



**Division of Criminal
Justice Services**

New York State's Application for Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds – FFY 2015

**July 7, 2015
Grant Request: \$8,702,482**

This proposal is for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2015 in the amount of \$8,702,482

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Program Narrative

State Strategy/Funding Priorities

Introduction

New York State has experienced significant declines in both the crime rate—and 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 19 percent; the rate of violent crimes (murder, rape, robbery, and aggravated assault) fell 18% and property crimes (burglary, larceny, and motor vehicle theft) were down 19%. The largest reductions in crime rates were reported for motor vehicle theft, murder, robbery and 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. The number of Index crimes reached the lowest levels ever recorded statewide in 2014, when there were 81,125 fewer crimes reported than in 2005. The State’s population increased by approximately 490,000 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 14.7% between 2005 and 2014, while the rate of decline was 18.1% 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 2014.

The decline in violent crime over the last 10 years was nearly three times greater outside New York City (-26.1%) than in New York City (-9.5%). 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 and 2014. New York City now accounts for 68.4% of the violent crime reported in New York State.

In 2014, New York State reported a decline in all seven Index crime categories except motor vehicle theft as compared to 2013. Violent crime declined 5.5% while property crime declined 5.7%. The largest declines were reported in robbery (-11.8%) and burglary (-10.3%).

The total number of Index crimes in New York City decreased by 4.7% between 2013 and 2014. There was an increase in motor vehicle theft (+3.9%) during the period. In the violent crime category, robberies dropped significantly (-13.5%) while rape decreased by 3.8%. There were also decreases in two property crime categories: larceny (-4.9%) and burglary (-4.2%).

Reported crime outside of New York City decreased by 6.4% between 2013 and 2014. Decreases were reported in all crime categories. In the violent crime category, murder (-9.7%) and robbery (-7.7%) declined significantly. In the property crime category, the largest decline was reported for burglary (-12.9%).

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 2013 and 2014, violent crime involving firearms decreased in New York City by 6% with 446 fewer crimes reported. During the same time period, violent crimes by firearm outside New York City decreased by approximately 4.0% with 173 fewer crimes reported.

The total number of homicides reported statewide in 2014 reached the lowest point since crime reporting began in 1975. Homicides decreased by 30% (875 vs.612) when comparing 2005 to 2014 and have steadily declined since 2010. Homicides by firearm also decreased by 30% over the past 10 years and by 33% 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) 2015 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 violent crime and drug 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 through the use of evidence based, proven strategies.
- Improve procedural justice in law enforcement agencies throughout the State.

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, guns, gangs, and drugs; crime analysis designed to assist local law enforcement; and law enforcement efforts to reduce crime and gun violence.

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 Executive Deputy 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 Executive Deputy 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/corrections 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 and other identified 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 timelier 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. The 2015 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 enactment 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 June 2015, there were 563,574 unique DNA offender profiles in the Databank. Since inception, there have been more than 19,000 hits to the DNA Databank. A total of 20,105 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 gun and violent crime drug 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 2014, the number of firearm-related violent crimes decreased by approximately 5.1% statewide when compared to 2013.

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. Last year, DCJS began implementing the Gun-Involved Violence Elimination (GIVE) initiative, which is building on the programs, networks, and collaborations established under Operation Impact to focus more specifically on reducing gun violence in those jurisdictions. GIVE supports evidence based, proven strategies including focused deterrence, hot spot policing, Crime Prevention Through Environmental Design (CPTED) and street outreach work. Problem oriented policing principles are used to develop individual strategies and procedural justice must be incorporated into the work in each jurisdiction. DCJS has invested heavily in training and technical assistance to assist our local GIVE partners in developing and implementing successful strategies, engaging the National Network for Safe Communities, Justice and Security Strategies Inc. (Craig Uchida), National Crime Prevention Council, Cure Violence and the Institute for the Study and Practice of Non-Violence (Teny Gross) among others to help deliver the education, training and technical assistance. In 2015, DCJS will continue to work with our partner agencies in the second year of GIVE.

DCJS will use 2015 Byrne JAG funding to continue 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.

Since 2010, DCJS has supported neighborhood based gun violence reduction strategies under the SNUG initiative. The SNUG initiative has a goal of reducing gun-related injuries and deaths in selected localities with high rates of such injuries among youth and young adults. The programs are designed around street outreach workers and violence interrupters to connect with at risk individuals and utilize community based organizations and individuals that are well

positioned to work with the highest risk youths and young adults in the community. DCJS will utilize 2015 Byrne JAG funding to fund a Neighborhood Violence Prevention Program Coordinator to provide oversight and technical assistance to the 11 SNUG sites operating around the state under the Cure Violence model. In addition, JAG funds will be used to provide training to the Economic Opportunity Council of Suffolk, Inc., in street outreach violence reduction based on the model developed by the Institute for the Study and Practice of Non-Violence.

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 violent crime and drug 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 to the State's seven 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 be used to aid in the development of an additional CAC in Franklin County, which is centrally located in New York's Northern Border region, along the State's border with Canada.

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. 2015 Byrne JAG funds will be used to provide research,

training, resources, and program development to law enforcement agencies throughout the state.

Support strategies to improve or enhance procedural justice in law enforcement agencies throughout the State

In recognition of the importance of cooperation and involvement by the public in police operations, DCJS will award Byrne JAG funds to support training and development of strategies to enhance the sense of procedural justice in law enforcement agencies around the State. Procedural justice is a measure of the extent to which members of the public perceive the police to be fair, unbiased, and trustworthy. Procedural justice can impact the public's sense of the legitimacy of a law enforcement agency, or the belief that the agency is competent and deserving of the authority to address problems in the community. DCJS is planning a symposium focusing on procedural justice as well as leadership training with procedural justice components.

Statewide Planning and Coordination

The initiatives outlined in this narrative reflect the priorities identified in New York State's 2015-2016 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 the first year of the GIVE Initiative. GIVE is utilizing the partnerships and consortiums developed under Operation IMPACT and the first year of GIVE 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. The Deputy 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 sub-recipient grant contract. DCJS is requiring each sub-recipient to submit PMT data directly into the PMT system with close DCJS monitoring. DCJS also conducts on-going training for sub-recipients and continues to assist them in complying with this important requirement.