



DAVID A. PATERSON  
Governor



SEAN M. BYRNE  
Acting Commissioner

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# NEW YORK STATE CRIMINAL JUSTICE

## 2009 Crimestat Report

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Issued June 2010



NEW YORK STATE  
David A. Paterson, Governor



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# 2009 Crimestat Report

## 4<sup>th</sup> Edition

### Issued June 2010

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#### DIVISION OF CRIMINAL JUSTICE SERVICES

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# Criminal Justice Performance Management 2009 Crimestat Report

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# Introduction

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The *2009 Crimestat Report* presents system indicator and performance measurement data for criminal justice activities within New York State. Compiled by the Division of Criminal Justice Services (DCJS), this report includes information from DCJS and the following state agencies:

- Board of Examiners of Sex Offenders
- State Commission of Correction
- Department of Correctional Services
- Crime Victims Board
- Division of Parole
- Office for the Prevention of Domestic Violence
- Division of Probation and Correctional Alternatives
- Division of State Police

Data also are provided by the Federal Bureau of Investigation, the Federal Bureau of Immigration and Customs Enforcement, the New York/New Jersey High Intensity Drug Trafficking Area, and local police and law enforcement agencies throughout New York State.

Most of the data presented are provided to DCJS through the Crimestat process. Crimestat is the performance management system for New York State criminal justice agencies and initiatives. While many organizations use data to manage performance, Crimestat brings together criminal justice system indicators and performance measures from numerous state agencies, as well as federal and local criminal justice agencies.

The 23 criminal justice topics covered in this report include five strategy areas that cross agency lines. These five are:

- Operation IMPACT
- DNA Databank and Collection
- Offender Re-entry
- Sex Offender Management
- Criminal Alien Improvements

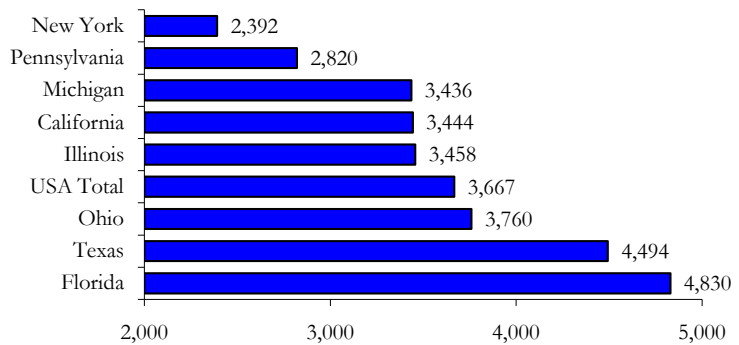
Historical criminal justice system indicator data, including reported crime and criminal justice populations, are presented in the report. For performance measures, five years of data are presented. The Sex Offender Management section also provides information required by Article 6-C of the Correction Law.

This report and other Crimestat reports are available on the DCJS website at [www.criminaljustice.state.ny.us](http://www.criminaljustice.state.ny.us). In addition, law enforcement personnel can access monthly performance reports on the Crimestat suite of eJusticeNY, the secure communications network for criminal justice. For more information on criminal justice performance management, please call 518-457-7301 or send an e-mail to [crimestat@dcjs.state.ny.us](mailto:crimestat@dcjs.state.ny.us).

# Crime in New York State

In 2008, New York remained the safest large state in the nation and became the fifth safest state overall. The 2009 FBI figures, which allow for comparison to other states, will not be available until mid-2010, so 2008 figures are presented here. Preliminary 2009 crime data are available online at <http://criminaljustice.state.ny.us>. The 2008 FBI crime statistics show that among the eight states with a population of 10 million or more, New York had the lowest crime rate. The crime rate in New York was 15% lower than the next lowest state, Pennsylvania, and was 50% lower than the state with the highest rate, Florida.

**Index Crime Rates in 2008**



Source: FBI, Crime in the United States, 2008; rates are index crimes per 100,000 residents.

Over the past 18 years, the crime rate in New York State has declined steadily. The largest reductions in crime rate were reported for murder, robbery, burglary, and motor vehicle theft. Overall, the rate of index crimes per 100,000 residents declined 62% since 1990, the rate of violent crimes (murder, rape, robbery, and aggravated assault) dropped 66% and property crimes (burglary, larceny, and motor vehicle theft) fell 62%.

**New York State Percent Change in Crime Rates 1990 vs. 2008**

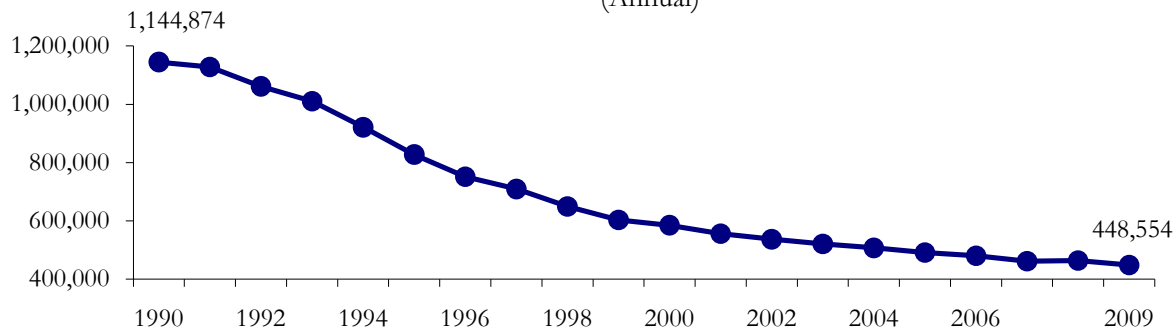
	1990	2008	% Change
<b>Total</b>	<b>6,363.8</b>	<b>2,391.5</b>	<b>-62%</b>
<b>Violent Crime</b>	<b>1,180.9</b>	<b>398.1</b>	<b>-66%</b>
Murder	14.5	4.3	-70%
Rape	29.8	14.4	-52%
Robbery	624.7	163.0	-74%
Assault	512.0	216.4	-58%
<b>Property Crime</b>	<b>5,182.8</b>	<b>1,993.5</b>	<b>-62%</b>
Burglary	1,160.7	337.3	-71%
Larceny	2,979.4	1,527.3	-49%
MV Theft	1,042.7	128.9	-88%

Source: FBI, Crime in the United States, 2008.

While New York State's crime rate has decreased dramatically, New York also has reported a significant reduction in the actual number of crimes reported. In 2009, there were more than 696,000 fewer crimes reported than in 1990, while the population of the state has increased by more than 1.3 million since 1990.

**New York State Crimes Reported**

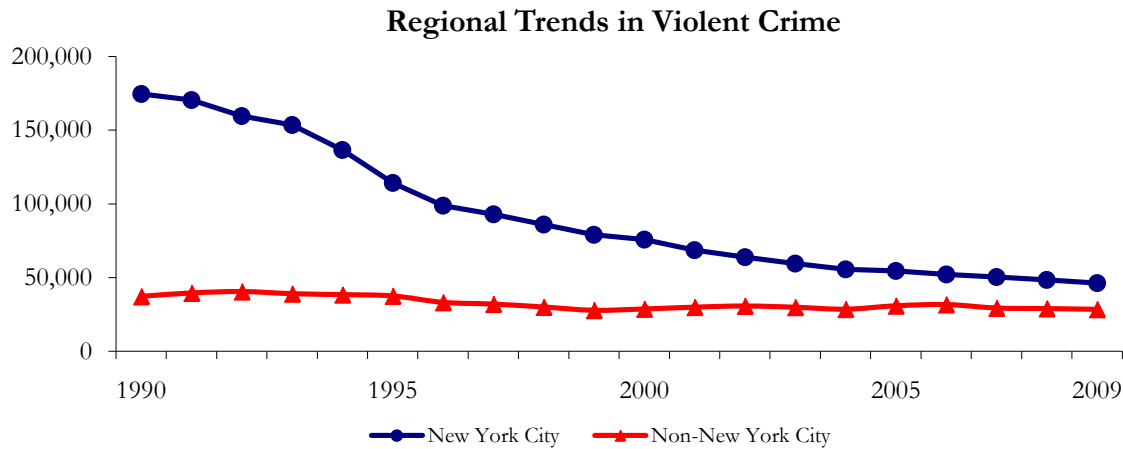
(Annual)



Source: DCJS, Uniform Crime/Incident Based Reporting systems (4/14/10)

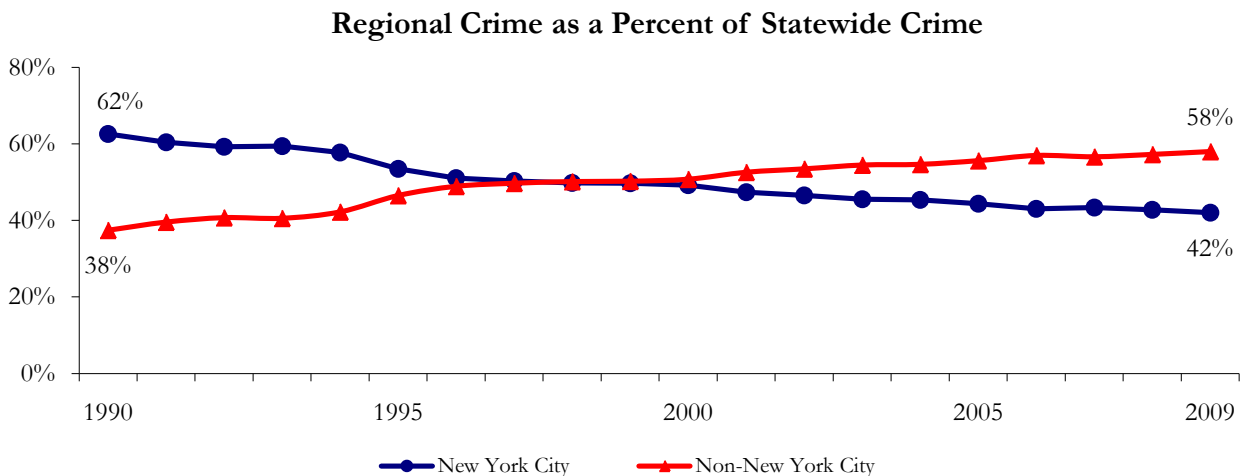
# Crime in New York State

However, not all areas of the state have benefited equally from the historic reduction in crime. The graph below shows that the majority of violent crime incidents are reported within the five counties of New York City. It also shows that violent crime within New York City has decreased by 74% since 1990 while violent crime outside of New York City has not changed significantly. However, the table on page 3 shows that violent crime in the 57 counties outside of New York City remains down in 2009 as compared to the 10-year high in 2006.



Source: DCJS, Uniform Crime/Incident Based Reporting systems (4/14/10)

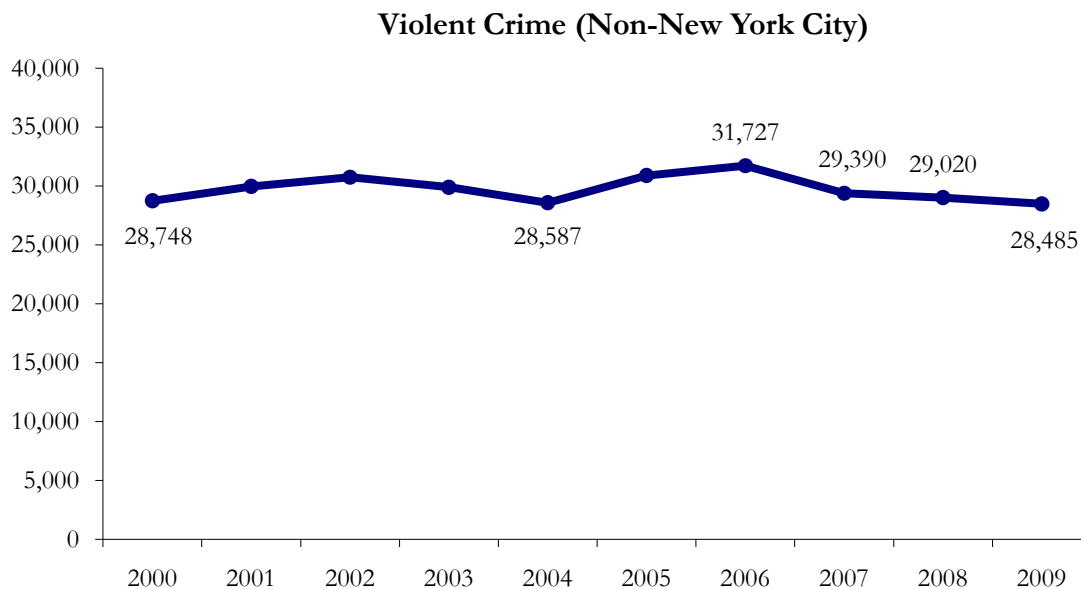
The counties outside New York City now account for 58% of the reported crime statewide, as compared to 38% in 1990.



Source: DCJS, Uniform Crime/Incident Based Reporting systems (4/14/10)

## Violent Crime Outside of New York City

During the past 10 years, violent crime has fluctuated in the counties outside New York City, resulting in slightly lower count in 2009 as compared with 2000.



Source: Uniform Crime/Incident Based Reporting systems (4/14/10)

### Violent Crime (Non-New York City)

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	08 vs 09 % Change
<b>Violent Crimes</b>	<b>28,748</b>	<b>29,971</b>	<b>30,752</b>	<b>29,903</b>	<b>28,587</b>	<b>30,895</b>	<b>31,727</b>	<b>29,390</b>	<b>29,020</b>	<b>28,485</b>	<b>-2%</b>
Murder	287	322	318	327	329	335	331	312	311	309	-1%
Rape	1,709	1,915	2,085	2,161	2,133	2,202	2,094	2,049	1,892	1,742	-8%
Robbery	9,008	9,511	9,716	9,788	8,977	10,280	10,868	9,266	9,586	9,464	-1%
Agg. Assault	17,744	18,223	18,633	17,627	17,148	18,078	18,434	17,763	17,231	16,970	-2%

Source: DCJS, Uniform Crime/Incident Based Reporting systems (4/14/10)

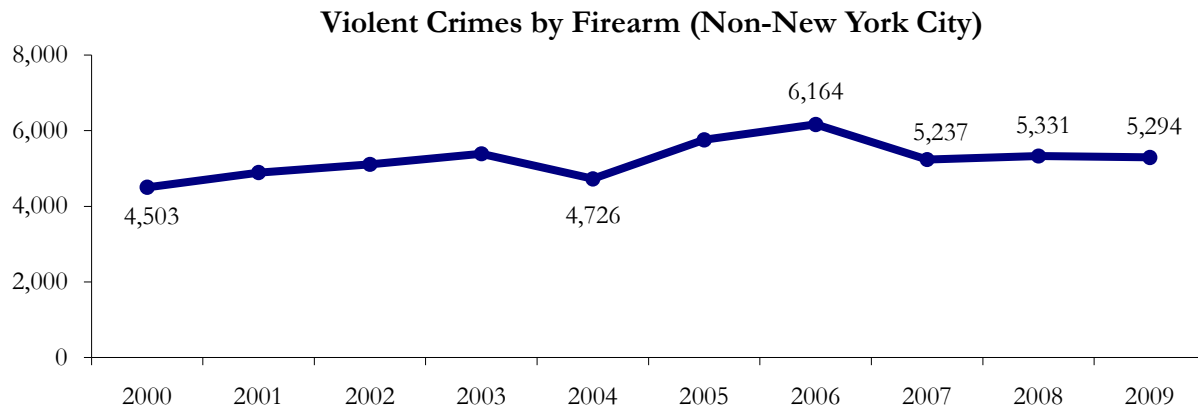
- ✓ During 2009, violent crime in the counties outside New York City decreased by 2%, as compared to 2008.

Among the violent crimes reported outside New York City during 2009:

- ✓ Murders decreased by 1% with 309 reported in 2009, as compared to 311 murders reported in 2008.
- ✓ Rapes decreased by 8%.
- ✓ Robberies decreased by 1%.
- ✓ Aggravated assaults decreased by 2%.

# Violent Crime Outside of New York City

The Uniform Crime Reports submitted by law enforcement agencies in the counties outside of New York City include information on the number of violent crimes reported that involve a firearm.



Source: Uniform Crime/Incident Based Reporting systems (4/14/10)

**Violent Crimes by Firearm (Non-New York City)**

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Percent Change	
											08 vs. 09	00 vs. 09
Violent Crimes	28,745	29,964	30,745	29,906	28,577	30,895	31,727	29,390	29,021	28,485	-2%	-1%
Firearm Related	4,503	4,894	5,109	5,389	4,726	5,758	6,164	5,237	5,331	5,294	-1%	18%
Percent Firearm	16%	16%	17%	18%	17%	19%	19%	18%	18%	19%	1%	19%
Murder	284	315	311	330	319	335	331	312	312	309	-1%	9%
Firearm Related	141	171	178	190	156	168	186	175	179	181	1%	28%
Percent Firearm	50%	54%	57%	58%	49%	50%	56%	56%	57%	59%	2%	18%
Forcible Rape	1,709	1,915	2,085	2,161	2,133	2,202	2,094	2,049	1,892	1,742	-8%	2%
Firearm Related	58	65	45	47	55	52	35	31	36	24	-33%	-59%
Percent Firearm	3%	3%	2%	2%	3%	2%	2%	2%	2%	1%	-28%	-59%
Robbery	9,008	9,511	9,716	9,788	8,977	10,280	10,868	9,266	9,586	9,464	-1%	5%
Firearm Related	2,607	2,819	2,873	3,036	2,607	3,251	3,413	2,688	2,833	2,808	-1%	8%
Percent Firearm	29%	30%	30%	31%	29%	32%	31%	29%	30%	30%	0%	3%
Aggravated Assault	17,744	18,223	18,633	17,627	17,148	18,078	18,434	17,763	17,231	16,970	-2%	-4%
Firearm Related	1,697	1,839	2,013	2,116	1,908	2,287	2,530	2,343	2,283	2,281	0%	34%
Percent Firearm	10%	10%	11%	12%	11%	13%	14%	13%	13%	13%	1%	41%

Source: DCJS, Uniform Crime/Incident Based Reporting systems (4/14/2010)

*(In this table, violent crime by firearm counts prior to 2005 have been reconciled with official UCR counts.)*

- ✓ Outside of New York City, there were 5,294 reported violent crime incidents that involved a firearm in 2009, a decrease of 1% from 2008.
- ✓ Of the 309 murders in 2009, 59% involved a firearm, an increase from 57% in 2008.
- ✓ During 2009, there were 2,808 robberies involving a firearm, a slight decrease (-1%) from 2008.
- ✓ Firearm-related aggravated assaults were flat in 2009 as compared to 2008, with 2,281 reported.



# Operation IMPACT in New York State

The goal of Operation IMPACT is to reduce crime, particularly violent and firearm-related crime, in the 17 counties in New York State that account for almost 80% of total crime outside of New York City. This program provides funding, resources, and technical assistance, and fosters enhanced partnerships among participating agencies. Successful crime reduction strategies incorporate timely, accurate crime reporting; crime analysis; intelligence development and sharing; rapid deployment of personnel; formulation and evaluation of strategic operations; and community efforts.

The police jurisdiction that reports the highest volume of violent crime within the county is designated as the primary IMPACT site. The county District Attorney and Chief of Police in the primary jurisdiction lead the IMPACT partnership and coordinate the IMPACT strategy. During 2009, 92 local agencies received Operation IMPACT funding.

## 2009 IMPACT County Crime Statistics

### Total Index Crime

IMPACT County	2009 Population	Crime Count	Percent of Non-NYC
Albany	298,400	10,402	4.0%
Broome	194,381	6,091	2.3%
Chautauqua	133,112	3,591	1.4%
Dutchess	294,145	5,873	2.3%
Eric	905,273	32,653	12.5%
Monroe	731,849	25,710	9.9%
Nassau	1,352,956	21,607	8.3%
Niagara	213,831	7,132	2.7%
Oneida	231,141	6,534	2.5%
Onondaga	451,917	13,383	5.1%
Orange	383,829	8,704	3.3%
Rensselaer	155,511	4,696	1.8%
Rockland	299,944	4,962	1.9%
Schenectady	151,942	5,818	2.2%
Suffolk	1,521,962	31,963	12.3%
Ulster	182,041	3,883	1.5%
Westchester	956,850	16,439	6.3%
<b>IMPACT Total</b>	<b>8,459,084</b>	<b>209,441</b>	<b>80.5%</b>
<b>Other Counties</b>	<b>2,677,450</b>	<b>50,756</b>	<b>19.5%</b>
<b>Non-NYC Total</b>	<b>11,136,534</b>	<b>260,197</b>	<b>100.0%</b>

Source: DCJS, Uniform Crime/Incident-Based Reporting systems.

As of 4/14/2010.

### State and Federal participants include:

- New York State Division of Criminal Justice Services (DCJS)
- New York State Police (NYSP)
- New York State Division of Parole (DOP)
- New York State Division of Probation and Correctional Alternatives (DPCA)
- New York State Liquor Authority (SLA)
- United States Attorney's Office
- Various Federal law enforcement agencies (FBI, U.S. Marshal's Service, ATF, DEA, etc.)

### County and local participants include:

- District Attorneys' Offices
- Sheriffs' Offices
- County Probation Departments
- Secondary local police agencies within IMPACT Counties
- Other miscellaneous local agencies

Operation IMPACT grants are awarded on a competitive basis and require all participating jurisdictions to focus on reducing violent crime. Jurisdictions are required to enhance their crime analysis capability, further develop their use of criminal intelligence and include an enforcement, prosecution and community component.

# Operation IMPACT in New York State

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## Key Public Service Areas

- Support active local partnerships to reduce crime
- Improve the data available to help reduce crime
- Enhance crime analysis and intelligence development and expand information sharing among partner agencies
- Participate in crime-fighting operations, particularly those that address gun crime and other violent crime

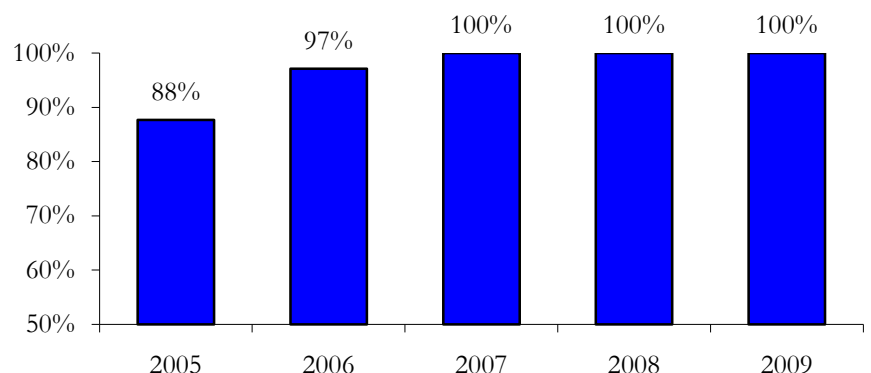
## Critical Objectives

- Develop and implement effective strategies to reduce crime
- Enhance crime analysis and proactive intelligence collection and dissemination capabilities
- Compile and submit all crime reports within 30 days of the end of the month
- Report all recovered crime guns to the State Police and the federal Alcohol, Tobacco and Firearms, and process all crime guns at the local forensic laboratory
- Maintain a high level of compliance with required functions such as entering all targets of open, active investigation into SAFETNet; ensuring that all sex offenders assigned to each of the respective IMPACT jurisdictions have complied with address verification and photo submission requirements; and promptly securing DNA samples for the appropriate individuals as required by law

Timely, accurate crime data are essential for criminal justice decision-making. All primary IMPACT sites are required to submit a monthly summary of reported crime to DCJS within 30 days of the end of the reporting month. These data are summarized and returned to all IMPACT partners and show the most recent levels of reported crime for murder, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, and violent crime involving a firearm. Up-to-date crime information also is posted on eJusticeNY to inform law enforcement agencies of recent trends in their county and region.

**Percent of Crime Reports Submitted Within 30 Days - IMPACT Agencies**  
(Annual)

√ During 2009, the 17 primary IMPACT agencies reported their crime data within 30 days as required 100% of the time.



# Operation IMPACT in New York State

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## IMPACT Crime Trends

Data for the primary IMPACT jurisdictions are available through December 31, 2009.

### Primary IMPACT Jurisdictions 2005 - 2009

	2005	2006	2007	2008	2009	08 vs 09 % Change
<b>Total</b>	<b>118,656</b>	<b>119,511</b>	<b>112,695</b>	<b>116,022</b>	<b>111,737</b>	<b>-3.7%</b>
<b>Violent Crime</b>	<b>17,562</b>	<b>18,247</b>	<b>16,487</b>	<b>16,786</b>	<b>16,668</b>	<b>-0.7%</b>
Murder	226	225	205	213	217	1.9%
Rape	795	773	797	759	677	-10.8%
Robbery	7,332	7,642	6,602	6,812	6,699	-1.7%
Agg. Assault	9,209	9,607	8,883	9,002	9,075	0.8%
<b>Property Crime</b>	<b>101,094</b>	<b>101,264</b>	<b>96,208</b>	<b>99,236</b>	<b>95,069</b>	<b>-4.2%</b>
Burglary	20,460	20,966	19,676	20,833	20,129	-3.4%
Larceny	69,352	69,657	67,001	70,347	68,025	-3.3%
MV Theft	11,282	10,641	9,531	8,056	6,915	-14.2%

Source: Uniform Crime\Incident Based Reporting systems (2/1/2010)

Note: Includes reported crime data from the following police departments: Albany City, Binghamton City, Buffalo City, Jamestown City, Kingston City, Nassau County, Newburgh City, Niagara Falls City, Poughkeepsie City, Rochester City, Schenectady City, Spring Valley Village, Suffolk County, Syracuse City, Troy City, Utica City and Yonkers City.

- ✓ Overall, reported crime in the 17 primary IMPACT jurisdictions in 2009 was down (-4%) as compared to 2008.
- ✓ Murder was up (+2%) as compared to 2008, driven by an increase in Binghamton. There were 13 homicides reported in Binghamton in April 2009, which reflect a single incident where 13 victims were killed by one gunman during a mass shooting on April 3, 2009.
- ✓ Violent crime was down slightly (-1%), driven by a decrease in robbery (-2%).
- ✓ Property crime was down (-4%), driven by decreases in burglary (-3%), larceny (-3%), and motor vehicle theft (-14%).

# Operation IMPACT in New York State

The number of violent crimes involving a firearm is monitored closely in the IMPACT sites. These crimes had reached a 10-year high in 2006, but have remained below that level in the past three years.

## Violent Crime Involving a Firearm Primary IMPACT Jurisdictions 2005 - 2009

	2005	2006	2007	2008	2009	08 vs 09 % Change
<b>Violent Crimes</b>	<b>17,562</b>	<b>18,247</b>	<b>16,487</b>	<b>16,786</b>	<b>16,668</b>	<b>-0.7%</b>
<b>Firearm Related</b>	<b>4,479</b>	<b>4,781</b>	<b>3,930</b>	<b>3,942</b>	<b>3,968</b>	<b>0.7%</b>
<b>Percent Firearm</b>	<b>25.5%</b>	<b>26.2%</b>	<b>23.8%</b>	<b>23.5%</b>	<b>23.8%</b>	
Murder	226	225	205	213	217	1.9%
Firearm Related	140	144	138	137	146	6.6%
Percent Firearm	61.9%	64.0%	67.3%	64.3%	67.3%	
Rape	795	773	797	759	677	-10.8%
Firearm Related	28	25	18	21	15	-28.6%
Percent Firearm	3.5%	3.2%	2.3%	2.8%	2.2%	
Robbery	7,332	7,642	6,602	6,812	6,699	-1.7%
Firearm Related	2,554	2,709	2,094	2,159	2,166	0.3%
Percent Firearm	34.8%	35.4%	31.7%	31.7%	32.3%	
Agg. Assault	9,209	9,607	8,883	9,002	9,075	0.8%
Firearm Related	1,757	1,903	1,680	1,625	1,641	1.0%
Percent Firearm	19.1%	19.8%	18.9%	18.1%	18.1%	

Source: Uniform Crime\Incident Based Reporting systems (2/1/2010)

- √ Violent crime involving firearms was up slightly (+1%).
- √ The number of firearm-related murders was up (+7%), driven by increases in Binghamton and Buffalo.
- √ In 2009, firearm-related crime accounted for 24% of the violent crime reported in the primary IMPACT jurisdictions, similar to 2008 (23.5%).

# Operation IMPACT in New York State

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## Firearm Activity

As part of the effort to identify the prevalence of firearm-related violent crimes in the IMPACT jurisdictions, the 17 funded agencies have a contractual requirement to report monthly on the following firearm-related data:

- **Shooting Incidents Involving Injury or Death** – Number of shooting incidents during the month where one or more persons were injured or killed as a result of the shooting.
- **Shooting Victims (Persons Hit)** – Total number of victims shot in the shooting incidents reported, including individuals killed.
- **Individuals Killed by Gun Violence** – The number of murders resulting from firearm related injuries.
- **Guns Recovered and Traced Through the ATF** – The number of crime gun traces submitted by IMPACT agencies to the federal ATF. Submissions include information on firearms that have been seized, recovered, and found by the local law enforcement agencies.

### Firearm Activity Primary IMPACT Jurisdictions 2006 - 2009

	2006	2007	2008	2009	08 vs 09 % Change
<b>Shooting Incidents Involving Injury</b>	896	766	822	774	-5.8%
<b>Shooting Victims (Persons Hit)</b>	1,007	836	930	922	-0.9%
<b>Individuals Killed by Gun Violence</b>	144	138	137	146	6.6%
<b>Guns Recovered/Traced Through ATF</b>	2,426	2,606	2,696	3,292	22.1%

\* Data not available prior to 2006.

- ✓ The number of shooting incidents involving injury was down (-6%) in 2009 as compared to 2008.
- ✓ The number of shooting victims (where an injury was sustained) was down slightly (-1%) in 2009 as compared to 2008.
- ✓ A slightly higher proportion of incidents resulted in fatalities in 2009 as compared to 2008. Of the 922 shooting victims, 146 were killed (16%).
- ✓ The number of crime guns recovered and traced through ATF was up 22%. This number has increased steadily since 2006.

## Expanding Information Sharing and Intelligence

Information shared among law enforcement helps to solve and prevent crime. IMPACT agencies are contractually required to use several critical statewide information-sharing systems, including SAFETNet.

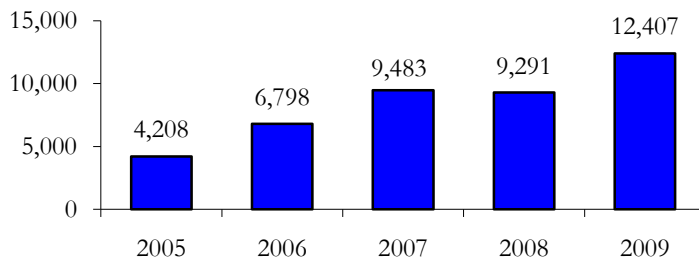
# Operation IMPACT in New York State

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## SAFETNet

When two agencies unknowingly investigate the same individual, officers can be put in harm's way, especially if the investigation results in one police agency executing a search warrant at a location that has undercover detectives present from another agency. The Safe Automated Fast Event Tracking Network (SAFETNet) is the state's secure deconfliction system that maintains information on targets and locations currently under investigation. Police agencies that register targets immediately learn if the target is the subject of another investigation, promoting interagency coordination and ensuring officer safety.

**SAFETNet Target Submissions  
by IMPACT Police Departments**  
(Annual)



✓ The number of investigative targets entered into SAFETNet by the 17 primary IMPACT jurisdictions increased during 2009. A total of 12,407 targets were submitted as compared to 9,291 during 2008, an increase of 33.5%.

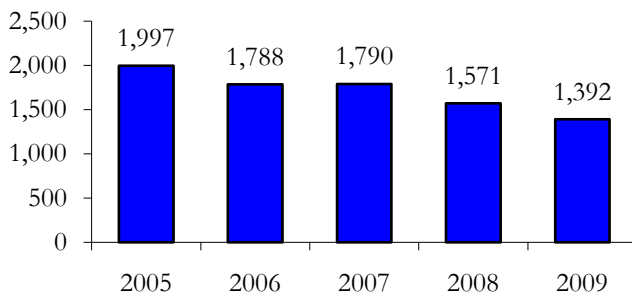
# Specialized State Police Services

The Division of State Police works closely with local law enforcement agencies to provide a range of specialized police and investigative services. This assistance is provided in addition to many other critical State Police functions and responsibilities, explained in detail in the Division of State Police Annual Report, which can be found at [www.troopers.state.ny.us/Introduction/Annual\\_Reports](http://www.troopers.state.ny.us/Introduction/Annual_Reports)

## Community Narcotics Enforcement Teams (CNET)

CNET assists police agencies that lack the personnel or resources to conduct independent undercover drug investigations. Five regional teams help local police combat street-level drug trafficking and related crimes. CNET personnel make undercover purchases of illegal drugs and guns to identify local dealers and distribution networks. They also use the intelligence gained from street dealers to identify and interdict major distribution networks.

**CNET Undercover Drug Purchases**  
(Annual)

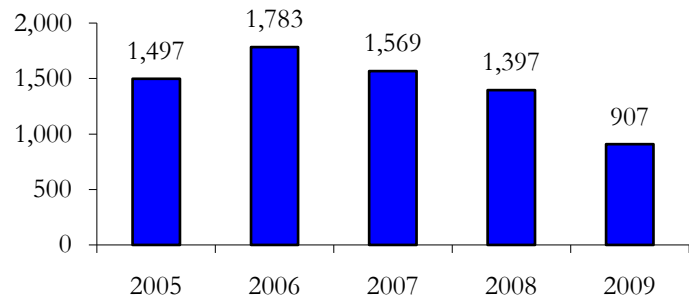


✓ During 2009, CNET assisted 90 law enforcement agencies, seizing more than \$8.8 million in illegal drugs. More than \$2.8 million in cash was derived from illegal drug trafficking during the year, double the amount seized in 2008.

✓ CNET conducted 1,392 undercover drug purchases during 2009, a decrease of 11%.

✓ CNET made 907 drug arrests in 2009, a decrease (-35%) from 2008.

**CNET Arrests**  
(Annual)



# Specialized State Police Services

## New York State Police Gun Investigation Unit

Under the Gun Investigation Unit (GIU) initiative that began in January 2006, 100 New York State Police investigators are deployed statewide to stem the flow and use of illegal firearms. These investigators target the illegal street use and sale of firearms and firearms trafficking organizations. The GIU works closely with the federal Bureau of Alcohol, Tobacco and Firearms (ATF), New York State Police Community Narcotics Enforcement Teams (CNET) and State Police Narcotics Units. GIU members are assigned to ATF offices in New York City, Buffalo, Rochester, Albany, Long Island and to the five State Police CNET units, as well as to the New York/New Jersey Regional Gun Clearinghouse and the New York State Intelligence Center. Each GIU member is deputized as a federal agent, which allows State Police members to work alongside ATF agents in-state and out-of-state in a seamless fashion.

**New York State Police  
Gun Initiative Unit**  
(Annual)

<b>Activities</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
Gun Purchases	96	84	42	77
Weapons Seized	1,013	451	672	666
Arrests	772	641	541	547

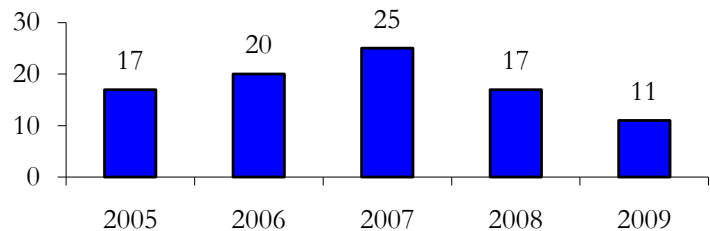
✓ During 2009, the GIU reported 547 arrests, with a total of 666 weapons seized.

## Contaminated Crime Scene Emergency Response Teams (CCERT)

The Contaminated Crime Scene Emergency Response Teams consist of sworn members of the State Police assisted by forensic scientists specially trained to respond to illicit clandestine drug laboratories. CCERT processes crime scenes, secures evidence and safely disposes of hazardous materials.

✓ During 2009, 11 illicit drug labs were discovered in New York State, a decrease from the past two years. Nearly 300 illicit drug labs have been discovered since 2000.

**Illicit Drug Labs Discovered**  
(Annual)





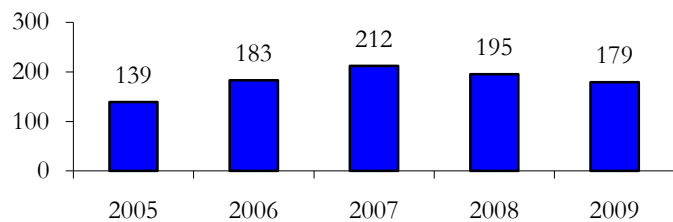
# Specialized State Police Services

## Computer Crimes Unit (CCU)

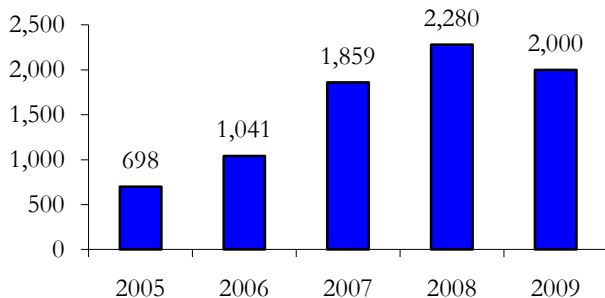
The Computer Crimes Unit within the State Police, which includes the Internet Crimes Against Children Task Force (see page 81), provides technical expertise and investigative assistance to local law enforcement. Through the Computer Forensic Laboratory, computer and digital evidence is collected, secured from crime scenes, preserved and analyzed. This unit allows specially-trained investigators to support active investigations involving computers and technology, and act as first responders to information systems emergencies.

✓ The Computer Forensic Laboratory handled 179 cases in 2009, a decrease of 8% compared to 2008.

**Computer Forensic Laboratory Cases Handled**  
(Annual)



**CCU Investigations**  
(Annual)

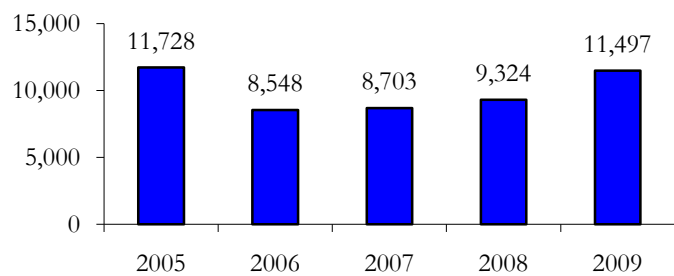


✓ During 2009, CCU investigated 2,000 cases, a 12% decrease from the number of cases investigated in 2008.

✓ The CCU assisted in 100 arrests in 2009, an increase from 74 in 2008.

✓ During 2009, the CCU handled 11,497 Internet fraud complaints.

**CCU Internet Fraud Complaints**  
(Annual)



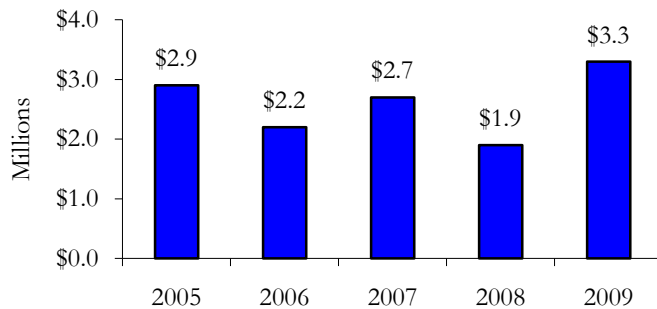
# Specialized State Police Services

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## Special Investigations Unit (SIU)

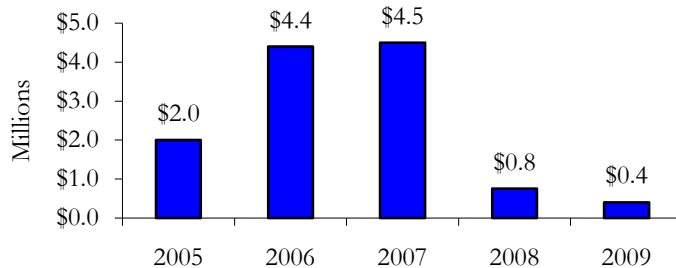
The Special Investigations Unit provides investigative support to the Upstate Joint Terrorism Task Forces in Buffalo, Rochester, Syracuse and Albany, and works closely with federal, state and local agencies. SIU focuses on crimes that have been associated with terrorism-related activities, including money laundering, identity theft, cigarette smuggling, document fraud and organized crime.

**SIU Stolen Property Recoveries**  
(Annual)



✓ During 2009, SIU recovered \$3.3 million in stolen property, the highest reported in the five year period. The 2009 recoveries included 125 vehicles.

**SIU Illegal Tobacco Seized**  
(Annual)



✓ During 2009, SIU seized \$435,650 in illegal tobacco products.

## Other Specialized Police Services

In addition to these specialized functions, Violent Felony Warrant Squads, Forensic Identification Units, and Violent Crime Investigation Teams deployed throughout the state provided assistance in 2009, including apprehending defendants wanted for violent felony crimes, processing crime scenes, and investigating violent crimes.

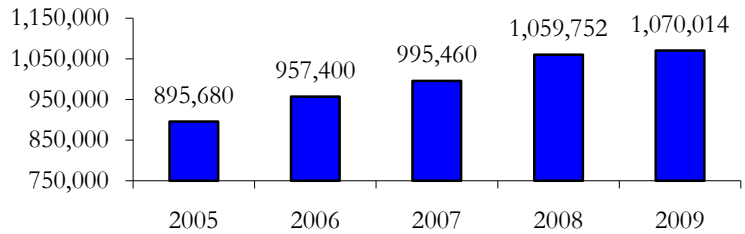
# Traffic Safety

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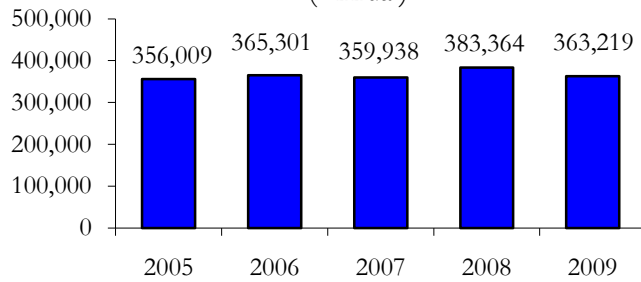
The State Police promote traffic safety through a range of enforcement and public education initiatives. Speeding, lack of seat belt use and driving under the influence of alcohol or drugs are emphasized because they are the most significant causes of fatal and personal injury accidents.

**State Police Vehicle and Traffic Tickets Issued**  
(Annual)

✓ Troopers issued more than one million vehicle and traffic tickets in both 2008 and 2009.



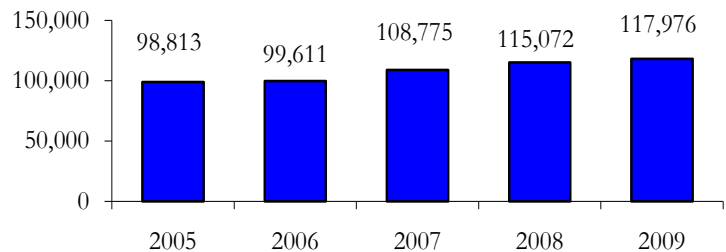
**State Police Speeding Tickets Issued**  
(Annual)



✓ During 2009, troopers issued 363,219 speeding tickets, a decrease (-5%) from 2008.

✓ Troopers issued 117,976 tickets for safety restraint violations (seatbelts and child safety restraints) in 2009, a 3% increase from 2008.

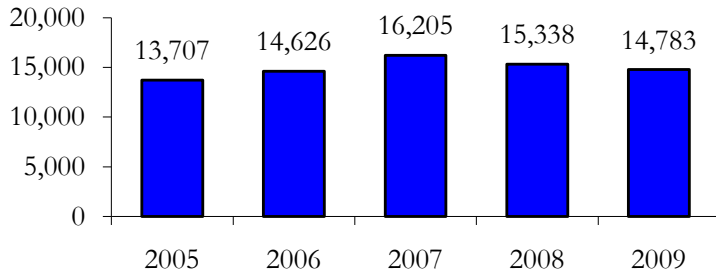
**State Police Seatbelt/Child Restraint Tickets Issued** (Annual)



# Traffic Safety

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## State Police DWI/DWAI Persons Arrested (Annual)



✓ During 2009, State Police arrested 14,783 persons for driving while impaired by alcohol or drugs, a decrease (-4%) from 2008.

## TraCS

The Traffic and Criminal Software system (TraCS) has revolutionized the way traffic enforcement data are collected, shared and analyzed. An officer in a TraCS-equipped vehicle can electronically create a ticket or accident report in about half the time it takes to write a ticket or accident report manually. TraCS also reduces the amount of time that both the officer and motorist spend parked dangerously by the side of the road while a ticket is issued. Because tickets and accident reports are created electronically and transmitted instantly, the data are shared easily among state agencies and law enforcement. As a result, traffic safety specialists and highway designers can quickly identify trouble spots and make better decisions about infrastructure changes and law enforcement deployment. In addition, TraCS-generated accident reports are available more quickly to insurance companies, which helps reduce motor vehicle accident fraud.

In 2000, the State Police led a coalition of state and local agencies to design and deploy TraCS to meet the needs of New York law enforcement agencies, the court system, the Department of Motor Vehicles, and the Department of Transportation. Through support and funding from the Governor's Traffic Safety Committee and the U.S. Department of Transportation, New York State has committed more than \$14.5 million to deploy TraCS throughout the state. As of December 2009, 356 law enforcement agencies were transmitting TraCS data, an increase of 12% over 2008. The State Police, the largest user of TraCS, began outfitting patrol cars in 2001.

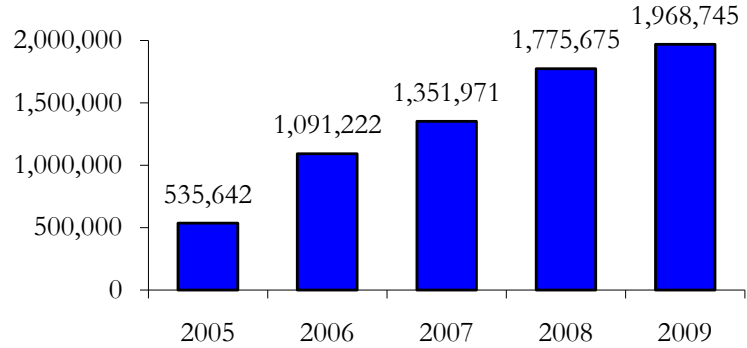
# Traffic Safety

✓ More than 3,300 police vehicles throughout the State are now TraCS equipped; 1,400 of these police vehicles are State Police vehicles and 1,925 belong to local law enforcement.

✓ As of December 2009, an estimated 35% of statewide and 70% of non-NYC traffic tickets were issued through TraCS.

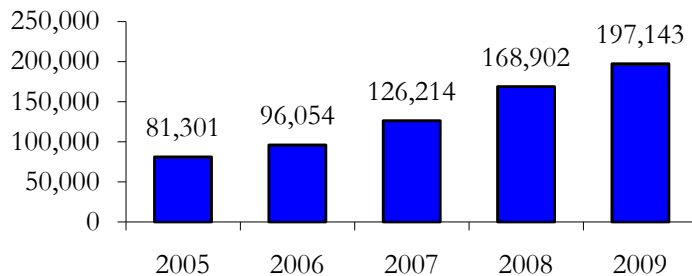
✓ During 2009, nearly two million traffic tickets were issued through TraCS, an 11% increase over 2008. State Police accounted for 54% of the tickets issued through TraCS.

**Traffic Tickets Issued Through TraCS**  
(Annual)



Before TraCS was implemented, data on accident reports often were not available for up to two years. TraCS-generated accident reports are now available in “real time” to the New York State Department of Motor Vehicles and the New York State Department of Transportation.

**Accident Reports Issued Through TraCS** (Annual)



✓ During 2009, 197,143 accident reports were issued through TraCS, 17% higher than the number issued during 2008. The State Police issued 69,033 accident reports, 36% of the total issued.

# DNA Databank and Collections in New York State

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The DNA Databank assists in solving and preventing crime by maintaining and comparing a databank of DNA identification profiles from convicted offenders against crime scenes to identify and eliminate suspects and generate investigative leads. Many agencies work together to ensure that DNA profiles are submitted for eligible offenders and that DNA specimens are taken from crime scenes whenever possible. Agencies include:

- Division of Criminal Justice Services (DCJS)
- Division of State Police Forensic Investigation Center (FIC)
- Department of Correctional Services (DOCS)
- Division of Parole (DOP)
- Division of Probation and Correctional Alternatives (DPCA)
- Office of Court Administration (OCA)
- New York City Department of Correction (Rikers Island)
- County Probation Departments, Sheriffs' Offices and Jails
- District Attorneys' Offices
- Local Police Agencies and Local Forensic Laboratories

The Division of Criminal Justice Services provides administrative oversight of the DNA Databank through its Office of Forensic Services (OFS), and the State Police operate the Forensic Investigation Center (FIC) where DNA specimens are analyzed. The New York State DNA Databank was established by statute in 1994, authorizing the collection of DNA specimens for a limited number of felonies, including murder and rape. The DNA law was amended to expand the number of qualifying offenses in 1999, 2004 and 2006. These amendments applied not only to newly convicted offenders, but also to offenders in custody or under supervision as of the effective date of the laws. All persons convicted of a Penal Law felony, or an attempt to commit a Penal Law felony where the attempt is a felony, and 35 specified misdemeanor offenses, including petit larceny, currently are required to provide a DNA specimen. This means 46% of offenders convicted of a Penal Law offense are now subject to this requirement. District attorneys' offices around the state assume a coordinating role within their respective jurisdictions to ensure that DNA specimens are being collected as required.

## Key Public Service Areas

- Maintain a databank of DNA profiles of New York State offenders convicted of DNA-eligible offenses
- Ensure that DNA testing procedures and access to the DNA Databank are consistent with applicable laws and regulations
- Maintain DNA profiles from crime scene evidence
- Link DNA obtained from crime scene evidence to DNA offender profiles in the DNA Databank or to crime scene evidence from other crimes

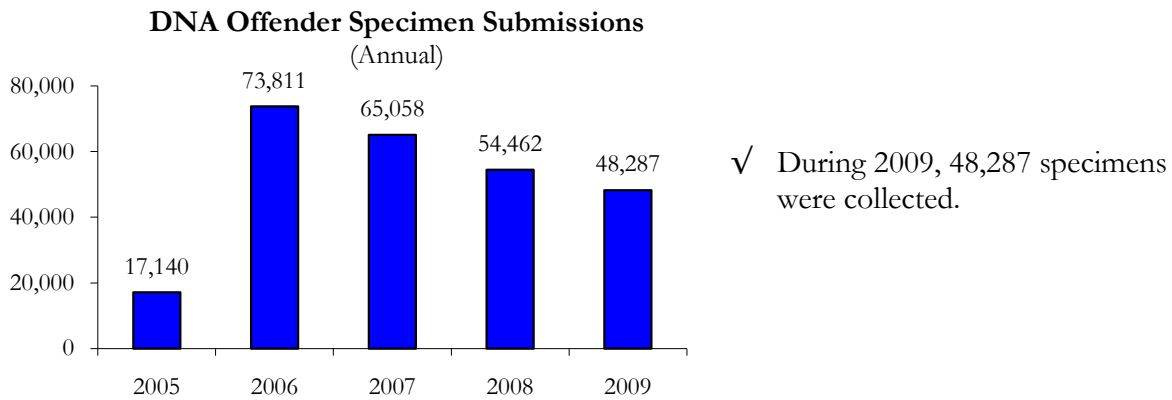
## Critical Objectives

- Collect a DNA specimen from every eligible offender
- Ensure compliance with specimen collection protocols
- Process DNA specimens within 60 days of receipt
- Increase the collection of potential DNA evidence at all types of crime scenes

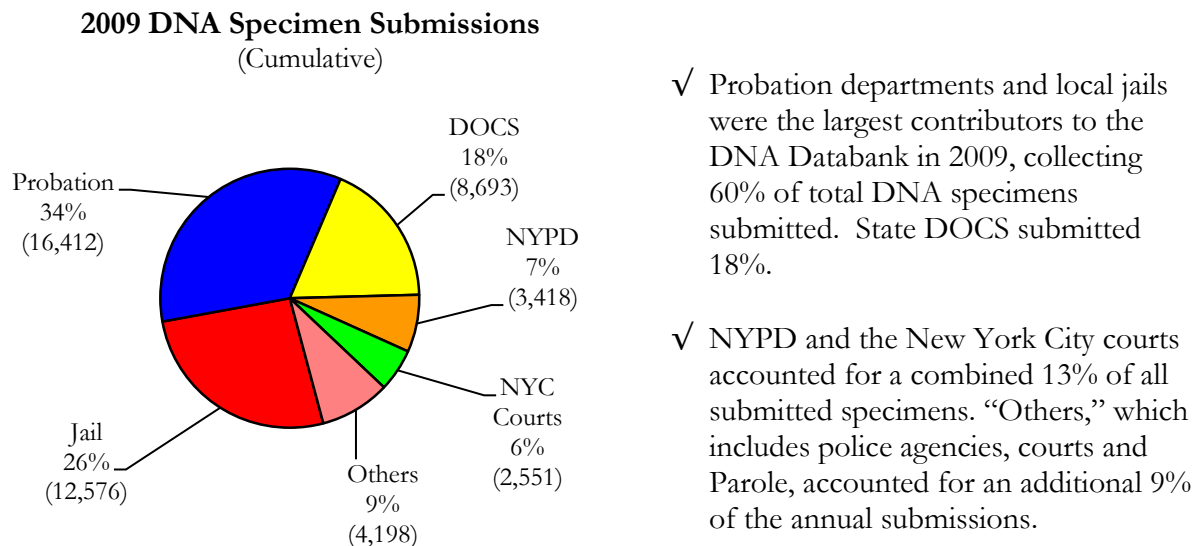
# DNA Databank and Collections in New York State

## DNA Offender Specimen Submissions

The Division of Criminal Justice Services works with state and local agencies to ensure collection of DNA from all eligible offenders. In 2006, two changes dramatically increased the number of specimens submitted to the Databank: The creation of the Subject Index provided for the collection of DNA specimens within the constraints of the existing law from persons serving time on a state sentence or as part of a plea agreement, and an amendment to the law significantly expanded the number of convicted offenders required to submit a DNA specimen upon conviction and sentencing, and included retroactive application to those persons in custody or under supervision. To avoid an unnecessary second collection and duplicative processing for persons who became eligible as designated offenders under the 2006 amendment, but for whom a Subject Index specimen was already on file, probation departments, DOCS and Parole obtained voluntary authorizations from offenders to use the previously collected Subject Index specimens to meet the new designated offender requirement. Data in the following graphs and tables are derived from DCJS and State Police information systems.



Prior to 2006, DNA specimens were generally collected by the agency charged with incarceration or supervision of the offender. Now that 35 misdemeanors require a DNA specimen, local jurisdictions are relying on police departments and court personnel to collect specimens from offenders who are not incarcerated or on probation.

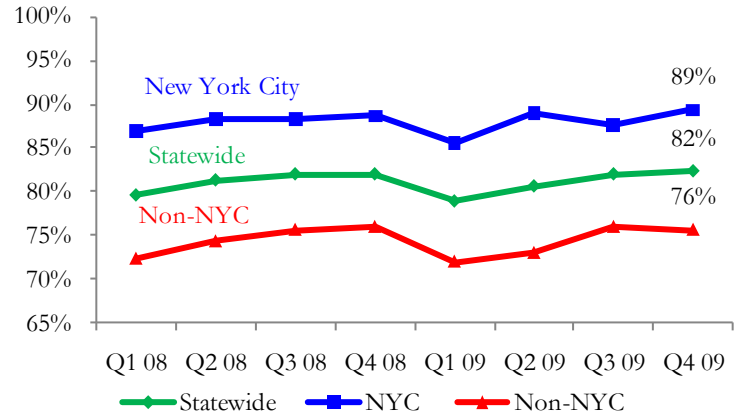


# DNA Databank and Collections in New York State

While strict protocols at reception result in state DOCS collecting DNA from virtually every eligible offender, securing collections from offenders sentenced to a local jail, probation, or a non-incarcerative sentence have been more challenging. DCJS measures the rate of collection for DNA eligible sentences and provides local agencies with lists of offenders owing a DNA specimen. The measure is a snapshot showing the percentage of DNA-eligible offenders sentenced two months prior to the reporting month that currently have a DNA sample on file. This information is made available over eJusticeNY, the secure DCJS website.

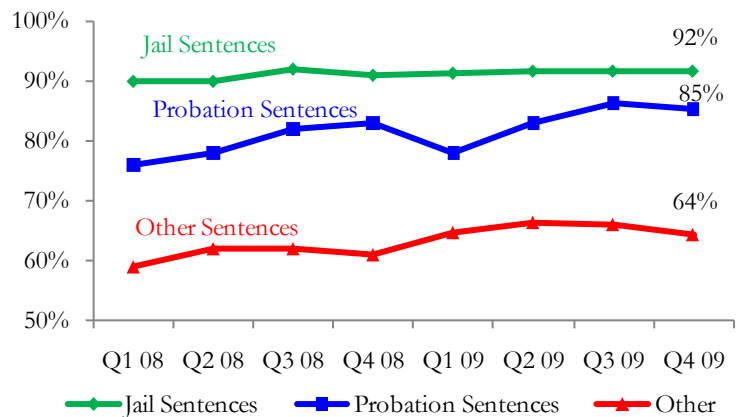
✓ The overall statewide DNA collection rate ranged between 79% and 82% during 2009.

**DNA Submissions by Region**



✓ The DNA collection rate for local jails remained between 91% and 92% during 2009. The NYC Department of Correction (Rikers Island) collected at a high rate, at or above 95%, for all of 2009.

**DNA Submissions by Sentence Type**



✓ Collection rates by local probation departments increased during 2009. Although collection rates vary among county probation departments, 63% of the departments had collection rates of 90% or higher for December 2009.

✓ “Other Sentence” collection rates improved slightly during 2009, but are still substantially lower than the rates of collection on jail and probation sentences. “Other Sentences” include fines, conditional discharges, time served and community service. Securing these collections has been the most challenging because arrangements for these collections must be made at the time of sentencing.



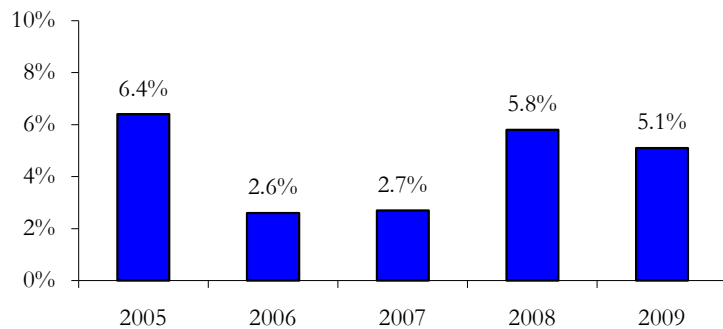
# DNA Databank and Collections in New York State

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## DCJS DNA Databank Oversight

The DCJS Office of Forensic Services (OFS) provides administrative oversight of the DNA Databank. DNA specimens with accompanying documentation are submitted by the collecting agency to the State Police Forensic Investigation Center (FIC) for processing. FIC staff record that a specimen has been received and forward the documentation to OFS for review and approval. OFS reviews the criminal history record (rapsheet) for each offender for whom a specimen was collected to verify that the offender has a qualifying conviction. If it is determined that the offender was not convicted of a qualifying offense, the specimen is removed from the Databank as an administrative removal. Specimens that have been collected according to DNA collection protocols are then approved for processing.

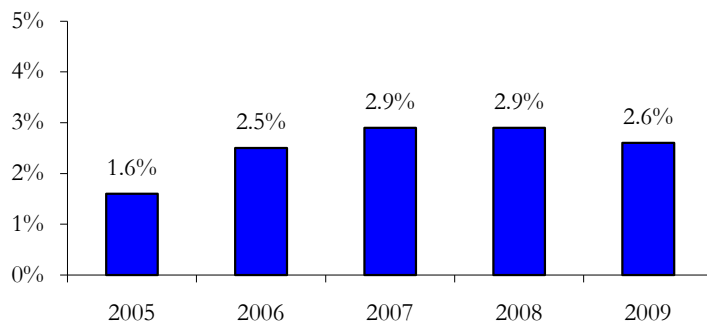
**Administrative Removals as  
% of Submissions**  
(Annual)



√ In 2009, 2,483 DNA specimens were administratively removed from the process, representing 5.1% of total submissions.

Strict collection protocols have been established to ensure the chain of custody and physical integrity of the DNA specimen. When specimens are not collected in accordance with required collection protocols, the specimen may be removed from the process as a procedural error, and the submitting agency is notified of the error and the need to collect a new specimen. OFS has established a target rate for procedural errors of 3% or less.

**Procedural Errors as  
% of Submissions**  
(Annual)



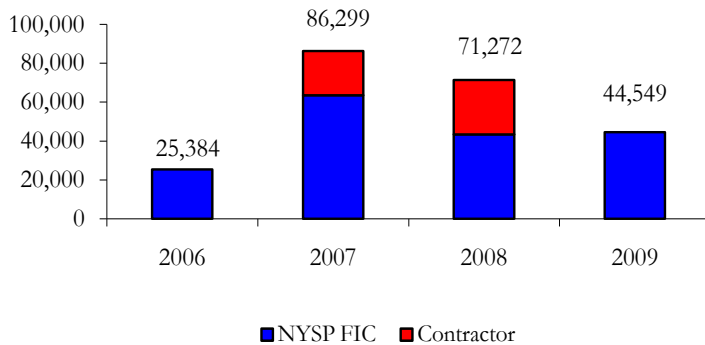
√ In 2009, 1,251 DNA specimens were removed from the Databank as a result of a procedural error, representing 2.6% of submissions.

# DNA Databank and Collections in New York State

## DNA Specimen Processing

Since 2003, State Police and DCJS have worked to process DNA specimens as efficiently as possible to ensure offender specimens are matched to crime scene specimens as quickly as possible. The 2006 legislative expansion resulted in a substantial increase in specimen submissions, a temporary increase in processing time and a temporary backlog. Accordingly, DNA processing capacity at the FIC was expanded significantly during 2007 and an outside contractor was used to help process submissions during 2007 and 2008.

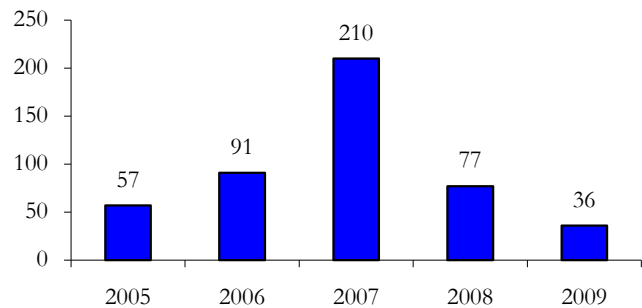
**Total Specimens Analyzed**  
(Annual)



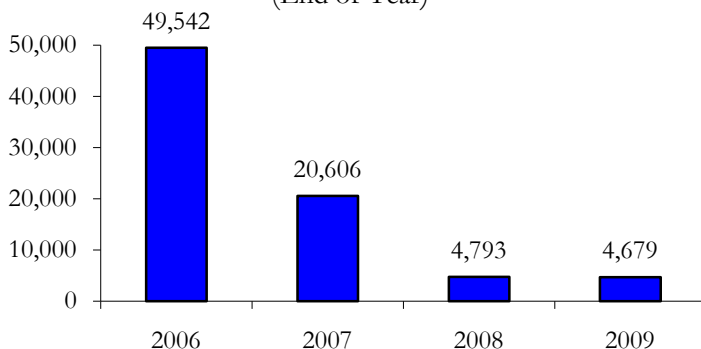
✓ The FIC analyzed all 44,549 DNA specimens during 2009; no outside contractor was utilized.

✓ Specimen processing time decreased significantly during 2009 due to the elimination of the backlog. As of December 31, 2009, processing time averaged 36 days.

**DNA Average Processing Time**  
(In Days)



**Specimens Pending Processing**  
(End of Year)



✓ The FIC and OFS closely monitor the number of cases which are at the FIC awaiting analysis. The 4,679 specimens reported pending at the end of December are due to staging and batch processing logistics. There is no backlog.

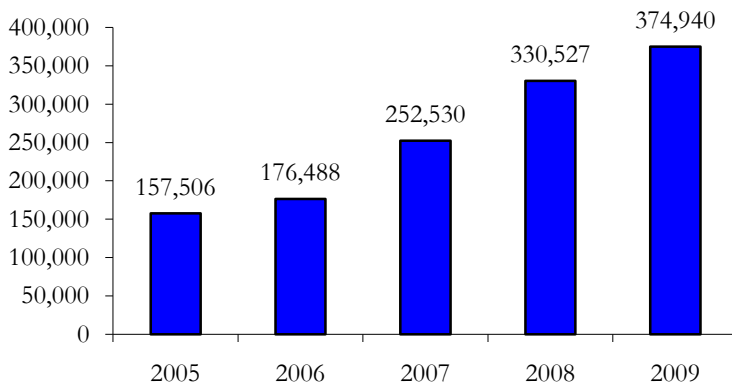
# DNA Databank and Collections in New York State

The state's DNA Databank is part of the national Combined DNA Index System (CODIS). CODIS is made up of local, state and national DNA databanks. The Federal Bureau of Investigation (FBI) serves as the link between the state DNA Databank and other participating states. This tiered approach allows individual state and local agencies to operate their respective DNA databases according to applicable state law and local policy.

In New York State, there are eight local DNA laboratories, including the State Police Forensic Investigation Center. Local laboratories each maintain a database that is comprised of DNA profiles from suspects and crime scene evidence submitted by the law enforcement agencies they serve. Each of the seven local laboratories uploads its crime scene DNA profiles to the state DNA Forensic Index housed at the State Police Forensic Investigation Center in Albany. These profiles are routinely compared to each other to identify and link criminal incidents that may involve the same perpetrator.

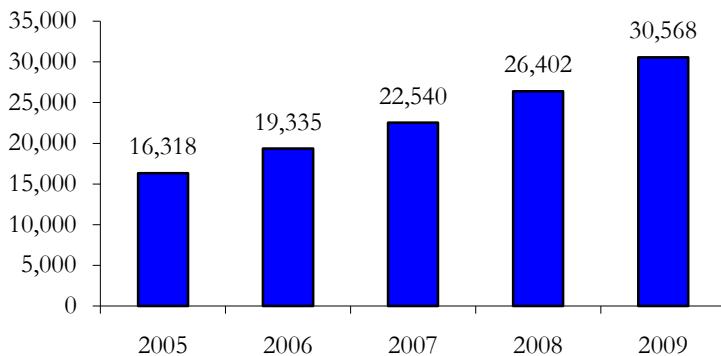
The FIC also maintains the Convicted Offender Index and the Subject Index. On a biweekly basis, offender profiles are compared with DNA profiles derived from crime scene evidence and maintained in the Forensic Index. From the New York State Databank, qualifying profiles can be uploaded to the National DNA Index where New York State cases can be compared to other cases and offender indices from across the country.

**Offender Specimens on File**  
(Cumulative)



✓ As of December 31, 2009, there were 374,940 offender specimens on file in the DNA Databank, a 13% increase from 2008, and more than double the number of specimens on file prior to the June 2006 law expansion.

**Crime Scene DNA Profiles**  
(Cumulative)

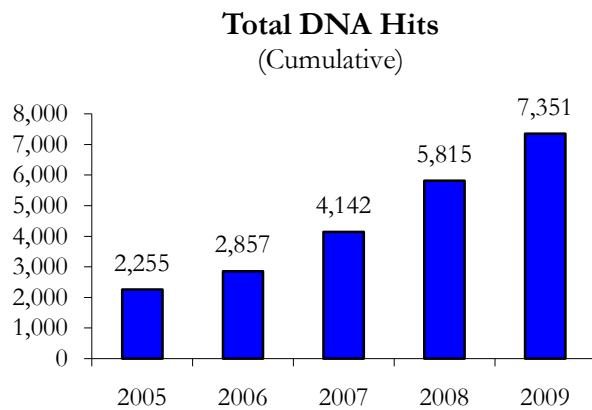


✓ As of December 31, 2009, there were 30,568 crime scene profiles on file in the DNA Databank, a 16% increase over 2008.

# DNA Databank and Collections in New York State

## DNA Databank Hits

A DNA Databank hit is a result of a match between a DNA profile developed from crime scene evidence and an offender DNA profile stored in the DNA Databank. Law enforcement agencies are notified of these hits, which often serve as investigative leads. The law enforcement agency then determines the significance of the evidence in the context of other investigative information when considering criminal charges.



- ✓ Since the Databank's inception, there have been a total of 7,351 hits.
- ✓ In 2009, there were 1,536 hits on the DNA Databank, an 8% decrease from the 1,673 hits reported during 2008.
- ✓ 60% of all hits since Databank inception occurred during the last three years.

The Office of Forensic Services gathers available information regarding the type of crime linked to the offender through Databank hits.

**Hits Against the Databank by Type of Crime**  
(Cumulative)

Type of Crime	Hits	Percent of Hits
Sexual Assault	2,931	40%
Burglary	2,356	32%
Homicide	657	9%
Robbery	669	9%
Other	738	10%
Total	7,351	100%

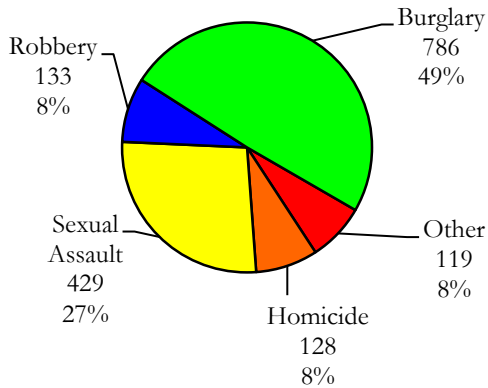
- ✓ Of the 7,351 hits generated since inception, 9% were against physical evidence collected in connection with homicide investigations and 40% were in connection with sexual assault investigations. In addition, 32% were in connection with a burglary.

# DNA Databank and Collections in New York State

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DCJS routinely contacts district attorneys' offices to determine the disposition of cases in which the DNA Databank has linked an offender to evidence recovered in a case.

## Hits Resulting in Conviction As of December 31, 2009 (Cumulative)



- ✓ As of December 2009, 1,595 conviction outcomes were reported to DCJS, representing 22% of the total hits on the Databank.
- ✓ Of the conviction outcomes reported, 429 (27%) were for sexual assault cases and 128 (8%) were for homicide cases.
- ✓ In 889 additional cases, an arrest has been made in the case, but a final disposition has not yet been reported.

# eJusticeNY

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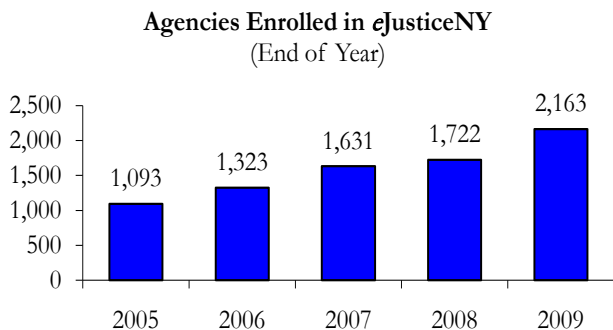
eJusticeNY provides law enforcement with essential operational support, data, and management information through a secure communications network. This “one-stop shopping” provides immediate access to information on criminal history, offender photos, registered sex offenders, fugitives, and offenders who owe DNA samples. User agencies include police departments, sheriffs’ offices, courts, district attorneys’ offices, county probation offices, New York State and New York City agencies, and other organizations.

In 2006, DCJS and the New York State Police began implementing an Integrated Justice Portal (IJ Portal) to merge the New York State Police Information Network (NYSPIN) and eJusticeNY to provide secure information to law enforcement. In 2008, an offender risk and needs assessment tool (COMPAS) was made available for use by local probation departments, and law enforcement users began accessing the Critical Infrastructure Response Information System (CIRIS). CIRIS is a sophisticated mapping tool which allows public safety personnel and state officials to quickly search for, locate and visualize information about critical assets and infrastructure components.

New and enhanced applications for 2009 include:

- Data entry, file modification/cancellation of New York State Wanted, Missing and Unidentified person files and the National Crime Information Center (NCIC) person files
- Message routing from IJ Portal Inbox to various law enforcement agencies
- Criminal History requests to other states and receipt of rapsheet response via the IJ Portal
- Centralized Presentence Investigation Report (PSI) Repository was implemented providing authorized individuals the ability to query a real-time electronic collection of all PSIs from NYC Probation (and eventually all county probation departments). More than 65,000 PSIs were in the repository at the end of 2009.
- There were more than 95,000 COMPAS assessments in the Portal at the end of 2009.

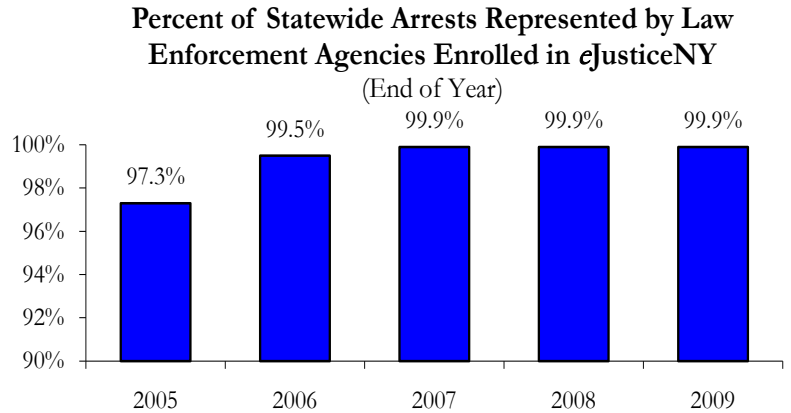
During 2009, DCJS continued to expand eJusticeNY access in anticipation of the rollout of the eJusticeNY Integrated Justice Portal. DCJS closely monitors enrollments in eJusticeNY and uses the number of arrests submitted by each police department as a way to gauge department size/activity.



✓ The number of agencies enrolled in eJusticeNY has nearly doubled since 2005, with 2,163 agencies enrolled at the end of 2009.

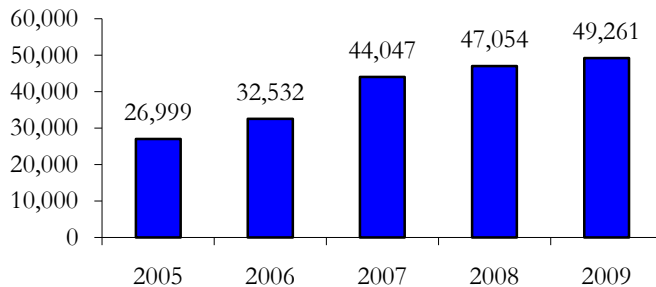
✓ A total of 441 new agencies, primarily town and village courts, were enrolled in 2009.

✓ The percent of statewide arrests represented by law enforcement agencies enrolled in eJusticeNY at the end of December 2009 was 99.9%. Nearly every active agency is now enrolled.



DCJS closely monitors the number of individuals enrolled in eJusticeNY, as well as the eJusticeNY usage by enrolled agencies. Users electronically search eJusticeNY for comprehensive criminal history information by using either the offender's name or New York State Identification Number (NYSID). A rapsheet, including the photo taken at last arrest, is returned to the user when an inquiry matches a criminal history record. Inquiries are conducted in the course of criminal investigations.

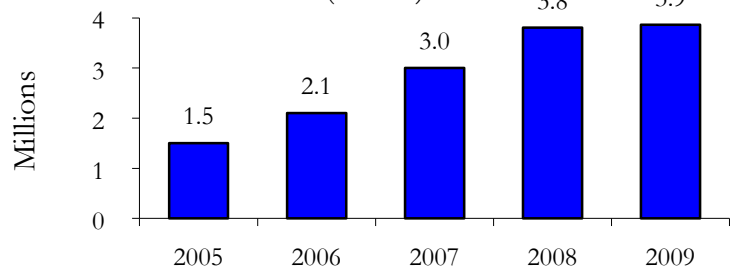
**Individuals Enrolled in eJusticeNY**  
(End of Year)



✓ At the end of 2009, more than 49,000 individuals were enrolled in eJusticeNY, an increase of 5% from 2008.

✓ eJusticeNY usage continued to increase in 2009. A total of 3.9 million inquiries were conducted in 2009, an increase of 3% as compared to 2008.

**eJusticeNY Total Offender Inquiries in Millions**  
(Annual)



# Law Enforcement Support Services

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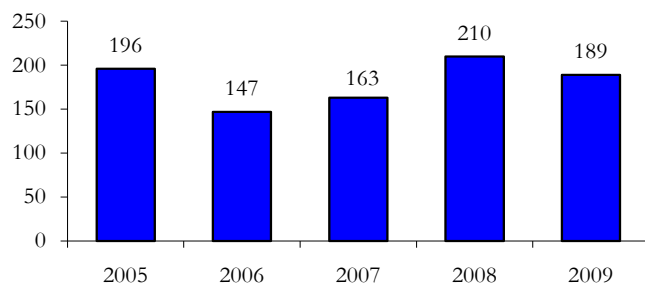
DCJS provides a range of support services to New York's law enforcement community.

## Provide Training to Law Enforcement

DCJS provides direct training to law enforcement officers in areas such as criminal investigation, traffic safety, law enforcement skills and management.

During 2009, the most popular courses offered by the DCJS Office of Public Safety involved officer street encounters, reality-based instructor training, human trafficking and a series of training for executives.

**OPS Training Courses Held**  
(Annual)

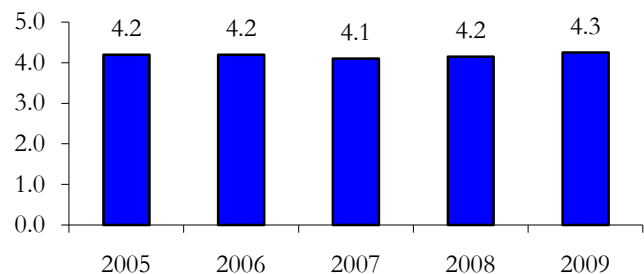


✓ A total of 189 training courses were held around the State during 2009, a decrease (-10%) from 2008. Staff efforts were focused on fewer, more intensive training classes.

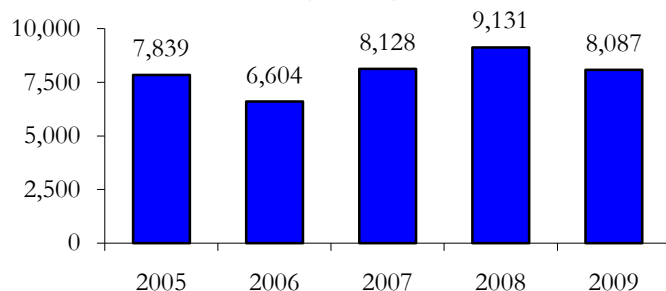
Course participants complete an evaluation for each course they participate in, and are asked to rate the course on a scale of 1 (Poor) through 5 (Excellent).

**OPS Course Satisfaction Rating**  
(Annual)

✓ Since 2003, the course satisfaction rating has consistently averaged over 4.0 (Very Good) for all courses provided.



**Personnel Trained by OPS**  
(Annual)

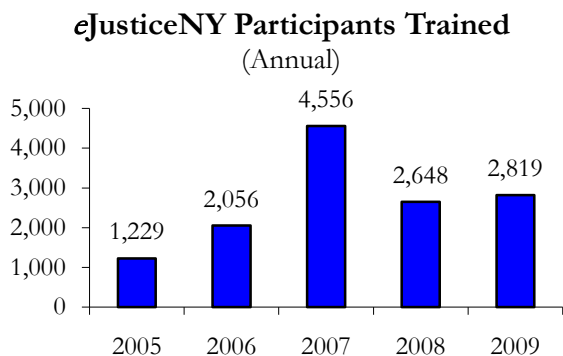


✓ During 2009, 8,087 personnel were trained from the law enforcement community across the state, including officers and staff at the state, county and local levels.



# Law Enforcement Support Services

DCJS regularly provides training on eJusticeNY to ensure that new users can access critical criminal justice information. In 2009, the DCJS Office of Justice Information Services (OJIS) trained personnel from agencies outside DCJS, utilizing in-house, regional and “Live Meetings” to disseminate information to local law enforcement agencies that use eJusticeNY. Training was provided on various systems available through eJusticeNY: Integrated Probation Registrant System (I-PRS); NYS Criminal Justice Imaging System (CJIMS); DMV Photo; How to Read and Understand the eJusticeNY Rapsheet; and the new Integrated Portal functions.



- ✓ 85 training sessions were conducted by OJIS in 2009.
- ✓ 2,819 law enforcement personnel were trained in 2009, a 6% increase from 2008. The large number trained in 2007 coincided with an extensive amount of training for new eJusticeNY users.

## Provide Customer Support to Criminal Justice Community

The DCJS Customer Contact Center (CCC) is a 24-hour help desk service for customers who need assistance with software, computer operations, and other operational issues. CCC supports customers within DCJS, agencies hosted by DCJS, and law enforcement agencies throughout the state. CCC acts as a gatekeeper and relies on other operational areas to resolve many technical problems. Calls are triaged by CCC staff. Many of the problems are resolved by CCC staff and are not assigned to an operational area for resolution.

**Calls and Requests Received by DCJS CCC**

	2005	2006	2007	2008	2009	08 vs 09 % Change
<b>DCJS Requests</b>	11,220	11,688	14,528	21,613	23,582	9%
<b>Other Agencies</b>	13,305	19,025	28,940	27,590	33,128	20%
<b>Total</b>	<b>24,525</b>	<b>30,713</b>	<b>43,468</b>	<b>49,203</b>	<b>56,710</b>	<b>15%</b>

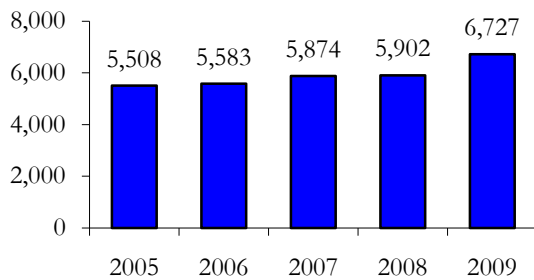
- ✓ During 2009, the total number of calls handled by CCC increased (+15%) from 2008. The Customer Contact Center is improving their software capabilities and tools to improve efficiencies. The goal is to allow first responders to effectively resolve more requests, decreasing the workload for second level support.
- ✓ 58% of the requests for assistance were from external criminal justice and civil agencies during 2009.

# Law Enforcement Support Services

## Repair and Certify Speed and Alcohol Detection Equipment

DCJS operates an equipment repair center where most law enforcement agencies bring their speed and alcohol instruments for repair and calibration. Law enforcement agencies are required to certify that their speed and alcohol detectors are working properly. Certification is obtained by bringing the equipment to DCJS, where it is calibrated and certified for use. Customers rate their service satisfaction on a scale of 1 (Poor) to 5 (Excellent). DCJS continued to provide outstanding service to law enforcement agencies during 2009.

**OPS Instruments Repaired/Certified**  
(Annual)

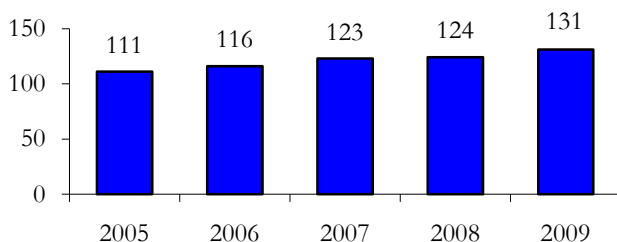


- ✓ Over the past five years, the equipment repair center has consistently earned an overall satisfaction rating of “excellent” from its customers.
- ✓ All repairs and certifications were conducted within two days.
- ✓ The number of instruments repaired/certified increased significantly (+14%) in 2009. This increase is attributed to two new grants funding the set-up, certification and distribution of new Alco-Sensor FST (alcohol pre-screening devices) and DataMaster DMT (evidential breath test devices) across the state.

## Increase Participation in the Law Enforcement Accreditation Program

The DCJS Law Enforcement Accreditation Program has operated since 1989. To become an accredited law enforcement agency, police agencies must meet 132 standards, undergo a three-day assessment and be approved by the New York State Law Enforcement Council. Accreditation provides formal recognition that a law enforcement agency meets expectations of quality and has implemented sound and effective policies. Accredited agencies are on a five-year cycle for re-accreditation. As the number of accredited agencies throughout the state continues to grow, re-accreditation numbers also will increase. A complete listing of accredited agencies is available on the DCJS website.

**Total Accredited Law Enforcement Agencies** (End of Year)



- ✓ During 2009, seven law enforcement agencies were newly accredited. 131 law enforcement agencies were accredited at the end of 2009.
- ✓ As of December 2009, nearly 50% of law enforcement officers working outside of New York City worked for accredited agencies.

# Criminal Justice Population Trends

## Local Jail Population

Through data submitted to the State Commission of Correction (SCOC), the daily population of county and New York City jails is monitored. Trends over the past 10 years have differed by region, and have been influenced by changes at the state level. The tables below show a calculation of the average census for each year for jails outside of New York City. The calculation is derived from the daily counts submitted by each jail in the state through the Jails Daily Population Reporting System (JDPRS). New York City jail data appear on page 33.

## Non-NYC Jail Population

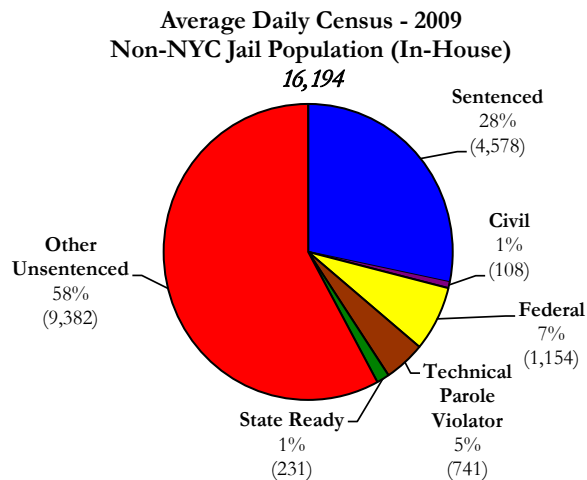
Jails Outside New York City  
Average Daily Census  
2000 - 2009

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	00 vs 09	08 vs 09
<b>Census</b>	<b>14,541</b>	<b>14,096</b>	<b>15,681</b>	<b>15,704</b>	<b>16,205</b>	<b>16,232</b>	<b>16,848</b>	<b>16,795</b>	<b>16,385</b>	<b>16,220</b>	<b>11.5%</b>	<b>-1.0%</b>
<b>Boarded Out</b>	292	238	314	366	534	534	506	526	340	307	5.1%	-9.7%
<b>Boarded In</b>	263	207	335	366	558	566	493	441	331	281	6.8%	-15.1%
<b>In House</b>	<b>14,512</b>	<b>14,065</b>	<b>15,702</b>	<b>15,703</b>	<b>16,229</b>	<b>16,264</b>	<b>16,834</b>	<b>16,710</b>	<b>16,376</b>	<b>16,194</b>	<b>11.6%</b>	<b>-1.1%</b>
<b>Sentenced</b>	5,030	4,734	4,986	4,924	4,940	4,901	4,925	4,723	4,689	4,578	-9.0%	-2.4%
<b>Civil</b>	74	85	94	96	96	102	111	103	107	108	45.9%	0.9%
<b>Federal</b>	585	692	804	900	976	939	919	1,023	1,099	1,154	97.3%	5.0%
<b>Technical PV</b>	1,044	923	1,021	891	955	1,002	1,090	905	802	741	-29.0%	-7.6%
<b>State Readies</b>	543	203	348	268	238	272	269	229	215	231	-57.5%	7.4%
<b>Unsentenced</b>	7,236	7,427	8,450	8,624	9,026	9,048	9,521	9,727	9,465	9,382	29.7%	-0.9%

\* Parole violators (PVs) with new arrests are included in the Other Unsentenced count.

- ✓ In 2009, the average daily census declined by 1%. Sentenced population declined for the third year in a row, from 4,925 in 2006 to 4,578 in 2009.
- ✓ The average number of technical parole violators (741) was the lowest since reporting began.
- ✓ The unsentenced population steadily increased from 2000 through 2007, but then declined, for the past two years.

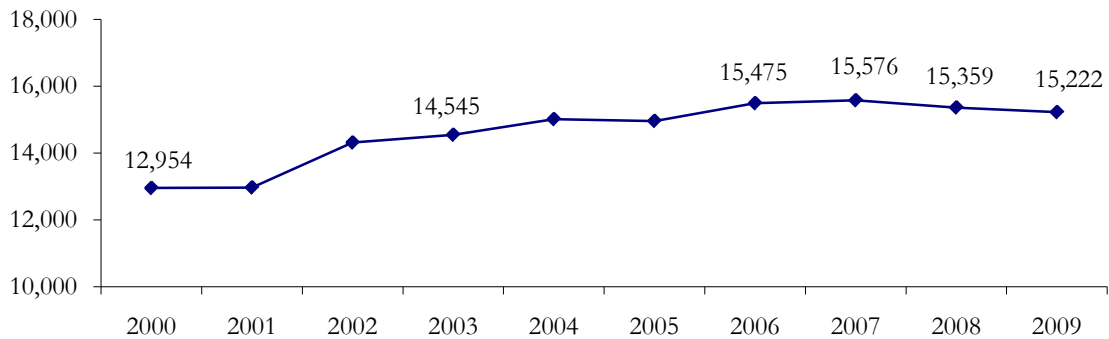
- ✓ In 2009, 58% of jail beds were occupied by unsentenced detainees. Technical parole violators and state-ready inmates comprised only 6% of the population.



# Criminal Justice Population Trends

The counts submitted through JDPRS are categorized by type of offender. The graph below shows the average daily census for “county only” inmates, which includes sentenced, civil, federal and unsentenced inmates. Technical parole violators and state-ready inmates are excluded in the “county only” counts.

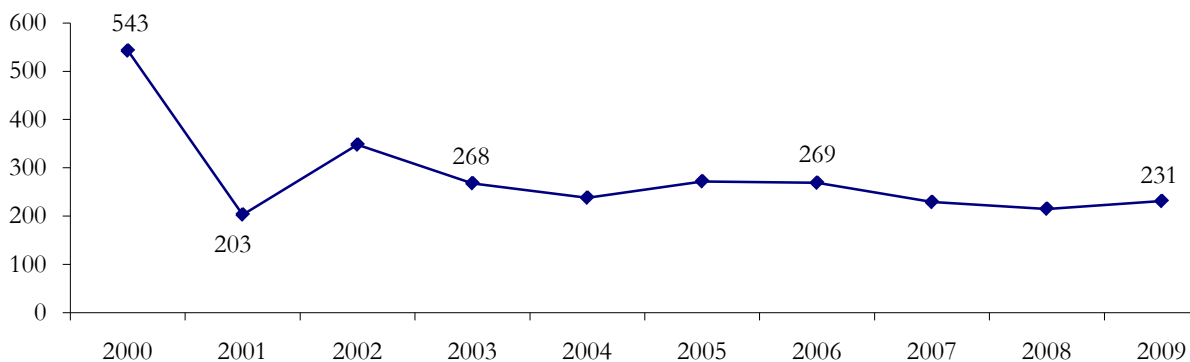
**Non-NYC Jail Population  
County Only Inmates - Average Daily Census**



√ When parole violators and state-ready inmates in local jails are excluded from the counts, the graph shows that the number of inmates held in local jails increased 18% between 2000 and 2009. However, the number of county-only inmates have declined 2% since the high in 2007.

When offenders are convicted and sentenced to state prison, they remain in local jail until the state Department of Correctional Services (DOCS) can take them into custody. In the late 1990s, the number of offenders awaiting prison became backlogged due to space constraints within the prison system. When prison capacity was expanded in 1999 and 2000, the local jail backlog declined dramatically.

**Non-NYC Jail Population  
State Readies - Average Daily Census**

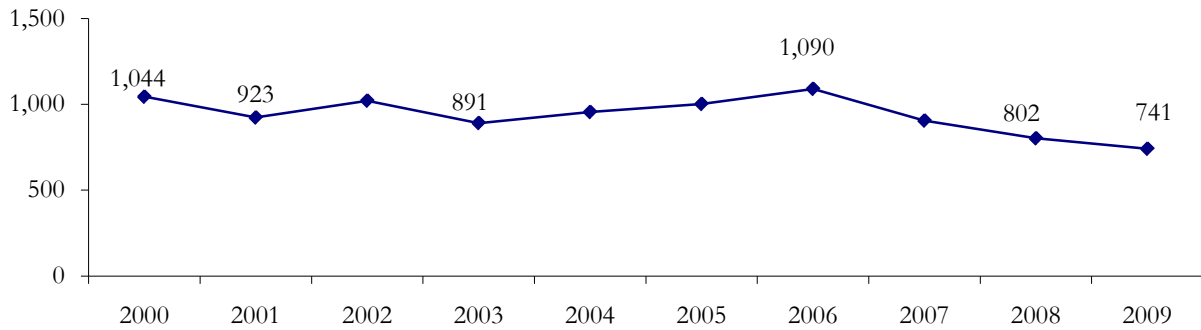


√ The average daily census of state-ready inmates in local jails outside of New York City awaiting return to DOCS was 231 in 2009, as compared to 543 in 2000.

# Criminal Justice Population Trends

When the Division of Parole initiates violation proceedings, alleged violators are housed in local jails. In 2007, Parole developed targeted strategies to reduce the number of violators in non-New York City jails. Parole increased the number of revocation hearings at targeted locations, improved post-disposition processing and improved communications with jail administrators across the state.

**Non- NYC Jail Population  
Technical Parole Violators - Average Daily Census**

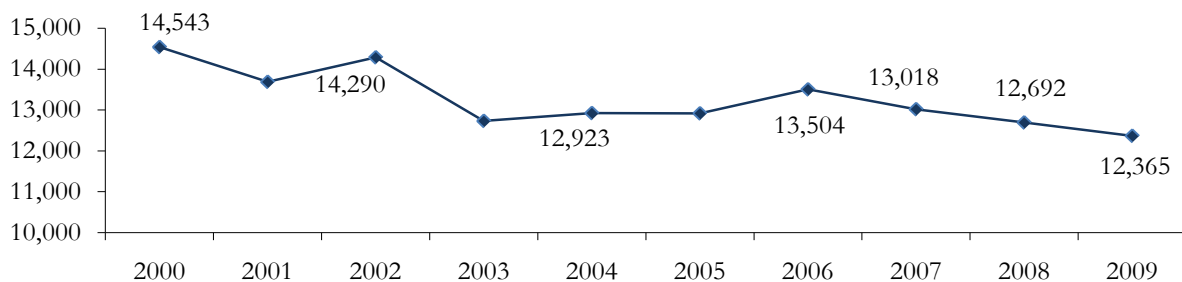


- ✓ The number of parole violators held in a local jail on a parole warrant has decreased 32% since 2006, from an average of 1,090 to 741 in 2009.
- ✓ Average statewide violation processing time declined from 55 days in 2000 to 47 days in 2009.

## New York City Jail Population

Since New York City Department of Correction has its own data systems, it does not use the JDRPS system. Consequently, average daily census cannot be calculated by DCJS. The graph below shows the year-end count.

**NYC Jail Population  
(End of Year)**

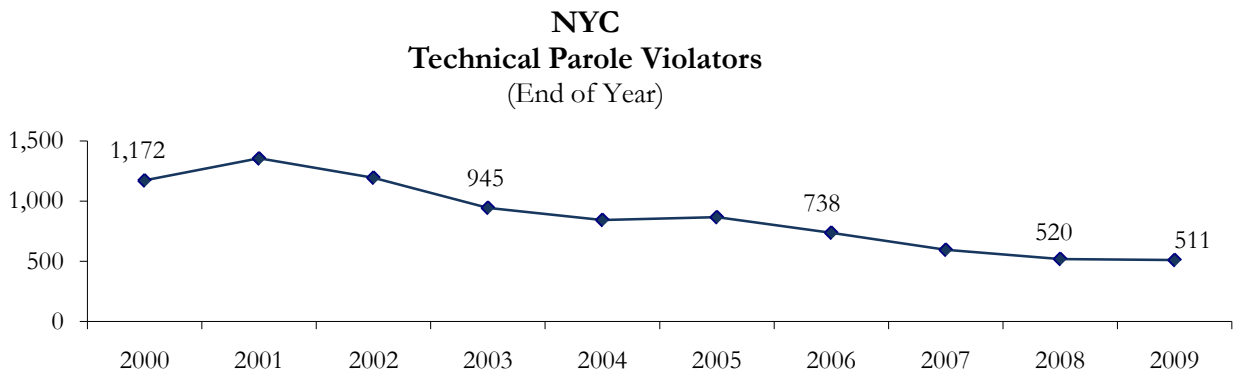


- ✓ The New York City jail year-end population decreased 3% (327 fewer inmates) between December 31, 2008 and December 31, 2009. This represents the lowest end of year population count reported within the last 10 years.

# Criminal Justice Population Trends

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During 2009, the Division of Parole continued to make progress with reducing the number of parole violators at Rikers Island.

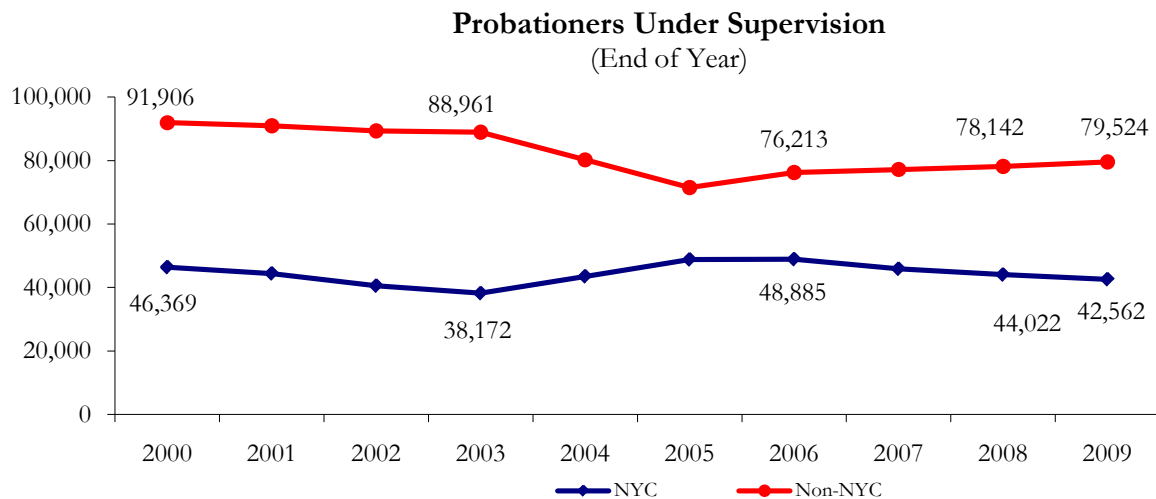


- √ The number of New York City parole violators held on a parole warrant remained at reduced levels during 2009, and was at 511 on December 31, 2009. This is lowest number since reporting began in 1998.

# Criminal Justice Population Trends

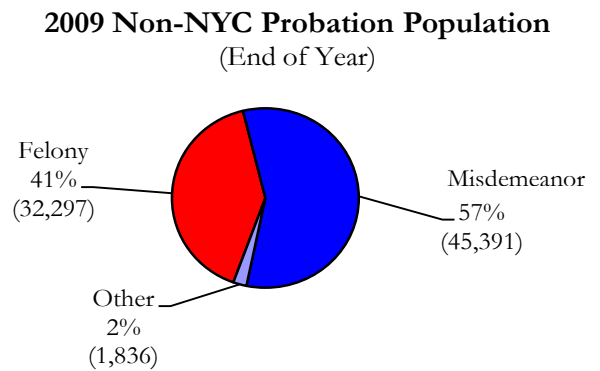
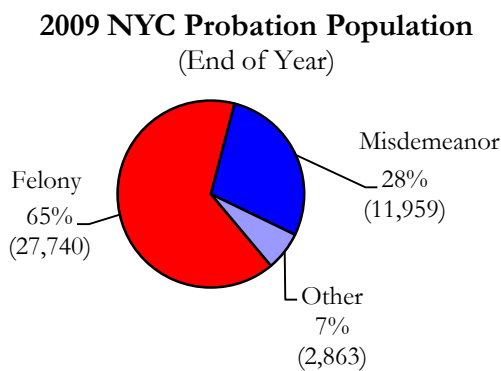
## Probationer Population

The number of offenders serving a probation sentence in New York State increased in the 1990s, peaking in 1998 at nearly 139,000 offenders. In 2005, the number of probationers in New York State hit a low of approximately 120,000. Since that time, probationers outside New York City are trending upward (+11%) and probationers in New York City are down (13%), for an overall increase of +2%. As of December 2009, approximately 122,000 offenders were under probation supervision in New York State. Of these, 65% were being supervised by probation departments outside New York City and 35% were supervised by New York City Department of Probation.



✓ Over the past year, the New York City probation population decreased by 1,460 probationers (-3%) while the probation population outside New York City increased by 1,382 probationers (+2%).

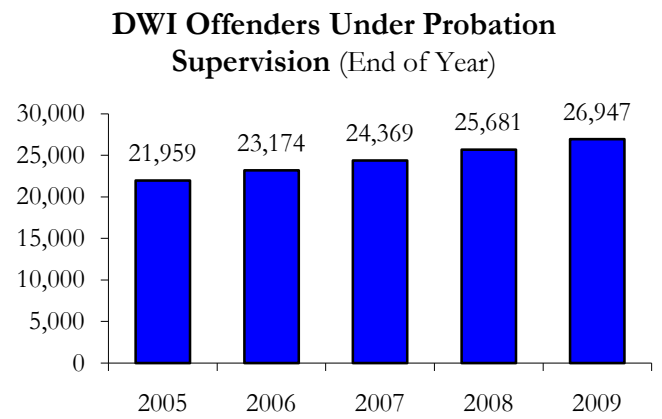
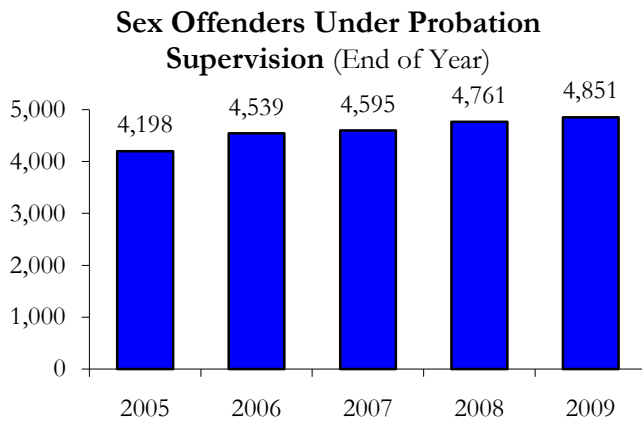
The New York City probation population differs from the probation population outside of New York City. Outside of New York City, most probationers are on probation for a misdemeanor; within New York City, most are felons.



✓ At year's end, 65% of New York City probationers were under supervision for a felony conviction, as compared to 41% of the probationers outside of New York City.

# Criminal Justice Population Trends

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County probation departments place special emphasis on high-risk offenders, such as sex offenders and DWI offenders.

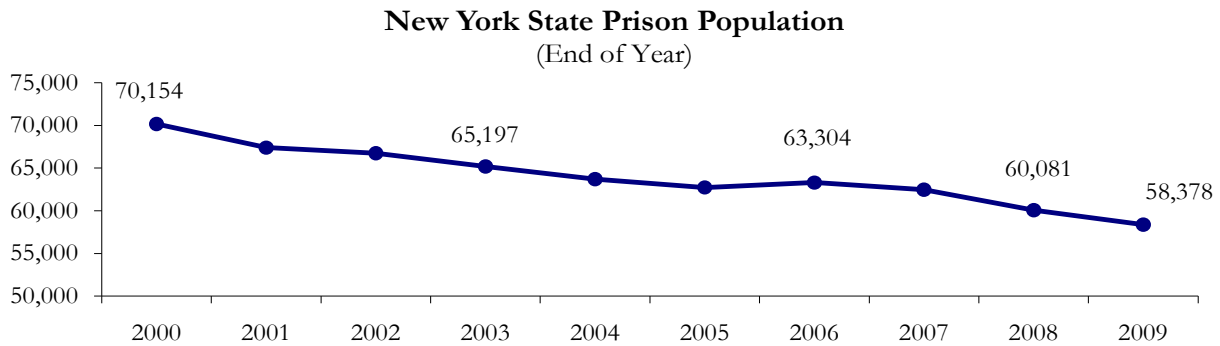
- ✓ The number of sex offenders under probation supervision has increased 29% since 2000, while the number of DWI offenders increased by 16% during this same time period.



# Criminal Justice Population Trends

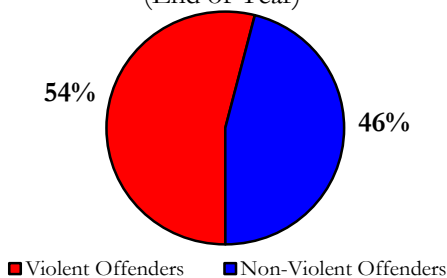
## State Prison Inmate Population

The number of inmates in the Department of Correctional Services' (DOCS) custody peaked in 1999 at 71,538 and has decreased by 18% since then. As of December 2009, DOCS had 13,160 fewer inmates than in 1999.

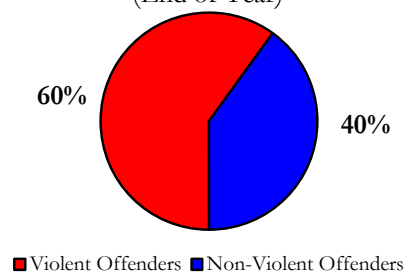


population serving time for violent offenses has increased significantly since 2000.

**2000 Inmates Under Custody**  
by Crime Type  
(End of Year)



**2009 Inmates Under Custody**  
by Crime Type  
(End of Year)

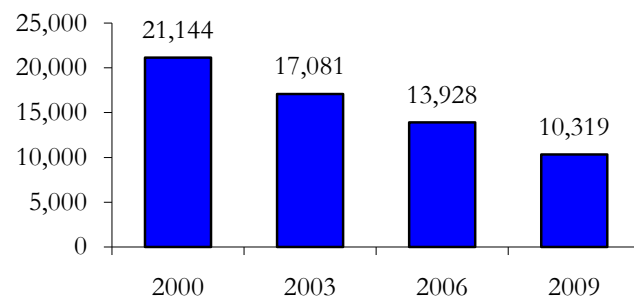


√ In 2000, 54% of inmates were incarcerated on a violent felony; 46% were non-violent offenders. In 2009, 60% of inmates were incarcerated as a result of a violent felony offense.

The most dramatic change in the DOCS under custody population is the decrease in the number of inmates whose top charge is a drug conviction.

√ The number of drug offenders under custody is the lowest in more than 20 years, with a 51% drop since 2000.

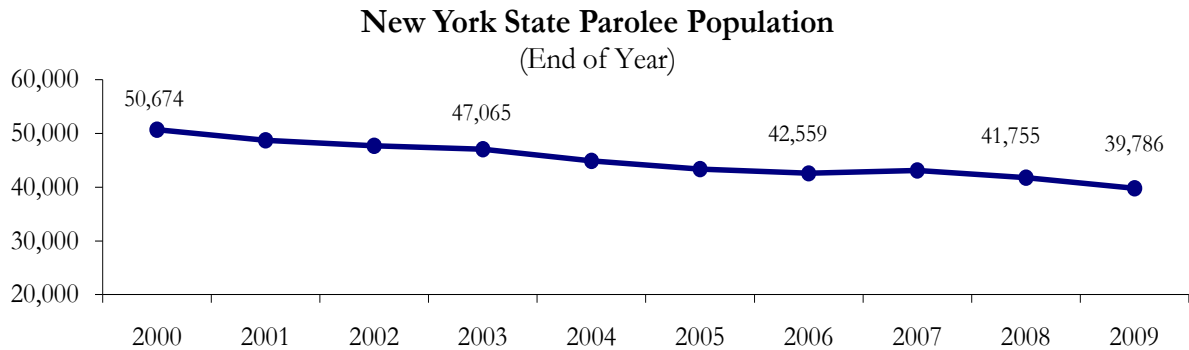
**Drug Offenders Under Custody**  
(End of Year)



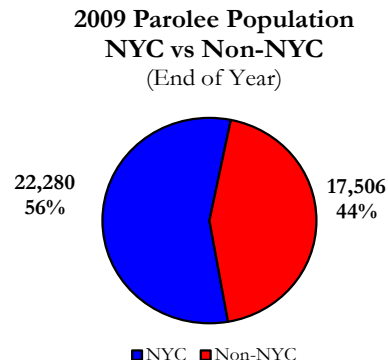
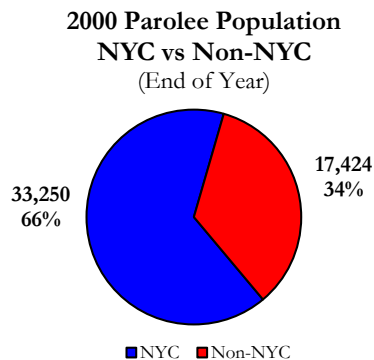
# Criminal Justice Population Trends

## Parolee Population

With fewer crimes being committed and fewer offenders going to prison, the number of parolees also declined. The parolee population peaked in 1997, with 53,634 offenders under supervision; at the end of 2009, there were 39,786. Offenders are released to parole supervision through a variety of mechanisms, including discretionary release by the Parole Board, presumptive release authorized by the Department of Correctional Services, release after serving a fixed sentence and conditional release by operation of law.

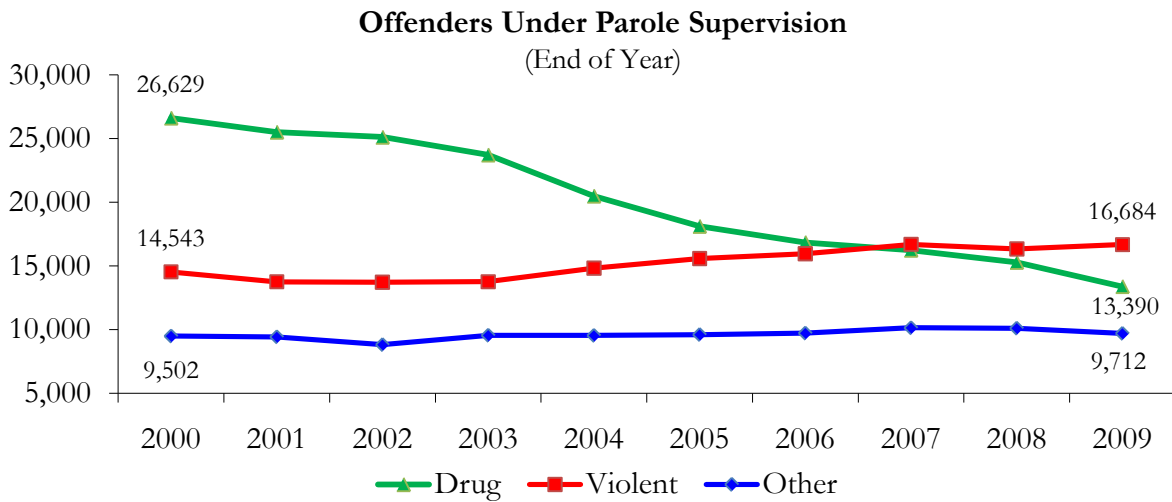


While the overall parolee population has decreased steadily since 1998, this decrease was due mainly to fewer parolees released to, and residing in, New York City.



- ✓ The number of offenders under supervision in New York City fell 33% since 2000, from 33,250 to 22,280 in 2009. This decrease followed a decline in new commitments from New York City. In December 2009, 56% of the parolee population was in New York City as compared to 66% in 2000.
- ✓ The number of offenders under supervision outside of New York City stayed about the same from 17,424 in 2000 to 17,506 on December 31, 2009. Given that fewer than 50% of prison commitments have come from New York City during the past five years, the parolee population will continue to shift regionally. For the first time in 2009, the number of releases to parole from counties outside of New York City (12,247) were greater than the releases to parole within New York City (12,068).

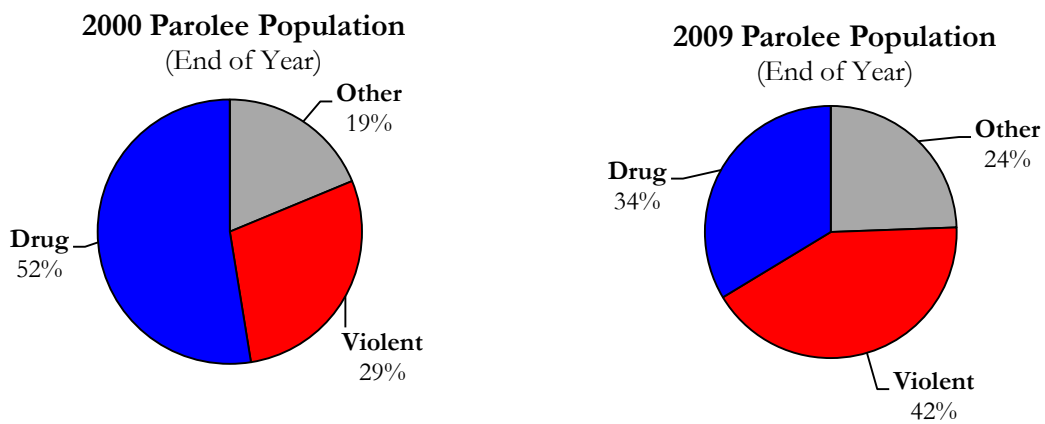
# Criminal Justice Population Trends



In the last 10 years, the Parole population has shifted to a greater percentage of violent offenders. At the end of 2009, there were 16,684 violent felony offenders under supervision. This is an increase of 15% since 2000. During the same period of time, the number of drug offenders on parole decreased by 50% due to fewer drug offenders entering prison, reformed statutes that allow drug offenders with successful supervision histories to be discharged prior to the maximum expiration of their sentence, and shorter periods of post-release supervision for determinately sentenced drug offenders.

✓ There were 16,684 violent offenders under supervision at the end of 2009.

✓ As of December 2009, there were 13,390 drug offenders under supervision.



✓ In December 2009, 42% of the parolee population was under supervision for a violent felony offense, as compared to only 29% in the first part of the decade.

✓ In 2000, 26,629 parolees were under supervision for drug offenses, representing 52% of the parolee population. At the end of 2009, drug offenders represented only 34% of the parolee population.

# Managing Through Technology: Integrated Justice Advisory Board

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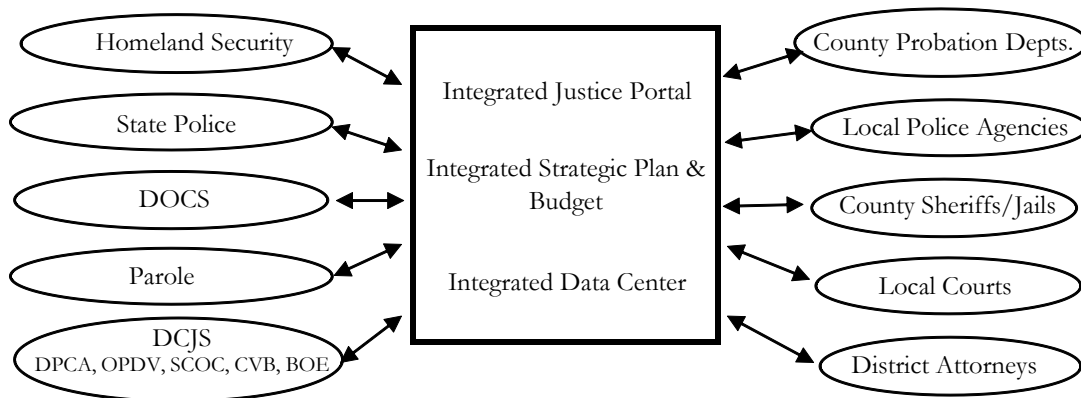
Hundreds of different data systems support the management of offenders in New York State. For example, law enforcement maintains 24-hour access to secure data through the New York State Police Information Network (NYSPIN) and eJusticeNY. Technical interfaces between the Division of Criminal Justice Services (DCJS), the State Police, the Office of Homeland Security (OHS), the Department of Correctional Services (DOCS), the Division of Parole, county probation agencies, local jails and the courts operate around the clock to ensure that accurate and timely information is transmitted from agency to agency as offenders move through the criminal justice system. In addition, these systems are used to annually:

- Process more than 757,000 criminal fingerprints, including 600,000 arrests
- Process 560,000 dispositions
- Monitor 122,000 active probationers
- Maintain critical data on more than 58,000 inmates and nearly 40,000 parolees
- Process 18,000 crime victim compensation claims
- Transmit daily updates on more than 28,000 offenders in local jails
- Process more than 13 million stolen vehicle inquiries
- Process more than 36 million DMV registration and license inquiries

Statutory changes, increased security demands and technological advances in an environment of limited resources have made managing criminal justice technology more challenging than ever before.

## Integrated Justice Advisory Board (IJAB)

Recognizing the need to ensure system reliability and uninterrupted service in the face of these challenges, the Integrated Justice Advisory Board (IJAB) was established in 2004. The Board is comprised of the Chief Information Officers (CIO) from DOCS, State Police, Parole, DCJS and the Office of Homeland Security. Since DCJS provides technology and support services for the Division of Probation and Correctional Alternatives (DPCA), the Office for the Prevention of Domestic Violence (OPDV), the State Commission of Correction (SCOC), the Board of Examiners of Sex Offenders (BOE) and the Crime Victims Board (CVB), these agencies are represented on IJAB as well.



# Managing Through Technology: Integrated Justice Advisory Board

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Since its inception, IJAB has been the state's model for integrating technology within a government sector. The state Office for Technology (OFT) manages the Integrated Justice Data Center and provides guidance and advice in technology direction and strategies. The goals of IJAB are to improve criminal justice services, maximize resources and ensure all criminal justice technology systems remain secure and operable.

Three key objectives were established to meet these goals:

## **1) Improve access to criminal justice systems through a new Integrated Justice Portal that will consolidate all functions of NYSPIN and eJusticeNY**

At this time, law enforcement agencies must rely on two separate systems for critical law enforcement communications. For example, an officer conducting an investigation must go through NYSPIN to review wanted persons files, motor vehicle records or gun files, and then go to the separate eJusticeNY system to obtain a criminal history record and updated photo of a suspect under investigation. Through IJAB, a single, integrated portal will merge these systems, ensuring uninterrupted operations and streamlined communications for all law enforcement agencies within New York State.

Following initial development during 2005, the Integrated Justice Portal (Portal) became a reality in 2006 when the Office of Homeland Security's Counter Terrorism Network and the New York State Intelligence Center (NYSIC) (formerly known as the UNYRIC) became accessible through the Portal. Secure Internet access became available in 2006 to provide high-bandwidth, low-cost options for connection. In 2007, a secure, single point of access was provided through the Portal to the State Commission of Correction Daily Population Count application and to the Department of Correctional Services State Ready application.

Additional functionality was added to the Portal in 2008. An offender risk and needs assessment tool (COMPAS) was made available for use by local probation departments, and law enforcement users began accessing the Critical Infrastructure Response Information System (CIRIS) from the Portal. CIRIS is a sophisticated mapping tool which allows public safety personnel and State officials to quickly search for, locate and visualize information about critical assets and infrastructure components.

√ The New York State Police and DCJS implemented several new applications:

- Re-engineered Wanted, Missing and Unidentified Systems and the National Crime Information Center (NCIC) person files now allow records to be data entered, modified and cancelled on the Portal. Messages are received in a Portal Inbox and can be routed to various law enforcement agencies.
- Users within the criminal justice community can request a criminal history from another state and receive a rapsheet response via the Portal.
- The COMPAS risk and need assessment system was further enhanced and the user base expanded beyond county probation offices to include a pilot implementation for Parole staff in the Buffalo area office.
- The first phase of a new system called the Centralized Presentence Investigation (PSI) Repository was developed and implemented in the Portal in 2009. This system provides real-time electronic collection of all PSIs from NYC Probation (and eventually all county

# Managing Through Technology: Integrated Justice Advisory Board

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probation departments), stores them in the PSI Repository in the portal, and allows authorized individuals to query and access the PSI information.

## **2) Develop a Criminal Justice Strategic Plan with an integrated budget process, to achieve savings and efficiencies**

A coordinated strategic planning process allows criminal justice agencies to better plan the technologies that support the flow of offender information from agency to agency. Through IJAB, agency hardware and software purchases can be coordinated, resulting in substantial savings to the State. The IJAB continues to develop and submit a single, coordinated technology Budget Request for the state criminal justice agencies.

- √ IJAB continued its commitment to make cooperative technology purchases, leveraging the purchasing opportunities presented through the Office for Technology to serve the needs of DCJS, State Police, DOCS, Parole and Homeland Security and our local criminal justice partners.

## **3) Consolidate technical infrastructure for network operations, servers, security and portal management**

Consolidating infrastructure among DOCS, Parole, State Police, DCJS and Homeland Security creates efficiencies that allow technology resources to be redirected to critical improvements in law enforcement services. Equally important, it allows these agencies to strengthen contingency planning for system failures and ensure uninterrupted services. In 2005, DCJS and State Police mainframe systems were migrated to the state Office for Technology (OFT). A Criminal Justice Data Center was established to house all criminal justice information technology facilities in the same information technology environment.

- √ Throughout 2008 and 2009, IJAB continued to work to achieve efficiencies by leveraging the Integrated Justice platform. As described above, this includes a range of systems design and development efforts to re-engineer and migrate existing business applications off outdated technology and to implement new functionality through the Portal.

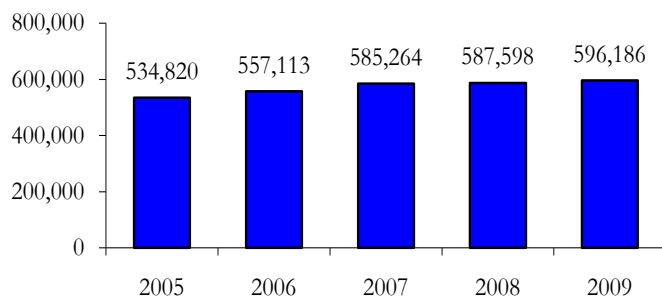
# Arrest & Fingerprinting Processing

Processing arrest fingerprints is the first step in criminal justice processing. Arrest, civil and crime scene fingerprints are processed against databases of 50 million fingerprint images. DCJS operates 24 hours a day, 365 days a year to provide criminal history records that contain up-to-date arrest and conviction information to criminal justice agencies.

## Provide Timely Positive Identification of Arrestees through Fingerprint Processing

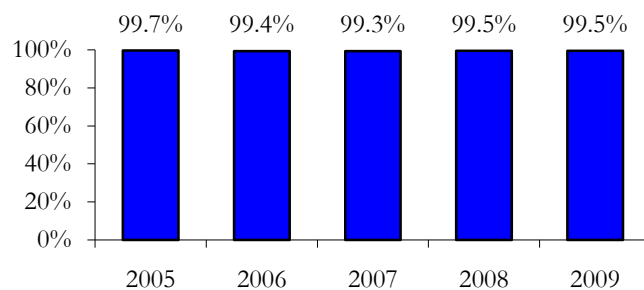
When an arrest is made, fingerprints are submitted to DCJS by the arresting agency. In response to those submissions, DCJS returns electronically, within three hours of receipt, criminal history records, commonly referred to as “rapsheets,” to law enforcement agencies, district attorneys’ offices and courts. This allows authorities to use the positive identification of offenders, past criminal histories and any warrant information for arraignment and bail determinations.

**Arrest Fingerprints Processed**  
(Annual)



✓ During 2009, 596,186 arrest fingerprint transactions were processed. Of these, 537,288 were submitted electronically to DCJS.

**Percent of Arrest Fingerprints Processed Within 3 Hours**  
(Annual)



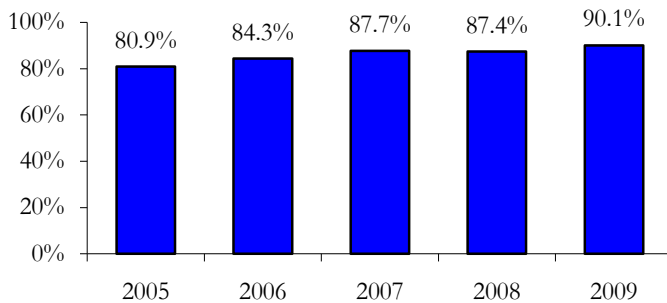
✓ In 2009, nearly 100% of electronic submissions were processed within 3 hours of receipt, with an average turnaround time of 23 minutes. During 2008, the average turnaround time was 32 minutes.

## Increase the Number of Arrest Fingerprints Submitted Electronically

To reduce processing time and improve the quality of fingerprint searches, DCJS developed and implemented the Store and Forward initiative. Store and Forward is an electronic interface that links remote fingerprinting sites to the division’s Statewide Automated Fingerprint Identification System (SAFIS).

# Arrest & Fingerprinting Processing

**Percent of Arrest Fingerprints Processed Electronically**  
(Annual)



✓ The percent of arrests processed electronically increased to 90.1% during 2009, as compared to 87.4% in 2008.

✓ As of December 2009, 301 law enforcement agencies had Store and Forward capability, an increase of 77 agencies during the past year.

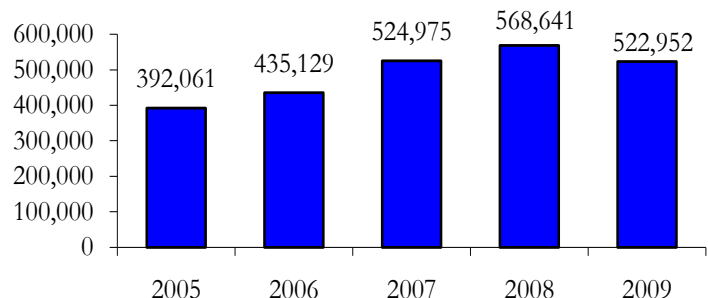
## Improve the Effectiveness of the Civil Fingerprint System

DCJS processes fingerprint submissions associated with applications for certain occupations or licenses that by law require a criminal history background check. Applicant fingerprint submissions are forwarded to DCJS from more than 630 agencies statewide. The timely processing of civil fingerprint submissions facilitates the suitability determination process of individuals who are seeking licenses or employment in positions of trust. This determination is essential to ensure that nursing homes, schools and other employers in especially sensitive areas do not hire individuals who may jeopardize the safety of the state’s most vulnerable populations – children, the elderly and the handicapped. In 2006, the Public Health Law was amended to require fingerprint-supported criminal history checks for prospective nursing home and home health care agency employees, resulting in a significant workload in 2007. In 2009, DCJS implemented a statewide vendor managed fingerprint system for authorized civil contributor agencies to utilize as an option for the electronic submission of their civil fingerprint transactions. Live civil fingerprint transactions were transmitted to DCJS beginning in April 2009. The vendor managed system relies on a sliding scale fee that is charged per transaction to offset the vendor’s costs, including software, equipment and staffing. As of December 2009, more than 100 livescan fingerprinting locations were in place throughout the state, with more than 370 civil contributor agencies using the network. State agencies participating include: the Department of State, Department of Health, Office of Children and Family Services, Liquor Authority and Insurance Department.

✓ There were 522,952 civil fingerprint transactions processed in 2009, a decrease of 8% as compared to 2008. This decrease is related to a decrease in hiring that occurred in 2009 compared to 2008.

✓ Civil fingerprints were processed with an average turnaround time of less than one day.

**Civil Fingerprints Processed**  
(Annual)

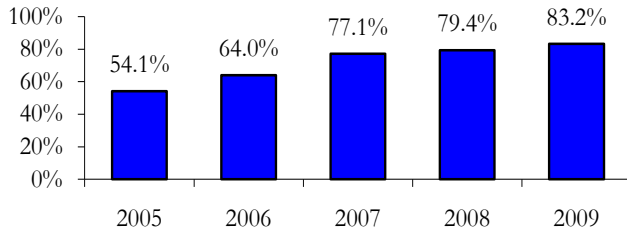




# Arrest & Fingerprinting Processing

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**Percent of Civil Fingerprints Processed Electronically**  
(Annual)

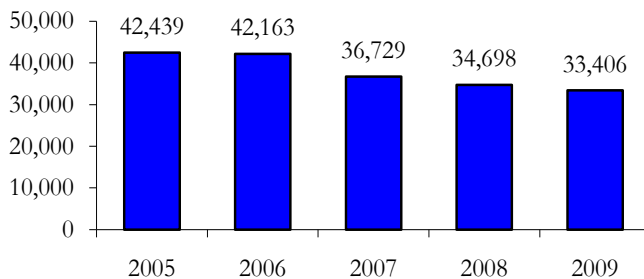


✓ In 2009, 83.2% of all civil fingerprints processed were submitted electronically, as compared to 79.4% in 2008.

## Increase the Number of Crime Scene Fingerprints Collected by Law Enforcement Agencies

DCJS serves as the state's Central Statewide Automated Fingerprint Identification System (SAFIS) site among 19 regional sites networked to SAFIS. DCJS staff processes crime scene prints from the 17 counties in its geographic jurisdiction, as well as from other parts of the state and country, to assist law enforcement agencies in criminal investigations. Using SAFIS technology, crime scene fingerprints are searched against a criminal database of 32 million fingerprint images at DCJS in an effort to positively identify the individual who left the prints. Crime scene prints also are searched against the FBI fingerprint database of more than 600 million fingerprint images on behalf of law enforcement agencies across the state. In addition to processing crime scene fingerprints, DCJS provides technical and production assistance to other sites when required, and oversees the certification process and annual proficiency examination for latent fingerprint examiners across the state.

**Crime Scene Fingerprint Searches Conducted Against DCJS Database**  
(Annual)

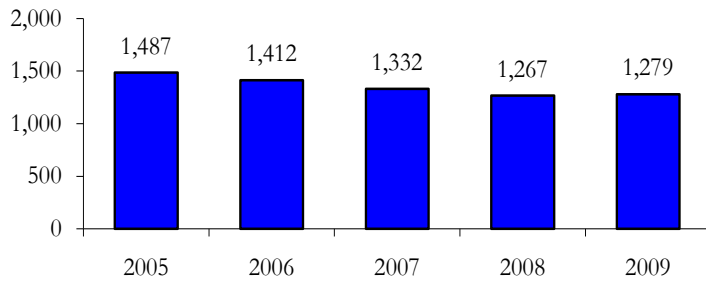


✓ During 2009, 33,406 crime scene print searches were conducted against the DCJS database, a decrease (-4%) from 2008.

# Arrest & Fingerprinting Processing

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**Crime Scene Fingerprint Hits  
Against DCJS Database**  
(Annual)



✓ During 2009, DCJS positively identified 1,279 crime scene fingerprints.

✓ DCJS also conducted 7,855 crime scene fingerprint searches against the FBI Database and positively identified an additional 79 crime scene fingerprints during 2009.

✓ Since the inception of SAFIS in 1989, 22,119 crime scene fingerprint identifications have been made.

# Jail Management and Oversight

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The State Commission of Correction (SCOC) monitors the operation of local jails and correctional facilities. The jails outside of New York City are managed by county sheriffs' offices or a county commissioner (Onondaga and Westchester counties). New York City jails are managed by the New York City Department of Correction (NYC DOC). SCOC has established minimum standards and regulations for the management of county jails, and monitors compliance with minimum standards in five ways.

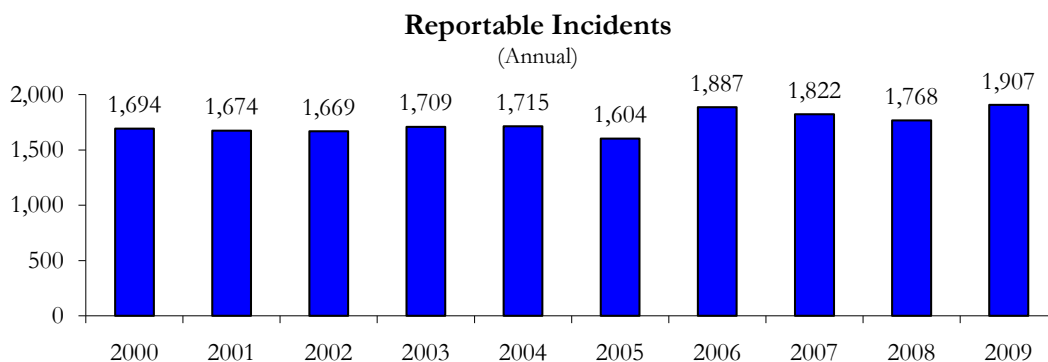
## Evaluate Local and County Facilities

SCOC regularly evaluates county jails, New York City jails and police and sheriffs' department lock-ups to ensure compliance with minimum standards and the requirements of the Juvenile Justice and Delinquency Prevention Act 2002 (JJDP A). There are currently 122 facilities that must be evaluated annually, including county and New York City jails, Office of Children and Family Services Residential Centers, and local juvenile detention centers. A total of 392 lock-ups must be evaluated at least once every three years. Through on-site evaluations, SCOC reviews compliance with minimum standards; including security and safety requirements; appropriate classification of inmates; the physical plant; staffing levels; visitation rights; and the separation of juveniles from adult offenders. Upon completion of the evaluation, the facility receives a report citing any deficiencies that includes comprehensive instructions as to what the facility must do to return to compliance. In many cases, technical assistance is offered by SCOC staff.

✓ In 2009, SCOC completed 212 evaluations, a decrease (-13%) from the 244 evaluations completed during 2008.

## Review Reportable Incidents From Local Jails

Local facilities are required to report unusual incidents, including inmate-on-inmate or inmate-on-staff assaults resulting in injuries, all deaths, service disruptions, escapes and other significant incidents. SCOC reviews all reported incidents and follows up as needed.

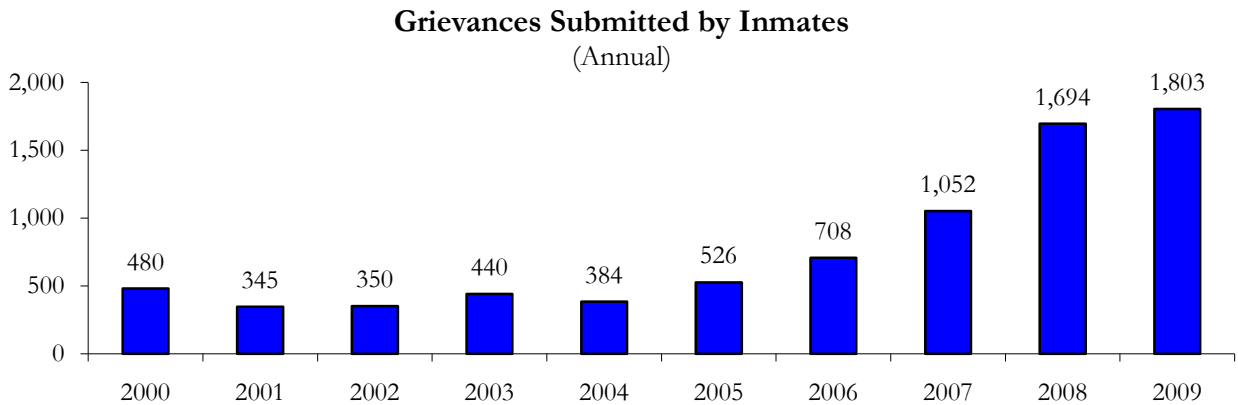


✓ During 2009, a total of 1,907 incidents were reported, up (+8%) from the 1,768 reported in 2008. During the year, SCOC followed up on 429 of these incidents, 22% of incidents reported. This is more than double the amount followed up on in 2008 (202).

# Jail Management and Oversight

## Review Grievances Submitted by Incarcerated Inmates

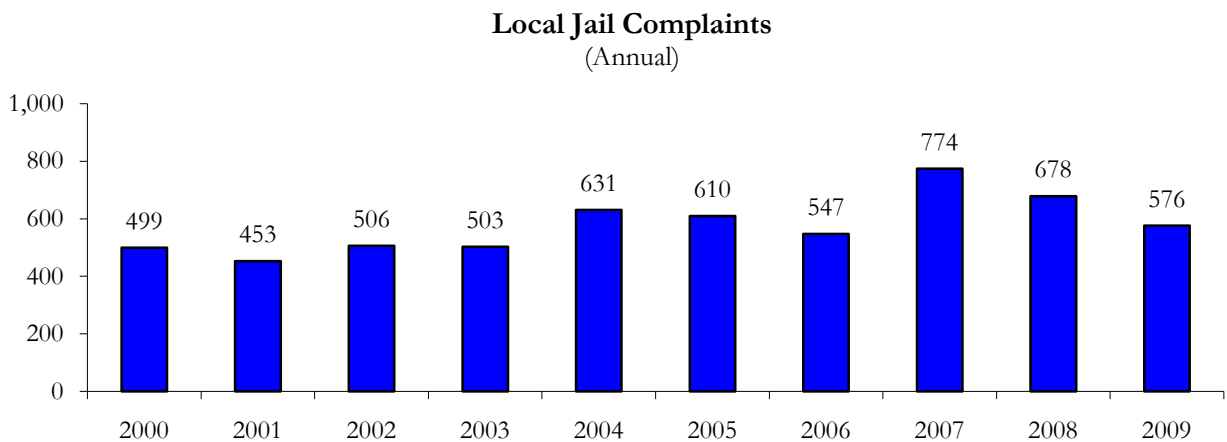
Under the established minimum standards, all facilities must establish a formal grievance process to handle inmate grievances. This process includes a review by the chief administrative officer at each jail. Grievances that cannot be resolved at the local jail are forwarded to SCOC, where they are reviewed by the Citizen’s Policy and Complaint Review Council (CPCRC). The CPCRC, a seven-member panel appointed by the Governor, reviews and rules on grievances within 45 days of receipt.



√ A total of 1,803 grievances were submitted in 2009, a 6% increase over 2008, but still only 2% of the nearly 100,000 admissions during 2009.

## Respond to Complaints About Local Jails

SCOC also responds to complaints that are not handled through the local jail’s grievance process. These complaints can come from inmate advocates, inmate families, attorneys, public officials and other interested parties. All complaints must be submitted in writing to SCOC.



√ SCOC received 576 complaints about local jails in 2009, a 15% decrease compared to 2008.

# Jail Management and Oversight

## Monitor Capacity Demand

With nearly 87,000 inmates in correctional custody, problems in correctional management can be capacity driven. SCOC monitors county correctional populations and capacity daily through its automated population reporting system. New York City jail and state prison populations also are monitored daily. During 2009, SCOC continued to work with DOCS to realign authorized bed space where capacity demand had fallen, and continued to review capacity for local jails, with several facilities in the process of adding on to an existing facility, planning a new facility, or constructing a new facility. Once new space is established, SCOC monitors staff performance and conditions of confinement to ensure the safety of staff and inmates and the stability of operations.

There are 64 jails in the 57 counties outside New York City. SCOC monitors the facilities approved to house inmates at their standard capacity. Many counties are within the rated capacity, but have a large number of inmates boarded out to other counties due to not having sufficient space or not having space in the proper classification area for inmates committed to their facility. SCOC closely monitors jails that are at or above 90% capacity. At this capacity level, it may become difficult to meet classification requirements.

In addition, SCOC may authorize a variance to allow the facility to address the needs of specific types of inmate populations, such those with mental health needs. In this situation, the variance is not related to crowded conditions, but rather allows for use of non-standard space that is more appropriate to the need.

**Jail Capacity Outside of New York City**  
(End of Year)

	2005	2006	2007	2008	2009
<b>Jail Facilities</b>					
Facilities at Standard	33	36	40	42	44
Facilities with Variances	30	27	23	21	20
Total Facilities	63	63	63	63	64
Facilities Near or Exceeding Capacity *	22	19	19	11	20
<b>Percent Near or Exceeding Capacity</b>	<b>35%</b>	<b>30%</b>	<b>30%</b>	<b>17%</b>	<b>31%</b>

\* Capacity at or greater than 90%.

- √ The number of jails with an operating variance has declined steadily since 2005, from 30 jails to only 20 in December 2009 (-33%) due to new construction/jail expansion.
- √ Of the 64 jail facilities outside of New York City, 20 (31%) were near or exceeded their capacity when their full census (including boarded out inmates) was taken into account. This is a dramatic increase from the end of 2008 when it was 17%, but consistent with pre-2008 levels.

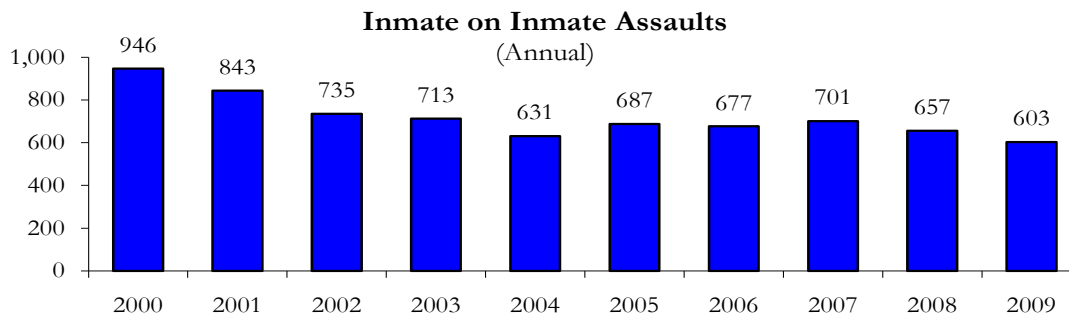
# Prison Management

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The Department of Correctional Services (DOCS) administers a network of 68 correctional facilities that house more than 58,000 inmates. DOCS provides a safe and secure environment for inmates and staff, and provides access to services to prepare inmates for release.

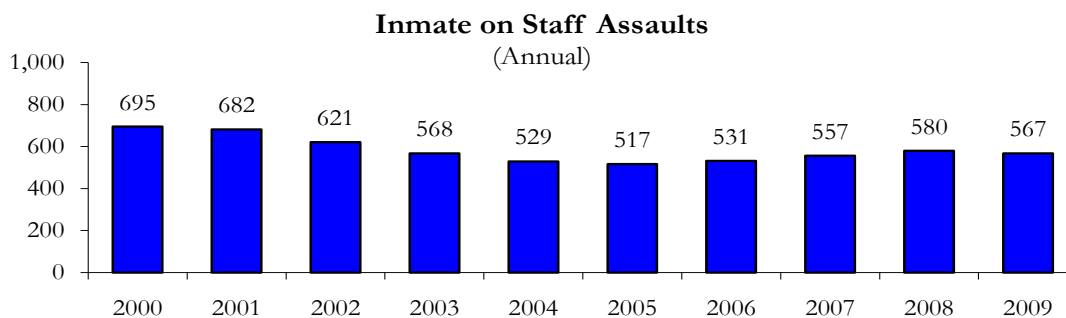
## Provide a Safe and Secure Environment

Safety and security improvements over the last 15 years have included the addition of two maximum security facilities, eight disciplinary housing units which house violent, predatory felons and a 100-bed regional mental health center.



✓ Inmate-on-inmate assaults decreased by 8% in the past year to 603. This is the lowest reported during the past 10 years.

Significant changes in the past decade have improved the prison safety record. DOCS routinely conducts drug tests and screens inmates using specially designed chairs that can detect dangerous contraband. DOCS also has worked closely with State Police and district attorneys' offices to increase criminal prosecution of inmates who commit crimes while under DOCS custody. Expanded staff training and improved sharing of intelligence also contributed to the significant decline in all assaults since 1998.



✓ Inmate-on-staff assaults declined by 2% in the past year to 567.

# Prison Management

## Prepare Inmates for Release

The goal of inmate programming within DOCS is to meet each inmate's program needs prior to release back to the community. Inmates are assessed when they arrive to determine needs in the areas of academic education, vocational training, substance abuse counseling, aggression counseling and sex offender counseling. The majority (76%) of inmates under DOCS custody on a new sentence have at least three major programmatic needs to address during incarceration.

Inmate Under Custody Program Needs	
Vocational Education	84%
Substance Abuse Counseling	77%
Aggression Counseling	76%
Academic Education	56%
Sex Offender Counseling	12%

If a need is identified in any program area, the inmate is required to participate in and complete the appropriate program during incarceration. In addition, every inmate is required to complete the three-phased Transitional Services program.

With the exception of sex offender counseling, which is provided at 16 designated facilities, DOCS provides each of the major programs at every general confinement facility.

Program Type	Participants *
Academic Education	35,286
Substance Abuse Counseling	25,491
Vocational Education	26,433
Aggression Counseling	11,213
College Education	2,321
Sex Offender Counseling	2,383

\*An inmate may be counted more than once due to participation in multiple programs

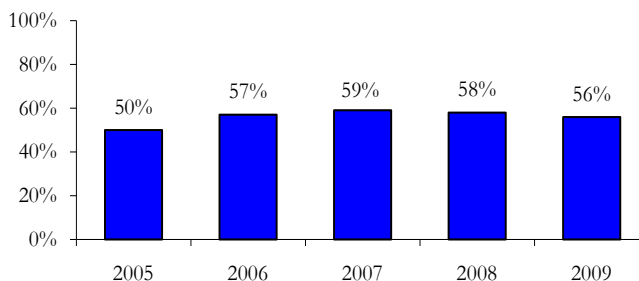
√ During 2009, the six major program areas had more than 103,000 participants. \*

## Vocational Education

During 2009, three new Department of Labor Apprenticeship Training Programs were implemented and 26,433 inmates participated in vocational education in DOCS facilities. Consistent with the decline (-3%) in the prison population, there were 1,973 fewer participants (-2%) in 2009 than in 2008. In addition, instructor vacancies contributed to lower enrollments in vocational education programs during 2009.

√ The percent of inmates identified with a vocational need who met their program need or were still participating at release has declined in the past year and is now at 56%.

Percent of Inmates Whose Vocational Need Was Met Prior to Release \*  
(Annual)



\* Includes inmates participating at release.

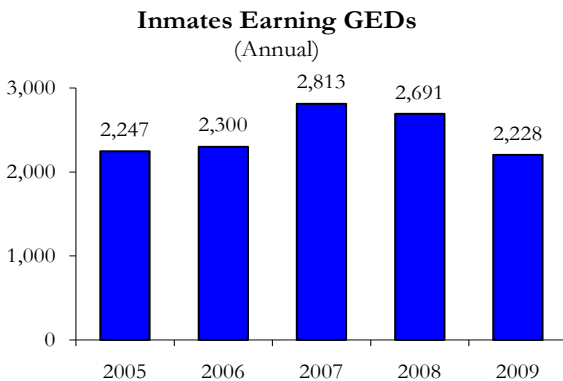
# Prison Management

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✓ In 2009, 815 inmates were enrolled in National Center for Construction Education and Research (NCCER) in eight of the DOCS construction trades. At the end of the year, 83 vocational instructors were certified as NCCER craft instructors to teach the NCCER program.

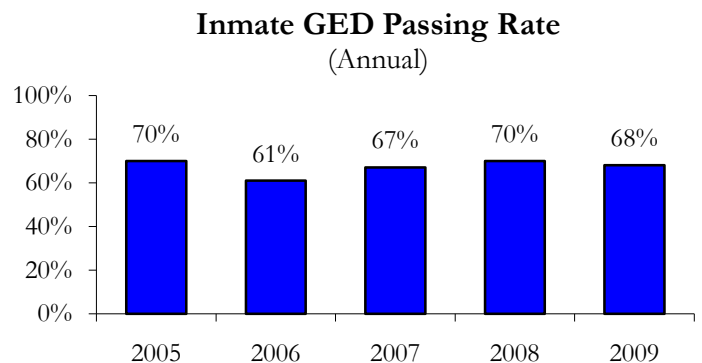
## Academic Education

In 2005, DOCS mandated participation in academic education for all inmates who did not possess a verified General Educational Development (GED) or high school diploma. This policy was implemented in recognition of the fact that most jobs or continuing education programs require a high school diploma or GED. Under this policy, the inmates with reading and math scores above ninth grade are now remaining in school and earning their GEDs. In addition, a 2003 DOCS study found that those inmates who earned a GED while incarcerated returned to custody within three years at a significantly lower rate than offenders who did not earn a GED while incarcerated. In 2009, new educational software was installed in all academic computer labs to bring the labs up-to-date with the current requirements for the GED examination. A total of 35,286 inmates participated in academic education during 2009.



✓ During 2009, 2,228 inmates earned GEDs, a decrease of 17% from 2008. The inmate population declined by 3% during this period. This brings the total number of GEDs to 12,279 since implementation of the new policy in 2005.

✓ The passing rate for inmates taking the GED exam was 68% in 2009. The passing rate has ranged from 67% to 70% over the past three years.

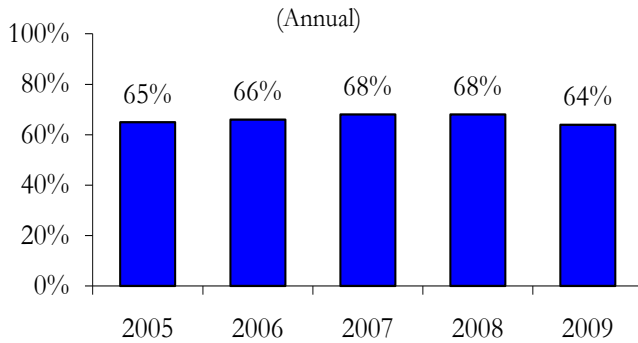




# Prison Management

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**Percent of Inmates Whose Academic Need Was Met Prior to Release \***



- ✓ In 2009, there were 3,589 fewer participants in academic education programs than in 2008, a decrease of 8%.
- ✓ The percentage of inmates identified with an academic need who met their program need or were still participating at release was 64%, a decrease from 2008.

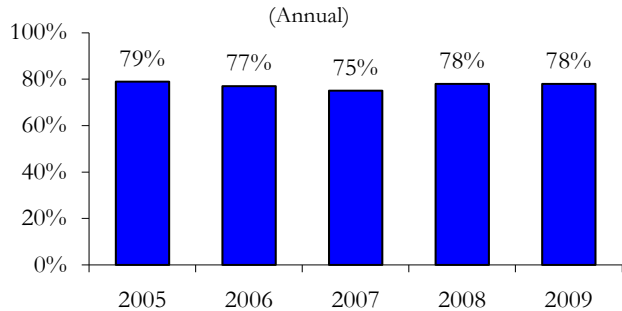
\* Includes inmates participating at release.

## Substance Abuse Treatment

Substance abuse is one of the most significant factors affecting New York State's correctional population. Nearly 80% of the inmates under custody have an identified substance abuse need.

- ✓ Over the past two years, 78% of inmates with a substance abuse need completed or were still participating at release in substance abuse counseling.

**Percent of Inmates Whose Substance Abuse Need Was Met Prior to Release \***



\* Includes inmates participating at release.

# Offender Re-Entry

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New York State seeks to reduce crime by promoting offender success in the community. In New York State, more than 27,000 offenders were released from state prison in 2009. Offender re-entry involves many criminal justice and human service agencies, including:

- Department of Correctional Services (DOCS)
- Division of Parole (DOP)
- Division of Criminal Justice Services (DCJS)
- Office of Alcoholism and Substance Abuse Services (OASAS)
- Office for the Prevention of Domestic Violence (OPDV)
- Department of Health (DOH)
- Department of Labor (DOL)
- Office of Mental Health (OMH)
- Office of Mental Retardation and Developmental Disabilities (OMRDD)
- Office of Temporary and Disability Assistance (OTDA)
- Office of Children and Family Services (OCFS)
- Division of Probation and Correctional Alternatives (DPCA)
- Department of Education (DOE)
- Department of State (DOS)
- Division of Veterans' Affairs (DVA)
- New York City Department of Correction (NYCDOC)

The Department of Correctional Services (DOCS) incarcerates nearly 58,000 inmates and is staffed by approximately 30,000 employees. When inmates are released from prison, they are generally subject to a period of community supervision by the Division of Parole (DOP), an agency of 2,000 staff with field offices throughout the state. DOP staff also work within the prison system to help prepare inmates for release. Other state agencies play a role in New York's re-entry efforts: the Office of Mental Health (OMH) provides counselors and psychiatric services at DOCS facilities; the Office of Alcoholism and Substance Abuse Services (OASAS) licenses community substance abuse treatment providers which serve offenders; and other New York State agencies assist with offender employment, housing and entitlement assistance. New York is one of eight states that participates in the federal National Institute of Corrections' Transition from Prison to Community Initiative (TPCI). TPCI is designed to improve re-entry outcomes through interagency collaboration and implementation of research-driven policies and programs. Over the past five years, DCJS has coordinated several re-entry initiatives, including establishing a multi-agency state task force, and in 2006, funding a program that supports 13 local county-based re-entry task forces. DOCS and DOP also lead initiatives within their respective agencies.

## Key Public Service Areas

- Prepare inmates for release
- Transition offenders from prison to the community
- Supervise offenders after release

## Key Objectives

- Improve services, programs and supervision for inmates and parolees
- Increase the number of inmates released from prison with personal documentation
- Reduce the number of offenders relying on public shelters
- Increase the employment rate of supervised offenders
- Reduce the number of offenders returned to prison for committing new crimes

# Offender Re-Entry

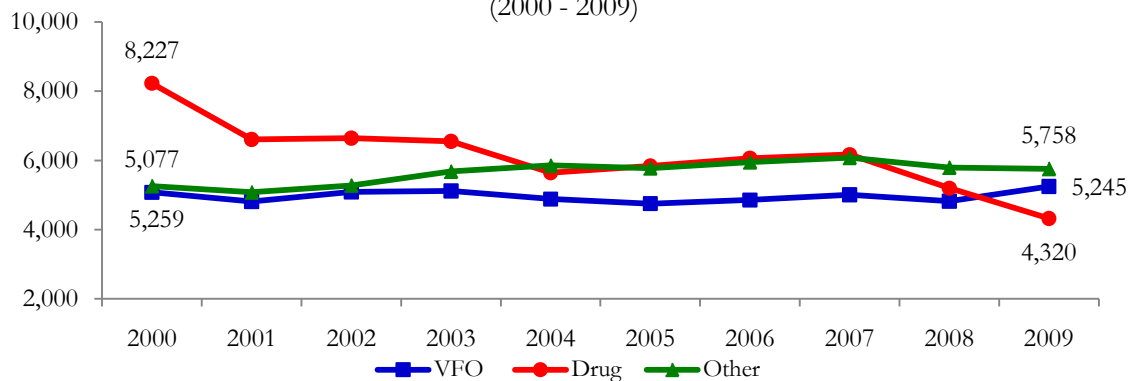
Re-entry planning begins when an offender is admitted to prison. The number of prison admissions is influenced by crime volume, arrest and indictment activity and court dispositions.

**New Prison Commitments - Statewide**  
(Annual)



√ Commitments totaled 15,323 in 2009, down (-3%) from 2008, and the lowest number reported since 1987. This decrease was driven primarily by a decrease in drug offender commitments.

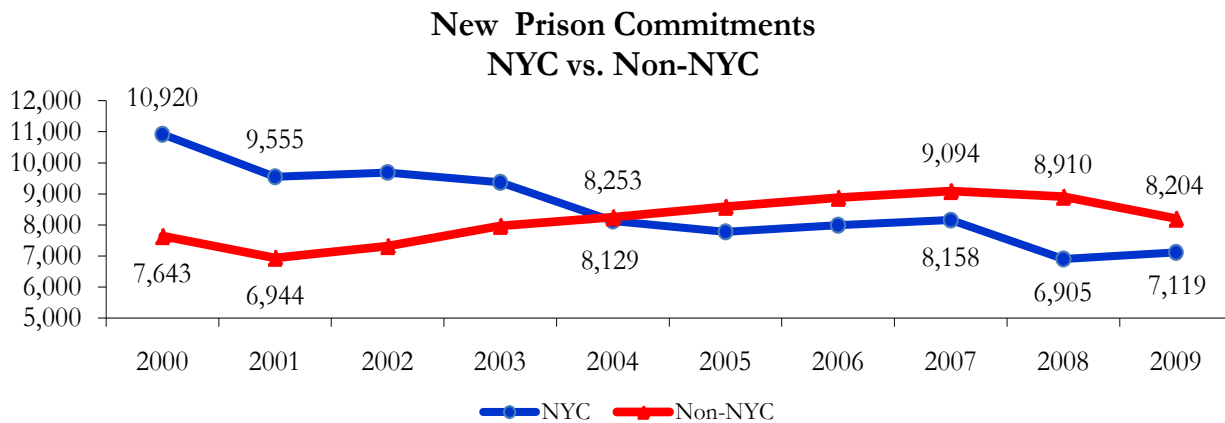
**Statewide Prison Commitments - By Type**  
(2000 - 2009)



√ Drug commitments are down (-47%) from 2000, and totaled 4,320 in 2009. This is the fewest number of drug offenders committed since 1986 (not shown).

The number of offenders committed to prison from outside New York City increased steadily through 2007, and has declined since that time. Felony arrests outside of New York City have ranged from 67,000 to 74,500 each year since 1999. In addition, the rate of felony convictions as well as the proportion of felony arrests resulting in prison sentences have increased for counties outside of New York City. Additional detail on these regional shifts, which have impacted both the DOCS undercustody and parolee populations, is provided in the *Criminal Justice Population Trends* section (pages 37-39) of this report. This shift also has resulted in an increase in the number of offenders requiring services who are released to counties outside of New York City.

# Offender Re-Entry

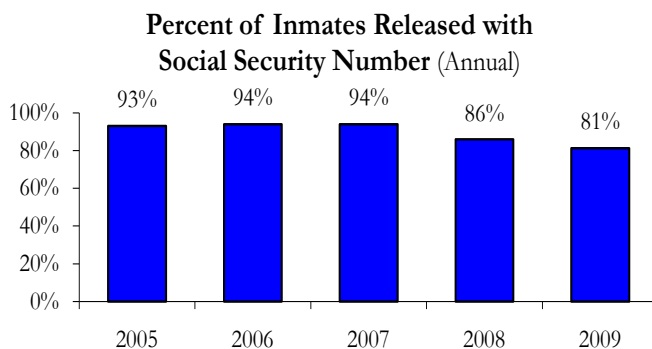


- ✓ Between 2000 and 2009, the number of offenders sentenced and admitted to prison from New York City decreased by 35%, from 10,920 to 7,119.
- ✓ During the same period, commitments from counties outside of New York City increased by 7%, from 7,643 in 2000 to 8,204 in 2009. After reaching a high of 9,094 in 2007, commitments from outside New York City declined.
- ✓ During 2009, 54% percent of commitments were from counties outside of New York City.

## Transitioning Offenders from Prison to the Community

The Prison Management section of this report on page 51 provides information on programming that takes place during state incarceration. The section below focuses on transitional activities.

Improving the documentation of offenders upon release is a priority for DOCS. In order to obtain employment, it is essential that offenders have an assigned Social Security number. DOCS began efforts in 2005 to obtain Social Security cards for inmates, and verify Social Security numbers through an ongoing data exchange with the federal Social Security Administration.



- ✓ The percent of U.S.-born offenders leaving prison with a verified Social Security number decreased to 81% in 2009. A 2008 decision by the Social Security Administration to require more stringent validation procedures for confirming Social Security numbers and issuing cards has negatively impacted the percent of inmates leaving prison with documentation.

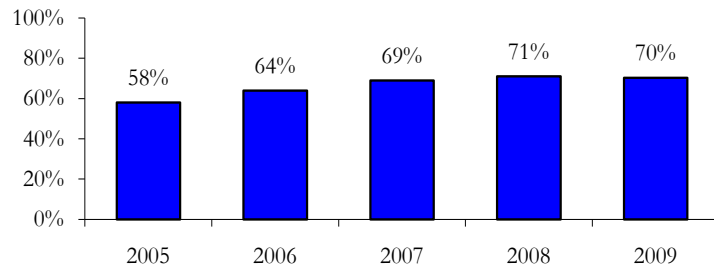
## Offender Re-Entry

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Having a birth certificate for proof of identity also is important in preparing for release. While obtaining birth certificates is often difficult for the inmate population, DOCS has significantly increased the percent of U.S. born inmates released with a birth certificate.

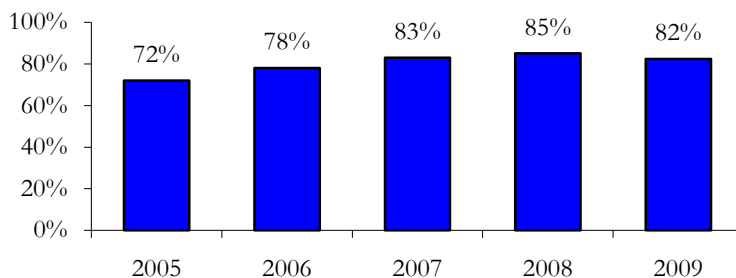
**Percent of Inmates Released with Birth Certificate (Annual)**

✓ The percent of U.S. born inmates released with a birth certificate has ranged from 69% to 71% the past two years.



In 2005, DOCS expanded inmate participation in the third phase of the Transitional Services program, which is offered immediately prior to release. DOCS monitors the percentage of those released each month who completed the program or were participating at release.

**Percent Completed Transitional Services Program (Annual)**



✓ The percentage of inmates who completed the Transitional Services program prior to release declined in 2009, after reaching a high of 85% in 2008.

## Supervise Offenders in the Community

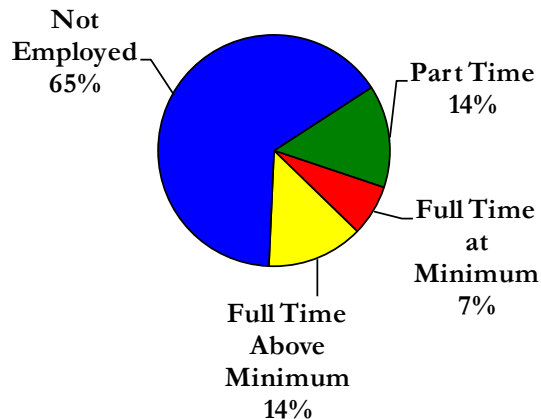
The Division of Parole is responsible for supervising offenders after release to the community through the development of comprehensive supervision and treatment plans. Field parole officers supervise nearly 40,000 offenders around the state. Parole monitors the employment status of parolees and assists offenders in accessing employment services when possible. To better capture employment information, additional edit check and validation procedures were incorporated into Parole reporting in 2009.

# Offender Re-Entry

## Parolee Employment (End of Month)

		Dec 09
<b>NYC</b>		
Total % Employed		31.7%
% Part Time		12.4%
% Full Time at Minimum Wage		7.4%
% Full Time Above Minimum Wage		11.9%
<b>Non - NYC</b>		
Total % Employed		38.2%
% Part Time		16.3%
% Full Time at Minimum Wage		6.8%
% Full Time Above Minimum Wage		15.2%
<b>Statewide</b>		
Total % Employed		34.8%
% Part Time		14.3%
% Full Time at Minimum Wage		7.1%
% Full Time Above Minimum Wage		13.4%

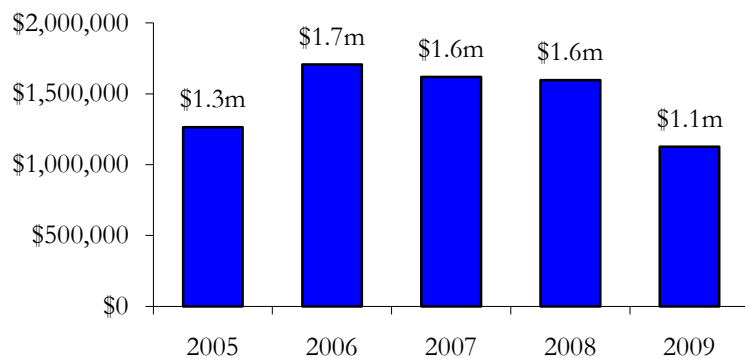
## Statewide Parolee Employment December 2009



✓ Of the parolee population able and available to work, only 34.8% were employed in December 2009.

Pursuant to the Executive Law, parolees who are financially able are required to pay a monthly supervision fee of \$30. Parolee compliance with this fee is an indication of positive community adjustment. In 2005, Parole made significant improvements to the supervision fee program to streamline collections and reinforce parolee responsibility.

## Parolee Supervision Fees Amount Collected (Annual)



✓ \$1.1 million in supervision fees was collected in 2009, a decrease (-30%) from the previous two years. The parolee population is down 8% for the same period.

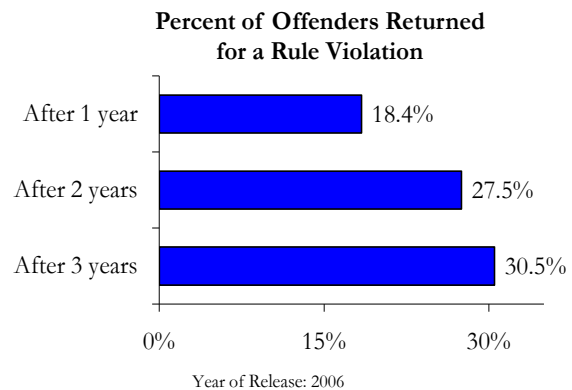
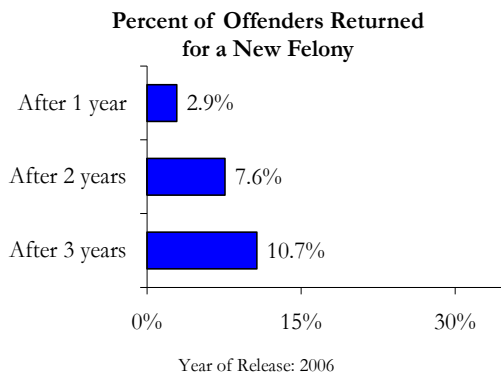
# Offender Re-Entry

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## Offender Recidivism

The percent of offenders released who return to prison for committing a new felony is an important indicator of how well offenders are succeeding. Parolees also can be returned to prison for violating one or more conditions of release after an administrative hearing conducted by the Division of Parole. These returns to prison are considered returns for a rule violation. Cohorts of offenders released each year are followed for one, two and three years from the date of their release. Offenders include both releases to parole supervision and those released after maximum expiration of their sentences.

While the percent of offenders returned to prison for a new felony is the primary indicator of recidivism, the percent of supervised offenders returned for a rule violation also is monitored closely. 2005 is the latest year that allows for a three-year follow-up period. Returns to prison may have occurred after the parole supervision period ended.



- ✓ Of the 24,520 offenders released from the Department of Correctional Services (DOCS) in 2006, 2.9% were returned to prison for a new felony within one year following release; 7.6% were returned within two years; and 10.7% were returned within three years.
- ✓ The proportion of offenders returned for a rule violation is substantially higher. For those released in 2006, 18.4% were returned to prison for a rule violation within one year following release; 27.5% were returned within two years; 30.5% were returned to prison for a rule violation within three years.

# Offender Re-Entry

While recidivism rates are reported for each year of release, the latest five years available are presented below to allow for comparison over time.

**Offender Returns to DOCS Within One, Two, and Three Years of Release  
2002 - 2006**

	Time Period Released				
	2002	2003	2004	2005	2006
<b>Returned Within One Year</b>					
Number Released During Year	25,634	26,315	24,911	24,223	24,520
Percent Returned for Rule Violation	15.1%	15.5%	15.0%	16.4%	18.4%
Percent Returned for New Felony Conviction	2.9%	3.0%	2.8%	2.7%	2.9%
Total Percent Returned	<b>18.0%</b>	<b>18.5%</b>	<b>17.8%</b>	<b>19.1%</b>	<b>21.3%</b>
<b>Returned Within Two Years</b>					
Number Released During Year	25,634	26,315	24,911	24,223	24,520
Percent Returned for Rule Violation	24.0%	23.9%	24.5%	26.9%	27.5%
Percent Returned for New Felony Conviction	7.7%	8.1%	7.7%	7.6%	7.6%
Total Percent Returned	<b>31.7%</b>	<b>32.0%</b>	<b>32.2%</b>	<b>34.5%</b>	<b>35.2%</b>
<b>Returned Within Three Years</b>					
Number Released During Year	25,634	26,315	24,911	24,233	24,520
Percent Returned for Rule Violation	27.3%	27.6%	28.8%	30.3%	30.5%
Percent Returned for New Felony Conviction	11.3%	11.8%	11.1%	10.9%	10.7%
Total Percent Returned	<b>38.6%</b>	<b>39.4%</b>	<b>39.9%</b>	<b>41.2%</b>	<b>41.2%</b>

\* Note: Includes all offenders released from DOCS (first and re-releases).

## More Recent Recidivism Trends

Although three-year outcome information is not yet available for the 2007 and 2008 offender cohorts, one and two-year return rates are closely monitored. Two-year outcome data for offenders released during 2007 show a decrease in the proportion of offenders returned to prison for both rule violations and new felonies.

**Offender Returns to DOCS Within One, Two, and Three Years of Release  
2006-2008**

	Time Period of Release		
	2006	2007	2008
<b>Returned Within One Year</b>			
Number Released During Year	24,520	26,586	26,086
Percent Returned for Rule Violation	18.4%	18.6%	16.5%
Percent Returned for New Felony Conviction	2.9%	2.5%	2.2%
Total Percent Returned	<b>21.3%</b>	<b>21.1%</b>	<b>18.7%</b>
<b>Returned Within Two Years</b>			
Number Released During Year	24,520	26,586	
Percent Returned for Rule Violation	27.5%	26.3%	
Percent Returned for New Felony Conviction	7.6%	6.8%	
Total Percent Returned	<b>35.2%</b>	<b>33.1%</b>	
<b>Returned Within Three Years</b>			
Number Released During Year	24,520		
Percent Returned for Rule Violation	30.5%		
Percent Returned for New Felony Conviction	10.7%		
Total Percent Returned	<b>41.2%</b>		

\* Note: Includes all offenders released from DOCS (first and re-releases).

- ✓ Of the 26,586 offenders released from the Department of Correctional Services (DOCS) in 2007, 26.3% were returned to prison for a rule violation within two years following release, as compared to 27.5% of the offenders released in 2006.



# Offender Re-Entry

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## Other Re-Entry Initiatives

### Local County-Based Re-Entry Task Forces

DCJS oversees the County Re-entry Task Forces (CRTFs), which coordinate and strengthen community responses to high-risk offenders transitioning from prison back to the community. These locally-led partnerships include law enforcement agencies, regional parole offices, social service and drug treatment providers, and victim advocacy organizations. A total of 13 task forces are funded by DCJS and have extensive support from DCJS, DOP, DOCS and OASAS. Given the fact that the majority of prison admissions now come from counties outside of New York City, the number of releases to upstate counties should continue to increase. These CRTFs play a key role in coordinating services in areas such as housing, employment, substance abuse, and other program areas.

Extensive support is provided to the CRTF program. Parole has a local staff liaison assigned to each task force and regularly attends task force meetings. DOCS also has assigned a liaison to each task force. DCJS re-entry staff conduct site visits and provide technical assistance as needed. DCJS also provides each participating task force with a monthly list of offenders scheduled to be released to the county in the next 120 days and their risk scores. Information is provided so that inmates can be contacted and service arrangements initiated prior to release. The report includes information on name, age, gender, risk of re-arrest, crime information and time spent under custody.

#### 2009 Referrals to CRTFs

Albany*	24
Erie	281
Monroe	239
Nassau	108
Niagara	69
Oneida	200
Onondaga	104
Orange	198
Rensselaer	92
Rockland	98
Suffolk	90
Westchester	85
<b>Total CRTF</b>	<b>1,588</b>

√ Referrals to the CRTFs totaled 1,588 in 2009.

\* Albany began referrals in June 2009.  
Excludes Dutchess which did not have referrals in 2009.

## Offender Re-Entry

DCJS developed a static risk assessment methodology to provide offender risk scores to local re-entry task forces. The instrument scores offenders leaving prison based upon age, gender and criminal and correctional history, and calculates the probability of re-arrest within two years of release. Testing indicates the correlations between DCJS risk scores and subsequent re-arrest are comparable or slightly stronger than those typically produced by the leading risk assessment instruments used throughout the United States and Canada.

While the DCJS risk scores provide important information regarding the likelihood of re-arrest, they offer no guidance regarding the nature of an offender's deficits (or strengths) which tend to cause failure (or success).

√ The percent of CRTF participants released with a high risk of re-arrest increased throughout 2009.

√ The majority of offenders (54%) accepted for services during the October – December quarter had a high risk of being arrested for a violent felony offense (VFO). The remaining offenders accepted were medium (25%) or low (22%) risk of VFO arrest.

Risk of Re-Arrest 2009 CRTF Participants					
	Q1	Q2	Q3	Q4	
<b>Risk of Any Arrest *</b>					
Low	35%	34%	24%	24%	
Medium	29%	28%	36%	32%	
<b>High</b>	<b>36%</b>	<b>38%</b>	<b>40%</b>	<b>44%</b>	
Total Cases	310	462	378	389	
<b>Risk of VFO Arrest *</b>					
Low	35%	30%	26%	22%	
Medium	27%	25%	25%	24%	
<b>High</b>	<b>38%</b>	<b>45%</b>	<b>49%</b>	<b>54%</b>	
Total Cases	310	462	378	389	

\* Excludes jail releases and offenders who were not released from state prison.

### DOCS/Parole Re-Entry Programs

The Division of Parole, in conjunction with DOCS and OASAS, developed a substance abuse treatment program at the Edgecombe Correctional Facility in New York City for technical parole violators. The program serves up to 100 parolees who face parole violations for substance abuse. The diversion program allows parole violators to avoid a return to state prison by providing them with the help they need to remain safely in the community. While at Edgecombe, parolees receive intensive substance abuse treatment lasting up to 30 days which is delivered by Odyssey House, an OASAS-licensed provider. In addition, agencies work together to provide family reunification and cognitive behavioral treatment to address the issues that led to the parolee's violative behavior.

The Edgecombe diversion program serves parolees whose parole supervision has been revoked in conjunction with an order to participate as an alternative to prison, as well as parolees who are pre-delinquent.

## Offender Re-Entry

<b>DOCS/Parole Diversion Program Released in 2009</b>	
Edgecombe Violator Diversion (100 beds)	962

- ✓ During 2009, 962 parolees were released from the Edgecombe Violator Diversion Program.

### Orleans Re-Entry Units

DOCS operates two specialized re-entry units at Orleans Correctional Facility for men scheduled to be released back to Erie and Monroe counties. Orleans was selected due to its proximity to the Buffalo and Rochester metropolitan areas. The initial re-entry unit at Orleans, a 60-bed program for inmates being released back to Erie County, opened in August 2007. In October 2008, the Orleans program was expanded to include an additional 60 beds for inmates returning to Monroe County.

DOCS collaborated with Parole, OASAS and the Erie and Monroe County Re-Entry Task Forces to create these re-entry units, which provide individualized plans tailored to each inmate. Since then, additional re-entry units have been implemented at Bayview Correctional Facility in New York City for female offenders and at Hudson Correctional Facility for offenders returning to the Capital Region. While in these re-entry programs, inmates meet with parole officers, social workers, potential employers and others from their nearby home community who will provide support and services during the period immediately following the offender's release from prison.

During the 90- to 120-day program, a team made up of DOCS and Parole staff, community agencies, community clergy and the offender, assesses the inmate's needs, which may include acquiring documentation for employment, housing, family reunification, anger management and substance abuse counseling. Prior to release, participants are referred to programs in the community, such as job training and treatment programs. Assistance in applying for public benefits also is provided to participants in advance of release.

<b>DOCS Re-Entry Units Released in 2009</b>	
Bayview Re-Entry (NYC Female)	44
Hudson Re-Entry (Capital District)	100
Orleans Re-Entry (Erie)	247
Orleans Re-Entry (Monroe)	229

- ✓ From program inception through the end of December 2009, a total of 733 inmates (501 Erie and 232 Monroe) had been released from the Orleans Re-entry pilot.

- ✓ 106 inmates were participating at the end of December 2009, including 50 Erie inmates and 56 Monroe inmates.
- ✓ DOCS re-entry units at Bayview and Hudson had an additional 57 inmates participating at the end of December 2009.

# Sex Offender Management in New York State

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Protecting citizens from sexual predators and effectively supervising convicted sex offenders in the community are high priorities of the criminal justice system. State and local law enforcement agencies work together to accomplish these goals, including:

- Board of Examiners of Sex Offenders (BOE)
- Division of Criminal Justice Services (DCJS)
- Department of Correctional Services (DOCS)
- Division of Parole (DOP)
- Division of Probation and Correctional Alternatives (DPCA)
- Division of State Police (DSP)
- Office of Court Administration (OCA)
- Office of Mental Health (OMH)
- County Probation Departments and Jails
- Courts and District Attorneys' Offices
- Local Police Agencies

The Sex Offender Registration Act (SORA) was enacted in January 1996. Under this law, convicted sex offenders are assigned a risk level, must register with the Division of Criminal Justice Services (DCJS) and are required to comply with other SORA requirements. These requirements include an annual address verification, notification of change of address and a provision requiring updated photographs.

SORA established a five-member Board of Examiners of Sex Offenders (BOE) to assess registrants released from jail or prison and recommend a risk level. The BOE also determines whether an offender convicted (out-of-state or federally) must register with the New York State Registry when the offender establishes a residence in New York State. Costs incurred by the Board are supported by DCJS, the Department of Correctional Services (DOCS) and the Division of Parole (DOP).

In April 2007, the Sex Offender Management and Treatment Act was enacted, creating a new Office of Sex Offender Management (OSOM) within DCJS. OSOM has a broad mandate which includes: leading interagency initiatives to improve sex offender management; advising the Governor and Legislature on sex offender issues; training professionals on the best ways to supervise, treat, and manage sex offenders; conducting community outreach and education; and leading public awareness campaigns to prevent sex crimes. In addition, OSOM oversees the Sex Offender Registry.

The Sex Offender Registry provides information to the public regarding registered sex offenders through a toll-free telephone number and a public website. DCJS transmits registrant information to the National Sex Offender Registry as required by law and regularly transmits information to local law enforcement agencies.

Parole and county probation departments closely supervise sex offenders who are subject to parole and probation supervision requirements. These agencies manage sex offenders through face-to-face contacts, verifying information, imposing special conditions, and enforcing compliance with SORA requirements.

# Sex Offender Management in New York State

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There are three levels of risk, based on an offender's risk of re-offending and the threat posed to public safety: Level 1 (low), Level 2 (moderate), and Level 3 (high). As a general rule, the sentencing court determines an offender's risk level either at the time of sentence or shortly thereafter if the sentence is non-incarcerative or a split sentence (jail and probation). If the offender is sentenced to a term of incarceration, the court determination is done just before the offender is released from custody. The risk level assigned governs the amount and type of community notification authorized for a particular offender. There are also three designations made by the sentencing court that may be assigned to a sex offender: sexual predator, sexually violent offender or predicate sex offender. These designations, along with the risk level, govern the duration of the offender's registration period. Offenders are required to be registered for either 20 years or life.

## Key Public Service Areas

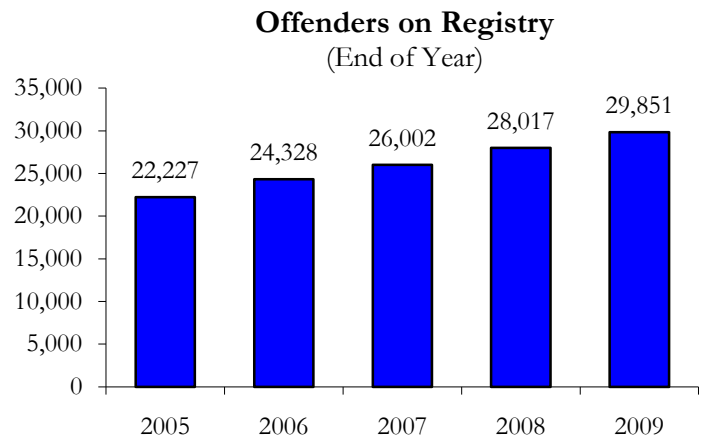
- Maintain the Sex Offender Registry and ensure convicted offenders are registered and assessed for risk
- Provide training, guidance and information to criminal justice professionals on sex offender management
- Provide Registry information to the public
- Closely supervise parolees and probationers on the Registry and improve compliance of offenders with Registry requirements
- Review certain offenders for civil management prior to release

## Critical Objectives

- Process registration forms within required timeframes
- Reduce the number of offenders with a pending risk level
- Increase public usage of the Sex Offender Registry public website
- Monitor the behavior of supervised sex offenders and routinely verify their reported addresses
- Evaluate sex offenders for civil management

# Sex Offender Management in New York State

The Sex Offender Registration Act (SORA) requires offenders to register their addresses with the state and authorizes law enforcement to notify the public about certain sex offenders living in their communities. Legislation enacted over the past 13 years has increased the number of crimes for which offenders are required to register. This, in conjunction with the fact that no offenders have yet been removed from the Registry due to the minimum 20-year registration requirement, has resulted in a steady increase in the number of registered sex offenders. As of December 31, 2009, a total of 29,851 offenders were on the state's Sex Offender Registry (SOR).

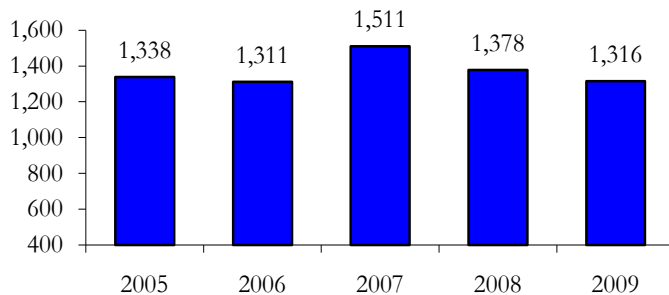


## Sex Offender Risk Level and Registration Process

A risk level must be designated by the court for each newly registered offender. The Board of Examiners of Sex Offenders (BOE) evaluates registrants being released from prison or jail and makes a risk level recommendation to the court. The BOE reviews about 75% of all registrants. For non-incarcerated offenders, the risk level is determined by the court, with a recommendation provided by the district attorney. The BOE also reviews the cases of offenders convicted out-of-state or federally who reside or expect to reside in New York State and determines whether these offenders must register in New York State.

Several factors are considered in the BOE risk assessment process. The BOE reviews the circumstances surrounding the sex offense conviction, the offender's criminal history, institutional adjustment, acceptance of responsibility for the crime and the offender's proposed living situation. The BOE forwards the risk level recommendation to the designated court at least 60 days prior to release, whenever possible, to ensure that the courts have adequate time to schedule the hearing.

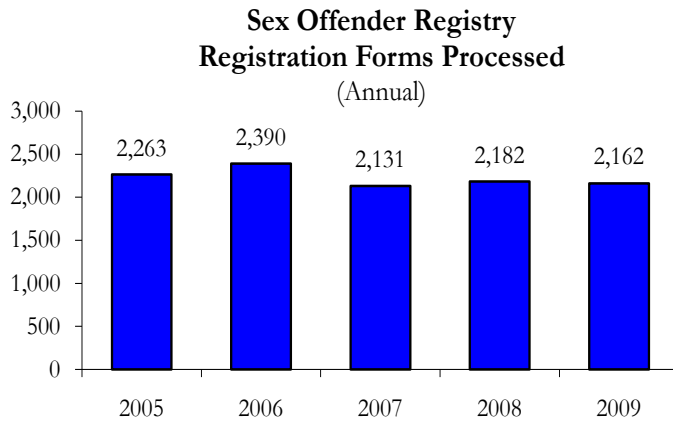
**Board of Examiners of Sex Offenders**  
**Cases Assessed for Risk**  
(Annual)



- ✓ BOE assessed 1,316 cases during 2009, a 4% decrease compared to 2008.
- ✓ Of the 1,316 BOE assessments completed, 63% were for offenders released from state prison.

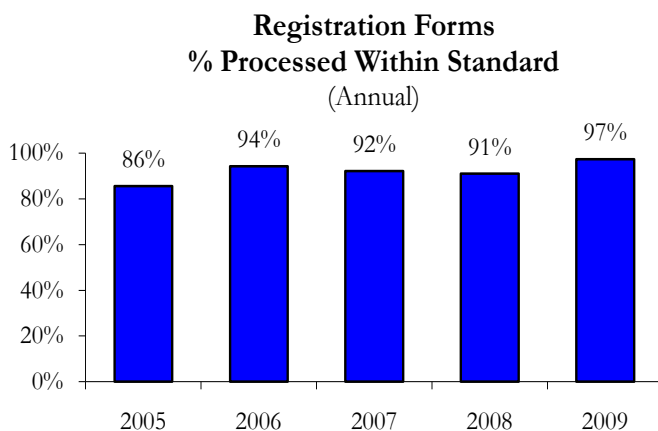
# Sex Offender Management in New York State

Registration forms signed by the offender are forwarded to SOR by state and local courts, local jails and DOCS. For those offenders released from custody, the registration forms are prepared and forwarded 10 days before release. SOR also registers offenders convicted in other jurisdictions who reside in New York State.



✓ During 2009, 2,162 registration forms were processed, about the same as in each of the last two years.

To ensure that information on newly registered sex offenders becomes available to the public as quickly as possible, SOR has established targets for timely data entry of registration forms into the SOR database. Registration forms which contain all mandatory data have a target entry date of one business day from the date of receipt. Many registration forms submitted to the Registry are missing information and require extensive follow-up by staff. For these forms, the target timeframe for data entry is two business days.



✓ During 2009, 97% of sex offenders were registered within SOR standards.

✓ The SOR also processed 30,907 Change of Address forms during 2009, up 14% from 2008.

# Sex Offender Management in New York State

## Establishing Risk Levels for Sex Offenders

A critical objective of sex offender management is to maintain up-to-date information on SOR and ensure that convicted sex offenders are assessed for risk. By law, only information on Level 2 and Level 3 offenders, those considered to be at a higher risk of re-offending, are posted on the public website. Until a risk level is in place, no active community notification can occur and cases cannot be posted to the public Sex Offender Registry website. Information about Level 1 offenders and offenders whose risk level is pending, is by law only available through a toll-free number (1-800-262-3257).

In 2006, DCJS, the BOE, the Office of Court Administration (OCA), DOCS and the Division of Parole (DOP) began an initiative to reduce the number of individuals that were pending a risk level determination. Several interagency protocols were established, including a weekly case review of all offenders scheduled to be released from prison and the preparation of a monthly list of offenders residing in the community whose cases are pending a court risk level hearing. These efforts have had a dramatic impact.

**Offenders on NYS Sex Offender Registry  
By Risk Level (End of Year)**

	2005	2006	2007	2008	2009	% of 2009 Total
<b>Level 1</b>	7,619	8,653	9,383	10,326	11,148	37.3%
<b>Level 2</b>	8,169	8,903	9,490	10,074	10,648	35.7%
<b>Level 3</b>	5,476	5,994	6,455	6,972	7,455	24.9%
<b>Pending *</b>	963	778	674	645	600	2.1%
<b>Total Cases</b>	22,227	24,328	26,002	28,017	29,851	100%

\* Includes cases not yet assigned to a court.

- ✓ At the end of 2005, 963 of the 22,227 registered sex offenders had a pending risk level, representing 4.3% of all registrants. This proportion has been reduced by more than 50% over the past three years. At the end of 2009, 600 registrants were pending a risk level at the end of 2009, representing only 2.1% of the 29,851 registered.

## Training

DCJS provides training on the Sex Offender Registration Act, the Sex Offender Management and Treatment Act, and on the usage of eJusticeNY, through which the complete Sex Offender Registry is accessed. Since its establishment in April 2007, the Office of Sex Offender Management (OSOM) also has provided sex offender management-related training.

- ✓ During 2009, OSOM convened leading experts to conduct training sessions across the state. Participants included law enforcement; parole and probation personnel; judges; district attorneys; court personnel; treatment providers; victim advocates; DOCS and local jail personnel; school and college representatives; and other community professionals who work with sex offenders.
- ✓ In conjunction with the New York State Association of Chiefs of Police, OSOM conducted half-day trainings and produced a Sex Offender Management Training Video that can be viewed in the Sex Offender Management suite of eJusticeNY. The video provides an update on new



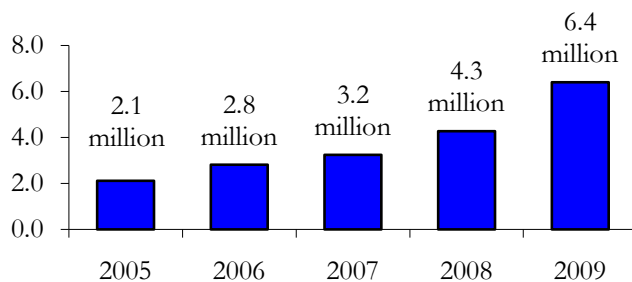
# Sex Offender Management in New York State

laws passed during 2008 and explains how local law enforcement can use eJusticeNY to proactively monitor offenders. The video also offers a “tool kit” that officers can use when charging offenders who break the law.

## Sex Offender Information Provided to the Public

Pursuant to SORA statutory requirements, DCJS provides information to the public regarding sex offenders through a Subdirectory located on the DCJS public website and a toll-free telephone number that operates 24 hours per day. By law, information provided on the public website is limited to Level 2 and Level 3 sex offenders.

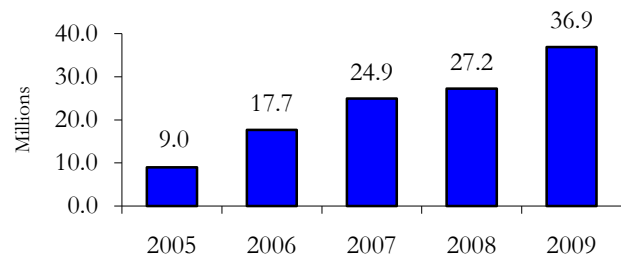
**Public Website  
(Subdirectory) Searches**  
(Annual)



✓ Searches on the public website have increased dramatically each year, with 6.4 million searches conducted during 2009, 50% higher than in 2008.

The public website allows users to search using one of three options: 1) by specific offender name; 2) by all offenders within a county; and 3) by all offenders within a given zip code. A list of matching offenders is returned to the user who can then click to view a comprehensive profile that includes the offender’s address and crime of conviction.

**Offender Profiles Viewed  
in Millions**  
(Annual)



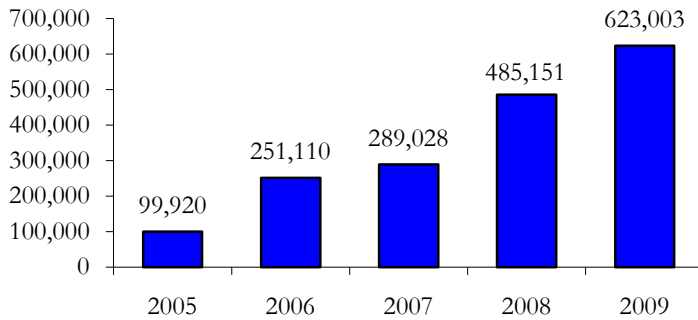
✓ The number of sex offender profiles viewed by the public increased to 36.9 million profiles in 2009, 35% higher than 2008.

In addition to the information available on the public website, citizens, organizations and employers can call the toll-free number to inquire whether a specific person (or list of persons) is listed on the Registry. These phone inquiries require SOR staff to conduct a manual search of the SOR database. Legislation enacted in 2005 requires children’s camps to conduct searches on all prospective

# Sex Offender Management in New York State

employees. Beginning in 2008, the Registry has accepted computerized files for comparison against the Registry. In addition to increasing efficiency, the acceptance of electronic files contributed to a dramatic increase in the number of searches conducted.

**Phone/Fax/Data File Searches  
Conducted by DCJS  
(Annual)**



✓ There were 623,003 name searches conducted in 2009, 28% more than 2008.

**Matches Returned from Searches Conducted by Registry Staff for Phone/Fax/Data File Inquiries  
(Annual)**

	2005	2006	2007	2008	2009
<b>Searches</b>	99,920	251,110	289,028	485,151	623,003
<b>Matched</b>	1,882	2,178	1,722	1,355	1,214
<b>Percent Matched</b>	1.9%	0.9%	0.6%	0.3%	0.2%

✓ Of the 623,003 searches conducted by the Registry in 2009, matches were found in 1,214 cases, less than 1% of the searches conducted. This is a dramatic decrease from 2005, when 2% of the 99,920 searches were matched against the Registry.

✓ The reduction in matches suggests an awareness of the search process by sex offenders, and the possible avoidance of jobs that require a Registry and/or criminal history check.

## Managing Sex Offenders in the Community

DCJS and other state agencies partner with local law enforcement to manage and supervise sex offenders in the community. This is done in several ways.

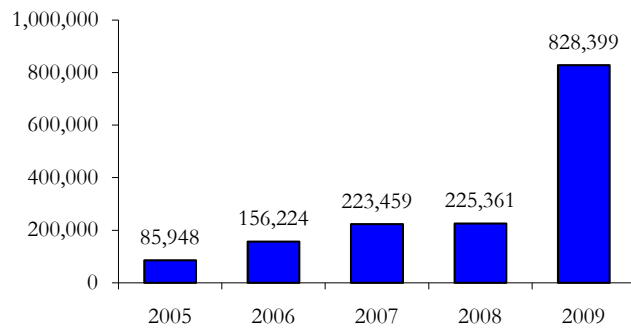
# Sex Offender Management in New York State

## Information for Law Enforcement

The complete Sex Offender Registry is a resource available through eJusticeNY, a secure website for law enforcement use. This database includes a complete sex offender address history including last reported address, a history of the offender's compliance with annual verification requirements and current status information. The complete Registry is available to all law enforcement agencies, district attorneys' offices, local parole offices, county probation departments, and criminal courts, ensuring that all agencies that monitor and supervise sex offenders have the most up-to-date information available. In 2009, legislation was enacted that required family courts conduct a check of the Registry whenever they issue or modify an order of custody or visitation. This resulted in a dramatic increase in the number of Registry searches.

✓ There were 828,399 total searches of the complete Sex Offender Registry (available over eJusticeNY) conducted during 2009, more than three times the number of searches in 2008. This increase was driven by the new family court act requirement to check the Registry in advance of issuing or modifying an order of custody or visitation.

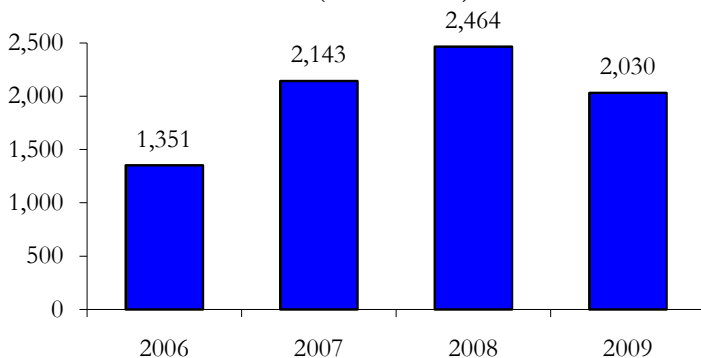
**eJusticeNY Sex Offender Registry Searches**  
(Annual)



## Submitting Updated Sex Offender Photos

Legislation that became effective in April 2006 requires Level 3 sex offender registrants to submit an updated photo once a year, and Level 1 and 2 offenders to submit a photo every third year from the date of registration. Offenders must report to their local police departments to have the photos taken. In November 2006, a report was made available over eJusticeNY to assist the local departments with monitoring offenders who owe delinquent photos. Having updated photos as part of the Sex Offender Registry helps ensure that sex offenders can be recognized by both law enforcement and the public. A sex offender is subject to arrest for failure to provide a photo as required by law.

**Delinquent Photos**  
(End of Year)



✓ At the end of 2009, 2,030 offenders owed an updated photo, a decrease (-18%) from the end of 2008. During the same period, the number of offenders on the Registry increased by 6%.

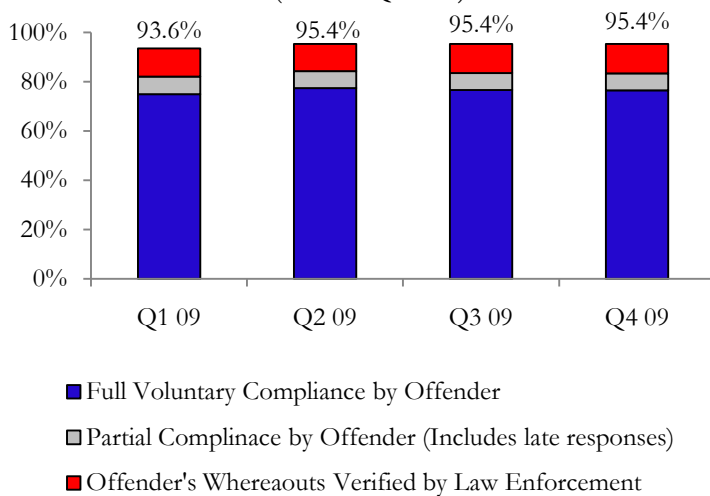
✓ As of December 31, 2009, NYC sex offenders accounted for 45% of all delinquent photos statewide.

# Sex Offender Management in New York State

## Offender Compliance

Each year, on or about the anniversary of a sex offender’s initial registration, DCJS mails an Address Verification Form to the sex offender’s last listed address. If the sex offender does not reside at the last address on file at SOR, the form will be returned to DCJS by the Post Office. Offenders are required to sign and return the Annual Verification Form to DCJS within 10 days of receipt. If an offender fails to sign and return his or her annual Address Verification Form within the allotted time frame, DCJS sends a letter to the law enforcement agency having jurisdiction where the sex offender resides indicating that he or she failed to comply with the annual verification requirements. Homeless offenders, offenders who have been deported or are voluntarily living outside of the United States, and offenders who are incarcerated in State prison are excluded from the Annual Address Verification.

**Annual Address Verification  
Percent Verified  
(End of Quarter)**

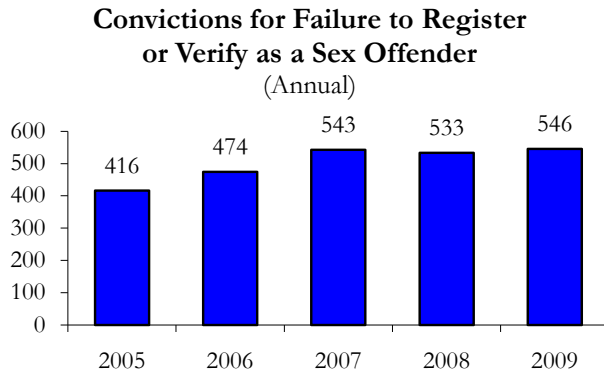


- ✓ As of December 2009, the whereabouts of 95.4% of registered offenders were accounted for.
- ✓ 76.5% of registered sex offenders complied and returned their verification form on time. An additional 6.9% of offenders responded late or DCJS received other notification from the offender. Law enforcement investigated and accounted for an additional 12% of offenders.
- ✓ 4.6% of offenders either had a warrant issued for their arrest by law enforcement or DCJS has not yet been notified of the outcome of the local law enforcement agency’s investigation.

When a sex offender fails to comply with Registry requirements, the offender is subject to arrest for failing to register or verify. Effective August 17, 2007, the law was amended to increase the penalty imposed on a sex offender for failing to perform a Registry obligation under the Sex Offender Registration Act from a class A misdemeanor to a class E felony upon the first offense. Any second or subsequent offense remains a class D felony. Local law enforcement agencies continue to arrest sex offender registrants for failing to register or verify with the Registry. Failure to comply with SORA requirements also is a violation of parole or probation for sex offender registrants under parole or probation supervision.

# Sex Offender Management in New York State

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✓ During 2009, a total of 546 convictions were reported, about the same as in each of the last two years.

## Reviewing Sex Offenders for Civil Management

The Sex Offender Management and Treatment Act (SOMTA), enacted in 2007, authorizes the civil management of sex offenders who have served their time in prison, or are about to complete parole supervision, but still suffer from a “mental abnormality” that predisposes them to commit sex offenses.

SOMTA procedure for referring and evaluating offenders provides two options for civil management: Offenders determined suitable to be released to the community may be placed on “Strict and Intensive Supervision and Treatment” where they are closely supervised by the Division of Parole. Offenders determined to be at the greatest risk of re-offense due to their mental abnormality may be civilly confined in a treatment facility.

- ✓ During 2009, OMH evaluated 1,734 sex offenders under SOMTA and recommended civil management for 4% (66) of the offenders.
- ✓ Petitions for Civil Management were filed in 65 of the 66 cases that OMH referred to the Attorney General’s Office, and four of these offenders were ordered civilly confined. Due to a lengthy due-process procedure, 17 cases were pending a probable cause determination and 42 cases were pending a disposition as of December 31, 2009. Two additional cases were returned to prison or a psychiatric center, but not due to civil management.
- ✓ Since April 2007, a total of 4,279 cases were reviewed by OMH, 314 of which were referred to the AG. A total of 103 offenders have been ordered confined and 65 have been ordered to Strict and Intensive Supervision and Treatment (SIST).

# Criminal Alien Improvements in New York State

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Since 2005, state and local criminal justice agencies have worked closely with U. S. Immigration and Customs Enforcement (ICE) to improve the process to identify and deport criminal aliens (foreign nationals convicted of a felony). Agencies participating in this effort include:

- United States Immigration and Customs Enforcement (ICE)
- Division of Criminal Justice Services (DCJS)
- Department of Correctional Services (DOCS)
- Division of Parole (DOP)
- Division of Probation and Correctional Alternatives (DPCA)
- New York State Police (NYSP)
- New York City Police Department (NYPD)
- District Attorneys' Offices
- Local Police Agencies

DCJS monitors activities in three main areas:

## **Identification of Criminal Aliens**

Through the New York State Police Information Network (NYSPIN), police agencies can verify the status of aliens who come into contact with law enforcement. DCJS works with ICE to monitor local law enforcement usage of the Alien Inquiry function and to increase the number of NYS Criminal History Records that include deportation information.

## **Institutional Removal Program for Criminal Aliens**

The Institutional Removal Program within the state prison system coordinates deportation proceedings for inmates serving a prison term. DOCS, Parole and ICE work together to manage the program. These agencies worked with DCJS to establish performance measures which ensure that potentially deportable aliens are identified and processed for deportation. Monitoring systems also ensure that potentially deportable aliens are not released from prison to the community.

## **Detention of Previously Deported Aliens**

In 2005, DCJS and ICE developed a process which uses deportation data on the New York State Computerized Criminal History (CCH) to flag and detain previously deported criminal aliens who re-enter New York State. When a previously deported criminal alien is arrested, a special notice is generated at DCJS when the arrest fingerprints are received from the arresting agency. DCJS immediately notifies ICE, which coordinates with the arresting agency to detain the criminal alien.

# **Criminal Alien Improvements in New York State**

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## **Key Public Service Areas**

- Verify the status of aliens who come into contact with law enforcement
- Initiate deportation proceedings on every deportable criminal alien who is serving a state prison sentence
- Detain and prosecute previously deported criminal aliens who re-enter the U.S. and are arrested

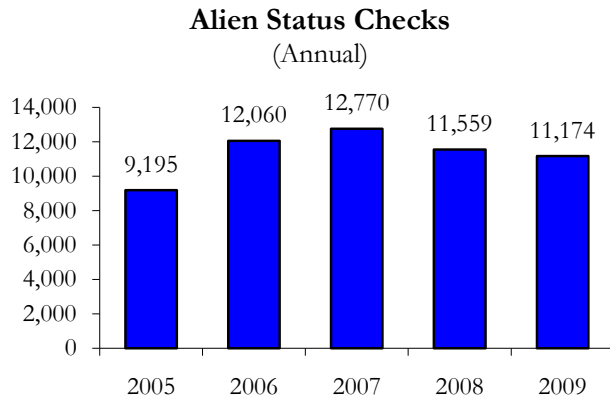
## **Critical Objectives**

- Increase the number of alien status checks conducted by law enforcement
- Ensure that deportable criminal aliens are not released from prison to the community
- Detain each criminal alien who re-enters the country and is re-arrested in New York State

# Criminal Alien Improvements in New York State

## Increase the Number of Criminal Aliens Identified

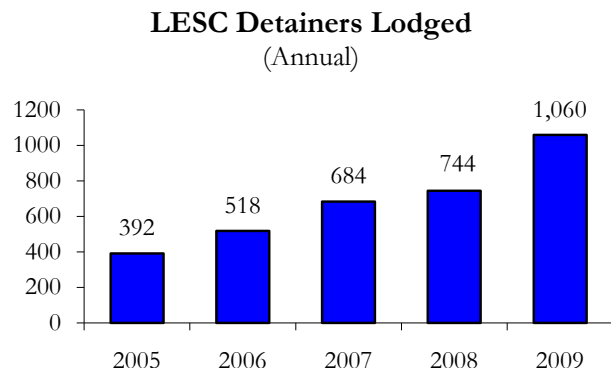
ICE operates the Law Enforcement Support Center (LESC) in Vermont, which has access to several nationwide databases and intelligence sources. Through an automated transaction, police agencies can request information on the immigration status of suspected or known aliens.



✓ Immigration inquiries conducted by New York State law enforcement have declined for the past two years. Inquiries decreased by 3% during 2009.

Most inquiries are conducted when a police agency has arrested or detained an individual whose alien status is unknown. When an inquiry shows that an arrestee or detainee is a criminal alien, and if the alien has either committed a violent offense or had been previously deported, ICE will issue a detainer directly to the agency that submitted the request to ensure the offender remains in custody. The agency can then transfer the alien to ICE custody when they are finished processing the individual on local criminal charges.

✓ In 2009, 1,060 detainers were lodged as a result of alien status checks, up 42% compared to 2008. This increase is due in part to a series of data exchanges between ICE and DCJS designed to increase the number of criminal history records containing a deported alien banner.



## Maintain an Effective Institutional Removal Program (IRP) in New York State

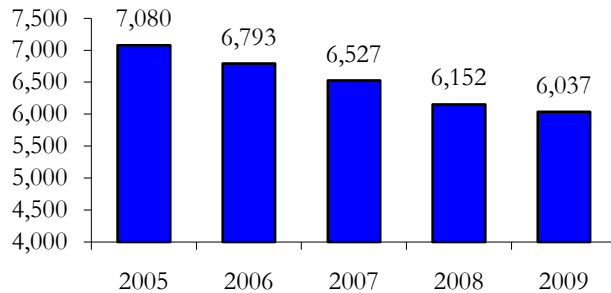
The Institutional Removal Program (IRP) is a joint DOCS and ICE initiative established in 1995 to process convicted criminal aliens for deportation while they are serving prison sentences. This program has a significant public safety benefit. When deportable criminal aliens are scheduled for release from state custody, instead of being released to the community they go directly to ICE custody for deportation. Through the IRP, DOCS identifies potential criminal aliens under custody, and ICE investigates and conducts deportation proceedings where appropriate.



# Criminal Alien Improvements in New York State

At the end of December 2009, there were 6,037 inmates in state DOCS who were reported as foreign-born. Many of these offenders are subject to deportation based on their immigration status and/or criminal history.

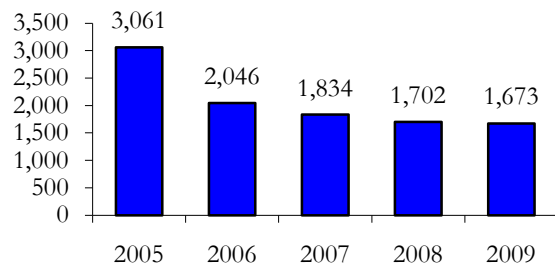
**Foreign-Born Inmates Under DOCS Custody (End of Year)**



✓ Since 2005, the number of foreign-born offenders in DOCS custody has decreased by 15%. In comparison, the inmate population decreased by 7% during this time period.

In 2005, ICE re-focused resources and improved coordination with DOCS to address a backlog of deportation hearings. This effort resulted in an unusually high number of hearings during 2005.

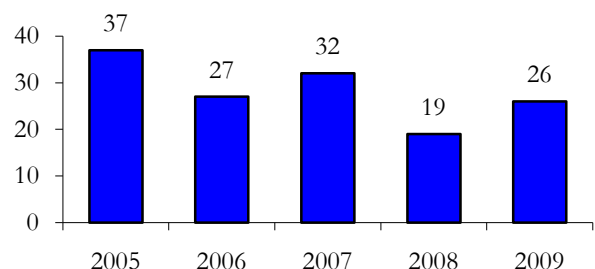
**Tele-video Deportation Hearings (End of Year)**



✓ A total of 1,673 tele-video hearings were conducted in 2009, a decrease (-2%) as compared to 2008. The foreign-born population also declined by 2% during the same time period.

ICE and DOCS have streamlined the release procedures to move deportable criminal aliens out of DOCS and into ICE custody more quickly. This dramatically reduced the number of criminal aliens in DOCS custody who were awaiting transfer to ICE, resulting in cost savings for the State. The graph below shows the number of inmates who received a decision that authorized conditional parole for deportation purposes only that were awaiting ICE pickup.

**Conditional Parole Inmates Awaiting Deportation (End of Year)**

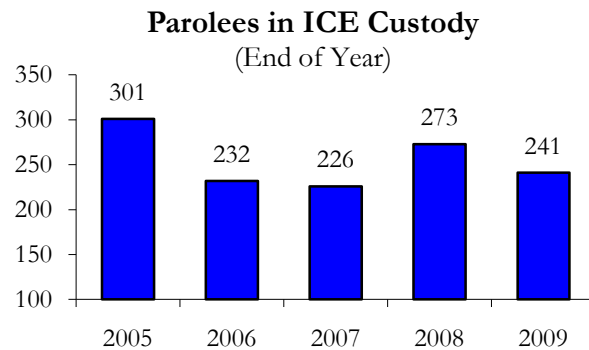


✓ The number of individuals awaiting deportation has ranged from 26 to 37 over the past five years, down from a high of 145 in 2004.

## Criminal Alien Improvements in New York State

In 2005, Parole and ICE implemented a new data exchange whereby ICE provides Parole with daily updates on parolee deportation status. At the time of implementation, more than 900 parolees were in ICE custody. This data exchange, coupled with ICE's efforts to deport criminal aliens more quickly, dramatically reduced the number of parolees in ICE custody.

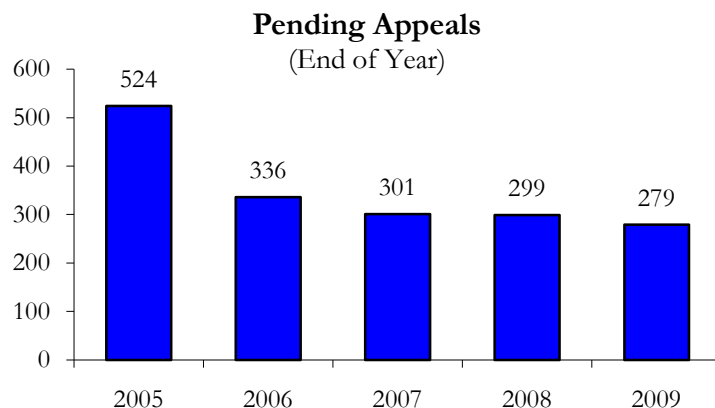
✓ The number of parolees in ICE custody has remained below 300 for the past four years, compared to more than 900 before improvements were implemented. This has resulted in increased detention space for ICE and streamlined monitoring for Parole.



### Remove Appeals as a Barrier to Deportation

Deportable criminal alien inmates who have filed appeals of their convictions with a criminal court pose a challenge for the Institutional Removal Program. These offenders cannot be placed in the IRP until their criminal appeal is determined by the state court. This means that if courts do not act on a pending appeal, or if state DOCS and ICE don't have up-to-date information on the status of a case, deportable criminal aliens can be released to the community.

During 2005, ICE, DOCS and DCJS developed a review process in cooperation with the state's district attorneys' offices. Data from ICE and DOCS is used to prepare a case-specific report that provides information on criminal aliens in custody for whom deportation proceedings are on hold due to a pending appeal. This report is distributed to the nine district attorneys' offices that have responsibility for 90% of the cases pending appeal. These offices review the cases and report back to DCJS and ICE on the status of each case.



✓ Between November 2005, when the process was initiated, and December 2009, the number of alien inmates in DOCS custody with outstanding appeals has been reduced by 47%, from 524 inmates to 279 inmates.

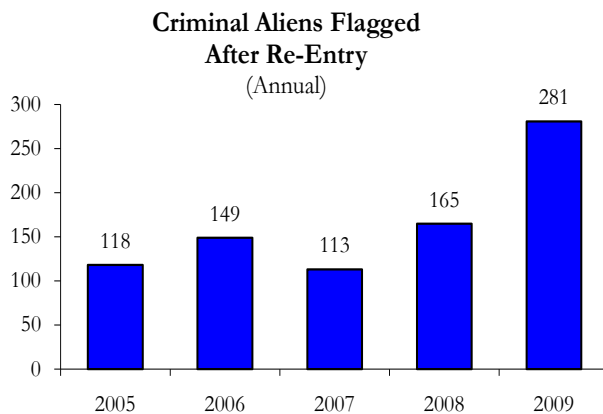
# Criminal Alien Improvements in New York State

## Detain Deported Criminal Aliens Who Re-Enter New York State

Approximately 10% of persons arrested in New York State are foreign-born. In some cases, these foreign-born individuals are criminal aliens who were deported in the past, and then re-entered the country and committed new crimes.

In 2005, DCJS and ICE developed a mechanism to flag the arrest record of offenders whose New York State criminal history includes a record of having been deported. These aliens are electronically flagged at DCJS when the offender's arrest fingerprints are received. DCJS then forwards an electronic notice to ICE's Law Enforcement Support Center (LESC) that a previously deported criminal alien has been re-arrested in New York State. ICE then transmits a detainer to the arresting agency so the offender can be lodged. Since most deported aliens are re-arrested in New York City, a special arrangement was put into place with the New York City Police Department (NYPD) to ensure that the detainer is made available to the court prior to arraignment. This ensures that the offender is not released from custody before ICE can take action.

During 2008, DCJS enhanced the notification system to automatically send a Blackberry notification to the ICE field officer as soon as DCJS receives fingerprints (either criminal or civil), from a previously deported alien. This new system eliminated the lag in the notification process and increases the likelihood that an ICE field agent will successfully take custody of the offender.



- ✓ 281 previously deported criminal aliens were re-arrested in New York State during 2009. This is a significant increase (+70%) over last year and is due to the fact that more than 13,000 new deported alien banners were added to the DCJS criminal history database over the past two years.
- ✓ Since February of 2005 (when the flagging process was developed), there have been 826 ICE detainers lodged for illegal re-entry.

## Batch Data Comparisons

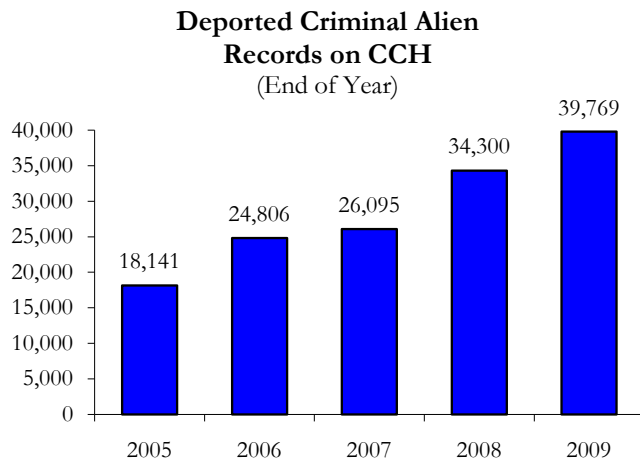
Beginning in 2006, Parole, DOCS, ICE and DCJS started working together to increase the number of deported criminal alien records on the state Computerized Criminal History (CCH). This ensures that if any of these deported criminal aliens re-enter the country and are re-arrested, they will be flagged as illegally present in the country, and immediately detained and prosecuted. In May 2006, ICE, DOCS and DCJS conducted a data match with ICE data systems of all criminal aliens released from state prison since 1985. The match allowed DCJS to add deportation data to the CCH for 5,400 deported individuals. Beginning in August 2007, DCJS began a quarterly match process to verify information associated with deported criminal aliens who are also on the New York State Sex Offender Registry. To date, this initiative has added deportation data to computerized criminal history records for nearly 1,000 sex offenders.

# Criminal Alien Improvements in New York State

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## Partnership with ICE's Fugitive Operations Support Center

In August 2008 and December 2009, ICE and DCJS conducted batch data matches to update New York State criminal history records with deportation data from ICE's Fugitive Operations Support Center (FOSC). This initiative provides DCJS the opportunity to collect deportation information on deported criminal aliens who did not serve a state prison sentence. The 2008 match resulted in deportation data being added to more than 7,000 criminal history records and the 2009 match added an additional 2,700 deported alien banners. In the 16 months since the data from the initial match was uploaded to the NYS CCH, the number of criminal aliens flagged after illegal re-entry has tripled.



- ✓ In 2009, 5,469 immigration records were added to the state CCH database, increasing the number of records on file by 16%.
- ✓ The substantial increase in alien banners is due in large part to the bulk matches and uploads described above.

# Child Safety

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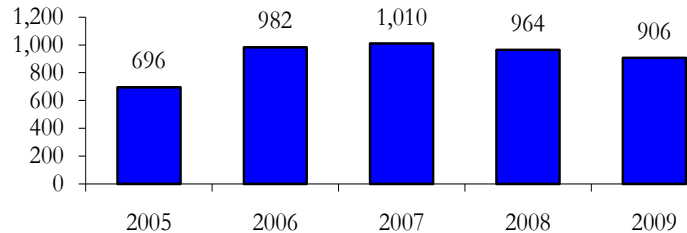
The Division of State Police, Division of Criminal Justice Services (DCJS) and other partner agencies are working to reduce crimes against children and promote child safety.

## New York State Internet Crimes Against Children Task Force

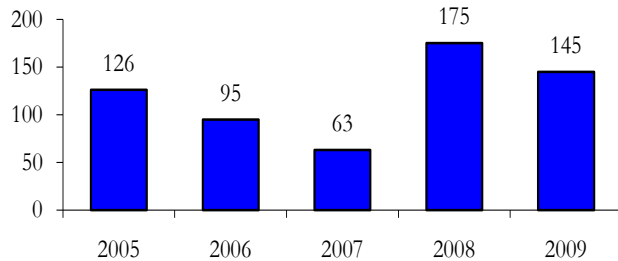
The New York State Internet Crimes Against Children Task Force was initiated by DCJS in 1998, and assigned to the State Police Computer Crimes Unit during 2004. The Task Force provides investigative and enforcement support in cases involving child victimization through the Internet. In addition, the DCJS Missing and Exploited Children Clearinghouse provides education and training regarding internet safety, including development of safety literature and presentations.

- ✓ Since 2003, more than 5,300 cases ranging from possession of child pornography to rape have been investigated by the Internet Crimes Against Children Task Force.
- ✓ The number of Task Force-initiated investigations declined slightly (-6%) for the second year, and totaled 906 for the 2009.

**Internet Crimes Against Children Investigations**  
(Annual)



**Internet Crimes Against Children Task Force Arrests**  
(Annual)



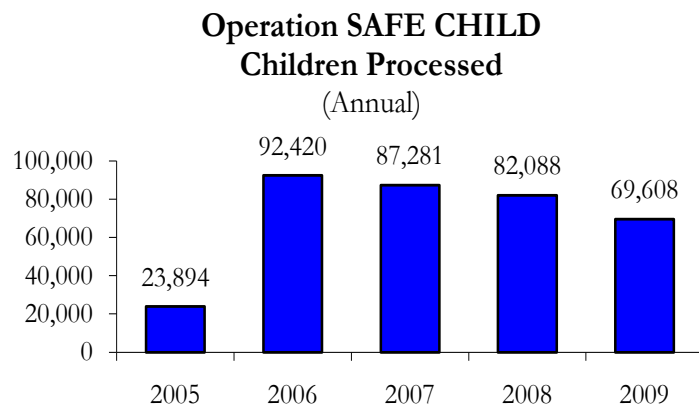
- ✓ There were 145 arrests made by the Task Force in 2009. The reduction from 2008 corresponds with the reduction in Task Force investigations.

# Child Safety

## Operation SAFE CHILD

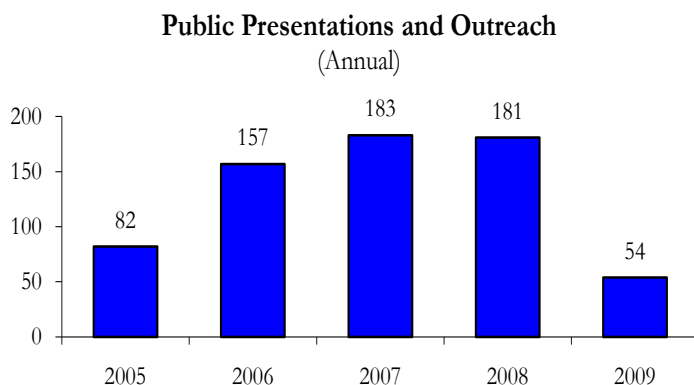
In 2005, the Operation SAFE CHILD program was established to raise awareness about child safety. Originally implemented through a partnership with the New York State Police, New York Sheriffs' Association, New York State Association of Chiefs of Police, DCJS and local police agencies, Operation SAFE CHILD was transferred to the Sheriffs' Association in 2009. Operation SAFE CHILD cards are provided to children throughout the state. These wallet-size cards contain a photograph of the child, a physical description and two fingerprint images from the child. With written consent of the parent or guardian, DCJS electronically stores the information on a secure server in the Missing and Exploited Children Clearinghouse at DCJS. Since program inception in July 2005, more than 355,000 SAFE CHILD records have been processed.

- ✓ In 2009, a total of 69,608 SAFE CHILD records were processed, a decrease (-15%) as compared to 2008.
- ✓ Since 2005, DCJS has retained 94% (334,613) of the 355,291 records processed through Operation SAFE CHILD.



## Missing and Exploited Children Clearinghouse

The Missing and Exploited Children Clearinghouse (MECC) located within DCJS develops and distributes educational programs and literature on child and Internet safety, conducts presentations at community events and conferences, and develops missing/abducted child investigative strategies for police training programs. In 2009, MECC began posting its presentations on the DCJS website ([http://criminaljustice.state.ny.us/missing/i\\_safety/videos\\_presentations.htm](http://criminaljustice.state.ny.us/missing/i_safety/videos_presentations.htm)).

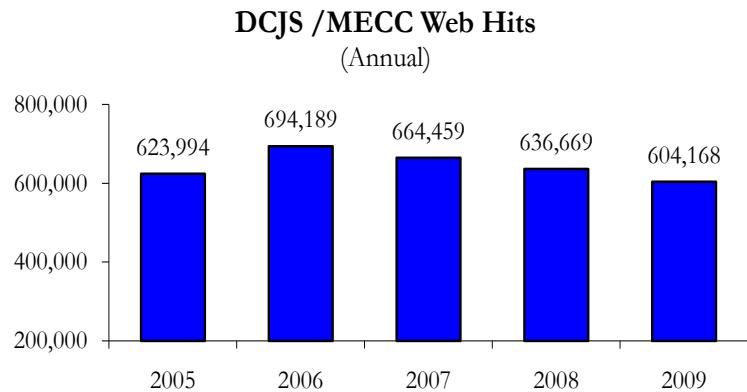


- ✓ DCJS conducted 54 public presentations to 5,359 attendees during 2009. The reduction is due to travel restrictions eliminating outreach events during the year. However, in lieu of travel, MECC provided DVDs of its presentations to local police agencies throughout 2009.

## Child Safety

The DCJS/MECC website is used to disseminate information to the public about missing children cases and child safety in general.

- ✓ The number of hits to the DCJS/MECC website has declined slightly each year since 2006.



DCJS administers the mandated statewide Missing Children Register repository. Information is submitted by law enforcement agencies through the New York State Police Information Network (NYSPIN), with more than 18,000 children reported missing to DCJS and the National Crime Information Clearinghouse (NCIC) in 2009.

**Missing NYS Children**  
**Cases Reported, Closed and Active on NCIC**  
(Annual)

	2005	2006	2007	2008	2009
Cases Reported	21,222	21,613	21,100	20,414	19,512
Cases Closed	22,139	21,646	20,999	20,283	19,763
Cases Active Year End	2,034	2,001	2,102	2,234	2,034

- ✓ During 2009, 18,390 cases were reported, and 18,638 were closed.
- ✓ At the end of 2009, a total of 2,034 missing children cases were active on NCIC, a 9% decrease from 2008, and the fewest reported since 2006.
- ✓ The median number of days that a missing child case was active was five days.

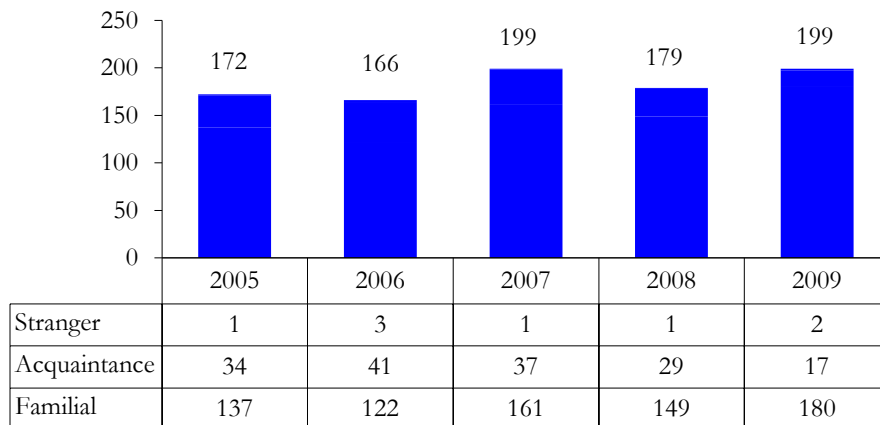
# Child Safety

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## Child Abductions

Among the children reported missing each year, the overwhelming majority are reported as suspected runaways, accounting for 93% of all reported missing cases. Stranger abductions are extremely rare and account for less than 1% of the total number of missing child cases reported. The remaining 6% are reported as lost or circumstances unknown.

**Reported NYS Child Abductions**  
(Annual)



- ✓ During 2009, 199 child abductions were reported, an increase (+11%) from the 179 reported in 2008. Only two of these were stranger abductions.
- ✓ There was a 41% decrease in the number of acquaintance abductions between 2008 and 2009.
- ✓ The number of reported familial abductions increased in 2009 by 21%, going from 149 in 2008 to 180 in 2009.

New York's *America's Missing: Broadcast Emergency Response* (AMBER) Program became operational in September 2002. Coordinated by DCJS and the New York State Police, the program unifies resources provided by the State Emergency Management Office, Department of Transportation, Department of Motor Vehicles, Division of the Lottery, Thruway Authority, New York State Broadcasters Association, National Center for Missing and Exploited Children, local law enforcement agencies and the public. Through this partnership, the AMBER Alert system is activated in the event of a child abduction, ensuring rapid and widespread public dissemination of information. Pursuant to the state's Campus Safety Act of 1999, DCJS is responsible for providing assistance in cases involving missing college students.

- ✓ There were four AMBER Alerts in 2008 and three in 2009.
- ✓ There were six DCJS Missing Child/College Student Alerts in 2008 and five in 2009.

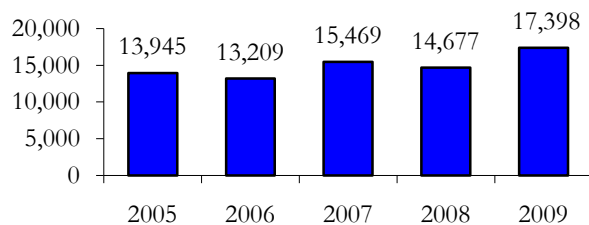


# Victims Compensation and Restitution

## Compensation to Crime Victims

The New York State Crime Victims Board (CVB) provides financial assistance to eligible crime victims for certain losses they incur as a direct result of a crime. A five-member board reviews and approves claims that meet the statutory criteria. In 2008, CVB installed Claims Assistant, a new claims processing system.

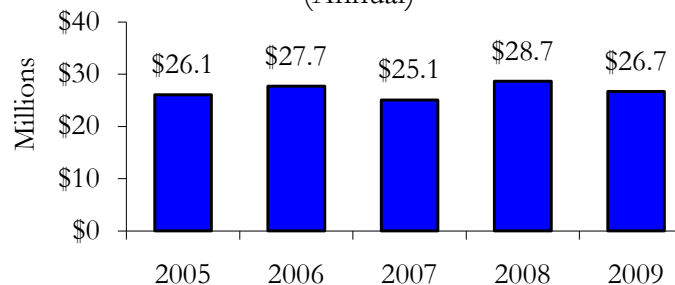
**CVB Claims Processed**  
(Annual)



✓ The number of claims processed in 2009 was up 18% compared to 2008.

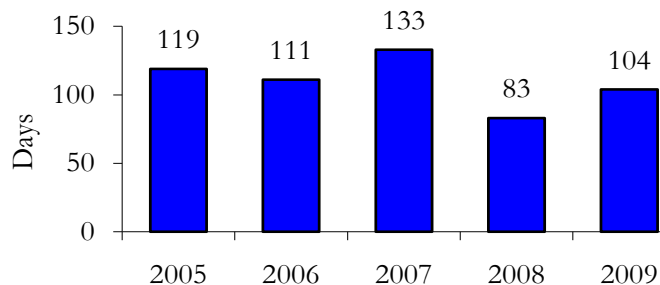
✓ In 2009, CVB made \$26.7 million in payments to innocent victims of crime, a decrease (-7%) from 2008.

**CVB Payments to Victims**  
(Annual)



CVB measures claims processing time as the number of days from receipt of the claim to when the claim is approved for payment.

**CVB Claims Processing Time**  
(Annual)

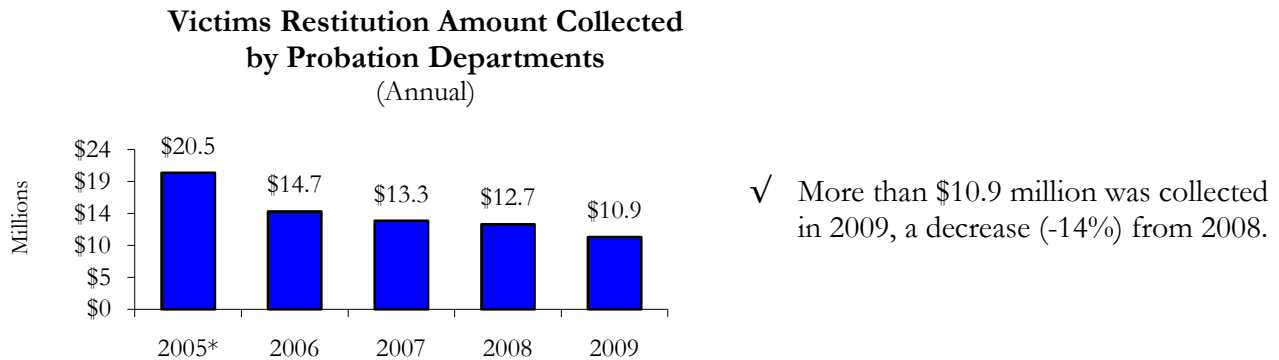


✓ In 2009, average claims processing time was 104 days, an increase of 25%, as compared to 83 days in 2008. This increase is primarily due to staffing shortages and the increase in incoming claims.

# Victims Compensation and Restitution

## Victim Restitution

County probation departments collect victim restitution for both Family and Criminal Court cases.



\*2005 includes \$6 million collected by Suffolk Co. in November 2005.

## Training and Victim Advocacy

CVB provides advocacy and training to federal, state and local agencies, including crisis intervention and counseling to assist victims with filing for compensation. Information on available crime victim services and assistance was also provided to crime victims and others, as follows:

- ✓ The Crime Victims Board presentation “Crime Victim’s Compensation and the Issue of Restitution” has been granted accreditation by the New York State Continuing Legal Education Board. Any attorney who attends the presentation will now be able to receive 1.5 Continuing Legal Education (CLE) credits in the category of Professional Practice. The ability to receive this credit will encourage attorneys to attend this important presentation and CVB hopes that this added attention to the issue of restitution will increase the instances of restitution awards to victims. Original accreditation for a one-year period was granted in November 2008. Between March and November 2009, CVB held presentations for eight district attorneys’ offices in Albany, Dutchess, Fulton, Richmond, Schenectady, Rensselaer, Rockland, and Queens counties. Application to the Continuing Legal Education Board was made in October 2009 for re-accreditation of the presentation for a three-year period. The re-accreditation was approved.
- ✓ The CVB hosted a statewide conference in October 2009, with 328 registered participants (71% of CVB-funded victim assistance programs). The conference offered 30 workshops addressing such topics as working within the criminal justice system, elder abuse, teen dating violence, providing services to survivors of homicide, social justice, self-care/self-improvement and leadership topics.
- ✓ The Crime Victims Board supported and participated in the New York State Victims Assistance Academy at Buffalo State University in June. A total of 38 participants received intensive training on different types of crime, services, and assistance available to victims.
- ✓ Board staff conducted monthly training sessions at each of the three CVB offices for representatives from CVB-funded victim assistance programs (VAP) to help victims file for claims.

# Reducing Domestic Violence

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The mission of the Office for the Prevention of Domestic Violence (OPDV) is to improve New York State's response to, and prevention of, domestic violence with the goal of enhancing the safety of all New Yorkers in their intimate and family relationships. OPDV provides expert advice, training, technical support, the development of promising practices, and the dissemination of public awareness information. OPDV's reach is broad, with the goals of strengthened response and enhanced prevention at the forefront of all activities.

The criminal justice response to domestic violence is an essential component of New York State's domestic violence reduction efforts, and includes a wide range of agencies: police agencies, parole, probation, corrections, and others involved both directly and indirectly with both victims and offenders. In 2009, OPDV focused much of its criminal justice training efforts on Operation IMPACT jurisdictions that had identified domestic violence as a serious crime concern. OPDV provided training, policy development assistance, and data analysis support for those jurisdictions. In addition, OPDV continued to provide training and support to police, probation, and parole from around the state.

## Training and Technical Support

OPDV partners with other agencies to enhance training and policy development/implementation and measure outcomes. OPDV has made changes in delivery of training, with greater utilization of technology and webcasts through Live Meetings. During this transition, there was a reduction in training events. Training and policy development assistance provided to health and human services professionals serves a preventative function and also is an important complement to criminal justice training.

In 2009, OPDV:

- √ Trained more than 10,000 professionals, from the criminal justice, health care and human services fields, at 297 events.
- √ Collaborated with the Division of Criminal Justice Services to hold a one-day, executive-level conference for law enforcement from all 17 NYS Operation IMPACT jurisdictions called **“Reducing Domestic Violence: Coordinated Strategies for Operation IMPACT Executives.”** More than 160 police chiefs, district attorneys, probation and parole supervisors, and crime analysts (from Albany, Broome, Chautauqua, Dutchess, Erie, Monroe, Nassau, Niagara, Oneida, Onondaga, Orange, Rensselaer, Rockland, Schenectady, Suffolk, Ulster and Westchester counties) attended presentations by national domestic violence research expert Dr. Andrew Klein, and Milwaukee, Wisconsin Assistant District Attorney Paul Dedinsky, whose groundbreaking work on stalking and domestic violence with the Vera Institute proved invaluable. The conference received an overall rating of Excellent from participants, and the vast majority stated that they found the information essential to their work and would implement lessons learned wherever possible within their local partnerships.
- √ In collaboration with the Office of Children and Family Services, OPDV hosted three regional forums across the state (in Buffalo, Syracuse and White Plains). The topic was “When Child Abuse and Domestic Violence Intersect: Tools to Engage the Family.” Attendance totaled 156

# Reducing Domestic Violence

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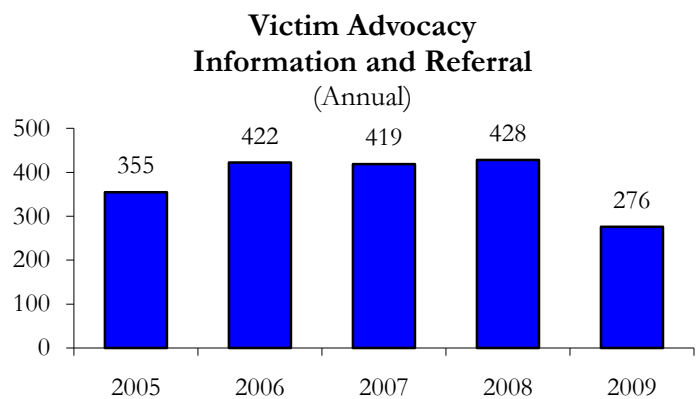
for all sites, and a combination of child welfare case workers, child protective service workers, family therapists/counselors and domestic violence service providers attended.

- √ The 2009 Report to the Governor on Domestic Violence and the Workplace was delivered in October, outlining the successful implementation of policies in all state agencies. In the first year of implementation of Executive Order #19, state agencies reported the following:
  - 49 incidents of domestic violence in the workplace were reported
  - 232 employees reported they were victims of domestic violence
  - 67 employees reported that someone they worked with might be a victim
  - 376 employees requested domestic violence information/services
  - 301 referrals were made to domestic violence service providers
  - 92 orders of protection were disclosed to agencies
  
- √ Provided the equivalent of 626 days of technical assistance to professionals from the criminal justice, health care and human services fields, including policy development and review, community coordination activities, materials review, meeting and workgroup facilitation and preparation, consultation, fulfilling information requests and answering questions, RFP/grant proposal review and non-curricula material development.

## Victim Advocacy - Information and Referral

OPDV supports direct service providers and offers limited direct services through a program funded by the Crime Victims Board.

- √ During 2009, OPDV staff provided 276 information and referral contacts for victims of domestic violence, their families and community professionals requesting information or advocacy in individual victims' cases.



Due to changes in contractual performance requirements over the five-year period, prior year comparisons are not possible.

## NYS Domestic and Sexual Violence Hotlines

In addition, OPDV funds the New York State Domestic and Sexual Violence Hotlines (one hotline specializes in Spanish-speaking callers). These hotlines complement the 96 local hotlines offered by community-based organizations by offering victims and providers a single point of entry into the domestic violence and sexual assault services delivery system.

# Reducing Domestic Violence

Domestic and Sexual Violence Hotline Calls (Annual)						
	2005	2006	2007	2008	2009	% Change 08 v 09
English	17,089	10,990	13,554	14,413	13,852	-3.9%
Spanish	3,812	4,769	3,583	3,684	2,873	-22.0%
<b>Total</b>	<b>20,901</b>	<b>15,759</b>	<b>17,137</b>	<b>18,097</b>	<b>16,725</b>	<b>-7.6%</b>

- ✓ Together, the Domestic and Sexual Violence Hotlines received more than 16,500 calls from individuals seeking help, support and information in 2009, an 8% decrease from 2008. The overall reduction in calls to the hotlines is being analyzed against the rate of calls made to the local hotlines.

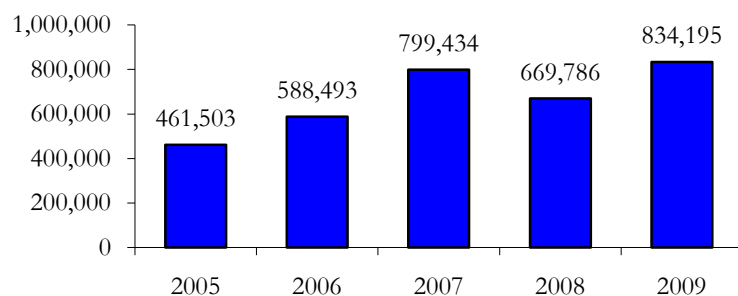
## Public Education and Awareness

OPDV creates and distributes public education materials, produces public awareness campaigns, and provides information on its website about domestic violence and the state’s response. Most public awareness is now distributed electronically, through download or e-mail.

During 2009, OPDV:

- ✓ Distributed approximately 131,298 public education materials to 526 agencies and organizations statewide for community education and victim assistance.

**OPDV Website Hits**  
(Annual)



- ✓ During 2009, the website received 834,195 total hits, an increase (+25%) over 2008. This is primarily due to increased public awareness resulting from the “Shine the Light on Domestic Violence” initiative in October 2009.

- ✓ In October, OPDV launched its second annual campaign to “Shine the Light on Domestic Violence” by turning the state purple. The color purple represents the fight against domestic violence. The campaign grew exponentially this year with more than 110 public and private organizations participating in the effort in more than 20 counties. Partners participated in a variety of ways from lighting locations in purple (like the Empire State Building, Niagara Falls, the Whiteface Mountain Fire Tower in Blue Mountain Lake), to flying purple flags (Catskill) and handing out flyers at the town transfer station (Steuben County). State agency employees and

# Reducing Domestic Violence

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others wore purple, distributed public education materials in their facilities and posted the purple ribbon web banner on their websites. The cost-neutral campaign was deemed one of the nation's top three most inspirational by the National Domestic Violence Hotline, and plans are to expand it each year.

## Legal Training

New York State is currently home to 37 specialized domestic violence criminal courts, with three additional courts in various planning stages; 44 Integrated Domestic Violence (IDV) courts, with seven in planning stages, which hear both criminal and family/matrimonial court matters. Almost 90% of the residents of New York State live in counties served by operating IDV courts. Attorneys working the field need enhanced training to prosecute cases and represent victims effectively in these forums. This year, legislation was passed requiring training for lawyers for children on domestic violence, and directing OPDV to assist the courts in the development of that training. The New York Prosecutors Training Institute (NYPTI) received funding from OPDV to provide statewide regional domestic violence training and technical assistance to New York State prosecutors who handle domestic violence cases. OPDV also provides funds to Albany Law School and Buffalo Law School to offer enhanced services to domestic violence victims through their clinical programs, and offer advanced training to family court practitioners.

In 2009, these funded programs:

- ✓ Conducted approximately 133 hours of training on how to prosecute domestic violence cases and represent victims to more than 160 professionals
- ✓ Provided legal assistance 381 times
- ✓ Published and distributed 8,000 copies of the *Empire State Prosecutor* containing articles relevant to domestic violence prosecution
- ✓ Through the NYPTI Brief Bank, a resource for prosecutors handling a variety of cases (including domestic violence), provided assistance 339 times

## Interagency Collaboration

In 2009, OPDV hosted two Advisory Council Meetings and two subcommittee meetings. Through the work of the Council, OPDV has made progress on two essential programs:

- 1) The Domestic Violence Dashboard Project collects interagency data regarding domestic violence. Two annual dashboard reports, one for 2007 and one for 2008, were released during 2009.
- 2) The Uniform Reporting Project is assessing the feasibility of a web-based unified grants management system that would reduce the reporting burden on programs and agencies, and improve outcome measures.

## **Reducing Domestic Violence**

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OPDV also participates in a variety of interagency programs and workgroups designed to improve the state's overall response to domestic violence including: Veterans Affairs Roundtable, Interagency Offender Re-entry Task Force, Governor's Children's Cabinet, AIDS Institute Interagency Task Force, Juvenile Justice Advisory Board, ACTION Initiative, Interagency Task Force on Human Trafficking, Crime Victims Board Advisory Council, Victim Assistance Academy, Division of Probation and Correctional Alternatives Crime Victims Workgroup, Operation IMPACT, NYS Internal Control Association, Webmasters Guild, NYS Training and Development Council, and New York State Forums for Information Resource Management.

# Information for Victims and the Public

In addition to enforcing the law and managing offenders, a primary goal of the criminal justice system is to promote public safety by ensuring that crime victims have a voice in the criminal justice process. Additionally, state criminal justice agencies have continued to expand public access to offender information.

## Considering Victim Impact in Case Dispositions

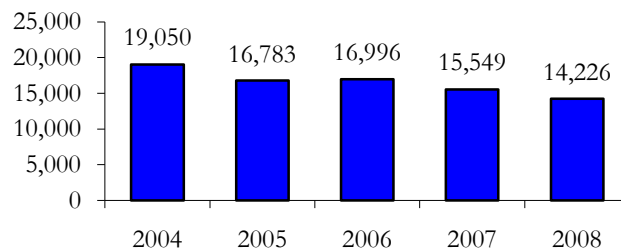
County probation officers prepare investigation reports for all family and criminal court cases. By state regulation, they are required to include victim impact statements, when available, in these investigative reports. These statements include information on the extent of injury to the victim, economic loss or damages, and the victim-offender relationship. Victim impact statements are then considered by the court when determining the disposition of the case, including type of sentence imposed, requirements for restitution, and conditions placed on the offender.

Overall, the number of victim impact statements has been decreasing since 2002, driven primarily by a reduction in investigative reports ordered by the courts.

✓ In 2008, a total of 14,226 victim impact statements were prepared as compared to 15,549 in 2007.

✓ During the first nine months of 2009, 11,276 victim impact statements were forwarded to the court. Full 2009 data are not yet available.

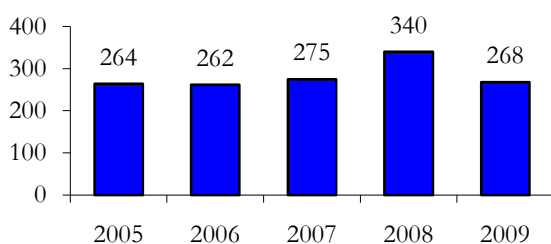
**Victim Impact Statements Submitted by Probation Departments**  
(Annual)



## Considering Victim Impact in Parole Board Release Decisions

The Division of Parole works closely with the Crime Victims Board and district attorneys' offices to ensure that victims are aware of their rights regarding the Parole decision-making process. Victims may meet with the Board of Parole or submit a victim impact statement before the Board makes a discretionary release decision on a particular offender. Victim impact statements may be submitted electronically through Parole's website. If requested, a victim is notified of an inmate's scheduled release date and the name of the assigned parole officer.

**Victim Impact Interviews with Parole Board**  
(Annual)



✓ During 2009, 268 face-to-face interviews between victims or their families and a Parole Board member were held, a decrease (-21%) from 2008.

✓ At the end of 2009, Parole was tracking 4,600 cases for purposes of victim notification.



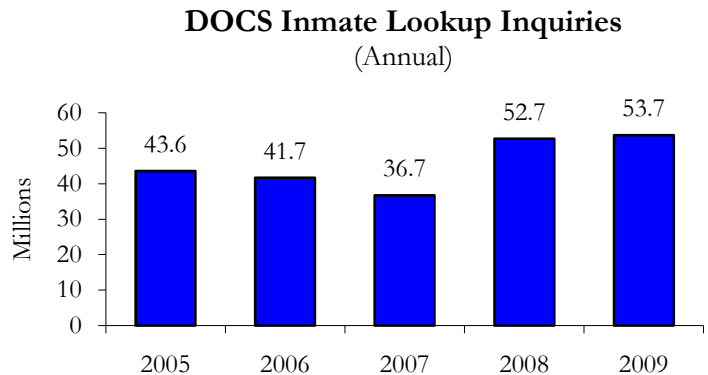
# Information for Victims and the Public

In addition to providing mechanisms for victim input into the case disposition and parole release process, there is an extensive amount of offender information available to the general public, as well as to victims.

## Providing Information on Offenders Who Have Been in Prison or on Parole

The Inmate Lookup service was developed by the Department of Correctional Services (DOCS) in late 1998. This service operates on the DOCS public website and provides comprehensive information to the public on the incarceration history of anyone who has served time in state prison since the 1970s.

✓ A total of 53.7 million inquiries were submitted to Inmate Lookup during 2009, an increase of 2% from 2008.



Toll-free information on inmates currently incarcerated in DOCS or under parole supervision also is available to the general public by calling the Victim Information and Notification Everyday System (VINE), which has been in place since January 1999. A caller must identify an offender by either name and date of birth, the DOCS Identification Number (DIN), or their New York State Identification Number (NYSID). When identifying information is provided, VINE advises the caller of the current incarceration location or, if the offender is on parole, the area where the offender is supervised.

During 2009, the Division of Parole rolled out a New York State Parolee Lookup service to afford crime victims, members of law enforcement, state and federal criminal justice agencies and the general public the ability to access information regarding those individuals who are being or have been supervised by the New York State Division of Parole. The public must enter NYSID, DIN, full or last name, or name and birth year to obtain an offender's supervision status. This service is available via Parole's public website.

## Notifying Victims and the Public of Releases from Prison

Victims of crimes, as well as any member of the general public, also can register with VINE to be contacted by phone, free of charge, when a specific offender is released from prison.

✓ In 2009, 6,068 individuals registered with VINE, a 20% increase from 2008, due to continued training and outreach by DOCS regarding VINE availability.

