programs based on the results of a valid assessment. Therefore, program dollars are spent more efficiently and outcomes are optimized.

New York now has an opportunity to apply these important proven principles and stabilize the funding streams for a critical component of our justice system – our strong community network of alternative to incarceration programs.

This year, the Governor's budget proposes a new approach that will allow those programs, formerly funded in part under the American Recovery and Reinvestment Act that expires next month, to submit a competitive application for the provision of services. This year's budget recommends \$11.4 million to continue support for a range of pretrial, alternative to incarceration, employment, and treatment programs with some notable changes:

- A competitive RFP will be issued for a range of program models.
- Programs will be required to target higher risk, higher need offenders and use risk and needs assessments to confirm that they are serving appropriate clients.
- A regional analysis of crime rates, incarceration trends and recidivism will be used to prioritize geographic areas of need.
- A formal quality assurance and evaluation system will be established to ensure programs operate with fidelity and expected outcomes are achieved.

Taken together, these steps will ensure that New York gets the best possible return on investment, continues to reduce crime, and helps more offenders remain in the community crime-free.

The Executive Budget also recommends an increase in funding of \$350,000 to provide payments to counties for costs associated with statutory minimum salary increases for District Attorneys.

In addition, the 2013-14 Budget reflects a savings of \$350,000, which is associated with our move from rented space in Executive Park in Stuyvesant Plaza to the State-owned Alfred E. Smith Building. We completed our move on December 22, and appreciate the assistance and professionalism of the State Office of General Services in orchestrating the move.

In sum, Governor Cuomo's Public Safety budget builds on the success of the past two years by continuing our fiscal discipline and spending restraint while making our criminal justice operations more effective. The Governor's budget is designed to continue the historic progress we have made in reducing crime and incarceration, recognizing that when we invest in initiatives that drive down crime, there is a significant return on that investment. Fewer crimes means fewer crime victims, which means less injuries which translates to fewer hospital bills and less strain on the insurance industry; it also means fewer people on parole and probation; and fewer people in our jails and prisons. All of that translates to safer communities in which New Yorkers can live, work, and raise our families. Thank you.