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**FY 2017-2018 Budget Testimony**  
**Division of Criminal Justice Services**  
**January 31, 2017**

Good morning Chairwoman Young, Chairman Farrell and distinguished members of the legislature. I am Mike Green, head 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 2017-2018 will allow DCJS to continue to support the criminal justice system in communities across the state, support evidence-based programs proven to be effective and cost efficient, and develop innovative programs that position New York as a national leader in effective public safety policy.

New York continues to experience reductions in crime and the prison population. Reported crime reached an all-time low in 2015, and we maintain our standing as the safest large state in the nation. New York also has the lowest imprisonment rate of any large state.

**Criminal Justice Reform**

In addition to reintroducing legislation to raise the age of criminal responsibility, Governor Cuomo has proposed a wide range of other reforms to enhance the fairness and effectiveness of our criminal justice system and build trust between law enforcement agencies and communities.

*Reform Bail and Reduce Pre-trial Detention*

The Governor is committed to reforming New York's bail statute. New York is one of only four states prohibiting judges from considering risk to public safety as a factor when setting bail. A common sense amendment will allow judges to consider that risk when setting bail or allowing release and permit them to use proven risk assessments to aid in pre-trial release decisions. This will not only enhance public safety but also minimize the impact of financial status in making detention and release decisions.

*Ensure the Right to a Speedy Trial*

All citizens accused of a crime are guaranteed the right to a speedy trial. Despite legal and constitutional protections, many defendants are currently held in custody for long periods or when not in custody, cases often languish for months or years before disposition causing disruption to defendants and victims alike. This year, the Governor will advance legislation to reduce unnecessary delays and adjournments in court proceedings.

*Video Recording of Interrogations/Identification Procedure Reform*

Governor Cuomo has advanced legislation reforming identification procedures and requiring video recording of interrogations in serious cases. The evidence-based reforms to identification procedures will bring New York in line with 49 other states that allow properly conducted photo array identifications to be brought into evidence at trial. Law enforcement agencies across the state have embraced video recording of interrogations, and DCJS has provided more than \$3.5 million for local agencies to purchase and install the recording technology. The Innocence Project, the New York State Bar Association, and the District Attorneys' Association support these concepts; it's time they became law.

## **Sentencing Reform**

The Governor has introduced a sentencing reform proposal to modernize sentencing laws by eliminating indeterminate sentences for non-violent felonies in favor of determinate sentences, as we have done for violent, sex and drug felonies. It also calls for the elimination of mandatory prison sentences for second D and E felons where a judge finds a prison sentence would be unduly harsh.

## **SNUG**

DCJS currently funds and administers 11 street outreach or "SNUG" programs across the state. The Governor's budget proposal increases funding for street outreach work to nearly \$5 million, an increase of \$1.5 million when compared to 2016-17. Street outreach work is an evidence based strategy proven to be an important part of a comprehensive effort to address shootings and homicides.

This 2017-18 budget proposal will allow DCJS to continue supporting our local partners. Our evidence-based initiatives are designed to promote fairness, respect and transparency in the state's criminal justice system. But our highest priority is public safety. We are confident that with your continued support, we will continue the historic reductions in crime we have achieved, while continuing to reduce the number of individuals who enter the criminal justice system.

Thank you for the opportunity to speak with you today. I am ready to take your questions.