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NEW YORK STATE CRIMINAL JUSTICE

2008 Crimestat Report

Issued May 2009



NEW YORK STATE
David A. Paterson, Governor



2008 Crimestat Report

4th Edition

Issued May 2009

DIVISION OF CRIMINAL JUSTICE SERVICES
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Criminal Justice Performance Management 2008 Crimestat Report

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Introduction

The *2008 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 the following State agencies:

- Board of Examiners of Sex Offenders
- State Commission of Correction
- Department of Correctional Services
- Division of Criminal Justice 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 NY/NJ 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 monthly 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 22 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. 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 email crimestat@dcjs.state.ny.us.

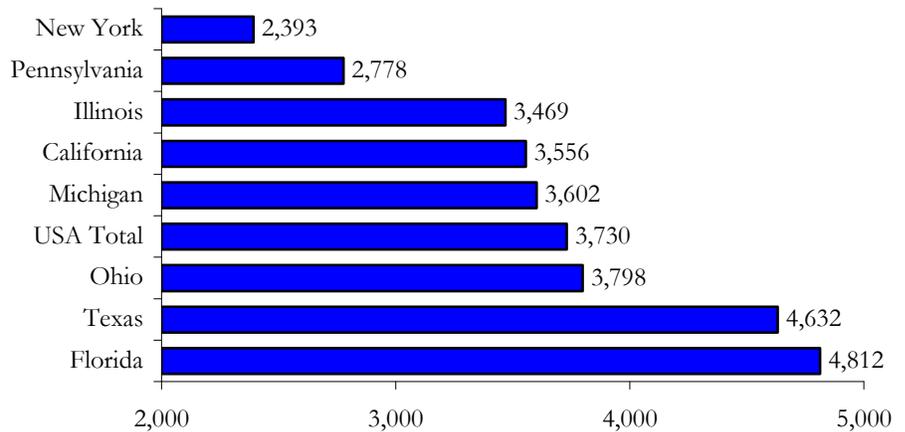
Crime in New York State

In 2007, New York remained the safest large state in the nation and became the fourth safest state overall. The 2008 FBI figures which allow for comparison to other states will not be available until mid-2009, so 2007 figures are presented. Preliminary 2008 crime data are available online at <http://criminaljustice.state.ny.us>. The 2007 FBI crime statistics show that among the eight states with a population of 10 million or more, New York has the lowest crime rate. The crime rate in New York was 14% lower than the next lowest state, Pennsylvania, and was 50% lower than the state with the highest rate, Florida.

Over the past 17 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 resident population declined 62% since 1990, the rate of violent crimes (murder, rape, robbery, and aggravated assault) dropped 65% and property crimes (burglary, larceny, and motor vehicle theft) fell 62%.

While New York State's crime rate has decreased over the past 17 years, New York also has reported a significant reduction in the actual number of crimes reported. Since 1990, the number of major crimes reported has fallen every year. In 2007, there were over 680,000 fewer crimes reported than in 1990, while the population of the State has increased by more than 1.3 million since 1990.

Index Crime Rates in 2007



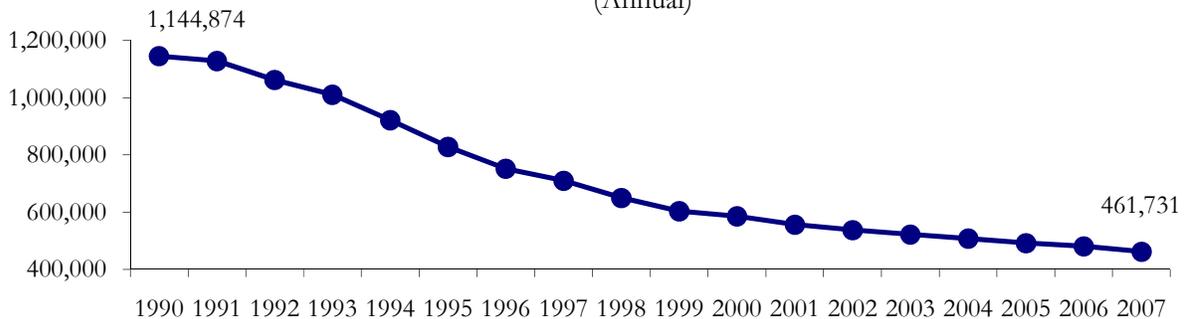
Source: FBI, Crime in the United States, 2007; rates are index crimes per 100,000 residents.

**New York State Percent Change in Crime Rates
1990 vs. 2007**

| | 1990 | 2007 | % Change |
|-----------------------|----------------|----------------|-------------|
| Total | 6,363.8 | 2,392.7 | -62% |
| Violent Crime | 1,180.9 | 414.1 | -65% |
| Murder | 14.5 | 4.2 | -71% |
| Rape | 29.8 | 15.2 | -49% |
| Robbery | 624.7 | 161.1 | -74% |
| Assault | 512.0 | 233.7 | -54% |
| Property Crime | 5,182.8 | 1,978.6 | -62% |
| Burglary | 1,160.7 | 336.1 | -71% |
| Larceny | 2,979.4 | 1,497.2 | -50% |
| MV Theft | 1,042.7 | 145.3 | -86% |

Source: FBI, Crime in the United States, 2007.

**New York State Crimes Reported
(Annual)**

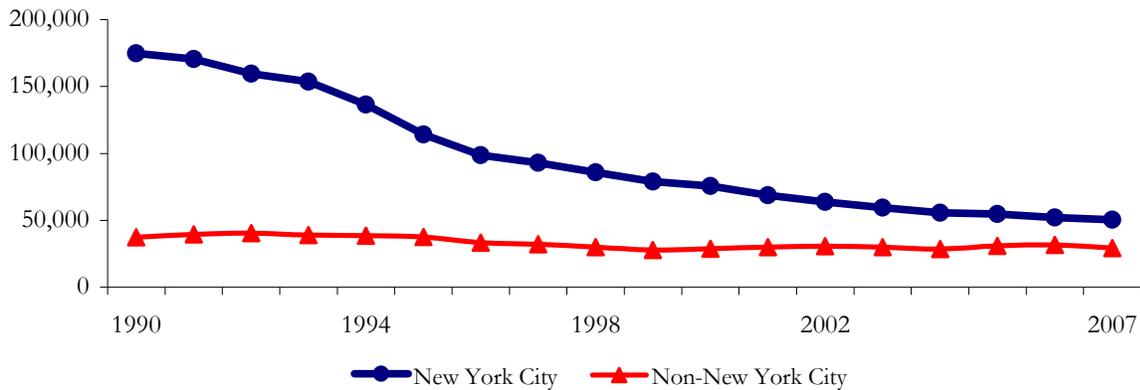


Source: FBI, Crime in the United States, 2007

Crime in New York State

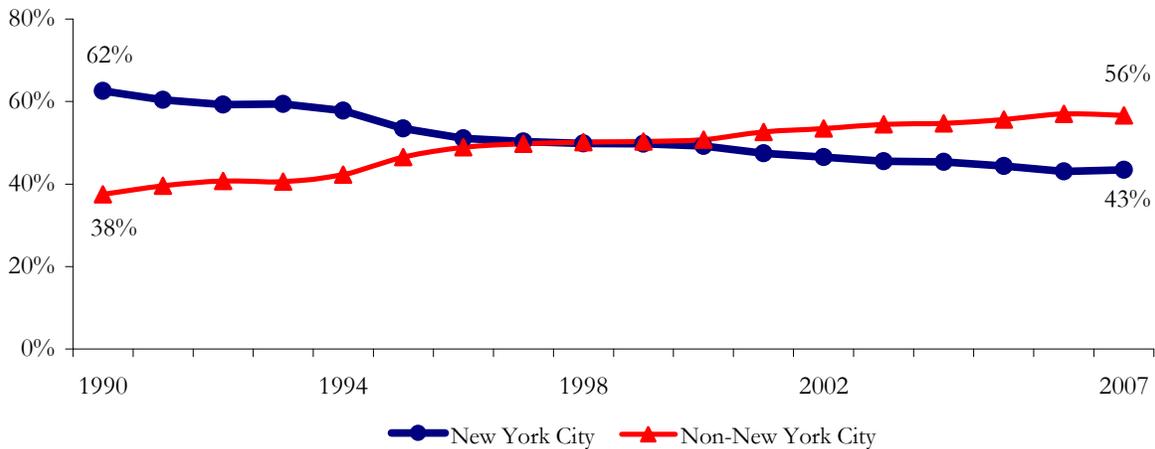
Not all areas of the State have benefited equally from the historic reduction in crime. The graph below shows that the majority of violent crime incidents are reported within New York City. It also shows that violent crime within New York City has decreased by 71% since 1990 while violent crime outside of New York City has not changed significantly. However, the table on page 3 shows that violent crime in the counties outside of New York City is down in 2007 as compared to the 10-year high in 2006.

Regional Trends in Violent Crime



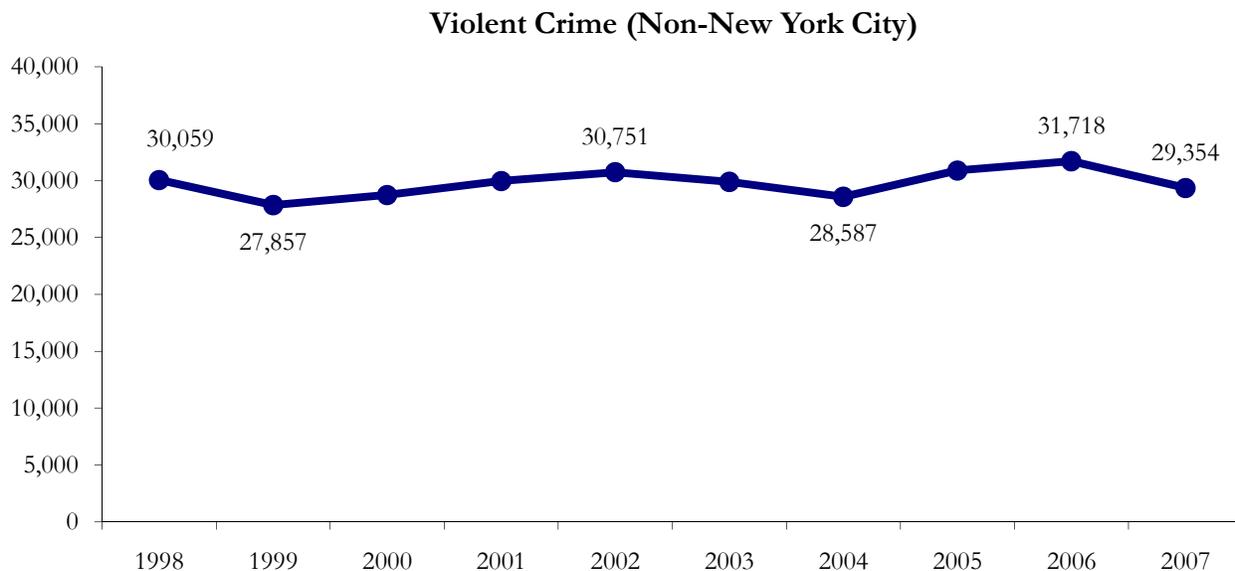
The counties outside New York City now account for 56% of the reported crime statewide, as compared to 38% in 1990.

Regional Crime as a Percent of Statewide Crime



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 a slightly lower count in 2007 compared with 1998.



Source: Uniform Crime/Incident Based Reporting systems (1/16/09)

Violent Crime (Non-New York City)

| | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 06 vs 07 %Change |
|-----------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------------|
| Violent Crimes | 30,059 | 27,857 | 28,748 | 29,971 | 30,751 | 29,903 | 28,587 | 30,895 | 31,718 | 29,354 | -7% |
| Murder | 290 | 244 | 287 | 322 | 317 | 327 | 329 | 335 | 330 | 308 | -7% |
| Rape | 1,891 | 1,734 | 1,709 | 1,915 | 2,085 | 2,161 | 2,133 | 2,202 | 2,094 | 2,047 | -2% |
| Robbery | 9,844 | 8,960 | 9,008 | 9,511 | 9,716 | 9,788 | 8,977 | 10,280 | 10,866 | 9,265 | -15% |
| Agg. Assault | 18,034 | 16,919 | 17,744 | 18,223 | 18,633 | 17,627 | 17,148 | 18,078 | 18,428 | 17,734 | -4% |

Source: DCJS, Uniform Crime Reporting System (1/2009)

- ✓ During 2007, violent crime in the counties outside New York City decreased by 7%, as compared to 2006.

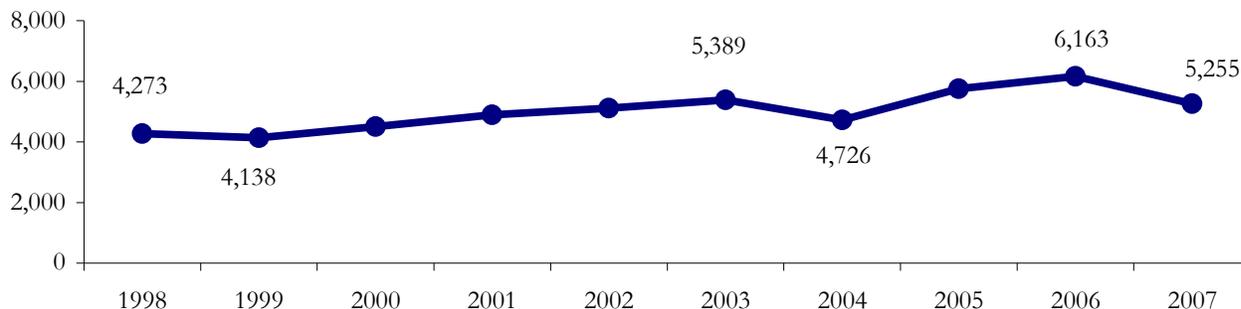
Among violent crime categories outside New York City during 2007:

- ✓ Murders decreased by 7% to the lowest number reported since 2000.
- ✓ Reported rapes decreased by 2%.
- ✓ Reported robberies decreased by 15%.
- ✓ Aggravated assaults decreased by 4%.

Violent Crime Outside of New York City

The Uniform Crime Reports submitted by law enforcement agencies around the State include information on the number of violent crimes reported which involve a firearm.

Violent Crime by Firearm (Non-New York City)



Source: Uniform Crime/Incident Based Reporting systems (1/16/09)

Violent Crimes by Firearm (Non-New York City)

| | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | Percent Change | |
|--------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------------|-----------|
| | | | | | | | | | | | 06 vs. 07 | 98 vs. 07 |
| Violent Crimes | 30,059 | 27,857 | 28,748 | 29,971 | 30,751 | 29,903 | 28,587 | 30,895 | 31,718 | 29,354 | -7% | -8% |
| Firearm Related | 4,273 | 4,138 | 4,503 | 4,894 | 5,109 | 5,389 | 4,726 | 5,758 | 6,163 | 5,255 | -15% | -2% |
| Percent Firearm | 14% | 15% | 16% | 16% | 17% | 18% | 17% | 19% | 19% | 18% | -8% | 7% |
| Murder | 290 | 244 | 287 | 322 | 317 | 327 | 329 | 335 | 330 | 308 | -7% | -3% |
| Firearm Related | 156 | 112 | 141 | 171 | 178 | 190 | 156 | 168 | 186 | 174 | -6% | -6% |
| Percent Firearm | 54% | 46% | 49% | 53% | 56% | 58% | 47% | 50% | 56% | 56% | 0% | -4% |
| Forcible Rape | 1,891 | 1,734 | 1,709 | 1,915 | 2,085 | 2,161 | 2,133 | 2,202 | 2,094 | 2,047 | -2% | 6% |
| Firearm Related | 67 | 60 | 58 | 65 | 45 | 47 | 55 | 52 | 35 | 31 | -11% | -66% |
| Percent Firearm | 4% | 3% | 3% | 3% | 2% | 2% | 3% | 2% | 2% | 2% | -9% | -68% |
| Robbery | 9,844 | 8,960 | 9,008 | 9,511 | 9,716 | 9,788 | 8,977 | 10,280 | 10,866 | 9,265 | -15% | -19% |
| Firearm Related | 2,555 | 2,574 | 2,607 | 2,819 | 2,873 | 3,036 | 2,607 | 3,251 | 3,412 | 2,716 | -20% | -25% |
| Percent Firearm | 26% | 29% | 29% | 30% | 30% | 31% | 29% | 32% | 31% | 29% | -7% | -7% |
| Aggravated Assault | 18,034 | 16,919 | 17,744 | 18,223 | 18,633 | 17,627 | 17,148 | 18,078 | 18,428 | 17,734 | -4% | -4% |
| Firearm Related | 1,495 | 1,392 | 1,697 | 1,839 | 2,013 | 2,116 | 1,908 | 2,287 | 2,530 | 2,334 | -8% | 57% |
| Percent Firearm | 8% | 8% | 10% | 10% | 11% | 12% | 11% | 13% | 14% | 13% | -4% | 62% |

Source: DCJS, Uniform Crime/Incident-Based Reporting systems (1/2009)

(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 5,255 reported violent crime incidents which involved a firearm in 2007, a decrease of 15% from 2006.
- ✓ Of the 308 murders reported in 2007, 56% involved a firearm, the same as in 2006.
- ✓ During 2007, 2,716 robberies involving a firearm were reported, a decrease (-20%) from 2006.
- ✓ Firearm-related assaults also decreased in 2007 as compared to 2006 (-8%), with 2,334 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 2008, 84 local agencies received Operation IMPACT funding.

2007 IMPACT County Crime Statistics

Total Index Crime

| IMPACT County | 2007 Population | Crime Count | Percent of Non-NYC |
|-----------------------|-------------------|----------------|--------------------|
| Albany | 297,154 | 10,582 | 4.1% |
| Broome | 195,161 | 6,004 | 2.3% |
| Chautauqua | 134,387 | 3,801 | 1.5% |
| Dutchess | 296,416 | 6,387 | 2.5% |
| Erie | 914,914 | 33,257 | 12.8% |
| Monroe | 728,081 | 25,109 | 9.6% |
| Nassau | 1,320,440 | 19,957 | 7.7% |
| Niagara | 215,039 | 6,920 | 2.7% |
| Oneida | 233,118 | 6,914 | 2.7% |
| Onondaga | 455,272 | 13,260 | 5.1% |
| Orange | 380,352 | 8,764 | 3.4% |
| Rensselaer | 155,251 | 4,539 | 1.7% |
| Rockland | 295,219 | 4,473 | 1.7% |
| Schenectady | 150,599 | 5,353 | 2.1% |
| Suffolk | 1,472,242 | 31,013 | 11.9% |
| Ulster | 182,932 | 3,473 | 1.3% |
| Westchester | 950,091 | 16,705 | 6.4% |
| IMPACT Total | 8,376,668 | 206,511 | 79.3% |
| Other Counties | 2,696,721 | 53,800 | 20.7% |
| Non-NYC | 11,073,389 | 260,311 | 100.0% |

Source: DCJS, Uniform Crime/Incident-Based Reporting systems.
As of 9/9/2008.

State and Federal participants include:

- Division of Criminal Justice Services (DCJS)
- New York State Police (NYSP)
- Division of Parole (DOP)
- Division of Probation and Correctional Alternatives (DPCA)
- Office for the Prevention of Domestic Violence (OPDV)
- State Liquor Authority (SLA)
- United States Attorney's Office
- Federal Law Enforcement Agencies

County and Local participants include:

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

In 2008, Operation IMPACT was supported by \$16.6 million in funding. Grants were awarded on a competitive basis and required all participating jurisdictions to focus on reducing violent crime. Jurisdictions were also 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

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 which address gun crime and other violent crime

Critical Objectives

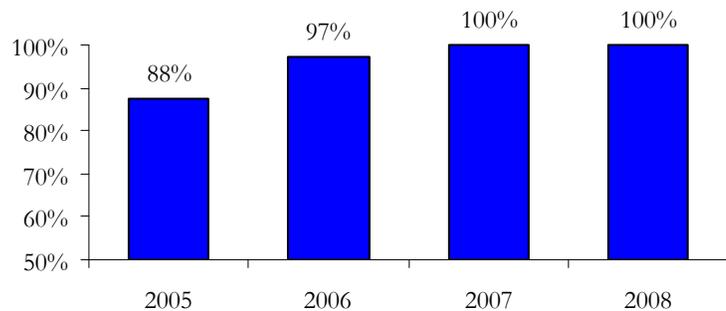
- Develop and implement effective strategies to reduce crime
- Enhance crime analysis and proactive intelligence collection capabilities
- Compile and submit all crime reports within 30 days after the end of the month
- Participate fully in SAFETNet
- Report all recovered crime guns to the State Police and ATF, and process all crime guns at the local forensic laboratory

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 is also posted on eJusticeNY to inform law enforcement agencies of recent trends in their county and region.

√ During 2008, the 17 primary IMPACT agencies reported their crime data within 30 days as required 100% of the time.

Percent of Crime Reports Submitted Within 30 Days - IMPACT Agencies

(Annual)



Operation IMPACT in New York State

IMPACT Crime Trends

Data for the primary IMPACT jurisdictions are now available through December 31, 2008.

Reported Crime Primary IMPACT Jurisdictions 2004 - 2008

| | 2004 | 2005 | 2006 | 2007 | 2008 | 07 vs 08 % Change |
|-----------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| Total | 121,169 | 118,656 | 119,511 | 112,696 | 116,045 | 3.0% |
| Violent Crime | 16,076 | 17,562 | 18,247 | 16,487 | 16,797 | 1.9% |
| Murder | 196 | 226 | 225 | 205 | 212 | 3.4% |
| Rape | 840 | 795 | 773 | 797 | 762 | -4.4% |
| Robbery | 6,333 | 7,332 | 7,642 | 6,602 | 6,820 | 3.3% |
| Agg. Assault | 8,707 | 9,209 | 9,607 | 8,883 | 9,003 | 1.4% |
| Property Crime | 105,093 | 101,094 | 101,264 | 96,209 | 99,248 | 3.2% |
| Burglary | 19,955 | 20,460 | 20,966 | 19,676 | 20,837 | 5.9% |
| Larceny | 71,700 | 69,352 | 69,657 | 67,001 | 70,342 | 5.0% |
| MV Theft | 13,438 | 11,282 | 10,641 | 9,532 | 8,069 | -15.3% |

Source: Uniform Crime/Incident Based Reporting system (2/13/2009)

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

- √ Overall, reported crime in the 17 primary IMPACT jurisdictions in 2008 was up (+3%) as compared to 2007.
- √ Murder was up (+3%) as compared to 2007, driven by increases in Albany, Suffolk County, and Syracuse.
- √ Violent crime was up (+2%), driven by increases in robbery (+3%) and aggravated assault (+1%).
- √ Property crime was up (+3%), driven by increases in burglary (+6%) and larceny (+5%). Motor vehicle theft was down (-15%).

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 two years.

Violent Crime Involving a Firearm Primary IMPACT Jurisdictions 2004 - 2008

| | 2004 | 2005 | 2006 | 2007 | 2008 | 07 vs 08 % Change |
|------------------------|---------------|---------------|---------------|---------------|---------------|----------------------|
| Violent Crimes | 16,076 | 17,562 | 18,247 | 16,487 | 16,797 | 1.9% |
| Firearm Related | 3,594 | 4,479 | 4,781 | 3,930 | 3,943 | 0.3% |
| Percent Firearm | 22% | 25.5% | 26% | 24% | 23.5% | |
| Murder | 196 | 226 | 225 | 205 | 212 | 3.4% |
| Firearm Related | 107 | 140 | 144 | 138 | 137 | -0.7% |
| Percent Firearm | 55% | 62% | 64% | 67% | 65% | |
| Rape | 840 | 795 | 773 | 797 | 762 | -4.4% |
| Firearm Related | 31 | 28 | 25 | 18 | 21 | 16.7% |
| Percent Firearm | 4% | 3.5% | 3% | 2% | 3% | |
| Robbery | 6,333 | 7,332 | 7,642 | 6,602 | 6,820 | 3.3% |
| Firearm Related | 2,006 | 2,554 | 2,709 | 2,094 | 2,161 | 3.2% |
| Percent Firearm | 32% | 35% | 35% | 32% | 32% | |
| Agg. Assault | 8,707 | 9,209 | 9,607 | 8,883 | 9,003 | 1.4% |
| Firearm Related | 1,450 | 1,757 | 1,903 | 1,680 | 1,624 | -3.3% |
| Percent Firearm | 17% | 19% | 20% | 19% | 18% | |

Source: Uniform Crime/Incident Based Reporting system (2/13/2009)

- √ In 2008, the number of violent crimes involving firearms was about the same as in 2007 (+0.3%).
- √ In 2008, firearm-related crime accounted for 23.5% of the violent crime reported in the primary IMPACT jurisdictions, about the same as reported in 2007.

Operation IMPACT in New York State

DCJS also monitors firearm-related activity within the primary IMPACT jurisdictions; these data are not captured in monthly crime data reported to DCJS by non-IMPACT jurisdictions.

Firearm Activity Primary IMPACT Jurisdictions 2006 - 2008

| | 2006 | 2007 | 2008 | 07 vs 08 % Change |
|-------------------------------------|-------|------|------|----------------------|
| Shooting Incidents Involving Injury | 896 | 766 | 836 | 9.1% |
| Shooting Victims (Persons Hit) | 1,007 | 836 | 938 | 12.2% |
| Individuals Killed by Gun Violence | 144 | 138 | 137 | -0.7% |

✓ The number of shooting incidents involving injury was up (+9%) in 2008 as compared to 2007.

✓ The number of shooting victims (where an injury was sustained), was also up (+12%) in 2008 as compared to 2007.

✓ A lower proportion of incidents resulted in fatalities in 2008, as compared to 2007. Of the 938 shooting victims, 137 were killed (15%).

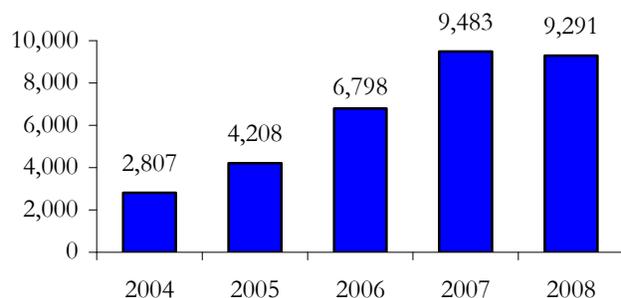
Expanding Information Sharing and Intelligence

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 and Crime Gun Activity.

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 their 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 dramatically through 2007 and remained high in 2008. Every IMPACT site actively participates. A total of 9,291 targets were submitted in 2008.

Operation IMPACT in New York State

Crime Gun Activity

Operation IMPACT contracts require participating agencies to share information about firearms. When law enforcement agencies outside of New York City recover a firearm that was used in a crime or suspected to have been used in a crime, the agency sends a detailed message about the crime gun to the New York State Criminal Gun Clearinghouse. This message is sent through the New York State Police Information Network (NYSPIN) and is called a “GGUN” transaction. The Clearinghouse, which is part of the New York State Police, transmits this information to the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for analysis and investigation. New York City provides crime gun information directly to the ATF.

Law enforcement agencies also are required to transmit an electronic record through NYSPIN for all guns that are reported as lost or stolen. The Criminal Gun Clearinghouse compares the stolen/lost gun records to the Crime Gun records and generates a hit notice for all matches. These hits provide valuable investigative leads on both the initial theft of the gun and any subsequent crimes committed with the gun.

In addition, IMPACT jurisdictions are required to submit crime guns and any ballistic evidence found, such as bullets or shell casings, to their local forensic laboratory for analysis. Subsequent to lab testing, forensic information from the gun and any ballistic evidence is entered into shared databases where forensic information can link recovered firearms to ballistic profiles from other crime scenes.

This multi-faceted approach to processing and sharing information from firearms helps law enforcement solve crimes and investigate gun activity.

Primary IMPACT Jurisdictions

2006 - 2008

| | 2006 | 2007 | 2008 | 07 vs 08 % Change |
|--|-------|-------|-------|----------------------|
| Crime Guns Recovered | 5,274 | 4,719 | 3,153 | -33.2% |
| Crime Gun Transactions via NYSPIN | 2,426 | 2,606 | 2,696 | 3.5% |
| Guns Submitted to Lab for Testing | 2,414 | 2,566 | 2,578 | 0.5% |

- ✓ Primary IMPACT departments reported recovering 3,153 crime guns during 2008, a decrease of 33% compared to 2007.
- ✓ Primary IMPACT departments made 2,696 crime gun transmissions via NYSPIN during 2008, an increase of 3.5% compared to 2007.
- ✓ Primary IMPACT departments submitted 2,578 guns to the lab during 2008, about the same (+0.5%) as 2007.

Specialized State Police Services

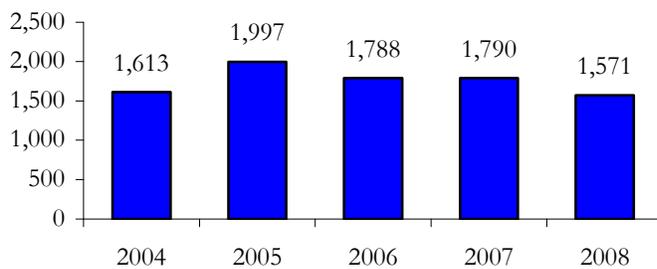
The Division of State Police works closely with local law enforcement agencies to provide a range of specialized police and investigative services. This assistance is provided in addition to many other critical State Police functions and responsibilities, explained in detail in the Division of State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

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)

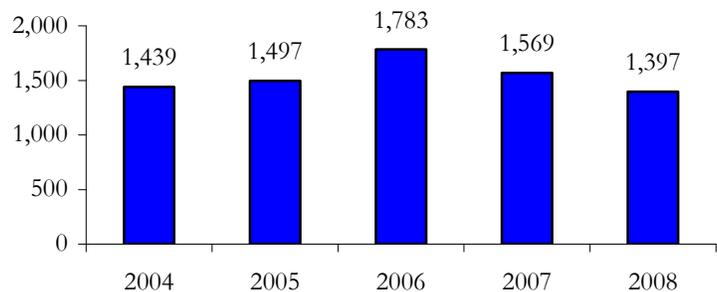


✓ During 2008, CNET assisted 92 law enforcement agencies, seizing more than \$9.5 million in illegal drugs and almost \$1.4 million in cash derived from illegal drug trafficking.

✓ CNET conducted 1,571 undercover drug purchases during 2008.

CNET Arrests

(Annual)



✓ CNET made 1,397 drug arrests in 2008, a decrease (-11%) from 2007.

Specialized State Police Services

New York State Police Gun Investigation Unit

Under the Gun Investigation Unit (GIU) initiative which 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 NY/NJ 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)

| Activities | 2006 | 2007 | 2008 |
|----------------|-------|------|------|
| Gun Purchases | 96 | 84 | 42 |
| Weapons Seized | 1,013 | 451 | 672 |
| Arrests | 772 | 641 | 541 |

✓ During 2008, the GIU reported 541 arrests, with a total of 672 weapons seized.

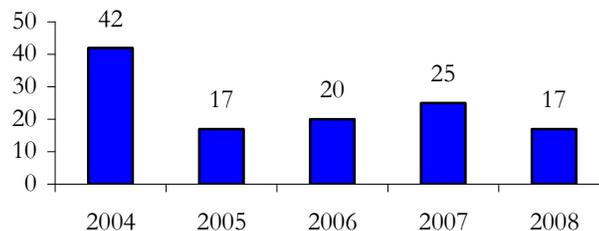
Contaminated Crime Scene Emergency Response Teams (CCERT)

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 2008, 17 illicit drug labs were discovered in New York State, a decrease from the past two years. More than 275 illicit drug labs have been discovered since 2000.

Illicit Drug Labs Discovered

(Annual)



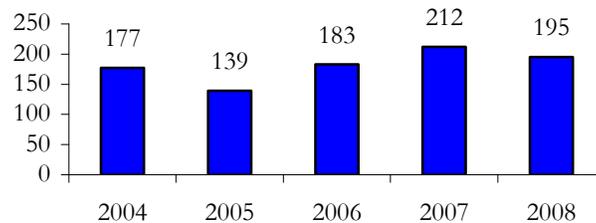
Specialized State Police Services

Computer Crimes Unit (CCU)

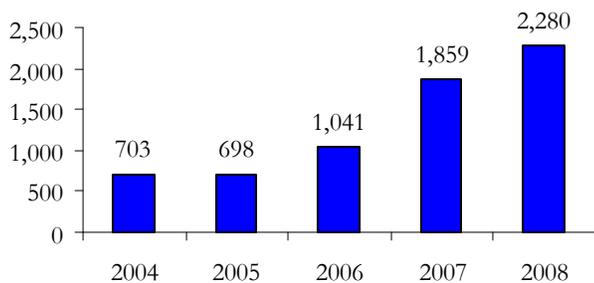
The Computer Crimes Unit within the State Police, which includes the Internet Crimes Against Children Task Force (see page 83), provides technical expertise and investigative assistance to local law enforcement. Through the Computer Forensic Laboratory, computer and digital evidence is collected, secured from crime scenes, preserved and analyzed. Through this unit, specially-trained investigators support active investigations involving computers and technology, and act as first responders to information systems emergencies.

✓ The Computer Forensic Laboratory handled 195 cases in 2008, a decrease of 8% compared to 2007.

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



CCU Investigations
(Annual)

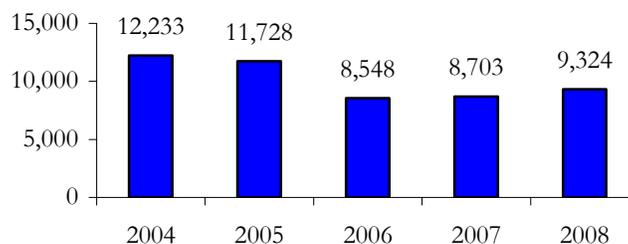


✓ During 2008, CCU investigated 2,280 cases, a 23% increase over the number of cases investigated in 2007.

✓ The CCU assisted in 74 arrests in 2008, an increase from 62 in 2007.

CCU Internet Fraud Complaints
(Annual)

✓ During 2008, the CCU handled 9,324 Internet fraud complaints.



Specialized State Police Services

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 (Millions)

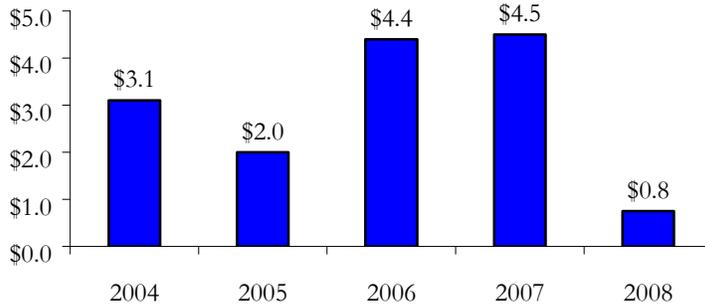
(Annual)



✓ During 2008, SIU recovered \$1.9 million in stolen property, including 112 vehicles.

SIU Illegal Tobacco Seized (Millions)

(Annual)



✓ During 2008, SIU seized \$800,000 in illegal tobacco products.

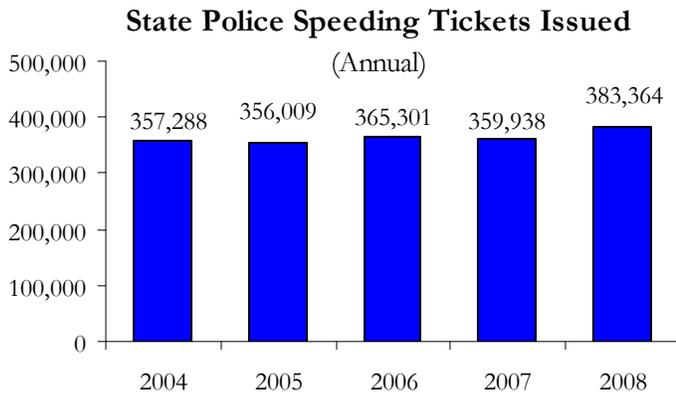
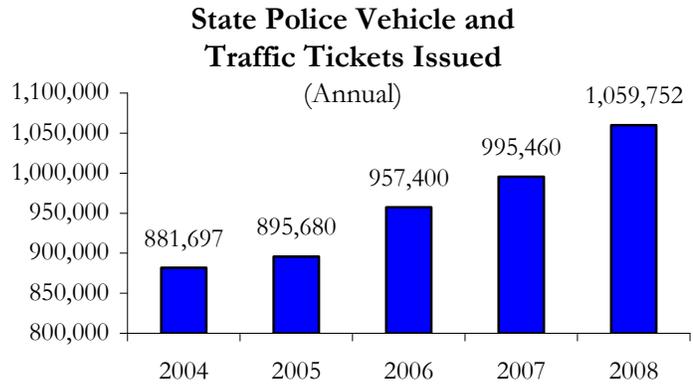
Other Specialized Police Services

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 2008, including apprehending defendants wanted for violent felony crimes, processing crime scenes, and investigating violent crimes.

Traffic Safety

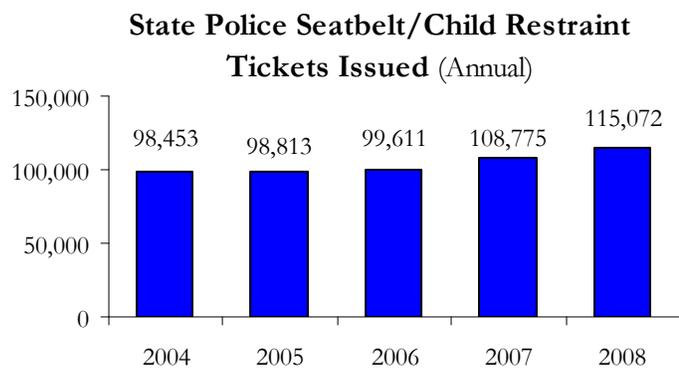
The State Police promote traffic safety through a range of enforcement and public education initiatives. Speeding, lack of seat belt use and driving under the influence of alcohol or drugs are emphasized because they are the most significant causes of fatal and personal injury accidents.

✓ Troopers issued more than 1 million vehicle and traffic tickets during 2008, a 6% increase from 2007.



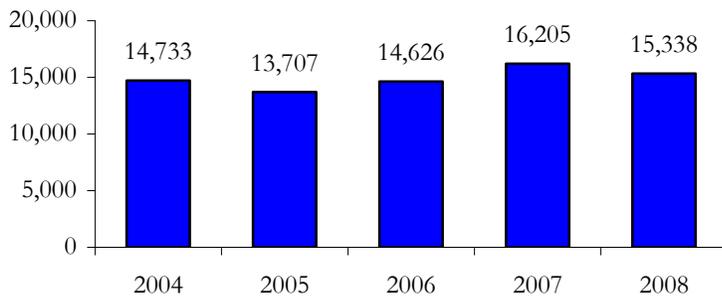
✓ During 2008, troopers issued 383,364 speeding tickets, an increase (+6%) from 2007.

✓ Troopers issued 115,072 tickets for safety restraint violations (seatbelts and child safety restraints) in 2008, a 6% increase from 2007.



Traffic Safety

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



✓ During 2008, State Police arrested 15,338 persons for driving while impaired by alcohol or drugs, a decrease (-5%) from 2007.

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 2008, 317 law enforcement agencies were transmitting TraCS data, an increase of 36% over 2007. The State Police, the largest user of TraCS, began outfitting patrol cars in 2001.

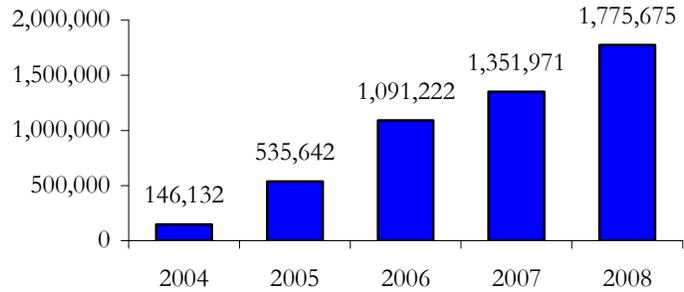
Traffic Safety

✓ Approximately 3,000 police vehicles throughout the State are now TraCS equipped; 1,400 of these police vehicles are State Police vehicles and 1,600 belong to local law enforcement.

✓ As of December 2008, an estimated 35% of statewide and 70% of non-NYC traffic tickets were issued through TraCS.

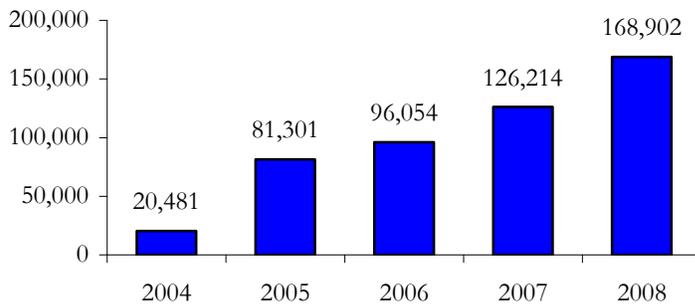
✓ During 2008, nearly 1.8 million traffic tickets were issued through TraCS, a 31% increase over 2007. State Police accounted for 60% of the tickets issued through TraCS.

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 2008, 168,902 accident reports were issued through TraCS, 34% higher than the number issued during 2007. The State Police issued 74,369 accident reports, 44% of the total issued.

DNA Databank and Collections in New York State

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 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, the collection of DNA specimens for a limited number of felonies, including murder and rape, was authorized. 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. Data in the following graphs and tables are derived from DCJS and State Police information systems.

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

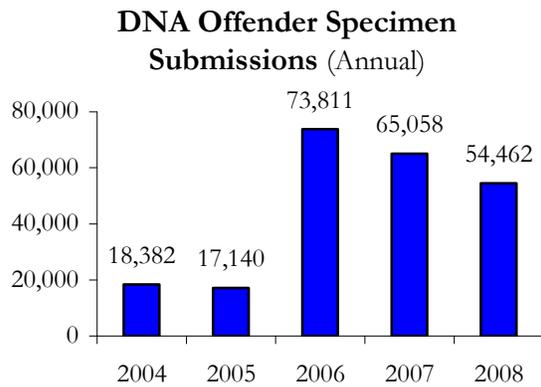
Critical Objectives

- 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

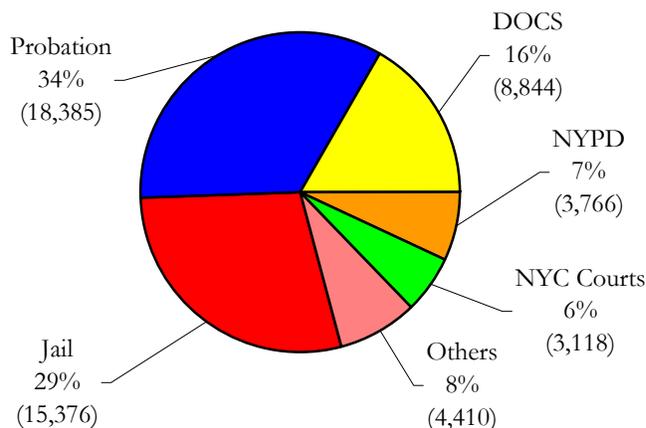
The Division of Criminal Justice Services works with State and local agencies to ensure collection of DNA from all eligible offenders. In 2006, two changes dramatically increased the number of specimens submitted to the Databank: The creation of the Subject Index provided for the collection of DNA specimens 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 in 2006 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 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.



✓ During 2008, 54,462 specimens were collected.

Prior to 2006, DNA specimens were generally collected by the agency charged with incarceration or supervision of the offender. Now that many 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.

2008 DNA Specimen Submissions (Cumulative)



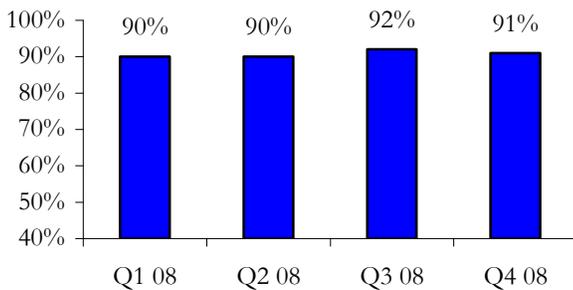
✓ Probation departments and local jails were the largest contributors to the DNA Databank in 2008, collecting 63% of total DNA specimens submitted. State DOCS submitted 16%.

✓ NYPD and the New York City courts accounted for a combined 13% of all submitted specimens. "Others," which includes police agencies, courts and Parole, accounted for an additional 8% of the annual submissions.

DNA Databank and Collections in New York State

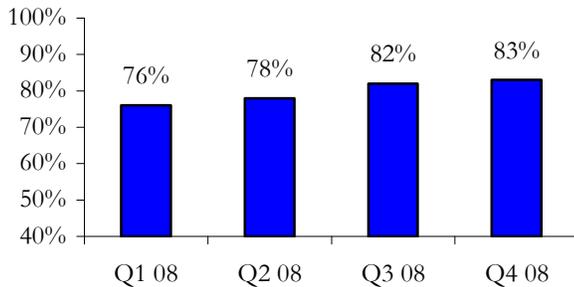
While strict protocols at reception allow State DOCS to collect DNA from virtually every eligible offender, securing collections from offenders sentenced to a local jail, probation, or a non-incarcerative sentence have been more challenging. DCJS measures the rate of collection for DNA eligible sentences 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.

**DNA Collection Rates
Jail Sentences**



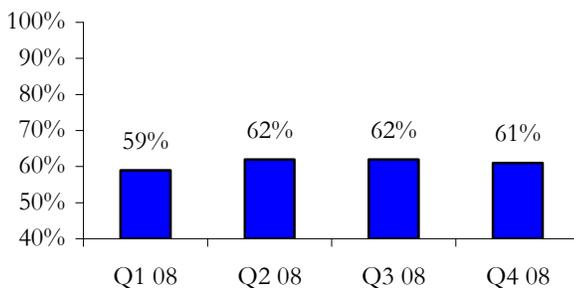
- ✓ The DNA collection rate for local jails has remained about 91% during 2008.
- ✓ NYC Department of Correction (Rikers Island) has been collecting at a high rate, at or above 95%, for all of 2008.

**DNA Collection Rates
Probation Sentences**



- ✓ Collection rates by local probation departments increased steadily during 2008.
- ✓ Although collection rates vary among county probation departments, 48% of the departments had collection rates of 90% or higher for offenders sentenced during December 2008.

**DNA Collection Rates
Other Sentences**

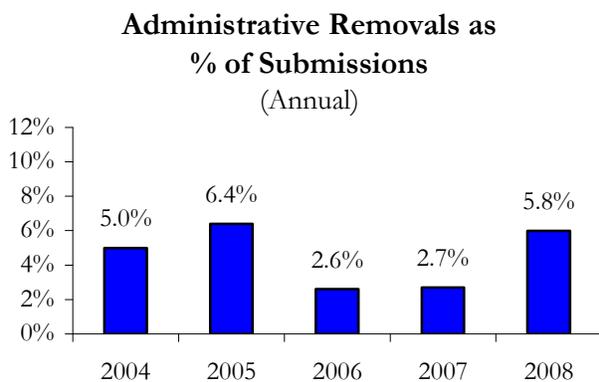


- ✓ “Other Sentences” include fines, conditional discharges, time served and community service. Securing these collections has been the most challenging because arrangements for these collections must be made at the time of sentencing.
- ✓ “Other Sentence” collection rates improved slightly during 2008, but are still substantially lower than the rates of collection on jail and probation sentences.

DNA Databank and Collections in New York State

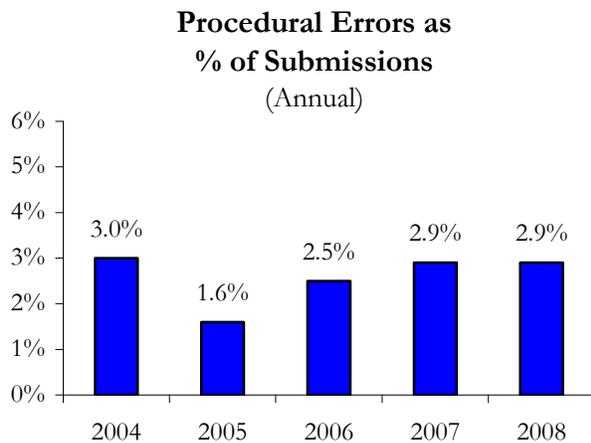
DCJS DNA Databank Oversight

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.



✓ In 2008, 3,150 DNA specimens were administratively removed from the process, representing 5.8% of total submissions. The rate of removals increased this year after OFS processed a large number of pending cases.

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.



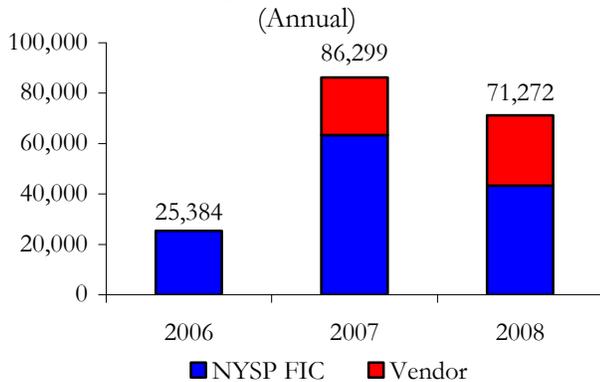
✓ In 2008, 1,575 DNA specimens were removed from the Databank as a result of a procedural error, representing 2.9% of submissions.

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 vendor was used to help process submissions during 2007 and 2008.

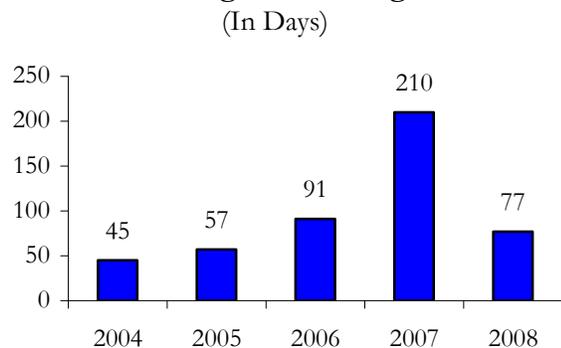
Total Specimens Analyzed



✓ The FIC analyzed 43,322 DNA specimens during 2008 and an additional 27,950 samples were analyzed by an outside contractor.

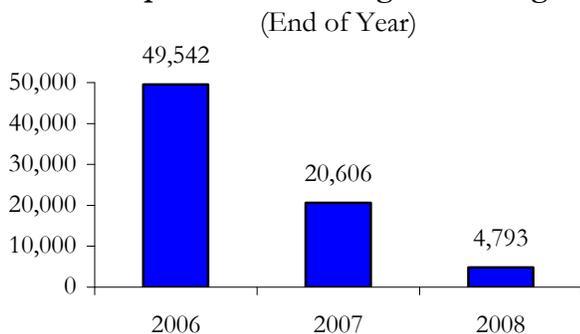
✓ The outside contractor completed its work in July 2008.

DNA Average Processing Time



✓ DNA specimen processing time decreased significantly during 2008 due to the elimination of the backlog associated with the 2006 expansion. As of the first quarter of 2009, processing time now averages 31 days.

Specimens Pending Processing



✓ The FIC and OFS closely monitor the number of cases which are at the FIC awaiting processing. The backlog was eliminated in August 2008. The 4,793 specimens reported at the end of December are pending due to staging and processing logistics. There is no backlog.

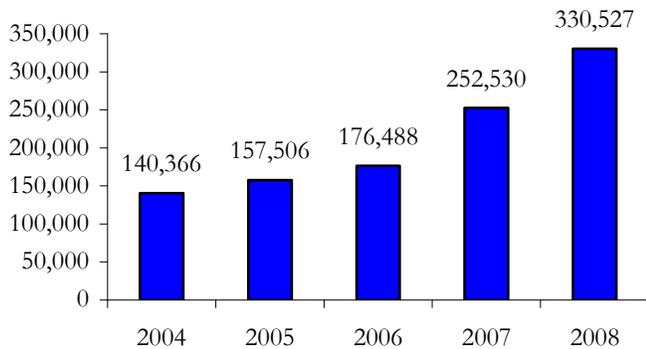
DNA Databank and Collections in New York State

The NYS 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 which 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.

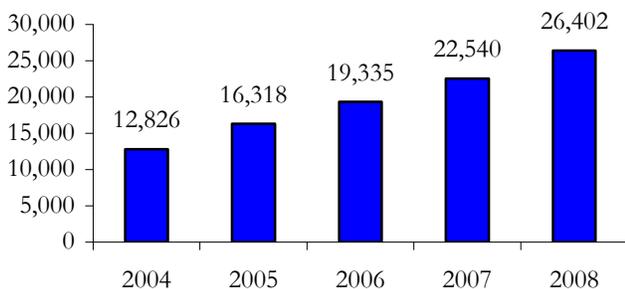
The FIC also maintains the Convicted Offender Index and the Subject Index. On a bi-weekly basis, offender profiles are compared with DNA profiles derived from crime scene evidence and maintained in the Forensic Index. From the New York State Databank, qualifying profiles can be uploaded to the National 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, 2008, there were 330,527 offender specimens on file in the DNA Databank, a 31% increase over 2007, and more than double the number of specimens on file prior to the June 2006 law expansion.

Crime Scene DNA Profiles
(Cumulative)



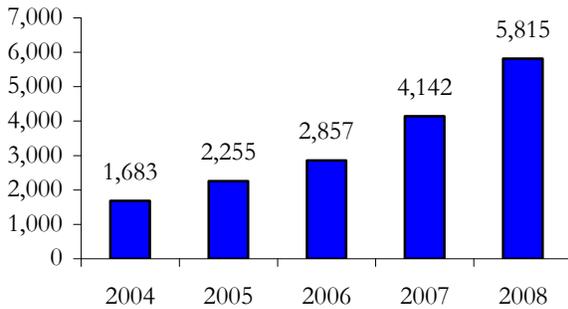
✓ As of December 31, 2008, there were 26,402 crime scene profiles on file in the DNA Databank, a 17% increase over 2007.

DNA Databank and Collections in New York State

DNA Databank Hits

A DNA Databank hit is a result of a match between DNA profiles developed from crime scene evidence and a DNA offender 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.

Total DNA Hits
(Cumulative)



- ✓ Since the Databank's inception, there have been a total of 5,815 hits.
- ✓ In 2008, there were 1,673 hits on the DNA Databank, a 30% increase from the 1,285 hits during 2007.
- ✓ 51% of all hits since Databank inception occurred during the last two 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)

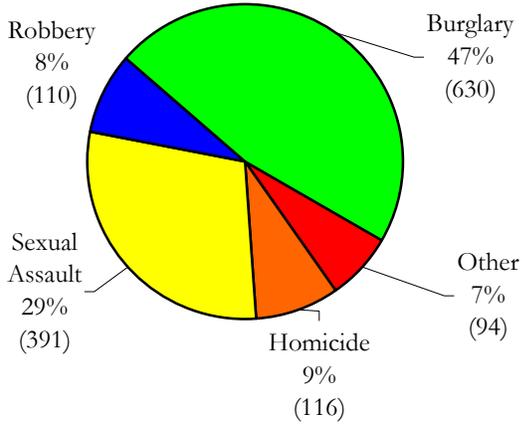
| Type of Crime | Hits | Percent of Hits |
|----------------|-------|-----------------|
| Sexual Assault | 2,565 | 44% |
| Burglary | 1,766 | 30% |
| Homicide | 538 | 9% |
| Robbery | 448 | 8% |
| Other | 498 | 9% |
| Total | 5,815 | 100% |

- ✓ Of the 5,815 hits generated since inception, 9% were against physical evidence collected in connection with homicide investigations and 44% were in connection with sexual assault investigations. In addition, 30% were in connection with a burglary.

DNA Databank and Collections in New York State

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, 2008
(Cumulative)



- ✓ As of December 2008, 1,341 conviction outcomes were reported to DCJS, representing 23% of the total hits on the Databank.
- ✓ Of the conviction outcomes reported, 391 (29%) were for sexual assault cases and 116 (9%) were for homicide cases.
- ✓ In 490 additional cases, an arrest has been made in the case, but a final disposition has not yet been reported.

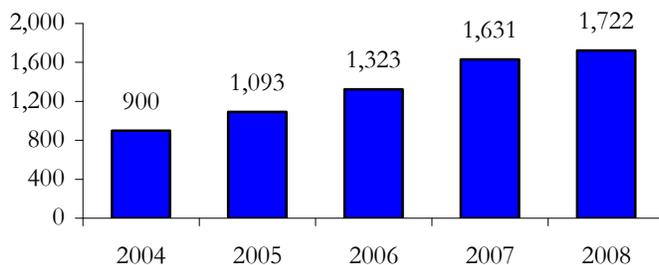
eJusticeNY

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.

Since 2006, DCJS has been working with the New York State Police to implement an integrated portal that will merge the New York State Police Information Network (NYSPIN) and eJusticeNY to provide for secure law enforcement information. During 2008, two additional applications were added: In August 2008, the COMPAS system, which is an offender risk and needs assessment tool used by local probation departments, was added; in November 2008, 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.

During the past three years, DCJS has been working 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.

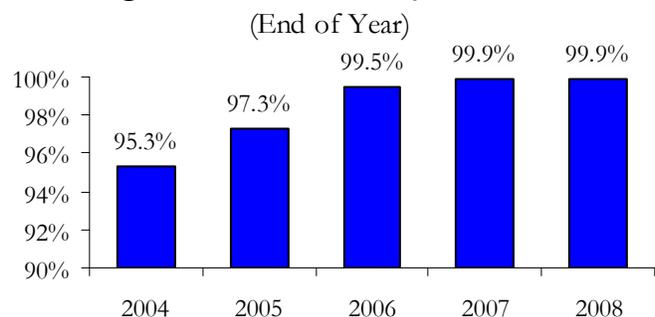
Agencies Enrolled in eJusticeNY
(End of Year)



✓ The number of agencies enrolled in eJusticeNY increased 91% since 2004, with 1,722 agencies enrolled at the end of 2008.

✓ A total of 91 new agencies enrolled in 2008, primarily law enforcement agencies. Law enforcement agencies include local police departments, sheriffs with policing responsibilities, and the State Police.

Percent of Statewide Arrests Represented by Law Enforcement Agencies Enrolled in eJusticeNY
(End of Year)

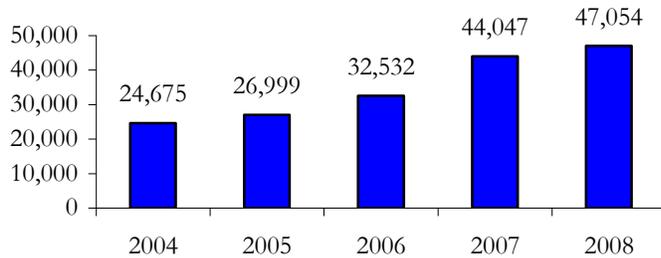


✓ The percent of statewide arrests represented by law enforcement agencies enrolled in eJusticeNY at the end of December 2008 was 99.9%. Virtually every agency is now enrolled.

eJusticeNY

DCJS also closely monitors the number of individuals enrolled in eJusticeNY, as well as eJusticeNY usage of 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.

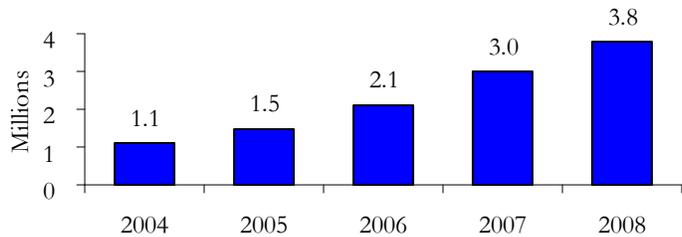
Individuals Enrolled in eJusticeNY
(End of Year)



✓ At the end of 2008, more than 47,000 individuals were enrolled in eJusticeNY, an increase of 7% from 2007.

✓ eJusticeNY usage continued to increase dramatically in 2008. A total of 3.8 million inquiries were conducted in 2008, an increase of 26% as compared to 2007.

eJusticeNY
Total Offender Inquiries in Millions
(Annual)



Law Enforcement Support Services

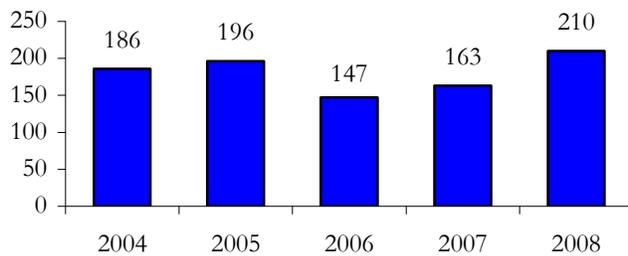
A range of support services are provided to New York's law enforcement community through the Division of Criminal Justice Services.

Provide Training to Law Enforcement

The Division of Criminal Justice Services provides direct training to law enforcement officers in areas such as criminal investigation, traffic safety, law enforcement skills and management.

During 2008, training courses covering illegal gun trafficking, human trafficking and legal issues for law enforcement officers were three of the most popular courses offered by the DCJS Office of Public Safety.

OPS Training Courses Held
(Annual)

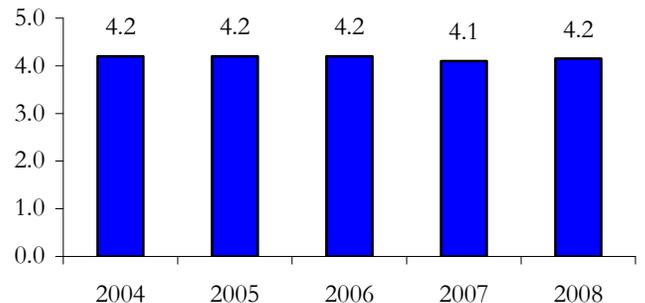


✓ A total of 210 training courses were held around the State during 2008, an increase from 2007.

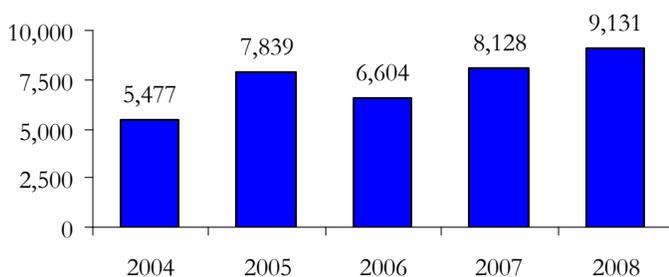
Course participants complete a course evaluation survey for each course they participate in, and are asked to rate the course on a scale of 1 (Poor) through 5 (Excellent).

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

OPS Course Satisfaction Rating
(Annual)



Personnel Trained by OPS
(Annual)

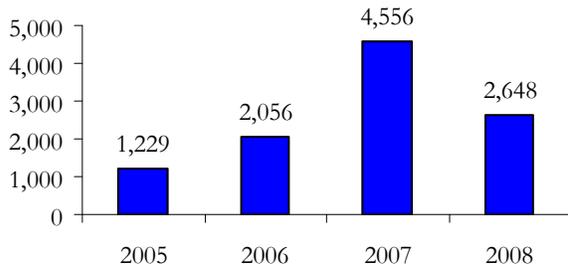


✓ During 2008, 9,131 personnel were trained from the law enforcement community across the state, including officers and staff at the State, county and local levels.

Law Enforcement Support Services

DCJS regularly provides training on eJusticeNY to ensure that new users can access critical criminal justice information. In 2008, the DCJS Office of Justice Information Services made training available to 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.

eJusticeNY Participants Trained
(Annual)



2004 data not available.

- ✓ 99 training sessions were conducted by OJIS in 2008.
- ✓ 2,648 law enforcement personnel were trained in 2008, a decrease (-42%) from 2007. The large number trained in 2007 coincided with the continued rollout of eJusticeNY.

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

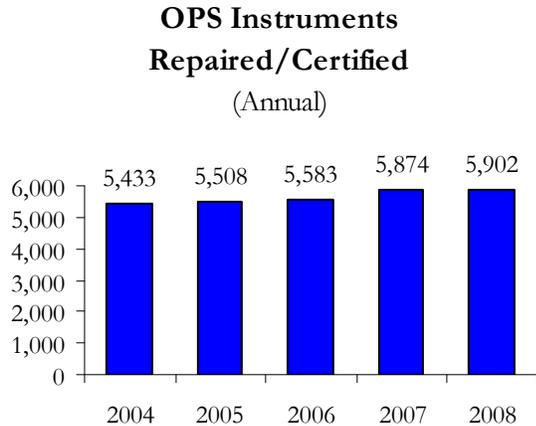
| | 2004 | 2005 | 2006 | 2007 | 2008 | 07 vs 08 % Change |
|-----------------------|---------------|---------------|---------------|---------------|---------------|----------------------|
| DCJS Requests | 10,813 | 11,220 | 11,688 | 14,528 | 21,613 | 49% |
| Other Agencies | 9,444 | 13,305 | 19,025 | 28,940 | 27,590 | -5% |
| Total | 20,257 | 24,525 | 30,713 | 43,468 | 49,203 | 13% |

- ✓ During 2008, the total number of calls handled by CCC increased (+13%) from 2007. The increase in DCJS calls was due in part to significant reorganization and IT reconfigurations implemented in 2008.
- ✓ 56% of the requests for assistance were from external criminal justice and civil agencies during 2008.

Law Enforcement Support Services

Repair and Certify Speed and Alcohol Detection Equipment

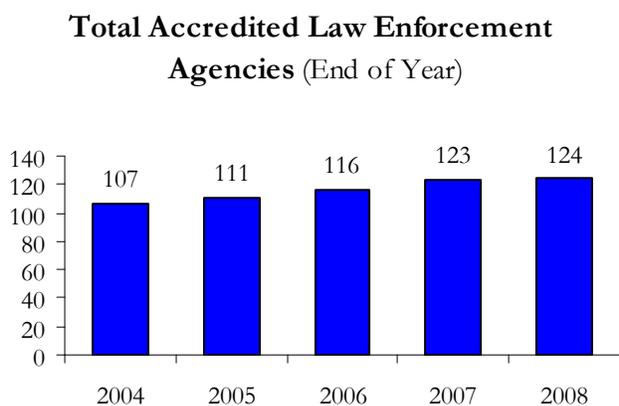
DCJS operates an equipment repair center where most law enforcement agencies bring their speed and alcohol instruments for repair and calibration. Law enforcement agencies are required to annually certify that their speed and alcohol detectors are working properly. Certification is obtained by bringing 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 2008.



- ✓ 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 slightly in 2008.

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 130 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.



- ✓ 124 law enforcement agencies were accredited at the end of 2008. During 2008, four law enforcement agencies were newly accredited. (*Note: Due to a consolidation of two accredited agencies and two agencies failing to be re-accredited, there was a net gain of only one.*)
- ✓ As of December 2008, nearly 50% of law enforcement officers working outside of New York City now work 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 34.

Non-NYC Jail Population

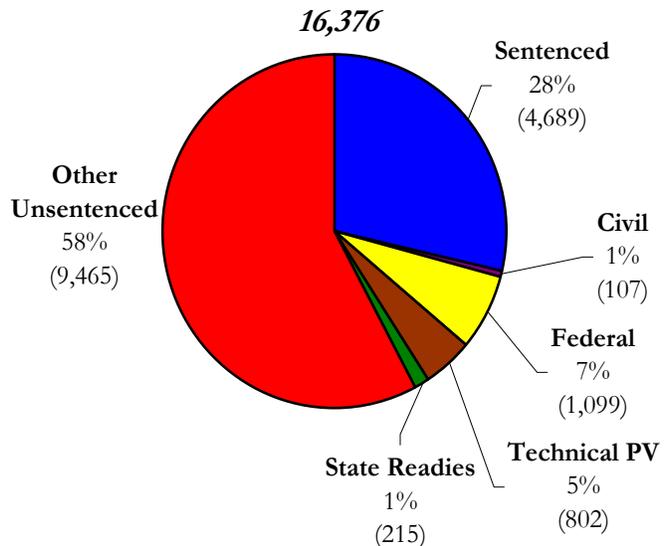
Jails Outside New York City
Average Daily Census
1999 - 2008

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 99 vs 08 | 07 vs 08 |
|--------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|----------|----------|
| Census | 15,787 | 14,541 | 14,096 | 15,681 | 15,704 | 16,205 | 16,232 | 16,848 | 16,795 | 16,385 | 3.8% | -2.4% |
| Boarded Out | 385 | 292 | 238 | 314 | 366 | 534 | 534 | 506 | 526 | 340 | -11.7% | -35.4% |
| Boarded In | 361 | 263 | 207 | 335 | 366 | 558 | 566 | 493 | 441 | 331 | -8.3% | -24.9% |
| In House | 15,762 | 14,512 | 14,065 | 15,702 | 15,703 | 16,229 | 16,264 | 16,834 | 16,710 | 16,376 | 3.9% | -2.0% |
| Sentenced | 5,558 | 5,030 | 4,734 | 4,986 | 4,924 | 4,940 | 4,901 | 4,925 | 4,723 | 4,689 | -15.6% | -0.7% |
| Civil | 67 | 74 | 85 | 94 | 96 | 96 | 102 | 111 | 103 | 107 | 59.7% | 3.9% |
| Federal | 445 | 585 | 692 | 804 | 900 | 976 | 939 | 919 | 1,023 | 1,099 | 147.0% | 7.4% |
| Technical PV | 1,303 | 1,044 | 923 | 1,021 | 891 | 955 | 1,002 | 1,090 | 905 | 802 | -38.4% | -11.4% |
| State Readies | 1,310 | 543 | 203 | 348 | 268 | 238 | 272 | 269 | 229 | 215 | -83.6% | -6.1% |
| Other Unsentenced | 7,079 | 7,236 | 7,427 | 8,450 | 8,624 | 9,026 | 9,048 | 9,521 | 9,727 | 9,465 | 33.7% | -2.7% |

* Parole violators with new arrests are included in the Other Unsentenced count.

✓ In 2008, the average daily census declined by 2%. The average number of technical parole violators (802) and State-readies (215) were the lowest since reporting began. The unsentenced population declined 3%, reversing a long-term trend of increases.

Average Daily Census - 2008
Non-NYC Jail Population (In-House)

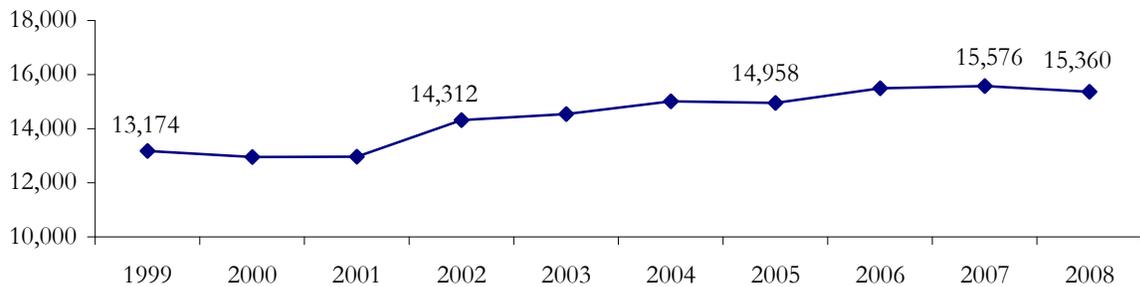


✓ In 2008, 58% of jail beds were occupied by unsentenced detainees. Technical parole violators and State-ready inmates comprised only 6% of the population.

Criminal Justice Population Trends

The counts submitted through JDPRS are categorized by type of offender. The graph 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.

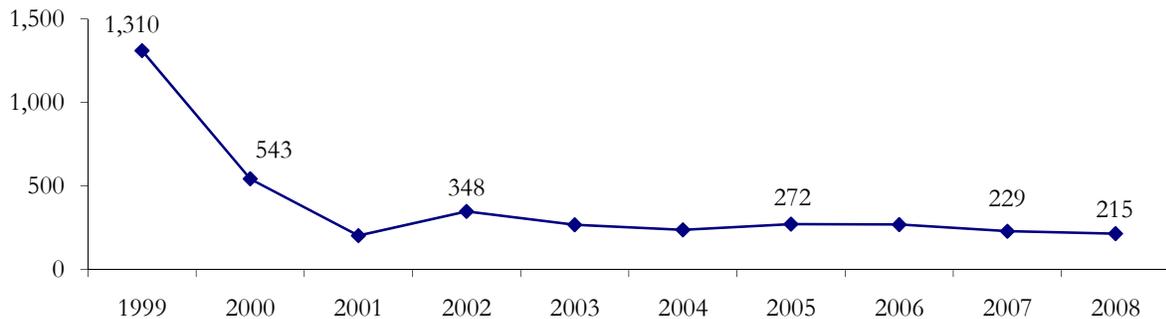
**Non-NYC Jail Population
County Only Inmates - Average Daily Census**



✓ 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 17% between 1999 and 2008. However, the number of county-only inmates declined 1% in 2008.

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**



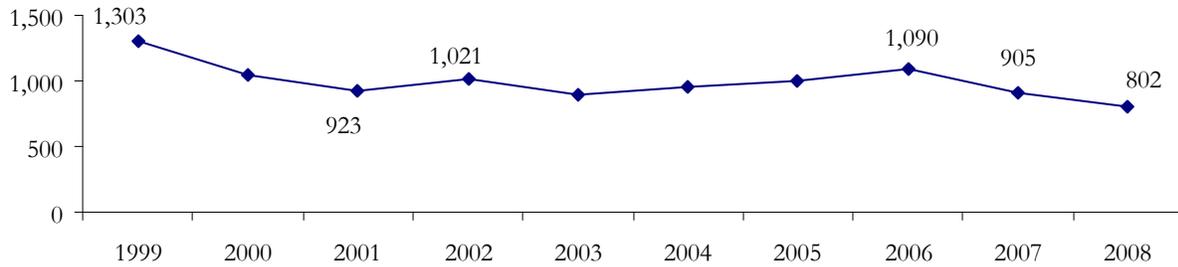
✓ The average daily census of State-ready inmates awaiting return to DOCS was 1,310 in 1999, as compared to 215 in 2008.

✓ DOCS reported that 224 offenders were State-ready on December 31, 2008, slightly higher than the average reported for 2008.

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**



- ✓ In 2008, the number of parole violators held in a local jail on a parole warrant decreased 26% from 2006, going from 1,090 in 2006 to an average of 802 in 2008. During December, an average of 700 parole violators were in custody.
- ✓ Average statewide violation processing time declined from 85 days in 1998 to 45 days in 2008.

New York City Jail Population

Since New York City DOC 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 2% (326 fewer inmates) between December 31, 2007 and December 31, 2008. This represents the lowest end-of-year population count within the last 10 years.

During 2008, the Division of Parole has continued to make dramatic progress with reducing the number of parole violators at Rikers Island.

Criminal Justice Population Trends



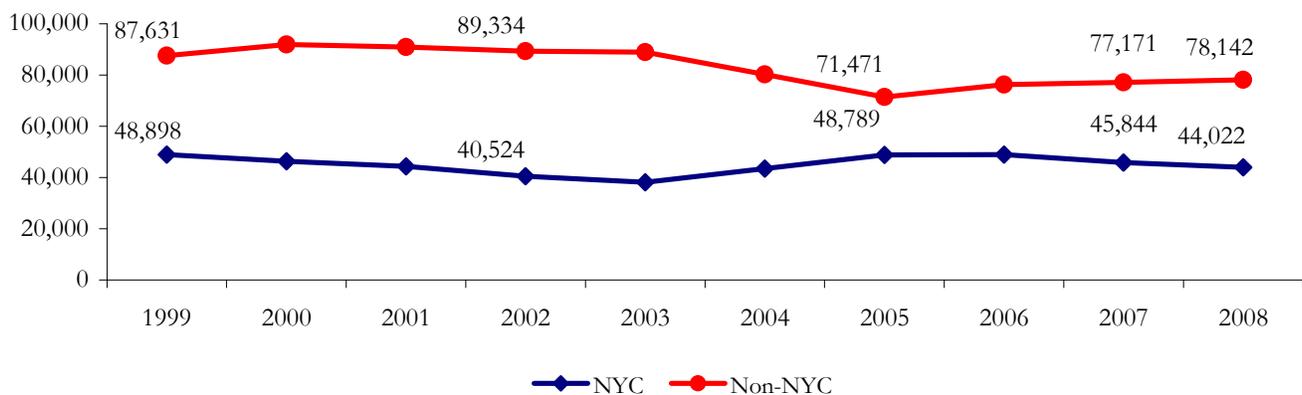
- √ The number of New York City parole violators held on a parole warrant decreased 13% during 2008, dropping from 596 in December 2007 to 520 in 2008. This is lowest number since reporting began.

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. Since 1999, the number of probationers has declined 10%, driven by decreases in both New York City (-11%) and counties outside New York City (-10%). As of December 2008, approximately 122,000 offenders were under probation supervision in New York State. Of these, 64% were being supervised by probation departments outside New York City and 36% were supervised by New York City Department of Probation.

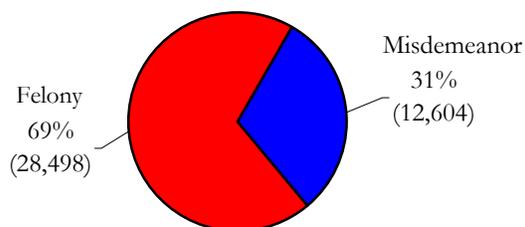
Probationers Under Supervision
(End of Year)



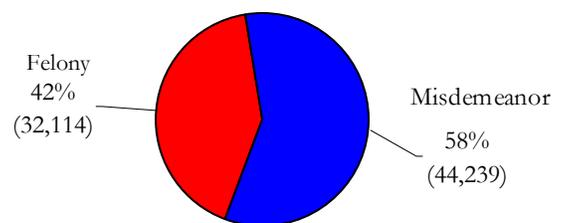
✓ Over the past year, the New York City probation population decreased by 1,822 probationers (-4%) while the probation population outside New York City increased by 971 probationers (+1%).

The New York City probation population differs from the probation population outside of New York City. Outside of New York City, most probationers are misdemeanants; within New York City, most are convicted felons.

2008 NYC Probation Population

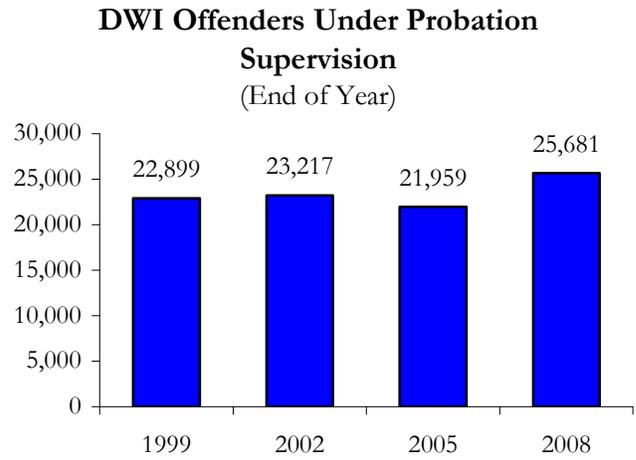
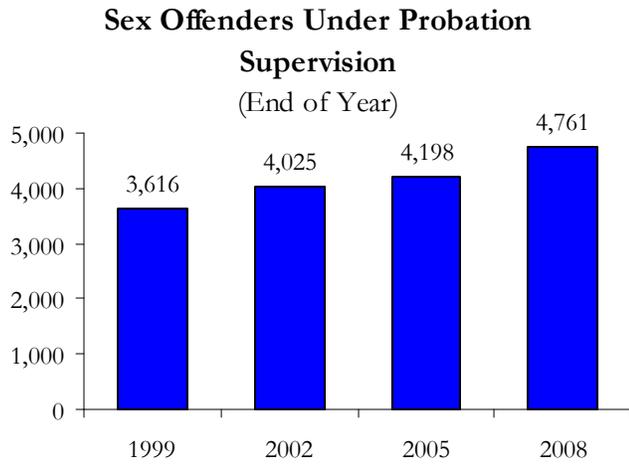


2008 Non-NYC Probation Population



✓ 69% of New York City probationers were under supervision for a felony conviction, as compared to 42% of the probationers outside of New York City at year-end.

Criminal Justice Population Trends



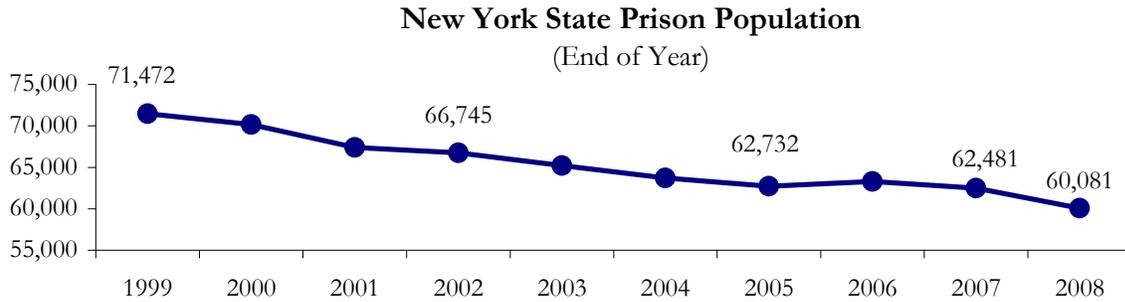
County probation departments place special emphasis on high-risk offenders, such as sex offenders and DWI offenders.

- ✓ The number of sex offenders under probation supervision has increased 13% since 2005, while the number of DWI offenders increased by 17% during this same time period.

Criminal Justice Population Trends

State Prison Inmate Population

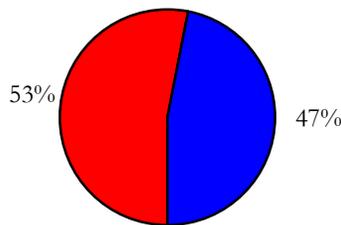
A March 2009 report by the federal Bureau of Justice Statistics indicated that New York is the only large state (with a population of 10 million or more) where the prison population has declined. The number of inmates in the Department of Correctional Services' (DOCS) custody peaked in 1999 and has decreased by 16% since then. As of December 2008, DOCS had 11,391 fewer inmates than in 1999.



✓ Over the past year, the prison population decreased by 2,400 inmates (-4%).

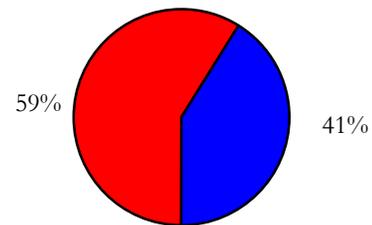
The type of offenders under State custody has changed over the last decade. The proportion of the population serving time for violent offenses has increased significantly since 1999.

1999 Inmates Under Custody
by Crime Type
(End of Year)



■ Violent Offenders ■ Non-Violent Offenders

2008 Inmates Under Custody
by Crime Type
(End of Year)

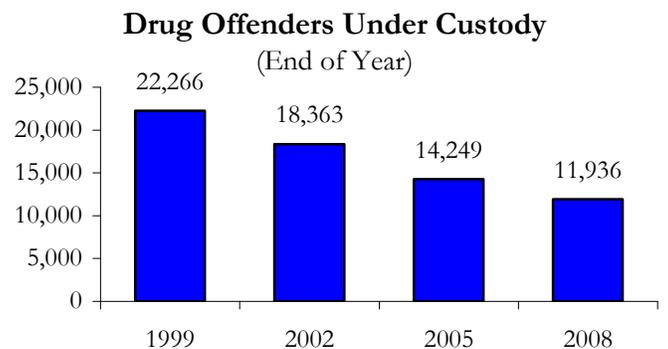


■ Violent Offenders ■ Non-Violent Offenders

✓ In 1999, 53% of inmates were incarcerated on a violent felony; 47% were non-violent offenders. In 2008, 59% 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 over 20 years, with a 46% drop since 1999.



Criminal Justice Population Trends

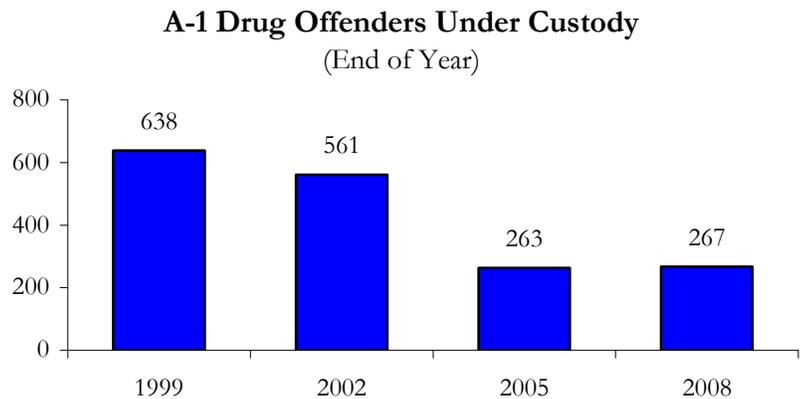
Drug Reform Act of 2004

The Drug Reform enacted in December 2004 has had a significant impact on the DOCS population. Key provisions reduced the number of drug offenders under custody.

Class A-1 Re-Sentencing Provision

Statutory changes implemented in 2004 allowed for the re-sentencing of inmates serving 15-years-to-life for A-1 drug convictions.

- ✓ Over the past three years, 252 A-1 offenders were released after re-sentencing. On average, these offenders were released more than four years prior to their original release eligibility date.
- ✓ An additional 121 offenders were re-sentenced and awaiting release on December 31, 2008, bringing the total number of offenders re-sentenced through 2008 to 373.



Class A-2 Re-Sentencing Provision

Statutory changes implemented in 2004 also allowed for the re-sentencing of inmates serving indeterminate sentences for A-2 drug convictions.

- ✓ As of December 31, 2008, a total of 232 Class A-2 drug offenders have been re-sentenced and released. On average, these 232 offenders were released from DOCS' custody 13 months before their previously calculated earliest release dates.
- ✓ A total of 360 offenders were re-sentenced through December 31, 2008.

Supplemental Merit Provision

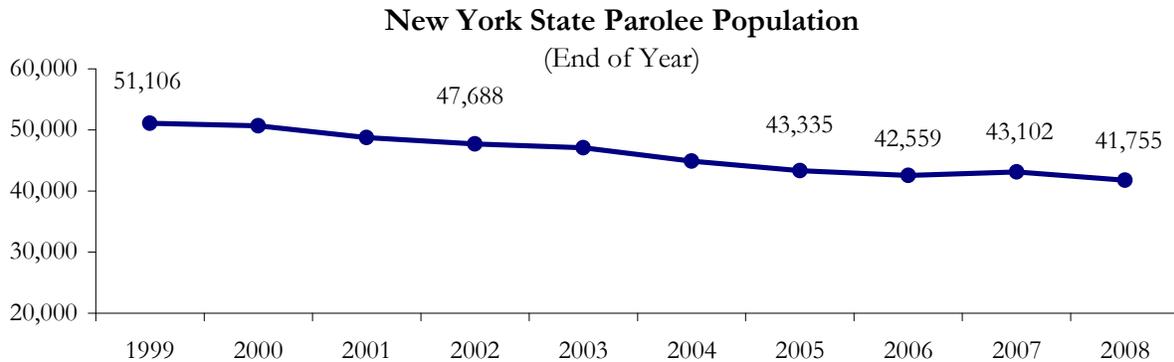
A third provision of the 2004 reform allows drug offenders serving indeterminate sentences to earn time off of their minimum sentence by completing certain program milestones while incarcerated.

- ✓ Through 2008, a total of 2,686 inmates were released as a result of the supplemental merit provision. On average, these offenders were released seven months prior to their original release eligibility date.

Criminal Justice Population Trends

Parolee Population

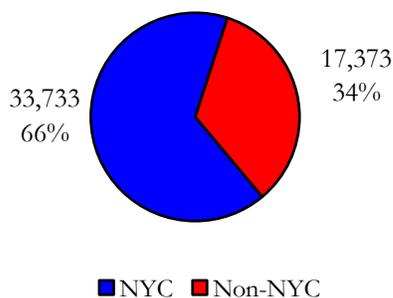
With fewer crimes being committed and fewer offenders going to prison, the number of parolees also declined. The parolee population peaked in 1997, with 53,634 offenders under supervision; at the end of 2008, there were 41,755. Offenders are released to parole supervision through a variety of mechanisms, 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.



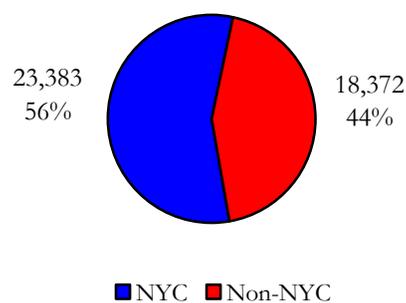
✓ The parolee population has declined by 9,351 since 1999, a decrease of 18%.

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.

1999 Parolee Population
NYC vs Non-NYC
(End of Year)



2008 Parolee Population
NYC vs Non-NYC
(End of Year)

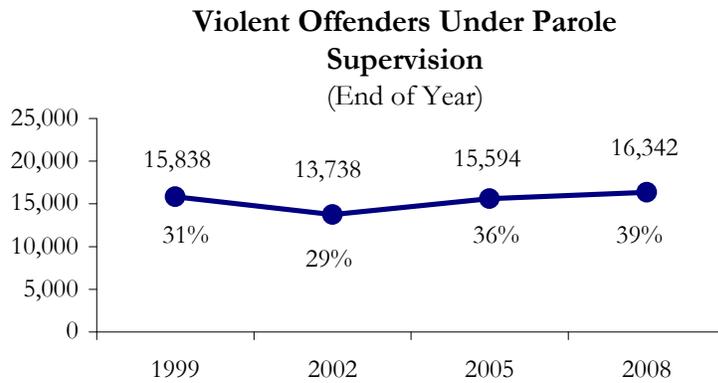


✓ The number of offenders under supervision in New York City fell 31% since 1999, from 33,733 to 23,383 in 2008. This decrease followed a decline in new commitments from New York City. In December 2008, 56% of the parolee population was in New York City as compared to 66% in 1999.

✓ The number of offenders under supervision outside of New York City increased 6% during the same time period, from 17,373 in 1999 to 18,372 on December 31, 2008. Given that fewer than 50% of prison commitments have come from New York City during the past four years, the parolee population will continue to shift regionally.

Criminal Justice Population Trends

Both the number and proportion of violent offenders under supervision have increased steadily since 2001.

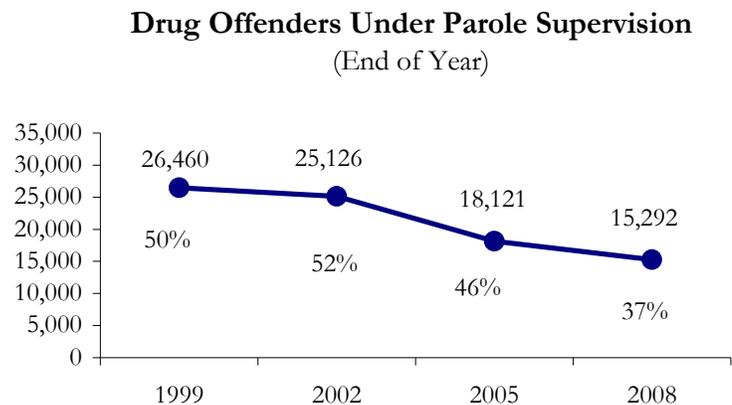


✓ In December 2008, 39% of the parolee population was under supervision for a violent felony offense, as compared to only 29% in 2002.

✓ There were 16,342 violent offenders under supervision at the end of 2008.

In 1999, 26,460 parolees were under supervision for drug offenses, representing 50% of the parolee population. The number of supervised drug offenders has declined by 11,168 since that time, due to fewer drug offenders entering prison, reform statutes which 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.

✓ The number of supervised drug offenders has continued to decline. As of December 2008, there were 15,292 drug offenders under supervision, representing 37% of the parolee population. The remaining parolees are under supervision for a violent, property or other offense.



Managing Through Technology: Integrated Justice Advisory Board

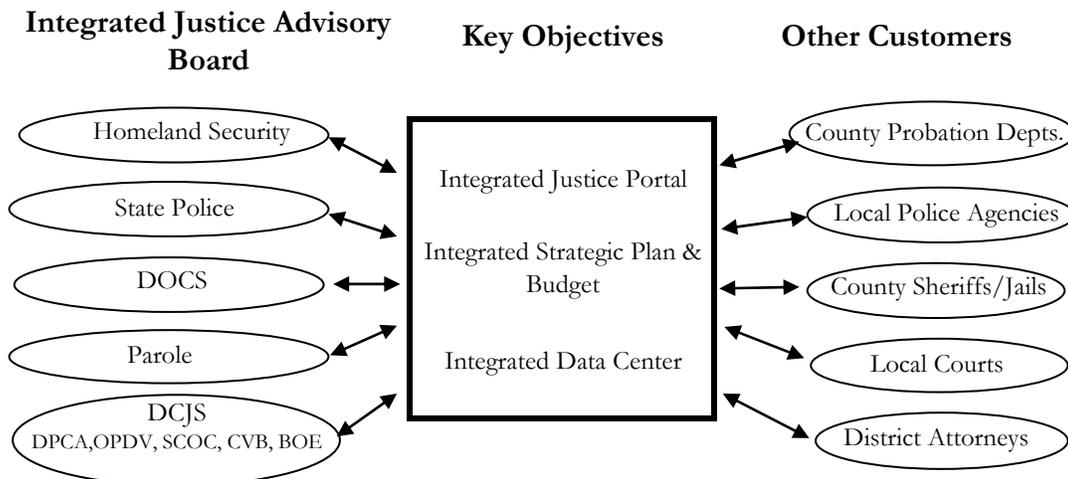
Hundreds of different data systems support the management of offenders in New York State. For example, law enforcement maintains 24-hour access to secure data through the New York State Police Information Network (NYSPIN) and eJusticeNY. Technical interfaces between the Division of Criminal Justice Services (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 730,000 criminal fingerprints, including 600,000 arrests
- Process 525,000 dispositions
- Monitor 122,000 active probationers
- Maintain critical data on 60,000 inmates and 41,000 parolees
- Process 15,000 crime victim compensation claims
- Transmit daily updates on 29,000 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

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 know 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.

- √ During 2008, development of the new NYSPIN system was largely completed and rigorous integration, performance and user testing was initiated. Confirmation of system readiness is anticipated by April 2009, with deployment of the new application following shortly after.
- √ In 2008, the NY Offender Assessment and Data Sharing (NOADS) technology project was initiated to assist re-entry efforts through information sharing and the use of automated assessment tools. In August, COMPAS, an offender risk and needs assessment tool for supervision agencies, was made available through the Portal. As of December 2008, county probation departments had used the tool to complete more than 50,000 assessments. The Division of Parole has initiated planning efforts to implement a COMPAS pilot during 2009.
- √ During 2009, standard data exchange mechanisms will be developed and an offender-related data repository will be accessible within the Portal to provide access to critical documents and data used by multiple criminal justice agencies, such as the Presentence Investigation Reports (PSIs).

Managing Through Technology: Integrated Justice Advisory Board

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 which 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 NYS 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.

- √ In 2008, IJAB continued to work to achieve efficiencies by leveraging the Integrated Justice platform. Systems design and development efforts were initiated under the New York State Incident Trust project (NYSIT) project to build a single platform for data sharing and business intelligence, which will have significant benefits for all criminal justice agencies.

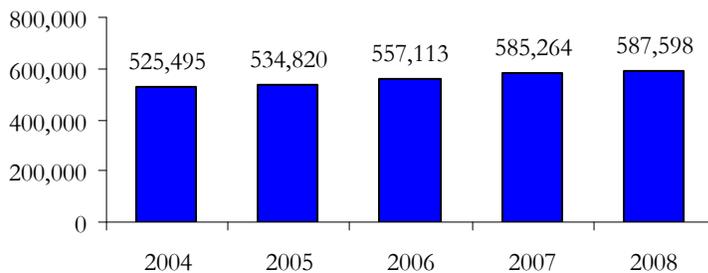
Arrest & Fingerprinting Processing

Processing arrest fingerprints is the first step in criminal justice processing. Arrest, civil and crime scene fingerprints are processed against databases of 44 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

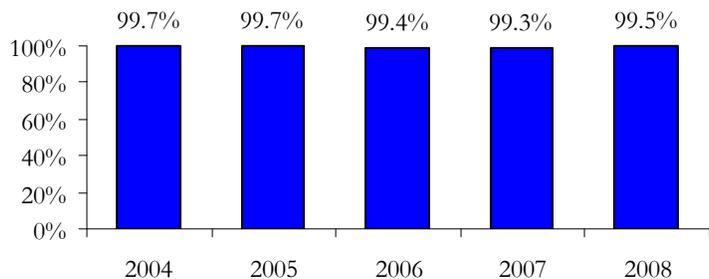
When an arrest is made, fingerprints are submitted to DCJS by the arresting agency. DCJS returns criminal history records, commonly referred to as “rapsheets,” to law enforcement agencies, district attorneys’ offices and courts in response to the fingerprint submissions, electronically, within three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

Arrest Fingerprints Processed
(Annual)



✓ During 2008, 587,598 arrest fingerprint transactions were processed. Of these, 513,470 were submitted electronically to DCJS.

Percent of Arrest Fingerprints Processed Within 3 Hours
(Annual)



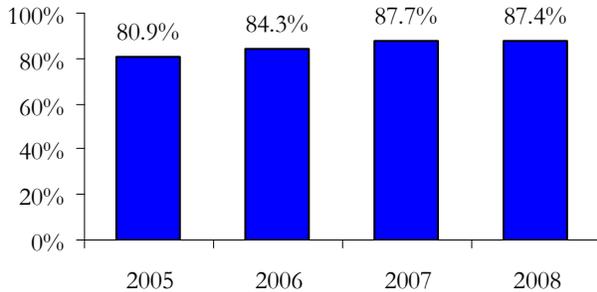
✓ In 2008, nearly 100% of electronic submissions were processed within 3 hours of receipt, with an average turnaround time of 32 minutes.

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 & Forward initiative. Store & 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)



2004 data is not available.

✓ The percent of arrests processed electronically remained about the same in 2008 as in 2007.

✓ As of December 2008, 235 law enforcement agencies have Store & Forward capability, an increase of 17 agencies during the past year.

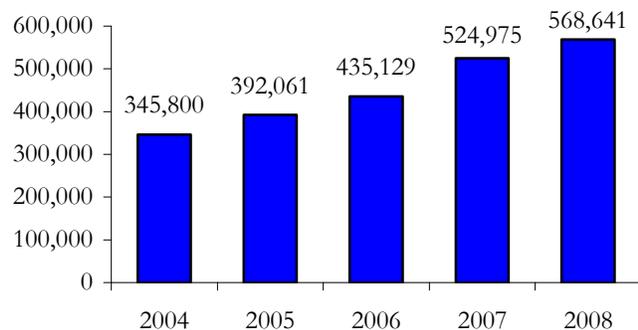
Improve the Effectiveness of the Civil Fingerprint System

DCJS processes fingerprint submissions associated with applications for certain occupations or licenses that require a criminal history background check. Applicant fingerprint submissions are forwarded to DCJS from more than 550 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 increase.

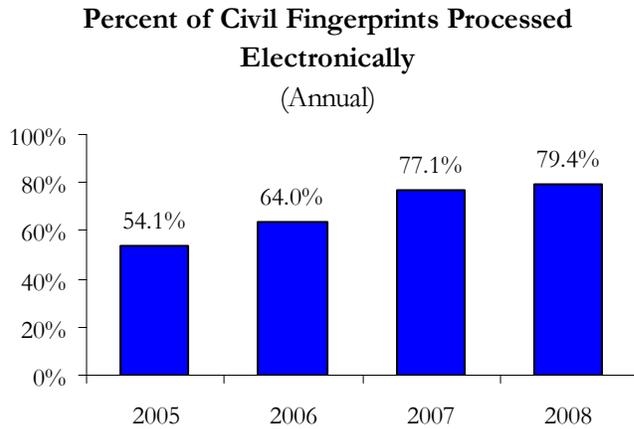
Civil Fingerprints Processed
(Annual)

✓ There were 568,641 civil fingerprint transactions processed, an increase of 8% as compared to 2007.

✓ Civil fingerprints were processed with an average turnaround time of 1 day.



Arrest & Fingerprinting Processing

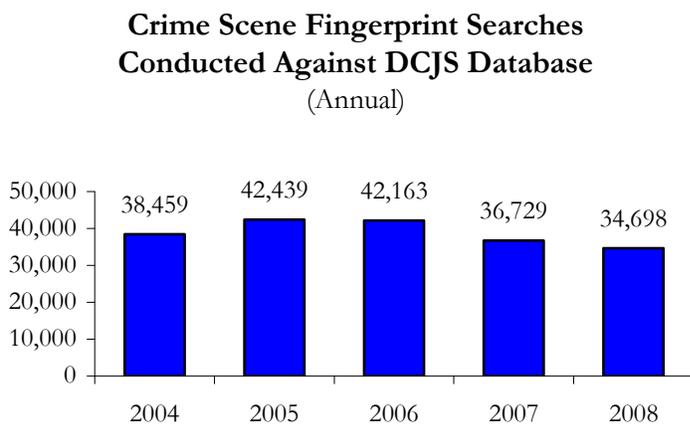


2004 data not available.

- ✓ In 2008, 79.4% of all civil fingerprints processed were submitted electronically, as compared to 77.1% in 2007.
- ✓ While civil workload is up substantially in 2008 (+43,666 additional prints), the number of mailed-in prints is down by nearly 3,000.

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

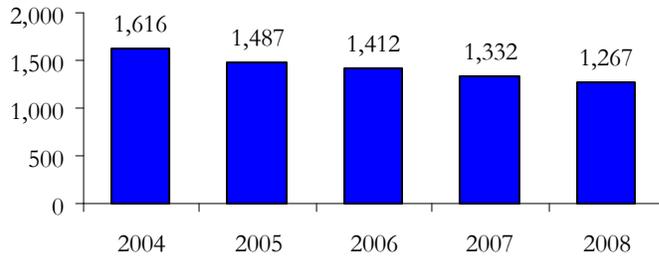
DCJS serves as the State's Central Statewide Automated Fingerprint Identification System (SAFIS) site among 19 regional sites networked to SAFIS. DCJS staff processes crime scene prints from the 17 counties in its geographic jurisdiction, as well as from other parts of the State and country, to assist law enforcement agencies in criminal investigations. Using the technology of SAFIS, crime scene fingerprints are searched against a criminal database of 30 million fingerprint images at DCJS in an effort to positively identify the individual who left the prints. Crime scene prints are also searched against the FBI fingerprint database of more than 600 million fingerprint images on behalf of law enforcement agencies across the State. DCJS leads the country in latent print identifications made against the FBI's database. 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.



- ✓ During 2008, 34,698 crime scene print searches were conducted against the DCJS database, a decrease (-6%) from 2007.

Arrest & Fingerprinting Processing

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



√ During 2008, DCJS positively identified 1,267 crime scene fingerprints.

√ DCJS also conducted 9,966 crime scene fingerprint searches against the FBI Database and positively identified an additional 91 crime scene fingerprints during 2008.

√ Since the inception of SAFIS, 22,040 crime scene fingerprint identifications have been made.

Jail Management and Oversight

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.

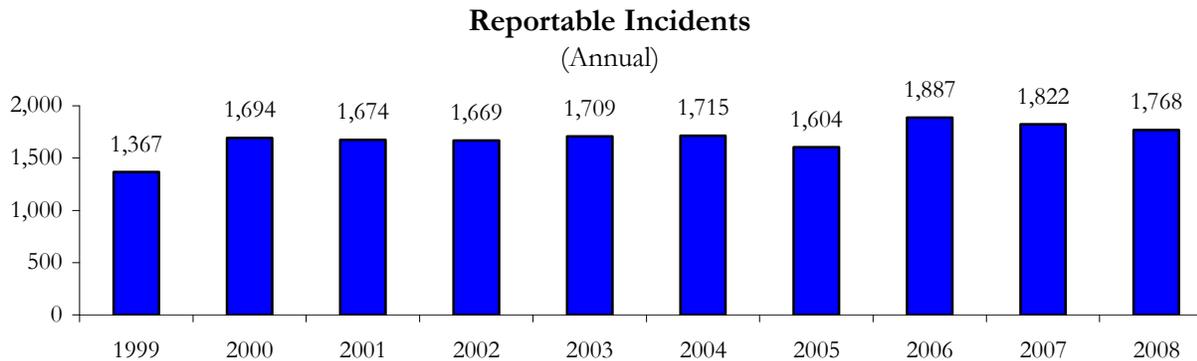
Evaluate Local and County Facilities

SCOC regularly evaluates county jails, New York City jails and police and sheriffs' department lock-ups to ensure compliance with minimum standards. There are currently 73 county and New York City jails and 130 lock-ups that must be evaluated annually. Through on-site evaluations, SCOC reviews compliance with minimum standards; including security and safety requirements; appropriate classification of inmates; the physical plant; staffing levels; and visitation rights. 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 2008, SCOC completed 244 evaluations, an increase (+27%) from the 192 evaluations completed during 2007.

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.



✓ The number of incidents reported by local jails has decreased since 2006. During 2008, a total of 1,768 incidents were reported, down (-3%) from the 1,822 reported in 2007.

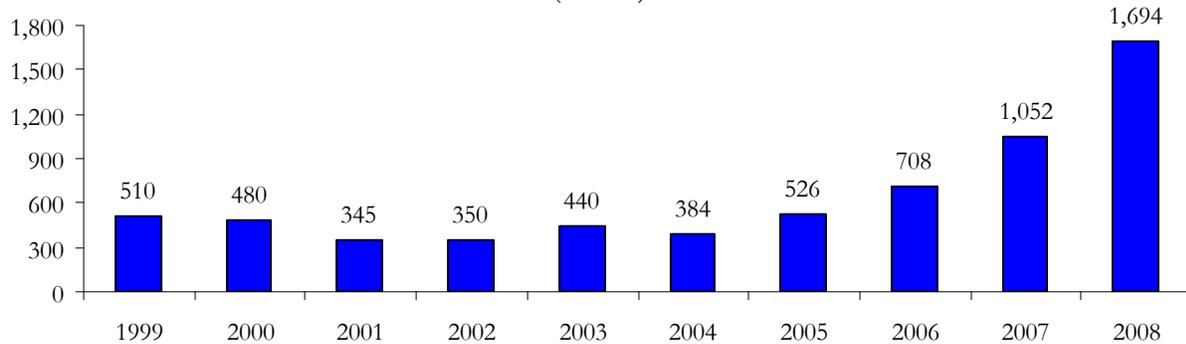
Review Grievances Submitted by Incarcerated Inmates

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

Jail Management and Oversight

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.

Grievances Submitted by Inmates
(Annual)

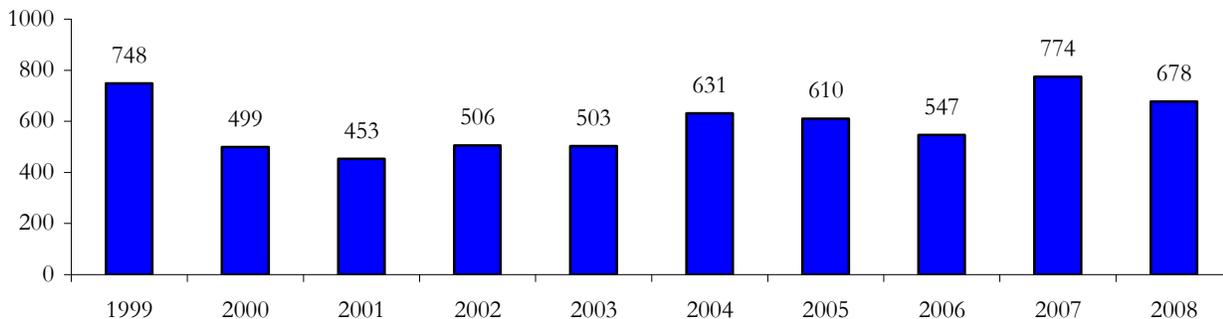


√ A total of 797 inmates submitted 1,694 grievances in 2008, a 61% increase over 2007, but still only 1% of the nearly 100,000 admissions during 2008.

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.

Local Jail Complaints
(Annual)



√ SCOC received 678 complaints from local jail inmates in 2008, a 12% decrease compared to 2007.

Jail Management and Oversight

Monitor Capacity Demand

With nearly 88,000 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 are also monitored daily. During 2008, SCOC worked 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 63 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 (63 Jails)
(End of Year)

| | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|------------|------------|------------|------------|------------|
| Jail Facilities | | | | | |
| Facilities at Standard | 30 | 33 | 36 | 40 | 42 |
| Facilities with Variances | 33 | 30 | 27 | 23 | 21 |
| Total Facilities | 63 | 63 | 63 | 63 | 63 |
| Facilities Near or Exceeding Capacity * | 17 | 22 | 19 | 19 | 11 |
| Percent Near or Exceeding Capacity | 27% | 35% | 30% | 30% | 17% |

* Capacity at or greater than 90%.

- √ The number of jails with an operating variance has declined steadily since 2004, from 33 jails to only 21 in December 2008 (-36%) due to new construction/jail expansion.
- √ Of the 63 jail facilities outside of New York City, 11 (17%) were near or exceeded their capacity when their full census (including boarded out inmates) was taken into account. This is a dramatic decrease from the end of 2006 and 2007 when it was 30%.

Prison Management

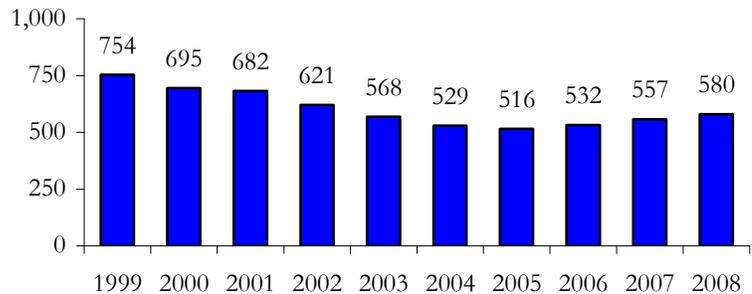
The Department of Correctional Services (DOCS) administers a network of 70 correctional facilities that maintain approximately 60,000 inmates in custody. DOCS provides a safe and secure environment for inmates and staff, and provides access to services to prepare inmates for release.

Provide a Safe and Secure Environment

Safety and security improvements over the past decade have included the addition of two maximum security facilities and nine disciplinary housing units which house violent, predatory felons.

✓ Inmate-on-staff assaults decreased by 32% between 1999 and 2005, but have increased slightly each year since 2005.

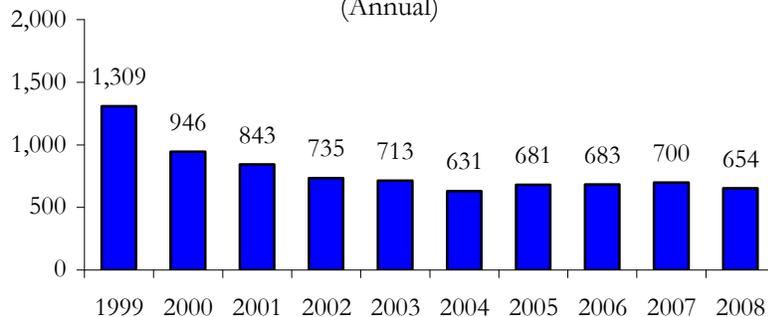
Inmate on Staff Assaults
(Annual)



Significant changes this 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 Inmate Assaults
(Annual)



✓ Inmate-on-inmate assaults decreased by 52% between 1999 and 2004, and have remained at reduced levels since that time.

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 (75%) 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 | 74% |
| Academic Education | 56% |
| Sex Offender Counseling | 12% |

Prison Management

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 | 34,575 |
| Substance Abuse Counseling | 28,602 |
| Vocational Education | 28,406 |
| Aggression Counseling | 12,165 |
| College Education | 2,279 |
| Sex Offender Counseling | 2,173 |

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

✓ During 2008, the six major program areas had more than 108,000 participants.

✓ More than 34,000 inmates participated in Academic Education, and over 28,000 participated in Vocational Education.

During 2008, DOCS increased the percentage of inmates participating in needed programs, as well as the number who completed programs prior to release. Significant improvements were made in the Vocational Education and Academic Education programs.

Vocational Education

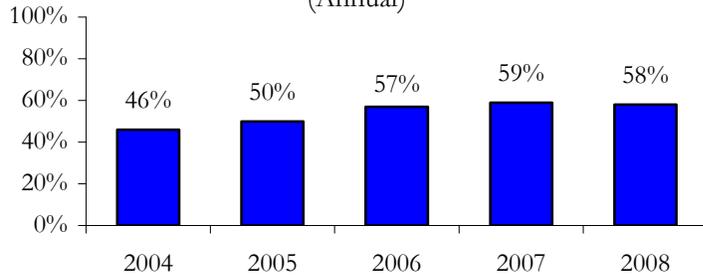
Inmate participation in Vocational Education programs was expanded during 2005. These programs train inmates for the workforce by providing training in specific job titles. The vocational program was improved and expanded in several ways:

- DOCS' program staff expanded the use of the Vocational Job Readiness Chart to additional clusters of job titles in each trade area.
- Curricula were updated for Electrical Trades, Cosmetology, Drafting, General Business and Small Engine Repair to reflect current industry standards.
- DOCS continued to be an accredited sponsor of the National Center for Construction Education and Research (NCCER).
- New materials and training programs were implemented in correctional facility shops that teach the construction trades.
- Staff development and training were conducted for DOCS' staff.

Prison Management

Percent of Inmates Whose Vocational Need Was Met Prior to Release

(Annual)



* Includes inmates participating at release.

✓ The percent of inmates identified with a vocational need who met their program need or were still participating at release has increased from 2004 to 2007, and is now at 58%.

✓ In 2008, 15,128 different inmates were trained in 40,268 different job titles. This represents a 2% increase in the number of job titles earned, as compared to 2007. On average, inmates who were trained in 2008 received training in 2.7 jobs, similar to 2007.

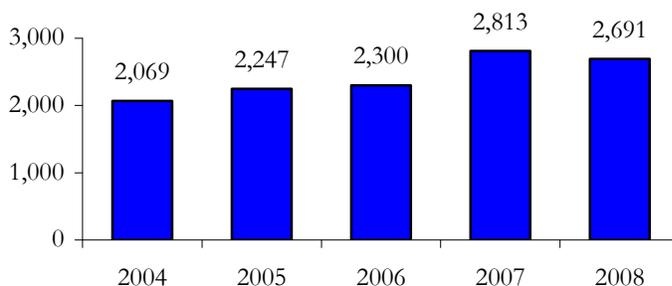
✓ In 2008, a total of 990 inmates were enrolled in National Center for Construction Education and Research (NCCER) in eight of the DOCS construction trades. At the end of the year, 94 vocational instructors were certified as NCCER craft instructors to teach the NCCER program.

Academic Education

In January 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 new 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.

Inmates Earning GEDs

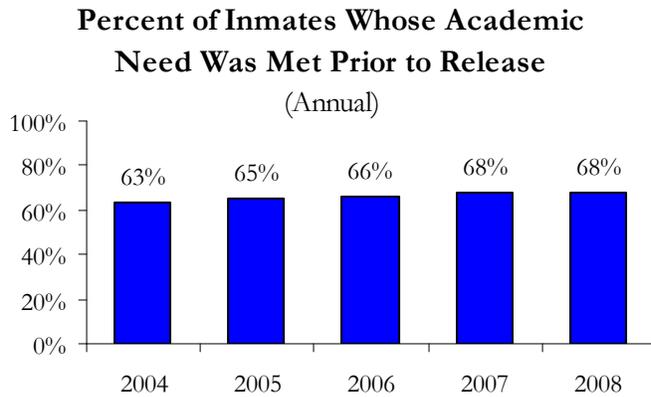
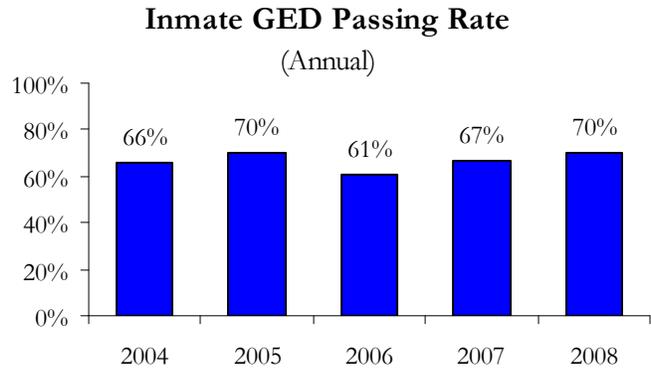
(Annual)



✓ During 2008, 2,691 inmates earned GEDs. This brings the total to 10,051 since implementation of the new policy in 2005.

Prison Management

✓ The passing rate for inmates taking the GED exam was 70% in 2008.

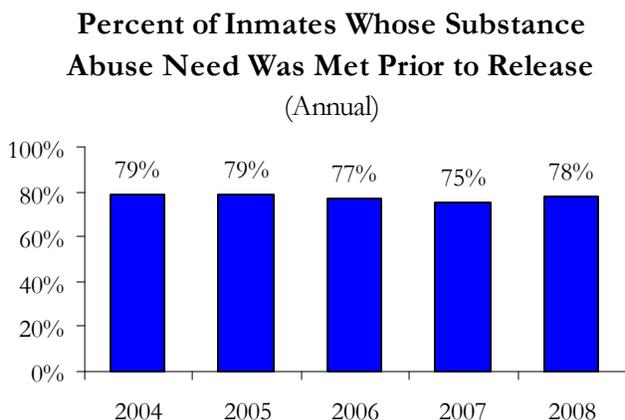


✓ In 2008, the percentage of inmates identified with an academic need who met their program need or were still participating at release was 68%, a steady increase since 2004.

* 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 77% of the inmates under custody have an identified substance abuse need.



✓ Over the last five years, 75-79% of inmates with a substance abuse need completed or were still participating at release in substance abuse counseling.

* Includes inmates participating at release.

Offender Re-Entry

New York State seeks to reduce crime by promoting offender success in the community. In New York State, more than 29,000 offenders were released from State prison in 2008. 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 approximately 60,000 inmates and is staffed by over 31,000 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 2,100 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 invited by the federal National Institute of Corrections to participate in the 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 four years, DCJS has coordinated several re-entry initiatives, including establishing a multi-agency State task force, and in 2006, funding a program which 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

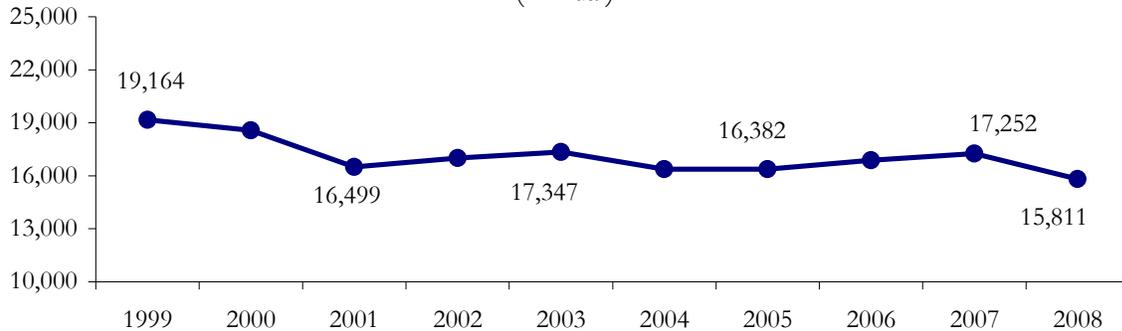
Key Objectives

- 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.

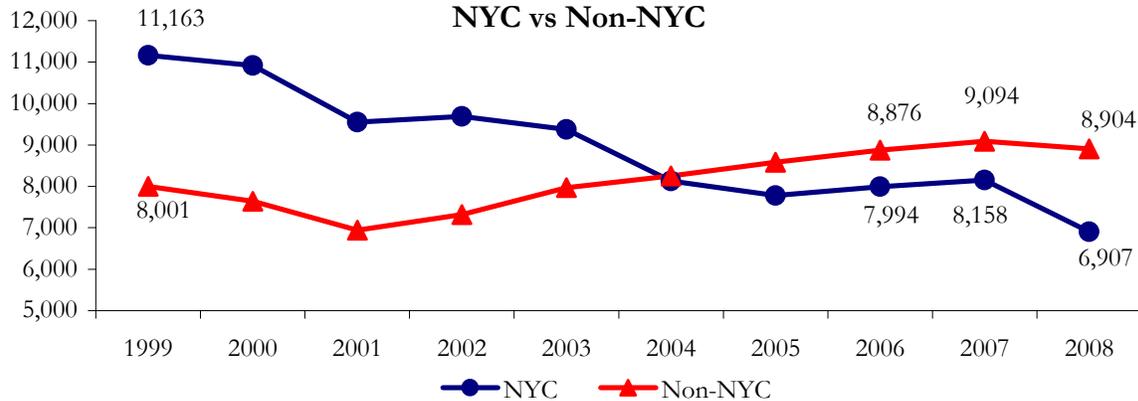
New Prison Commitments Statewide
(Annual)



√ Commitments totaled 15,811 in 2008, down (-8%) from 2007, and the lowest number reported since 1987. This decrease was driven primarily by a decrease in drug offender commitments.

The number of offenders committed to prison from outside New York City has increased steadily over the past 10 years. 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 38-41) 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.

DOCS Commitments
NYC vs Non-NYC



√ Between 1999 and 2008, the number of offenders sentenced and admitted to prison from New York City decreased by 38%, from 11,163 to 6,907.

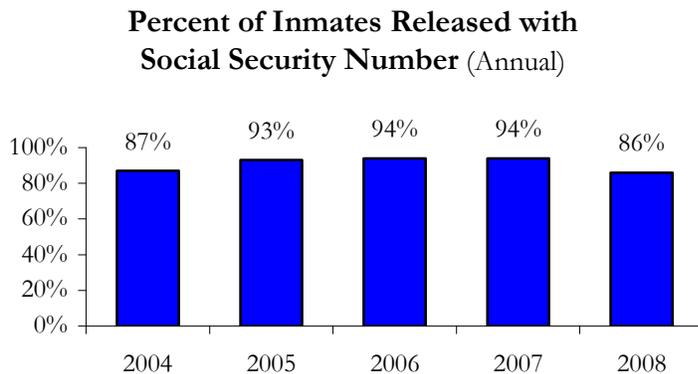
Offender Re-Entry

- ✓ During the same period, commitments from counties outside of New York City increased by 11%, from 8,001 in 1999 to 8,904 in 2008.
- ✓ During 2008, 56% percent of commitments were from counties outside of New York City. The 8,904 offenders admitted represent a slight decrease from last year.

Transitioning Offenders from Prison to the Community

The Prison Management section of this report on page 52 provides information on programming that takes place during State incarceration. The section below focuses on transitional activities.

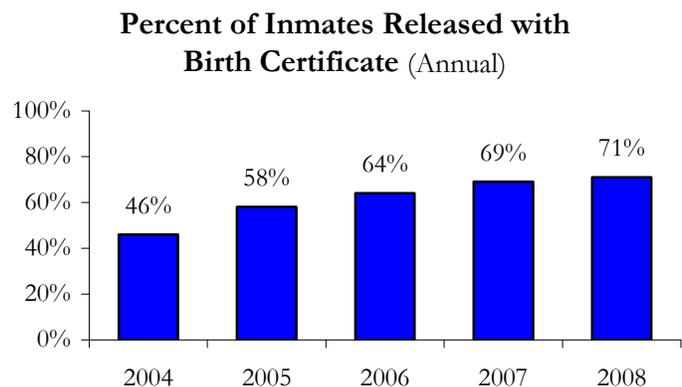
Improving the documentation of offenders upon release is a priority for DOCS. In order to obtain employment, it is essential that offenders have an assigned Social Security number. DOCS began efforts in 2005 to obtain Social Security cards for inmates, and verify social security numbers through an ongoing 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 86% in 2008. This decrease is primarily due to a change in Social Security Administration policy which now involves a more stringent validation process for confirming Social Security numbers and issuing cards.

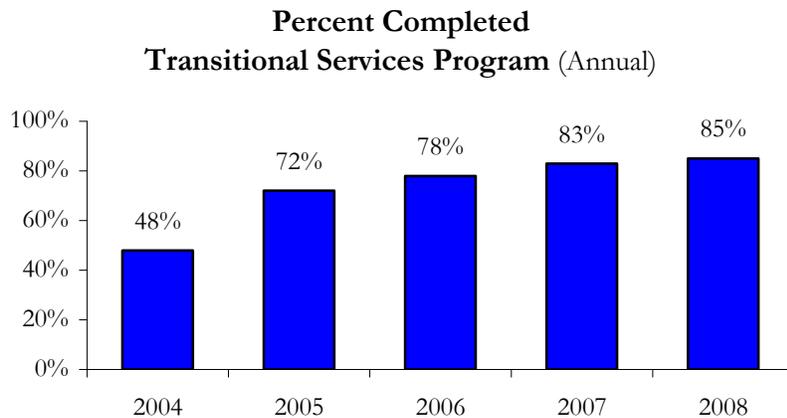
Having a birth certificate for proof of identity is also important in preparing for release. While obtaining birth certificates is often difficult for the inmate population, DOCS has significantly increased the percent of U.S. born inmates released with a birth certificate.

- ✓ The percent of U.S born inmates released with a birth certificate continued to increase in 2008, with 71% reported.



Offender Re-Entry

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.



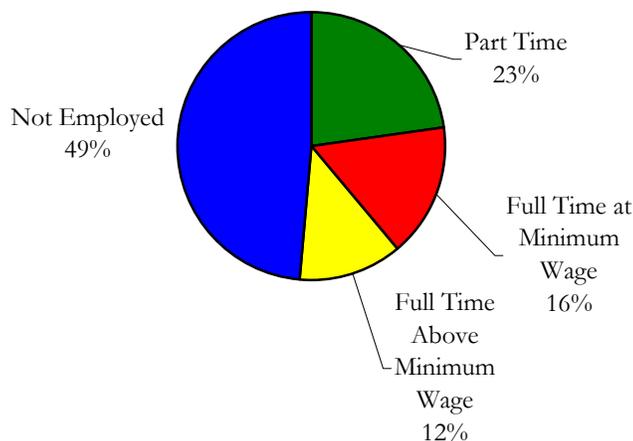
✓ The percentage of inmates who complete the Transitional Services program prior to release has increased dramatically since 2004, going from 48% to 85% in 2008.

Supervise Offenders in the Community

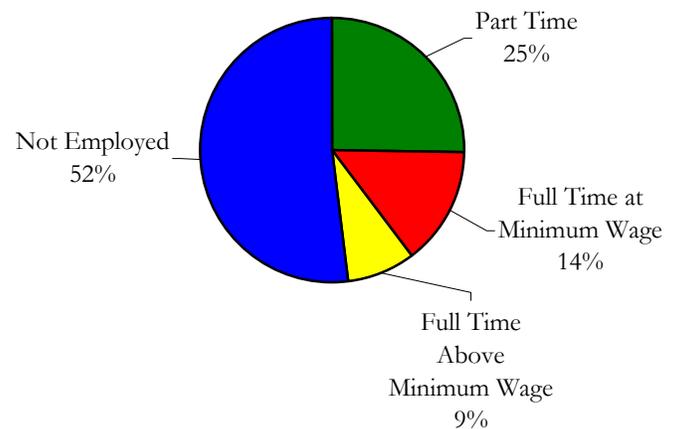
The Division of Parole is responsible for supervising offenders after release to the community through the development of comprehensive supervision and treatment plans. Field parole officers supervise nearly 42,000 offenders around the State. Parole monitors the employment status of parolees and assists offenders in accessing employment services when possible.

Statewide parolee employment rates trended downward during 2008, consistent with the economic downturn.

**Statewide Parolee Employment
December 2007**



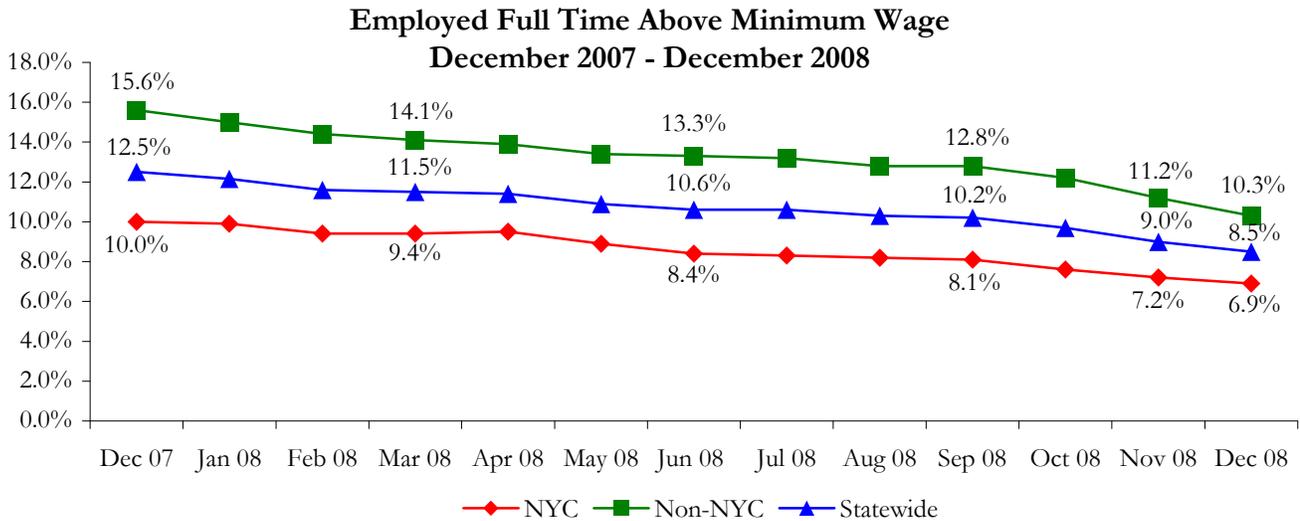
**Statewide Parolee Employment
December 2008**



✓ The percent not employed increased over the past year from 49% in December 2007 to 52% in December 2008.

Offender Re-Entry

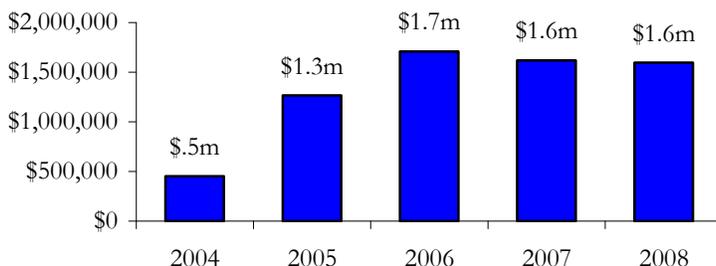
The percentage of parolees employed full-time above the minimum wage is one indication of the extent to which the supervised population is making or approaching a living wage. During 2008, the percent employed full time above minimum wage declined, most significantly between June and December 2008.



- ✓ Only 8.5% of the parolee population who was able and available to work was employed full-time above minimum wage in December 2008, a significant decline compared to 12.5% in December 2007.
- ✓ The percent of New York City parolees employed full-time above minimum wage declined steadily from 10.0% in December 2007 to 6.9% in December 2008.
- ✓ Non-New York City parolees employed full-time above minimum wage dropped from 15.6% to 10.3% during 2008.

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)**



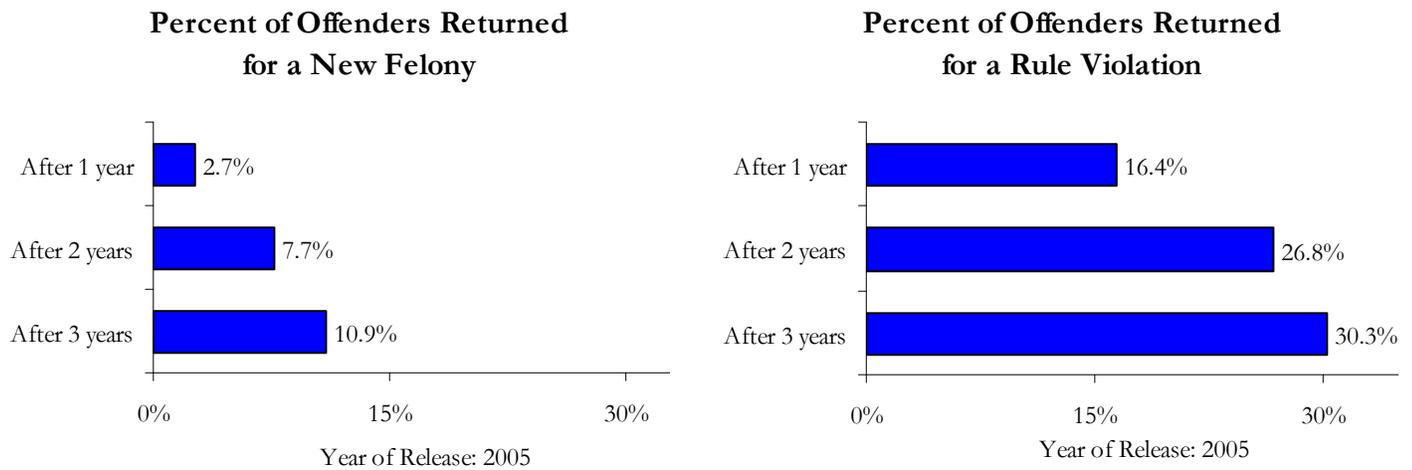
- ✓ \$1.6 million in supervision fees was collected in 2008, consistent with the past two years.

Offender Re-Entry

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 is also 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 24,223 offenders released from the Department of Correctional Services (DOCS) in 2005, 2.7% were returned to prison for a new felony within one year following release; 7.7% were returned within two years; and 10.9% were returned within three years.

✓ The proportion of offenders returned for a rule violation is substantially higher. For those released in 2005, 16.4% were returned to prison for a rule violation within one year following release; 26.8% were returned within two years; 30.3% were returned to prison for a rule violation within three years.

Offender Re-Entry

While recidivism rates are reported for each year of release, selected intervening years have been presented below to allow for comparisons over time.

Offender Returns to DOCS Within One, Two, and Three Years of Release

| | Time Period Released | | | | |
|--|----------------------|--------------|--------------|--------------|--------------|
| | 1997 | 1999 | 2001 | 2003 | 2005 |
| Returned Within One Year | | | | | |
| Number Released During Year | 26,821 | 25,491 | 26,784 | 26,315 | 24,223 |
| Percent Returned for Rule Violation | 10.8% | 15.5% | 15.5% | 15.5% | 16.4% |
| Percent Returned for New Felony Conviction | 4.6% | 3.3% | 3.0% | 3.0% | 2.7% |
| Total Percent Returned | 15.4% | 18.9% | 18.5% | 18.5% | 19.1% |
| Returned Within Two Years | | | | | |
| Number Released During Year | 26,821 | 25,491 | 26,784 | 26,315 | 24,223 |
| Percent Returned for Rule Violation | 21.3% | 24.4% | 24.6% | 23.9% | 26.8% |
| Percent Returned for New Felony Conviction | 10.8% | 8.6% | 8.2% | 8.1% | 7.7% |
| Total Percent Returned | 32.1% | 33.0% | 32.8% | 32.0% | 34.5% |
| Returned Within Three Years | | | | | |
| Number Released During Year | 26,821 | 25,491 | 26,784 | 26,315 | 24,233 |
| Percent Returned for Rule Violation | 25.1% | 27.7% | 28.1% | 27.6% | 30.3% |
| Percent Returned for New Felony Conviction | 15.3% | 12.1% | 11.8% | 11.8% | 10.9% |
| Total Percent Returned | 40.4% | 39.8% | 39.9% | 39.4% | 41.2% |

* 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 2006 and 2007 offender cohorts, one and two-year return rates are closely monitored. Two-year outcome data for offenders released during 2007 show an increase in the proportion of offenders returned to prison for a rule violation.

Offender Returns to DOCS Within One, Two, and Three Years of Release 2005-2007

| | Time Period of Release | | |
|--|------------------------|--------------|--------------|
| | 2005 | 2006 | 2007 |
| Returned Within One Year | | | |
| Number Released During Year | 24,223 | 24,520 | 26,586 |
| Percent Returned for Rule Violation | 16.4% | 18.4% | 18.6% |
| Percent Returned for New Felony Conviction | 2.7% | 2.9% | 2.5% |
| Total Percent Returned | 19.1% | 21.3% | 21.1% |
| Returned Within Two Years | | | |
| Number Released During Year | 24,223 | 24,520 | |
| Percent Returned for Rule Violation | 26.8% | 27.5% | |
| Percent Returned for New Felony Conviction | 7.7% | 7.6% | |
| Total Percent Returned | 34.5% | 35.2% | |
| Returned Within Three Years | | | |
| Number Released During Year | 24,223 | | |
| Percent Returned for Rule Violation | 30.3% | | |
| Percent Returned for New Felony Conviction | 10.9% | | |
| Total Percent Returned | 41.2% | | |

Offender Re-Entry

- √ Of the 24,520 offenders released from the Department of Correctional Services (DOCS) in 2006, 27.5% were returned to prison for a rule violation within two years following release, as compared to 26.8% of the offenders released in 2005.
- √ For offenders released in 2006, 7.6% were returned to prison for a new felony conviction within two years following release, as compared to 7.7% of the offenders released in 2005.

Other Reentry 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 will 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 has also 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. 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.

Referrals to CRTFs

| | CY 2007 | CY 2008 |
|------------------------|--------------|--------------|
| Erie | 51 | 121 |
| Monroe | 162 | 276 |
| Nassau | 194 | 333 |
| Niagara* | 6 | 64 |
| Oneida | 158 | 302 |
| Onondaga* | - | 59 |
| Orange | 99 | 143 |
| Rensselaer | 298 | 424 |
| Rockland | 112 | 178 |
| Suffolk | 36 | 98 |
| Westchester | 89 | 139 |
| Total Referrals | 1,205 | 2,137 |

- √ Referrals to the CRTFs totaled 2,137 in 2008, up significantly from 2007.

* Niagara began referrals in December 2007 and Onondaga in August 2008. Excludes Albany and Dutchess, which did not have referrals in 2008.

Offender Re-Entry

CRTFs refer participants to community programs that provide critical support during the period immediately following release from prison, including employment, housing, treatment and other critical services.

Service Area Referrals

| | 2008 | % |
|-------------------------------------|--------------|-------------|
| Employment | 954 | 15% |
| Housing | 800 | 12% |
| Substance Abuse Services | 773 | 12% |
| Medical Care | 580 | 9% |
| Cognitive Behavior Based Program | 573 | 9% |
| Pro-social Activities and Support | 535 | 8% |
| Mentoring | 499 | 8% |
| Education | 452 | 7% |
| Mental Health | 329 | 5% |
| Family Support Services | 276 | 4% |
| Specialized Sex Offender Treatment | 94 | 1% |
| Other | 687 | 10% |
| Total Service Area Referrals | 6,552 | 100% |

✓ More than 6,500 critical service referrals were made in 2008 for CRTF participants.

* A CRTF participant may be counted in more than one category due to multiple service referrals.

Edgecombe Technical Violator Diversion Program

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.

✓ From program inception in April 2008 through the end of December 2008, 508 parolees had entered the program.

✓ At the end of December, the Edgecombe program was at capacity, with 100 parolees participating.

Offender Re-Entry

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 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 July 2008. In October 2008, the Orleans program was expanded to include an additional 60 beds for inmates returning to Monroe County.

DOCS collaborated with Parole and the Erie and Monroe County Task Forces to create these re-entry units, which provide individualized plans tailored to each inmate. While in the program, 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.

Under the 90-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 is also provided to participants in advance of release.

- √ From program inception through the end of December 2008, a total of 404 inmates (341 Erie and 63 Monroe) had entered the Orleans Re-entry pilot.
- √ 108 inmates were participating at the end of December 2008, including 48 Erie inmates and 60 Monroe inmates.

Sex Offender Management in New York State

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 in another jurisdiction 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 conducts research and 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

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. 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

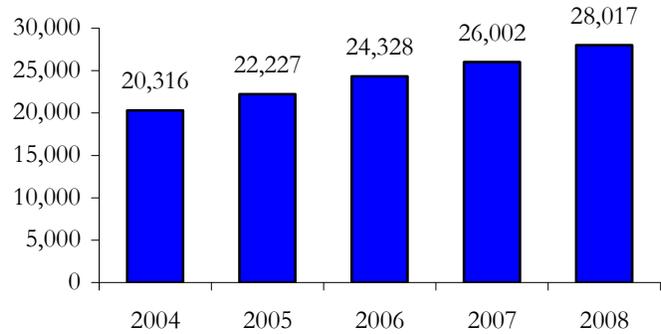
Critical Objectives

- 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 passed over the past 12 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 duration requirement, has resulted in a steady increase in the number of registered sex offenders. As of December 31, 2008, a total of 28,017 offenders were on the NYS Sex Offender Registry (SOR).

Offenders on Registry
(End of Year)

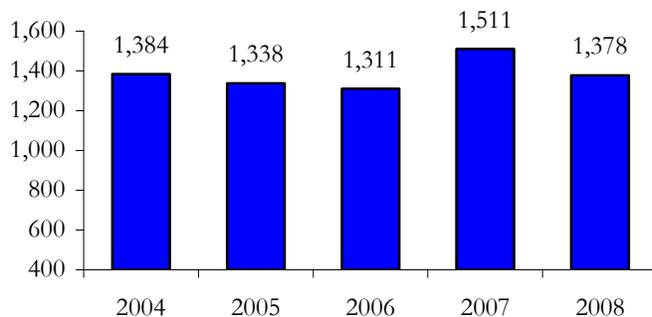


Sex Offender Risk Level and Registration Process

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 in other jurisdictions 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)

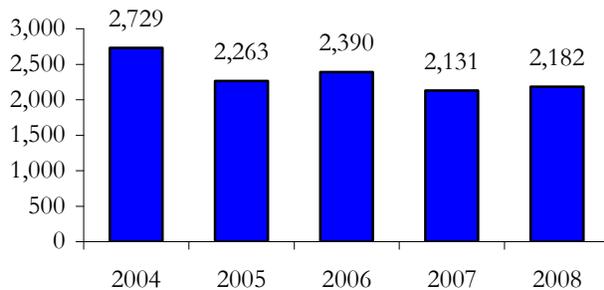


- ✓ BOE assessed 1,378 cases during 2008, a 9% decrease compared to 2007.
- ✓ Of the 1,378 BOE assessments completed, 65% were for offenders released from State prison.

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.

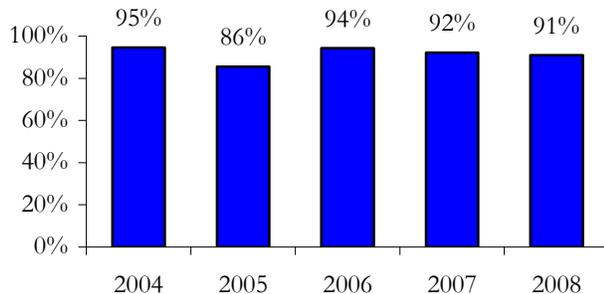
**Sex Offender Registry
Registration Forms Processed**
(Annual)



✓ During 2008, 2,182 registration forms were processed, an increase of 2% from 2007.

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 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 days.

**Registration Forms
% Processed Within Standard**
(Annual)



✓ During 2008, 91% of sex offenders were registered within SOR standards.

✓ The SOR also processed 27,157 Change of Address forms during 2008, up 29% from 2007.

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. 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 in place, no active community notification can occur and cases cannot be posted to the public Sex Offender Registry website.

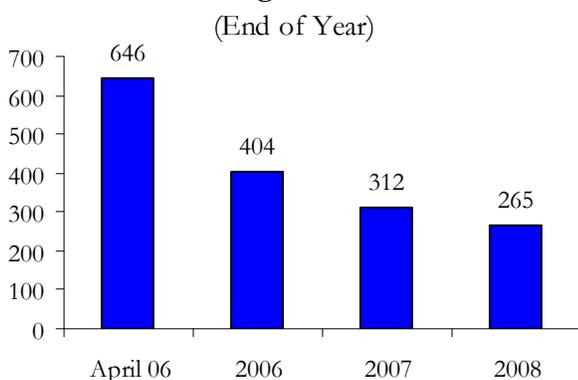
**Offenders on NYS Sex Offender Registry
By Risk Level (End of Year)**

| | 2004 | 2005 | 2006 | 2007 | 2008 | % of 2008 Total |
|--------------------|--------|--------|--------|--------|--------|-----------------|
| Level 1 | 6,524 | 7,619 | 8,653 | 9,383 | 10,326 | 37% |
| Level 2 | 7,378 | 8,169 | 8,903 | 9,490 | 10,074 | 36% |
| Level 3 | 5,473 | 5,476 | 5,994 | 6,455 | 6,972 | 25% |
| Pending * | 941 | 963 | 778 | 674 | 645 | 2% |
| Total Cases | 20,316 | 22,227 | 24,328 | 26,002 | 28,017 | 100% |

* Includes cases not yet assigned to a court.

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 cases that were pending a risk level determination. These agencies developed a weekly case review process for sex offenders scheduled to be released from prison. In addition, each month a list of offenders residing in the community whose cases are pending is forwarded to the courts for action. The majority of the community cases received a sentence of jail or probation.

**Offenders Assigned to Court and
Pending Risk Level**



✓ Since April 2006, the number of sex offender registrants whose risk level is pending with the court (excludes cases not yet assigned to a court) has decreased by 59%, going from 646 to 265. During the same period, the number of offenders on the Registry increased by 22%.

In 2006, the partner agencies established additional protocols through the support of the Board of Parole to ensure that, whenever possible, no sex offender was released from DOCS to supervision without a risk level determined by the court. This ensures that community notification by law enforcement on high-risk offenders is authorized as soon as offenders are released, that information on newly released Level 2 and Level 3 offenders is posted on the DCJS public website, and that supervising parole officers can investigate community residence plans and ensure offender

Sex Offender Management in New York State

compliance with the law. SOR staff coordinate the case tracking and work closely with all the partner agencies.

- ✓ During 2008, only 19 of the 1,943 sex offenders leaving State prison did not have a risk level in place on the day of their release. These 19 offenders are closely tracked, and as of February 26, 2009, 17 of the 19 have had their risk level assigned by the courts.

Training

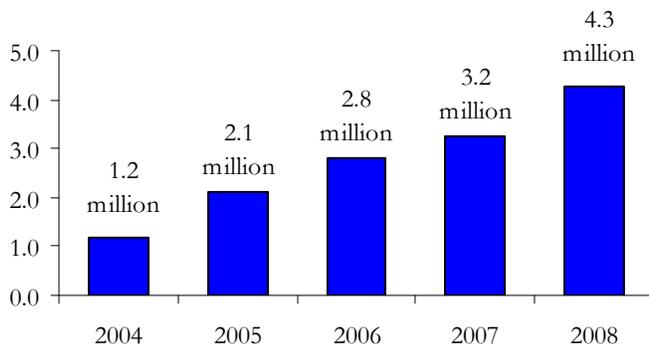
DCJS provides training on the Sex Offender Registration Act, the Sex Offender Management and Treatment Act, and on the usage of eJusticeNY, through which the complete Sex Offender Registry is accessed. Since its establishment in April 2007, the Office of Sex Offender Management (OSOM) also has provided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

- ✓ During 2008, OSOM convened leading experts to conduct 60 training sessions in 21 counties across the State.
- ✓ Participants in OSOM trainings included more than 3,500 law enforcement; parole and probation personnel; judges; district attorneys; court personnel; treatment providers; victim advocates; DOCS personnel; school and college representatives; and other community professionals who work with sex offenders.

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 in the public Subdirectory is limited to Level 2 and Level 3 sex offenders.

Public Subdirectory Searches
(Annual)

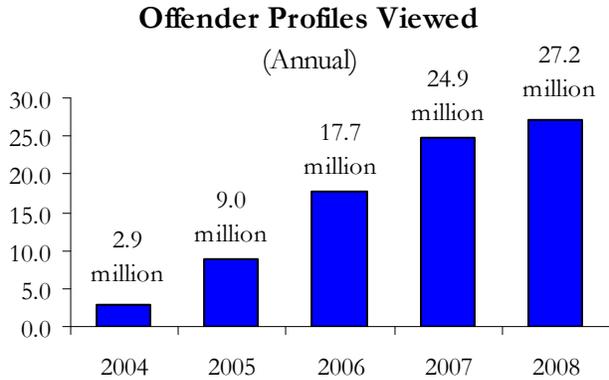


- ✓ Subdirectory searches on the public website have increased dramatically each year, with 4.3 million searches conducted during 2008, 34% higher than in 2007.

Sex Offender Management in New York State

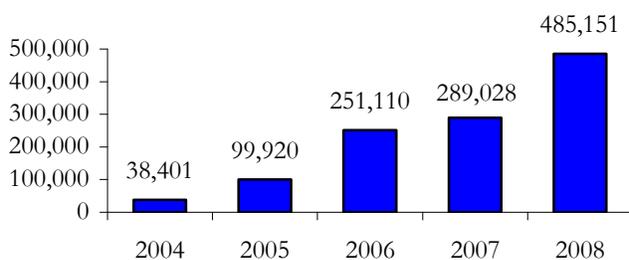
The public website allows users to search via three mechanisms: by specific offender name, for all offenders within a county or for all offenders within a given zip code. A list of matching offenders is returned to the user who can then click to view a comprehensive profile (including the offender's address and crime of conviction for any offender listed).

√ The number of sex offender profiles viewed by the public increased to 27.2 million profiles in 2008, 9% higher than 2007.



In addition to the information available in the Subdirectory 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 employees. Beginning in 2008, the Registry started accepting 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 485,151 name searches conducted in 2008, 68% more than 2007.

Sex Offender Management in New York State

Matches on Searches Conducted by Registry Staff on Phone/Fax/Data File Inquiries (Annual)

| | 2004 | 2005 | 2006 | 2007 | 2008 |
|------------------------|--------|--------|---------|---------|---------|
| Searches | 38,401 | 99,920 | 251,110 | 289,028 | 485,151 |
| Matched | 912 | 1,882 | 2,178 | 1,722 | 1,355 |
| Percent Matched | 2% | 2% | 1% | 1% | <1% |

√ Of the 485,151 searches conducted by the Registry in 2008, matches were found for less than 1% of the searches conducted.

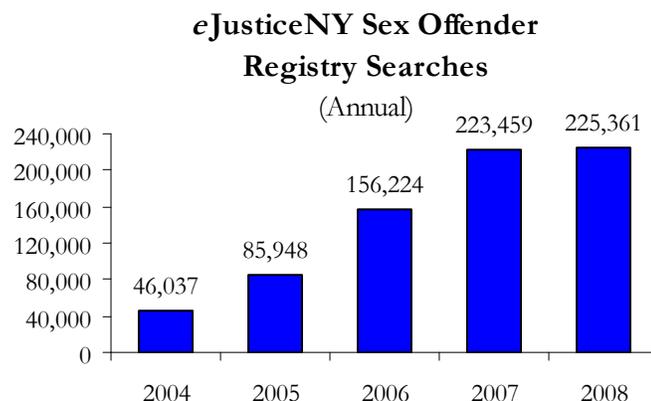
Managing Sex Offenders in the Community

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.

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, and county probation departments, ensuring that all agencies which monitor and supervise sex offenders have the most up-to-date information available. In 2006, DCJS expanded access to the complete Registry to Supreme, County, City, District and New York City Criminal Courts in recognition of their responsibility to determine the risk level and designation.

√ Usage of the complete Registry by law enforcement continues to increase with 225,361 searches conducted during 2008.

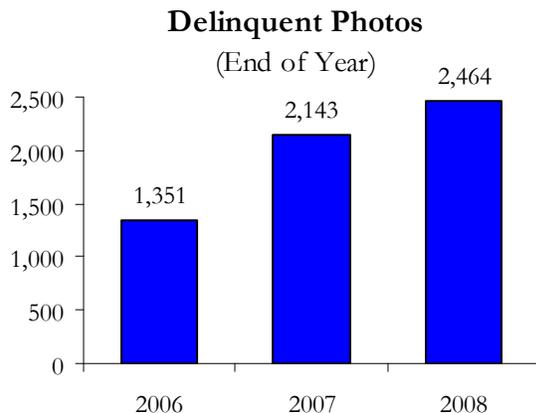


Submitting Updated Sex Offender Photos

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

Sex Offender Management in New York State

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 the monitoring of offenders and delinquent photos. Having updated photos as part of the Sex Offender Registry record 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.



- ✓ At the end of 2008, 2,464 offenders owed an updated photo, 15% more than at the end of 2007. During the same period, the number of offenders on the Registry increased by 8%.
- ✓ As of December 31, 2008, NYC sex offenders accounted for 52% of all delinquent photos statewide.

e-STOP Legislation

Legislation enacted in May 2008 required sex offenders to register their Internet accounts, email addresses and screen names used for instant messaging and social networking. DCJS sent letters to more than 24,000 registered sex offenders in May 2008 informing them of the new law and requesting their Internet information.

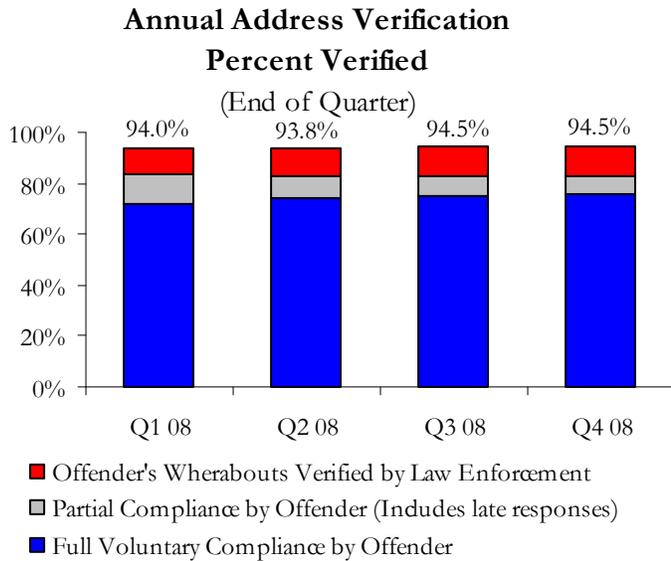
- ✓ As of December 31, 2008, 16,500 offenders responded with the required information.
- ✓ 3,000 of the 24,000 original letters were returned as undeliverable by the Post Office. Any returned letter for which the Registry was unable to determine a valid address was referred to law enforcement for investigation.
- ✓ Approximately 4,700 offenders received an e-STOP letter but did not respond.

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

Sex Offender Management in New York State

United States, and offenders who are incarcerated in State prison are excluded from the Annual Address Verification.



- ✓ As of December 2008, the whereabouts of 94.5% of registered offenders were accounted for.
- ✓ 75.5% of registered sex offenders complied and returned their verification form on time. An additional 7.3% of offenders responded late or DCJS received other notification from the offender.
- ✓ Law enforcement investigated and accounted for an additional 11.7% of offenders.

U.S. Marshal Service Initiative

In September 2007, DCJS and the Division of Parole began working with the U.S. Marshal Service (USMS) to locate sex offender registrants who failed to verify their addresses with the Sex Offender Registry. Sex offenders under parole supervision who abscond are also referred to the U.S. Marshal Service. DCJS refers Registry cases when an offender failed to submit the required annual verification form and a warrant has been issued for his or her arrest.

- ✓ Since inception, 413 sex offender cases have been referred to the U.S. Marshal Service, with 207 (50%) offenders located. Of these, 173 sex offenders have been apprehended. This includes 99 through the initiative and 74 by other law enforcement agencies. 34 offenders were located (e.g., incarcerated, hospitalized), but not extradited.

In October 2008, DPCA implemented Operation Return, an initiative coordinated with the U.S. Marshal Service to locate, arrest and return Level 2 and 3 probation sex offenders who abscond from supervision. Operation Return provides funding for costs associated with the sex offender's return.

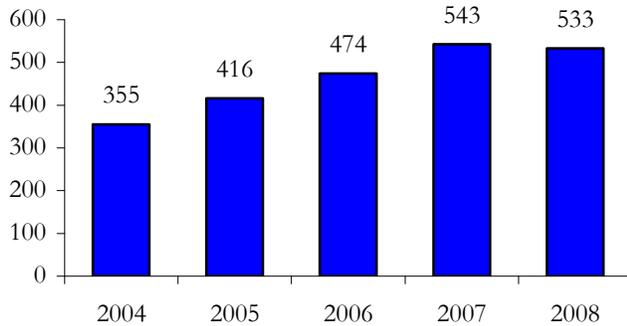
- ✓ Through the end of December 2008, 58 county probation departments had referred nearly 90 sex offender absconder cases to the U.S. Marshal Service.

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

Sex Offender Management in New York State

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 is also a violation of Parole or probation for sex offender registrants under Parole or probation supervision.

**Convictions for Failure to Register
or Verify as a Sex Offender**
(Annual)



✓ During 2008, a total of 533 convictions were reported, down 2% compared to 2007.

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 2008, OMH evaluated 1,582 sex offenders under SOMTA and recommended civil management for 8% (131) of the offenders.
- ✓ Petitions for Civil Management were filed in all of the 131 cases that OMH referred to the Attorney General’s Office, with 17 of these offenders ordered to be civilly confined and 9 of these offenders ordered to Strict and Intensive Supervision and Treatment (SIST) as of December 31, 2008.

Criminal Alien Improvements in New York State

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 which participate 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

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

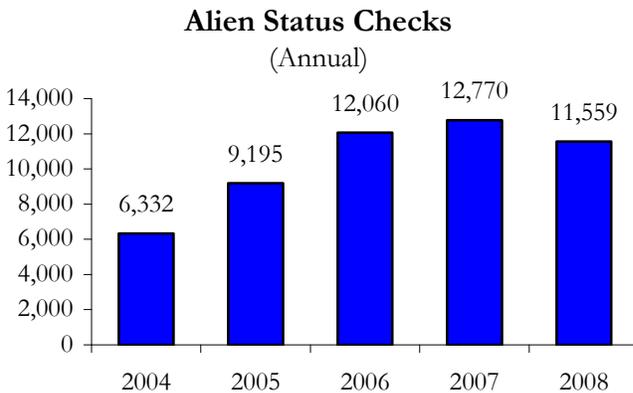
Critical Objectives

- 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

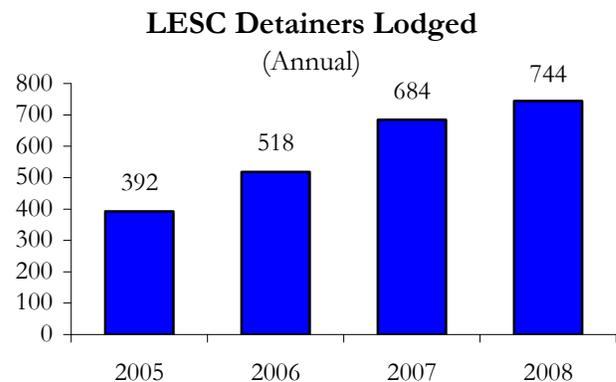
The United States Immigration and Customs Enforcement (ICE) agency operates the Law Enforcement Support Center (LESC) in Vermont, which has access to several nationwide databases and intelligence sources. Through an automated transaction, police agencies can request information on the immigration status of suspected or known aliens. Results are returned within minutes of making the request. In 2004, a review of the number of LESCS inquiries conducted by New York State and local police agencies showed that New York used this service less than other states. DCJS and ICE developed a plan to increase the number of alien status checks, and also developed a process to track the number of checks conducted.



✓ Immigration inquiries conducted by New York State law enforcement decreased by 9% during 2008, but were still almost twice the 2004 level.

Most inquiries are conducted when a police agency has arrested or detained an individual whose alien status is unknown. When an inquiry shows an arrestee or detainee is a criminal alien, ICE can 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.

✓ The number of detainers lodged by LESCS in New York State has increased steadily each year. In 2008, 744 detainers were lodged as a result of alien status checks, an increase of 9% as compared to 2007.

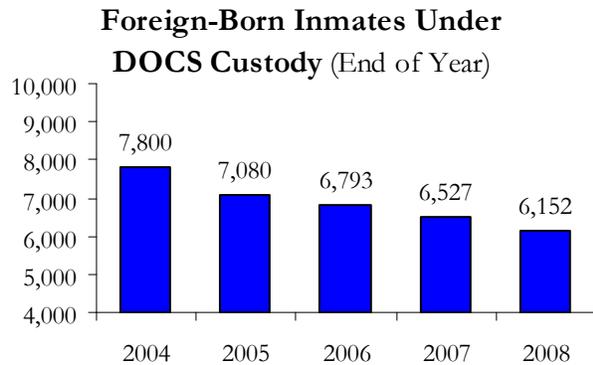


Maintain an Effective Institutional Removal Program (IRP) in New York State

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.

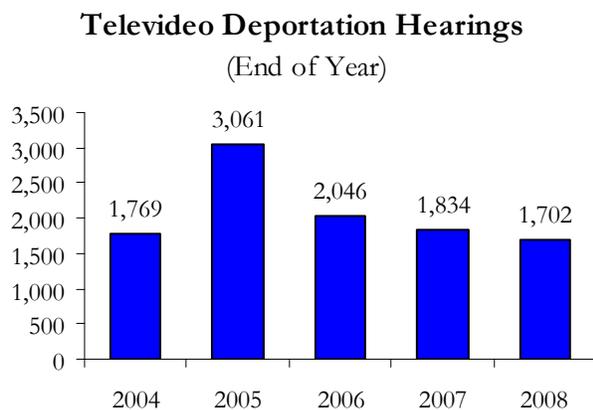
Criminal Alien Improvements in New York State

At the end of December 2008, there were 6,152 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.



✓ Since 2004, the number of foreign-born offenders in DOCS custody has decreased by 21%. In comparison, the inmate population decreased by 6% during this time period.

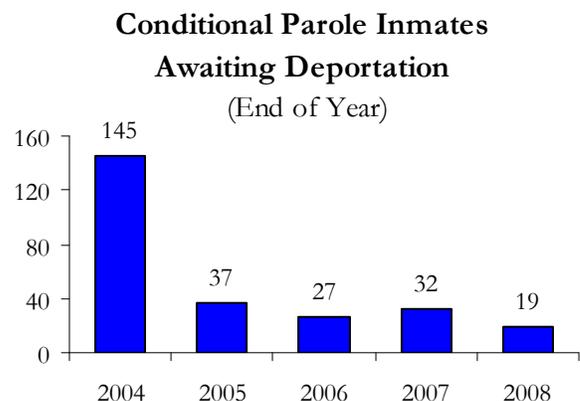
During 2005, ICE re-focused resources and improved coordination to address a significant backlog of deportation hearings.



✓ A total of 1,702 televideo hearings were conducted in 2008, a decrease (-7%) as compared to 2007. The foreign-born population declined by 3% 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.

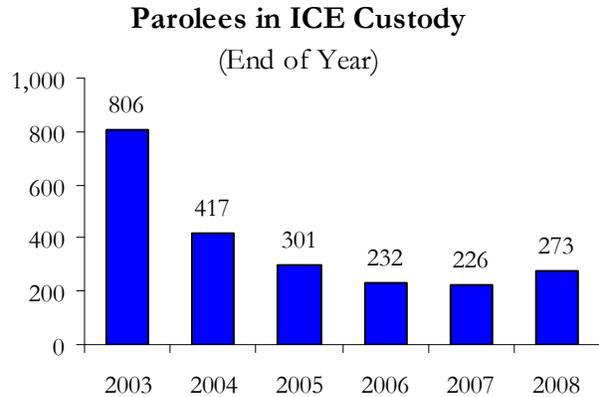
✓ There were 19 inmates awaiting deportation at the end of 2008, 41% fewer than at the end of last year and 87% fewer than in 2004.



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. This data exchange, coupled with ICE's efforts to deport criminal aliens more quickly, has reduced the number of parolees in ICE custody.

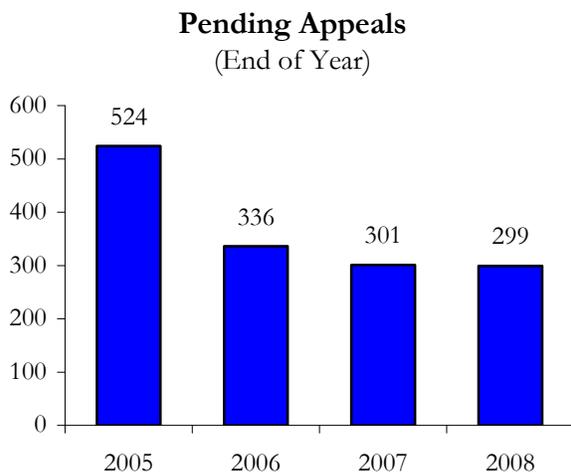
✓ Since 2003, the number of parolees in ICE custody has declined dramatically, from 806 to 273 as of December 2008. This has resulted in increased detention space for ICE.



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 quarterly review process in cooperation with the State's district attorneys' offices. Each quarter, data from ICE and DOCS is used to prepare a case-specific report. The report 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 which have 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 November 2008, the number of alien inmates in DOCS custody with outstanding appeals has been reduced by 43%, going from 524 inmates to 299 inmates.

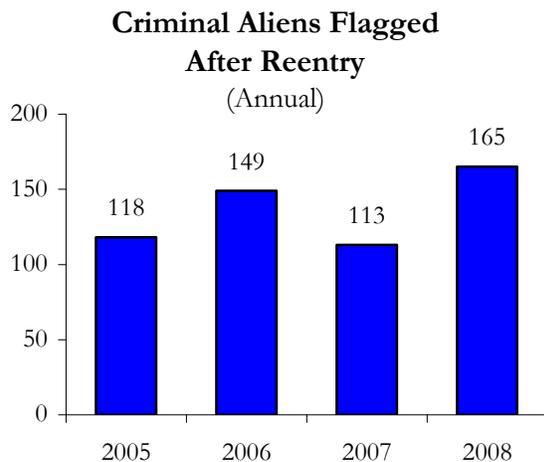
Criminal Alien Improvements in New York State

Detain Deported Criminal Aliens Who Re-Enter New York State

Approximately 13% 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 augmented the notification system to automatically send a Blackberry notification to the ICE field offices 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 be able to successfully take custody of the offender.



- ✓ Of the approximately 34,000 deported criminal aliens in the DCJS criminal history database, 165 were re-arrested in New York State during 2008.
- ✓ Since February of 2005 (when the flagging process was developed), there have been 545 ICE detainers lodged for illegal re-entry.

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. Three initiatives significantly increased the number of deportation records contained on the CCH database.

1) Sex Offender Registry/ICE Data Match

In August 2007, DCJS and ICE conducted a data match to verify information associated with deported criminal aliens who were also on the New York State Sex Offender Registry. This match allowed DCJS to update the computerized criminal history with new deportation data for 500 sex offenders.

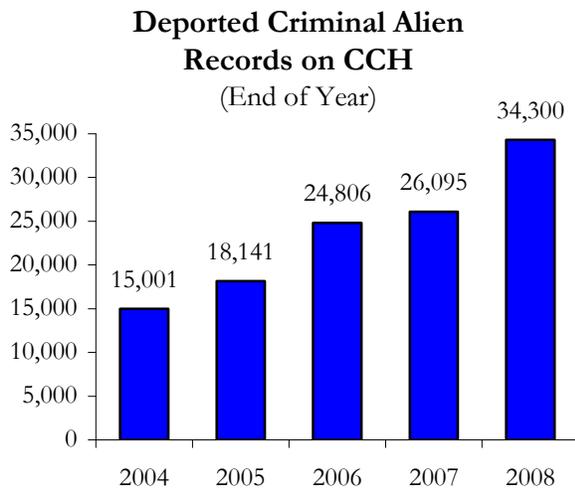
Criminal Alien Improvements in New York State

2) State DOCS/ICE Data Match

In May 2006, ICE, DOCS and DCJS conducted a data match of all criminal aliens released from State prison since 1985 with ICE data systems. The match allowed DCJS to add deportation data to the CCH for 5,400 records.

3) ICE/DCJS Rapid3 Data Match

In August 2008, ICE and DCJS conducted a data match to update NYS criminal history records with deportation data from ICE's Rapid3 alien investigation initiative. The match resulted in deportation data being added to more than 7,000 criminal history records, an increase of 23%. In the four months since the upload, the number of criminal aliens flagged after illegal re-entry has doubled.



✓ In 2008, 8,205 immigration records were added to the State CCH database, increasing the number of records on file by 31%.

Child Safety

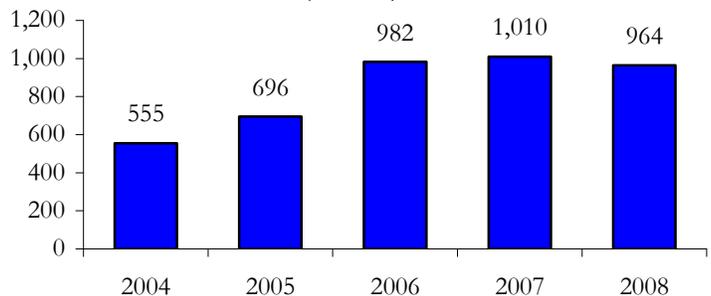
The Division of State Police, Division of Criminal Justice Services (DCJS) and other partner agencies are working to reduce crimes against children and promote child safety.

New York State Internet Crimes Against Children Task Force

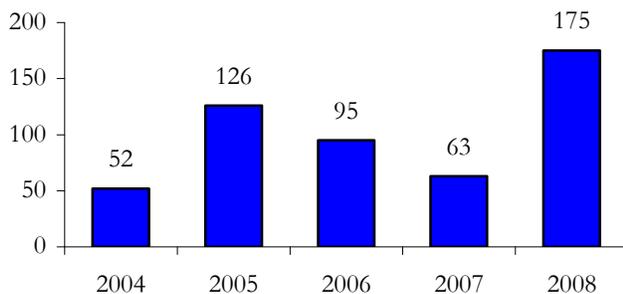
The New York State Internet Crimes Against Children Task Force was initiated by DCJS in 1998, and assigned to the State Police Computer Crimes Unit during 2004. The Task Force provides investigative and enforcement support in cases involving child victimization through the Internet. In addition, the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

- ✓ Since 2003, nearly 4,500 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 this year (-4%), and totaled 964 for the year.

Internet Crimes Against Children Investigations
(Annual)



Internet Crimes Against Children Task Force Arrests
(Annual)



- ✓ The number of arrests made by the Task Force nearly tripled in 2008, with 175 reported. This is due to an increase in the number of Internet computer crime investigators who scan the Internet searching for illegal activity and improved technology to aid these efforts.

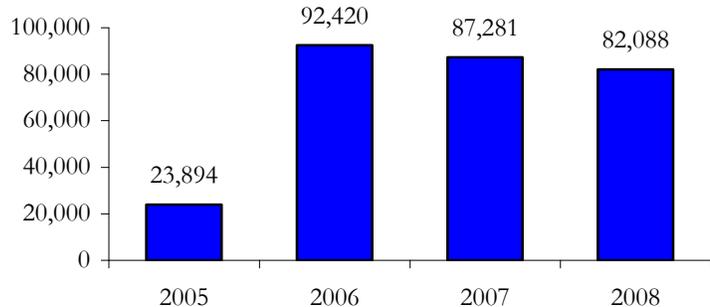
Child Safety

Operation SAFE CHILD

In 2005, the Operation SAFE CHILD program was implemented to raise awareness about child safety. Through a partnership with the New York State Police, New York Sheriffs' Association, New York State Association of Chiefs of Police, DCJS and 47 local police agencies, 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 288,000 SAFE CHILD records have been processed.

- ✓ In 2008, a total of 82,088 SAFE CHILD records were processed, a decrease (-6%) as compared to 2007.
- ✓ Since 2005, DCJS has retained 94% (268,916) of the 285,683 records processed through Operation SAFE CHILD.

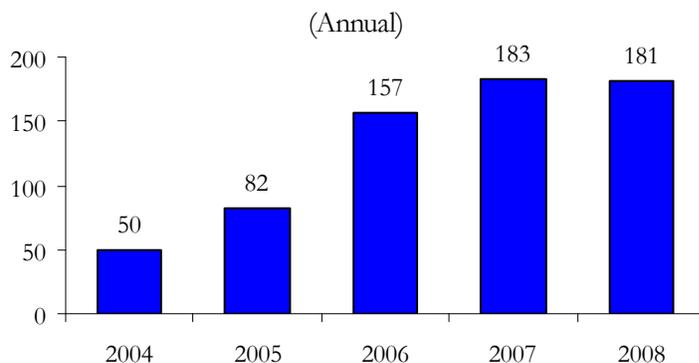
**Operation SAFE CHILD
Children Processed**
(Annual)



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.

Public Presentations and Outreach



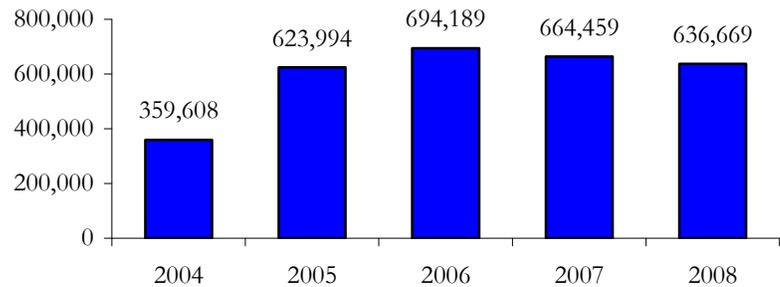
- ✓ DCJS conducted 56 outreach events and 125 public presentations during 2008, about the same as 2007.

Child Safety

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

DCJS /MECC Web Hits
(Annual)

- ✓ The number of web hits to the DCJS/MECC website increased between 2004 and 2006. Web hits declined slightly (-4%) each year in 2007 and 2008.



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 20,000 children reported missing to DCJS and the National Crime Information Clearinghouse (NCIC) in 2008.

| Missing NYS Children | | | | | |
|--|-----------------|--------|--------|--------|--------|
| Cases Reported, Closed and Active on NCIC | | | | | |
| | (Annual) | | | | |
| | 2004 | 2005 | 2006 | 2007 | 2008 |
| Cases Reported | 21,753 | 21,222 | 21,613 | 21,100 | 20,414 |
| Cases Closed | 21,745 | 22,139 | 21,646 | 20,999 | 20,283 |
| Cases Active Year End | 2,951 | 2,034 | 2,001 | 2,102 | 2,234 |

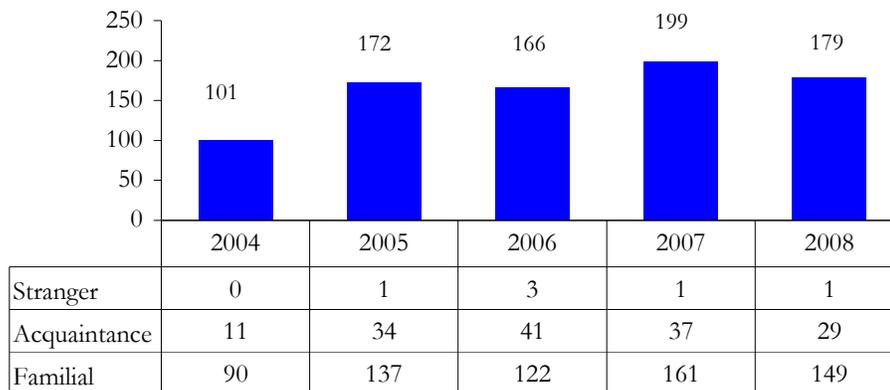
- ✓ During 2008, 20,414 cases were reported, and 20,283 were closed.
- ✓ At the end of 2008, a total of 2,234 missing children cases were active on NCIC, a slight increase over 2007.
- ✓ The median number of days that a missing child case was active was four days.

Child Safety

Child Abductions

Among the children reported missing each year, the overwhelming majority are reported as suspected runaways, accounting for over 92% of all reported missing cases. Abductions are extremely rare and account for less than 1% of the total number of missing child cases reported. The remaining 7% are reported as lost or circumstances unknown.

Reported NYS Child Abductions
(Annual)



- ✓ During 2008, 179 child abductions were reported, a reduction (-10%) from the 199 reported in 2007. Only one of these was a stranger abduction.
- ✓ The number of reported familial abductions decreased in 2008 by 8%, going from 161 in 2007 to 149 in 2008.

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 NYS Campus Safety Act of 1999, DCJS is responsible for providing assistance in cases involving missing college students.

- ✓ There were two AMBER Alerts in 2007 and four in 2008.
- ✓ There were six DCJS Missing Child/College Student Alerts in 2008 and four in 2007.

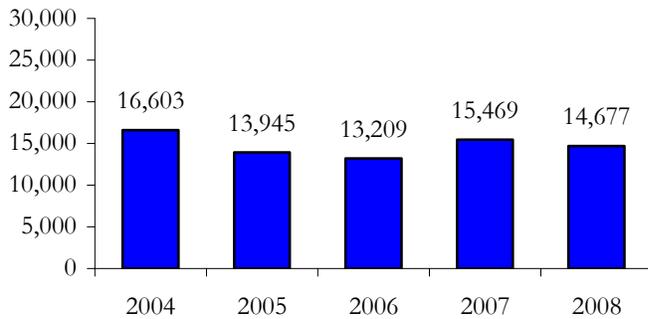
Victims Compensation & Restitution

Compensation to Crime Victims

The New York State Crime Victims Board (CVB) provides financial assistance to certain innocent 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 processed its first physical injury and death claims on Claims Assistant, CVB's new claims processing system. This system is designed to reduce claims processing time and improve the overall claims process.

CVB Claims Processed

(Annual)

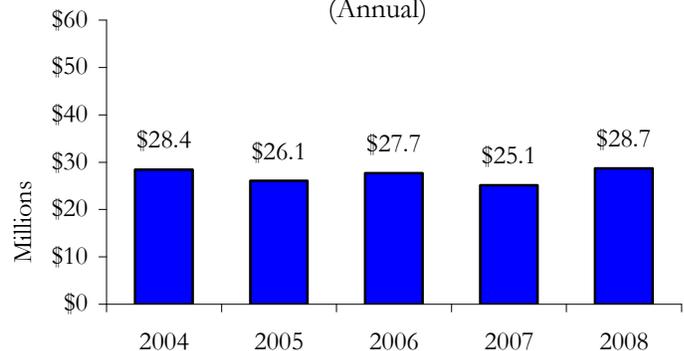


✓ The number of claims processed in 2008 was down 5% compared to 2007.

✓ In 2008, CVB made \$28.7 million in payments to innocent victims of crime, an increase (+14%) from 2007.

CVB Payments to Victims

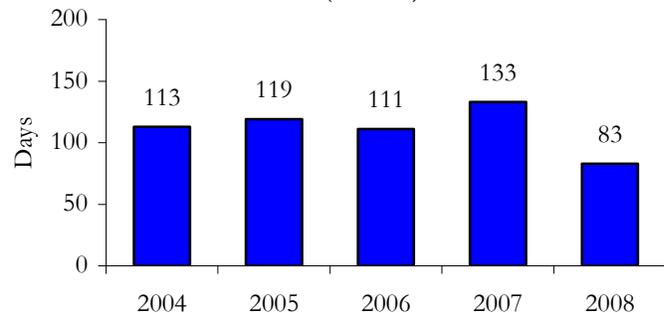
(Annual)



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)



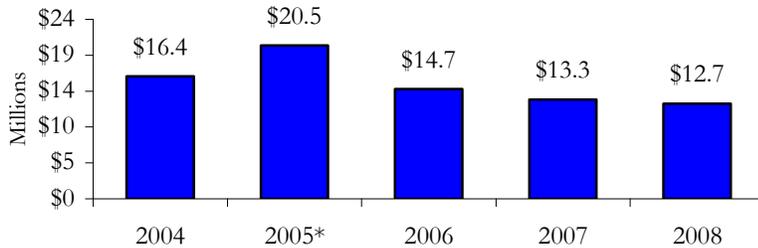
✓ In 2008, average claims processing time was 83 days, a decrease of 38%, as compared to 133 days in 2007. This reduction is primarily related to the new automated claims processing system implemented in 2008.

Victims Compensation & Restitution

Victim Restitution

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

**Victims Restitution Amount Collected
by Probation Departments**
(Annual)



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

✓ More than \$12.7 million was collected in 2008, a decrease of 4% from 2007.

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, as follows:

- ✓ Redesigned CVB's website to be more victim-centered and user-friendly. All information critical to victims is within two or three clicks of the homepage. The CVB website was recognized in 2008 by the Center for Digital Government through an award in the category of Government-to-Citizen.
- ✓ Issued a new poster designed to educate the public about CVB, its services, and contact information in March 2008. This was done in compliance with the requirements of Executive Law §625-a, and distributed to law enforcement and hospitals across the State.
- ✓ Conducted monthly trainings at each of the three CVB offices for victim assistance programs (VAP) to help victims file for claims. CVB also conducted/participated in trainings related to restitution for the VAP Southern Coalition, the NYS Probation Officers and Parole Association and the Judicial Institute/Office of Court Administration.

Reducing Domestic Violence

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, and it always keeps its two essential 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 approach, and includes a wide range of agencies: policing agencies, parole, probation, corrections, and others involved both directly and indirectly with both victims and offenders. This past year, OPDV focused its criminal justice training efforts on highlighting essential topics, engaging criminal justice agencies to collaborate on this issue, and establishing promising practices for all criminal justice agencies. In particular, OPDV has partnered with DCJS to focus the crime-fighting strategies of Operation IMPACT toward reducing domestic violence crime in several jurisdictions. OPDV is providing technical assistance and training to those jurisdictions that have identified domestic violence as a serious crime concern.

Training and Technical Support

OPDV has partnered with other agencies to enhance training and policy, and measure outcomes. Training and policy development assistance provided to health and human services professionals serves a preventative function and is also an important compliment to criminal justice training.

In 2008, OPDV:

- ✓ Trained more than 12,000 professionals from the criminal justice, health care and human services fields at 359 events.
- ✓ Collaborated with the Office for Children and Family Services to host three innovative regional forums across the state (in NYC, Albany and Rochester) called *Working with Fathers Who Are Abusive*. Over 225 child welfare case workers and supervisors attended the events. A total of 88% of the participants rated the overall program/workshops as good to excellent.
- ✓ Ensured that all 87 State agencies issued a "domestic violence in the workplace" policy, including tailoring the model policy for each agency, training representatives from all agencies, and training 78% of the Employee Assistance Program staff of the State. The impact of these policies is that if any of the more than 250,000 individuals who are employed by the State are being victimized, they can turn to their employer for support, and thereby protect their personal and economic security, as well as the agency workforce.
- ✓ Provided 562 days of technical assistance to professionals from the criminal justice, health care and human services fields, including policy development and review, presentations, 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.

Reducing Domestic Violence

Victim Advocacy - Information and Referral

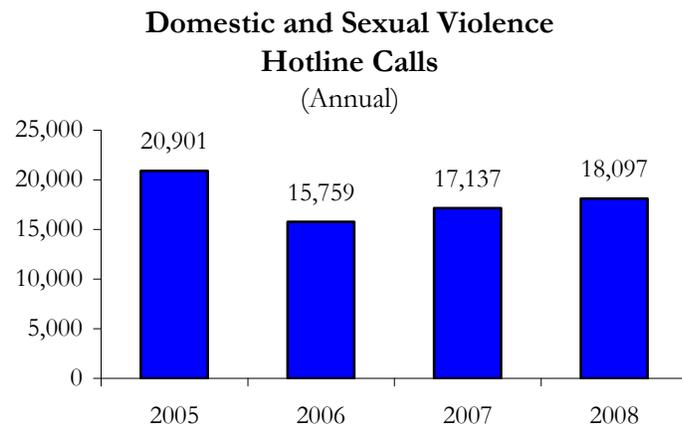
OPDV supports direct service providers and offers limited direct services through a program funded by the Crime Victims Board.

- ✓ During 2008, OPDV staff provided 428 information and referral contacts for victims of domestic violence, their families and community professionals requesting information or advocacy in individual victims' cases.



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.



- ✓ The Domestic and Sexual Violence Hotlines received more than 18,000 calls from individuals seeking help, support and information in 2008.

Public Education and Awareness

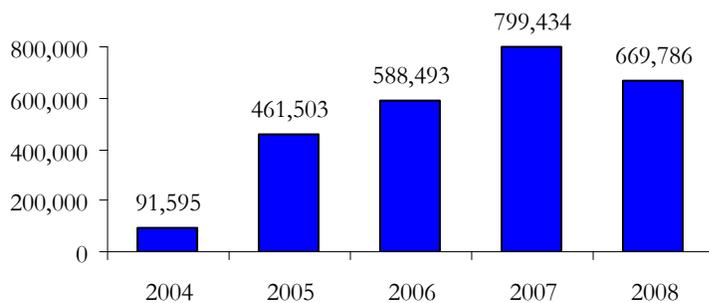
OPDV creates and distributes public education materials, produces public awareness campaigns, and provides information on its website about domestic violence and the system's response.

- ✓ Distributed approximately 168,000 public education materials to 736 agencies and organizations statewide for community education and victim assistance.

Reducing Domestic Violence

- ✓ Revised and republished the popular victim guide *Finding Safety and Support*, and had it translated for the first time into five (English, Spanish, Arabic, Chinese, and Russian) languages. Typically, OPDV distributes between 70,000 and 90,000 copies of this booklet in English and Spanish annually. After a hiatus in distribution due to revisions to reflect 2008 legislative changes, OPDV distributed more than 46,000 copies in English after its republication in April 2008, and is making all versions available on the website.
- ✓ Launched a quarterly e-bulletin to promulgate promising practices, innovations in research, and promote the breadth of state programs available to the clients of domestic violence service providers. The first issue of the e-bulletin was distributed to 1,676 individuals in October 2008; the second issue will be distributed in February 2009.

OPDV Website Hits
(Annual)



- ✓ In October 2008, OPDV revised its entire website to better serve its constituents.
- ✓ During 2008, the OPDV website received a total of 669,786 hits. This is lower than 2007 due to the website redesign and more streamlined reporting of web page hits.

- ✓ In October 2008, OPDV launched its first ever “turn the State purple” public awareness campaign. Purple has come to represent the fight against domestic violence. Almost 30 public and private organizations participated in the effort, from lighting several locations in purple (such as the top of the Alfred E. Smith building in Albany, Brooklyn Borough Hall, and both the U.S. and Canadian sides of Niagara Falls) to covering sidewalks with purple chalk (Seneca Falls), to State agency employees wearing purple, distributing public education materials in their facilities, and posting the “purple ribbon” web banner on agency websites. OPDV plans to make this an annual event.
- ✓ During 2008, OPDV concluded its outreach with the successful year-long *Coaching Boys Into Men Campaign* encouraging men to speak to boys about domestic violence. Over one million New Yorkers viewed the campaign which was available as billboards, posters, and radio and television spots. Posters, coffee sleeves and coasters are still in circulation.

Legal Training

New York State is currently home to 31 specialized domestic violence criminal courts, with five additional courts in various planning stages; 44 Integrated Domestic Violence courts (IDVC), with seven in planning stages, which hear both criminal and family/matrimonial court matters; and two District-wide planning initiatives. Almost 90% of the residents of New York State live in counties

Reducing Domestic Violence

served by operating IDV courts. Attorneys working in the field need enhanced training to prosecute cases and represent victims effectively in these forums. The New York Prosecutors Training Institute (NYPTI) is funded by 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 programs at Albany Law School and The University at Buffalo Law School to offer enhanced services to domestic violence victims through their clinical programs, and offer advanced training to family court practitioners.

In 2008, these programs:

- √ Conducted more than 30 hours of training on how to prosecute domestic violence cases and represent victims to more than 100 professionals;
- √ Provided legal assistance more than 230 times;
- √ Published and distributed 8,000 copies of the *Empire State Prosecutor* containing articles relevant to domestic violence prosecution; and
- √ Through the NYPTI Brief Bank, a resource for prosecutors handling a variety of cases (including domestic violence), provided assistance 813 times.

Interagency Collaboration

In 2008, OPDV hosted the Domestic Violence Advisory Council, as well as meetings of three subcommittees. OPDV, with the support of the Council, published the State's first Domestic Violence "Dashboard" in 2009. OPDV also participates in a wide variety of interagency programs and work groups designed to improve the overall criminal justice response to domestic violence including: Operation IMPACT, New York State's Transition from Prison to Community Initiative, and the NYS Interagency Task Force on Human Trafficking.

In a collaborative effort between the New York State Police and DPCA, the New York State Police began providing copies of Domestic Incident Reports (DIR) written against individuals known to be under community supervision to Parole and local probation authorities effective December 2008. This notification policy enhances the ability of parole and probation officers to intervene early in domestic violence cases.

Information for Victims & 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.

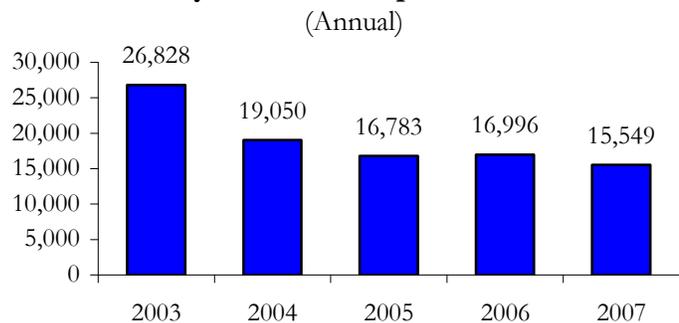
Considering Victim Impact in Case Dispositions

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 criminal court cases.

- ✓ In 2007, a total of 15,549 Victim Impact Statements were prepared as compared to 16,996 in 2006.
- ✓ During the first six months of 2008, 7,602 Victim Impact Statements were forwarded to the court. Full 2008 data are not yet available.

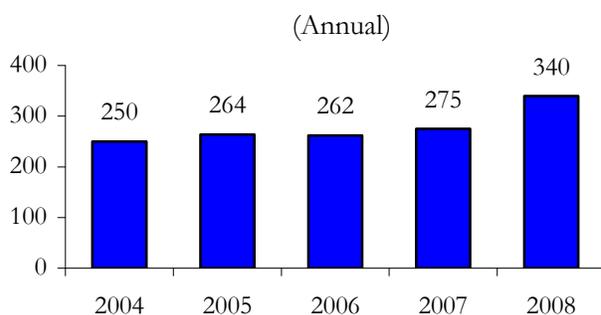
Victim Impact Statements Submitted by Probation Departments



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 Interviews with Parole Board



- ✓ During 2008, 340 face-to-face interviews between victims or their families and a Parole Board member were held, an increase (+24%) over 2007.
- ✓ At the end of 2008, Parole was tracking 8,000 cases for purposes of victim notification.

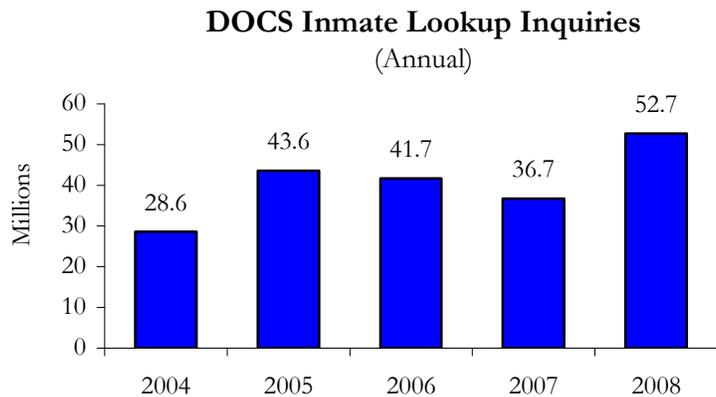
Information for Victims & the Public

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 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 52.7 million inquiries were submitted to Inmate Lookup during 2008, an increase of 44% from 2007.



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.

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 2008, 5,042 individuals registered with VINE, more than double the number from 2007, due to significant training and outreach by DOCS regarding VINE availability.

